

## 1401: PRIOR WRITTEN NOTICE

**Prior Written Notice (PWN) (OK-SS Prior Written Notice)** serves as the basis for formal notification to the family regarding their right to agree or disagree with early intervention service decisions made by the SoonerStart team. Prior Written Notice is provided to parents prior to the proposal or refusal of initiation or change of identification, evaluation, placement or provision of appropriate early intervention services.

Prior Written Notice is provided at the following times:

- Before\* and following a developmental screening
- Before\* and following determination of eligibility (initial, automatic qualifier or continuing)
- Following an IFSP meeting (initial, periodic review, annual review, modification)
- Following the transition meeting (development/initiation of Transition Steps and Services or Transition Planning Conference)
- Parent/guardian revocation of consent for or withdrawal from services
- Exit from SoonerStart based on completion of IFSP goals

*\*Note for the “before” the screening and “before” the evaluation – the prior written notice is already written into the consent for screening and consent for initial evaluation/assessment, a separate prior written notice before screening and evaluation is not necessary.*

The Resource Coordinator is responsible for providing Prior Written Notice to the family a reasonable amount of time *after* a decision is made by the Early Intervention (EI) team and *before* the proposed action will occur. This allows the family time to determine if they want to give consent or choose another avenue (e.g. calling an IFSP meeting, requesting mediation, etc.). However, if a proposed action is to take place within a timeframe that does not allow for prior written notice to be provided a “reasonable” amount time before the action occurs\*, the parent/guardian may waive the time frame by signing off on the prior written notice form (see below): **Optional:** I understand the above and agree that the action(s) described on this notice may occur without the notice being provided to me by SoonerStart a reasonable amount of time prior to the proposed or refused action(s) taking place.

**Parent Initials: Date:**

*\*For example, a service delivery is modified to reflect increasing services from 30 minutes/1 time weekly to 60 minutes/1 time weekly and the provider is going to stay and complete a 60-minute visit on the same day as the modification. If the parent/guardian agrees to this action, they would need to sign off on the prior written notice waiving the “reasonable amount of time prior to” as services are occurring on the same date as the modification and reasonable amount of time prior is not possible.*

The Prior Written Notice includes sufficient detail of the action being proposed or refused, the reason for the proposed action, procedural safeguards available and state complaint procedures including how to file a complaint. (Many of these components are already on the SoonerStart Prior Written Notice form.)

The notice is provided in the parent's native language unless clearly not feasible to do so.

The Resource Coordinator's progress note reflects that Prior Written Notice has been provided to the family and a copy maintained in the Early Intervention record.

#### **Systems of Payments - Notification to Parents**

**The Systems of Payments - Notification to Parents** is sent to all families upon receipt of a referral. This process allows the program to ensure families understand how early intervention services are funded and that SoonerStart may seek Medicaid reimbursement for allowable services with parental consent to release personally identifiable information to the Oklahoma Health Care Authority (OHCA).

#### **Documentation of Prior Written Notice**

All Prior Written Notice forms including the **Systems of Payment – Notification to Parents** are generated in the EdPlan database. The finalized form is stored in the Documents section of the record.