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| **DEPARTMENT OF HEALTH SERVICES**Division of Medicaid ServicesF-00634 (02/2017) |  | **STATE OF WISCONSIN**Administrative CodeDHS 90.12(3)(f) |
| **COUNTY BIRTH TO 3 PROGRAM****ANNUAL NOTIFICATION OF PARENTAL RIGHTS REGARDING RECORDS** |
| Use of this form is voluntary for county Birth to 3 Programs. Use of this form, as instructed, meets the requirement of county Birth to 3 Programs to provide annual notification to parents of their rights regarding Birth of 3 Program Records. |
|  | Date |
|  |       |
| Child Name  | Date of Birth |
|       |       |

The  1 County  2 is responsible for maintaining the confidentiality of all information received and maintained regarding personally identifiable information by the early intervention program from point of referral through discharge. This information is maintained in a separate early intervention record at  3 . A copy of the record may be maintained at  4 . The record may contain information obtained with appropriate consent from other agencies involved with the child and family. Other records and information, paper or electronic may have been generated during the delivery of early intervention services to a child. When the child leaves the program, provider records containing personally identifiable will be  5 .

A child's early intervention record includes all information, paper or electronic, regarding a child that are required to be collected, maintained or used under the Individuals with Disabilities Education Act (IDEA): Part C. The record may include the following:

* Referral information, including notices and forms;
* Signed parental consent for evaluation;
* Early Intervention (EI) team report, including individual evaluations reports and findings;
* Assessment reports;
* Individualized Family Service Plan (IFSP) and parental consent for services;
* Progress or ongoing assessment documentation;
* Documentation of services provided; and
* Medical reports and other information used to determine eligibility and develop the IFSP.

Individuals involved in the administration and provision of the Birth to 3 Program services for a child will have access to his or her early intervention record. Other members of the  6 County Birth to 3 Program or service provider agencies may have access to the record under certain circumstances. The WI Sound Beginnings Program has been deemed a participating partner of the WI Birth to 3 Program. Information on children who are deaf or hard of hearing participating in the Birth to 3 Program will be shared with the Sound Beginnings Program for the purpose of enhancing the well-being of Wisconsin children. Persons or agencies outside the  7 County Birth to 3 Program or the provider agencies (except the Wisconsin Department of Health Services) will not have access to the record without appropriate written consent unless permitted by state/federal law. Parents may request the name and/or titles of persons at the  8 County Birth to 3 Program or the service provider agencies that will have access to their child's early intervention record.

In addition, state and local education authorities may share data without consent with other government agencies that are not under their direct control, as long as those other agencies are involved in federal or state-supported education programs with legitimate educational interests or in the connection with an audit or evaluation of Federal or State-supported education programs, or for the enforcement of, or compliance with Federal legal requirements that relate to those programs.

A parent may inspect and view their child's records by making a request in writing to the  9 . Either parent is assumed to have the right to see the record unless the agency has been informed that this right has been denied by law. If a child's record contains information about other children, a parent will have access to information pertinent only to their child.

A parent may request in writing to  10 that information in their child's early intervention record be amended if they believe it is inaccurate or misleading; or violates the privacy or other rights of their child, the parent or other family members. If the  11 refuses to amend the information a parent may appeal the refusal by requesting a hearing. Refer to the [P-21106 Parent and Child Rights](http://www.dhs.wisconsin.gov/publications/P2/p21106.pdf) document for further information.

The  12 will inform a parent when the information contained in their child's record is no longer needed to provide early intervention services. This is generally  13 years after a child leaves the program, since the information is needed for insurance billing and audit purposes. The  14 will destroy the records with a written request from the parent.

A complete statement of policies regarding confidentiality has been developed by the  15 . The policies include additional information about the types and locations of early intervention records regarding a child and family, how a parent and others can access the records, how records are stored, and how amendments to records are made. Parents may review these policies by contacting the Birth to 3 Program Coordinator.

If a parent believes that this program is not complying with federal laws relating to their child's record, a complaint may be filed with the administrator of the  16 Birth to 3 Program.

A parent may also file a complaint with Wisconsin Birth to 3 Program

Birth to 3 Program

Department of Health Services

PO Box 7851

Madison, WI 53707

The Annual Notification of Parental Rights Regarding Records form is available in Spanish. If further accommodations are required, contact the Birth to 3 Program Service Coordinator or county Birth to 3 Program Coordinator.