



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK T. BENTON • Assistant Secretary for Public Health
Division of Public Health

To: North Carolina Infant-Toddler Program Staff and Providers
From: Sharon E. Loza, Early Intervention Branch Head
Date: April 28, 2020
RE: COVID-19 (Coronavirus) Updated Guidance for Contracted Service Providers

Due to the COVID-19 healthcare crisis, including the Governor's issuance of Executive Order No. 116 declaring the State of North Carolina under a State of Emergency, and Executive Order No. 121 requiring the vast majority of citizens to remain at home in order to limit person-to-person contact;

And while the Early Intervention Branch (EIB) recognizes that Executive Order No. 121 provided an exemption for healthcare operations and in home services to remain open as essential services, the EIB also recognizes that in an effort to limit exposure many state healthcare providers have transitioned to telehealth visits for the care and treatment of patients;

And while EIB as the Lead Agency in North Carolina has federal authority to establish procedural safeguards pursuant to 34 CFR 303.400 in the delivery of services to the children enrolled in the program;

And that EIB is aware of at least one Service Provider who was COVID-19 positive and continued to conduct in-home visits thus exposing participating children and families to serious risk of injury and/or death;

And at this time, the Children's Developmental Services Agencies (CDSAs) have suspended face-to-face visits and the EIB has strongly discouraged face-to-face visits for service providers;

Therefore, effective immediately, all contracted Service Providers or any Service Provider employee who has either (a) tested positive for COVID-19; or, (b) is exhibiting known signs and symptoms of COVID-19, and yet continues to perform in-house visits, assessments, or services, shall be considered in violation of Paragraph 10 of Attachment 1 of the Provider Agreement which states in relevant part: *Service Providers shall ensure that all health and safety codes are followed, and that infants and toddlers being evaluated for eligibility or enrolled in the N.C. ITP are not at risk of sustaining harm or injury.*

And as a result of the violation of the terms and conditions in Attachment 1, the CDSA may immediately terminate the Provider Agreement with the Service Provider. This guidance is effective for the duration of the state of emergency declared under Governor Cooper's Executive Order 116, unless earlier rescinded in writing by EIB.

Thank you for your continued partnership in ensuring families with children enrolled in the NC ITP are safe, healthy, and reaching their maximum potential.

cc: Mr. Mark Benton
Dr. Kelly Kimple

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Early Intervention Branch

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