

## 902 KAR 30:150. Personnel qualifications.

RELATES TO: KRS 200.666, 20 U.S.C. 1431, 34 C.F.R. 303.22, 303.23(d), 303.360, 303.361, 303.526

STATUTORY AUTHORITY: KRS 194A.050, 200.660

NECESSITY, FUNCTION, AND CONFORMITY: KRS 200.660 requires the Cabinet for Health and Family Services to administer all funds appropriated to implement provisions of KRS 200.650 to 20.676, to enter into contracts with service providers, and to promulgate administrative regulations. This administrative regulation establishes the provider qualifications for participation in First Steps, Kentucky's Early Intervention Program.

### Section 1. Enrollment Process for Provider Participation.

(1) The program shall enroll providers to carry out the early intervention services according to the provisions of KRS 200.650 to 200.676.

(2) The program shall contract only with an individual or agency who meets the qualifications established in Section 2 of this administrative regulation.

(3) The program shall reserve the right to contract or not contract with any potential provider or agency.

(4) Any provider or agency that wishes to participate as a provider in the First Steps program shall:

(a) Submit an application packet to the cabinet. The application packet shall include:

1. A copy of the provider's professional license, registration, or certificate;

2. A completed Provider Enrollment Form; and

3. A signed First Steps Provider Code of Ethical Conduct;

(b) Have a background check performed by the Administrative Office of the Courts, the Division of Protection and Permanency, and the Sex Offender Registry, with those agencies submitting the results of each background check directly to the cabinet;

(c) Agree to provide service within the individual's or agency's scope of practice and in accordance with state and federal regulations and laws relating to First Steps; and

(d) Be enrolled as a participating provider prior to being eligible to receive reimbursement in accordance with federal and state laws.

(5) The application shall not be considered complete and shall not be processed until all information and any subsequent documentation requested by the program is provided.

(6) The program shall make an enrollment determination within ninety (90) days of receipt of the information required by subsections (4) and (5) of this section.

(7) If the applicant is approved for enrollment, the Service Provider Agreement shall be executed and the provider shall be issued a contract number that shall be used by the provider solely for identification purposes.

(8) A provider's participation shall begin and end on the dates specified in the executed Service Provider Agreement.

(9) If an agency is the enrolled provider, the agency shall be responsible for ensuring that all staff from that agency providing First Steps services meet the First Steps personnel qualifications.

(10) Provider enrollment shall be renewed every even-numbered year. An individual or agency wishing to renew a Service Provider Agreement shall submit the documentation required by subsections (4) and (5) of this section prior to the end date specified in the Service Provider Agreement.

(11) If a provider agency is enrolling to provide group services, the agency shall submit:

(a) A copy of a valid child care licensure that meets the requirements stated in 922 KAR 2:090; or

(b) Approval as a contractor for group instruction through the Kentucky Department of Education.

### Section 2. Personnel Qualifications.

(1) Minimum qualifications for professionals or disciplines providing services in First Steps shall be as established in this subsection.

(a) An audiologist shall have:

1. A master's degree; and

2. A license from the Kentucky Board of Speech-Language Pathology and Audiology.

(b) A licensed marriage and family therapist shall have:

1. A master's degree; and

2. A license from the Kentucky Board of Licensure of Marriage and Family Therapists.

(c) A developmental interventionist shall have:

1. A bachelor's degree; and

2.a. An interdisciplinary early childhood education (IECE) certificate by the Kentucky Education Professional Standards Board, Division of Certification or be able to obtain a probationary or emergency IECE certificate issued by the Educational Professional Standards Board; or

b. A valid out-of-state certificate for the teacher of children ages birth to three (3) years with disabilities.

(d) A nurse shall have:

1. An associate degree or diploma from a registered program; and

2. A license from the Kentucky Board of Nursing.

(e) A nutritionist shall have:

1. A master's degree; and

2. A certificate from the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists.

(f) A dietitian shall have:

1. A bachelor's degree; and

2. A license from the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists.

(g) An occupational therapist shall have:

1. A bachelor's degree; and

2. A license from the Kentucky Board of Licensure for Occupational Therapy.

(h) An orientation and mobility (O and M) specialist shall have in accordance with the Division of Exceptional Children Services, Kentucky Department of Education a bachelor's degree in Special Education with emphasis on visual impairment and O and M.

(i) A physician shall have:

1. A doctor of medicine degree or doctor of osteopathy degree; and
2. A license from the Kentucky Board of Medical Licensure.

(j) A physical therapist shall have:

1. A bachelor's degree; and
2. A license from the Kentucky Board of Physical Therapy.

(k) A licensed psychologist shall have:

1. A doctoral degree; and
2. A license from the Kentucky Board of Examiners of Psychology.

(l) A certified psychologist with autonomous functioning, a licensed psychological practitioner, a certified psychologist or licensed psychological associate shall have:

1. A master's degree; and
2. A license or a certificate from the Kentucky Board of Examiners of Psychology.

(m) A social worker shall have:

1. A bachelor's degree; and
2. A license from the Kentucky Board of Social Work.

(n) A speech-language pathologist shall have:

1. A master's degree; and
- 2.a. A license from the Kentucky Board of Speech-Language Pathology and Audiology; or
- b. A temporary license from the Kentucky Board of Speech-Language Pathology and Audiology and be under the supervision of a currently-enrolled First Steps speech-language pathologist.

(o) A teacher of children who are deaf and hard of hearing shall have:

1. A bachelor's degree; and
2. A certificate for teaching the hard of hearing, deaf, or hearing impaired, or a certificate for teaching the hearing impaired, grades P-12, K-12 issued by the Kentucky Education Professional Standards Board, Division of Certification.

(p) A teacher of the visually impaired shall have:

1. A bachelor's degree; and
2. A certificate for teaching of the visually impaired, grades P-12, or a certificate for teaching the partially seeing, blind, or visually impaired, K-12 issued by the Kentucky Education Professional Standards Board, Division of Certification.

(q) A licensed professional clinical counselor shall have:

1. A master's degree; and
2. A license from the Kentucky Board of Licensed Professional Counselors.

(r) An optometrist shall have:

1. A degree from an accredited school or college of optometry; and
2. A license from the Kentucky Board of Optometric Examiners.

(s) An ophthalmologist shall have:

1. A doctor of medicine degree or doctor of osteopathy degree;
2. A license from the Kentucky Board of Medical Licensure; and
3. Certification from the American Board of Ophthalmology.

(2) The minimum qualification for paraprofessionals providing services in First Steps shall be as established in this subsection.

(a) A developmental associate shall:

1. Have an associate degree in the area of interdisciplinary early childhood education (IECE); and
2. Be directly supervised by a developmental interventionist.

(b) An occupational therapy assistant shall have:

1. An associate's degree in occupational therapy; and
2. A license from the Kentucky Board of Licensure for Occupational Therapy.

(c) A physical therapist's assistant shall have:

1. An associate degree in physical therapy assistance; and
2. A license from the Kentucky Board of Physical Therapy.

(d) A licensed practical nurse shall have:

1. A high school diploma or a GED;
2. Completed a state approved LPN education program; and
3. A license from the Kentucky Board of Nursing.

(3) The minimum qualifications for recognized service positions providing services in First Steps shall be as established in this subsection.

(a) A service coordinator shall:

1. Meet the minimum highest entry-level requirement for one (1) of the professions delineated in this administrative regulation; or
2. Have a bachelor's degree and the equivalency of two (2) years' experience in working with young children ages birth through five (5) years, or have a bachelor's degree and two (2) years' experience working with families with young children ages birth through five (5) years, in a position in which the following skills and competencies have been demonstrated:

- a. Communication skills in interviewing, negotiating and mediating, and providing informal support;
- b. Problem-solving by finding and utilizing services and resources, resolving conflicts, integrating services using formal and informal channels, and enabling families to use problem-solving;
- c. Organization by maintaining accurate data collection and resource information, exhibiting flexibility in scheduling, and developing plans; and
- d. Collaboration and leadership through developing relationships with families, enabling families to develop their decision-making skills, and establishing collaborative relationships with service providers.

(b) A primary level evaluator shall:

1. Meet the minimum highest entry-level requirements for one (1) of the professions delineated in this administrative regulation;
2. Have two (2) years experience working directly with young children birth through two (2) years of age, including children with disabilities or atypical development;
3. Have one (1) year of experience in using standardized instruments and procedures to evaluate infants and toddlers birth through two (2) years of age, completed as part of formal training or in supervised practice; and
4. Be approved by the cabinet in accordance with KRS 200.666(1).

(c) An assistive technology specialists shall:

- 1.a.(i) Meet the minimum highest entry-level requirements for one (1) of the professions delineated in this administrative regulation; and
  - (ii) Have extensive knowledge, training, and experience in the field of assistive technologies for infants and toddlers with disabilities; or
  - b.(i) Meet the qualifications established in clause a.(ii) of this paragraph; and
  - (ii) Be employed by an agency that currently provides assistive technology service in First Steps; and
2. Be approved by the cabinet in accordance with KRS 200.666(1).
- (d) A respite provider shall:
1. Meet all license, administrative regulations, and other requirements applicable to the setting in which respite is provided; and
  2. Be approved by the individualized family service planning team.

#### Section 3. Field Experiences - Intervention services implemented by a student.

- (1) With family consent, a student may provide early intervention services under the direct one-to-one supervision of a provider qualified in accordance with Sections 1 and 2 of this administrative regulation.
- (2) A student who provides early intervention services shall complete and sign staff notes for each session in which the student facilitates or provides intervention.
- (3) The approved First Steps provider shall also include a staff note for each session involving a student.

#### Section 4. Incorporation by Reference.

- (1) The following material is incorporated by reference:
  - (a) "Form 6, Provider Enrollment Form", April 2008 edition;
  - (b) "First Steps Provider Code of Ethical Conduct"; April 2010 edition; and
  - (c) "Form 5A, Service Provider Agreement", April 2010 edition.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department for Public Health, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m.

(23 Ky.R. 3142; Am. 3860; eff. 6-16-1997; Recodified from 908 KAR 2:150, 10-25-2001; 31 Ky.R. 499; 1280; eff. 1-19-2005; Recodified from 911 KAR 2:150, 5-17-2010; 37 Ky.R. 532; 1272; 1677; eff. 2-4-2011.)