



**NYC EARLY INTERVENTION PROGRAM  
REQUEST FOR FOSTER CARE SURROGACY DETERMINATION**

<b>Child's Name (Last, First):</b>	
<b>EI #:</b>	<b>DOB:</b>
<b>Foster Care Agency:</b>	
<b>Foster Care Education Liaison:</b>	<b>Phone Number:</b>
<b>Foster Care Case Planner:</b>	<b>Phone Number:</b>

Dear \_\_\_\_\_ : Date: \_\_\_\_\_  
Name of Education Liaison/Foster Care Case Planner

The above-named child, who is in foster care with your agency, has been referred to/is participating in the NYC Early Intervention Program (EIP) for service coordination, evaluation, and possible therapeutic services. The EIP is contacting you to determine the status of the parents’ decision-making rights.

Unless parental decision-making rights have been terminated, surrendered or limited, **parents have the right to participate in the Early Intervention Program (EIP)**. It is important to contact the parent to explain the reasons for referral, benefits of services and next steps. Assuming parental decision-making rights are intact, I am happy to participate in the conversation between you and the parent to explain the Early Intervention Program and encourage participation.

Please complete the attached Foster Care Surrogacy Recommendation and EIOD Assignment form and return it to me within seven (7) calendar days so that the EIP can comply with federally mandated time frames for evaluation as specified in Article 25 of the New York State Public Health Law. The Early Intervention Program cannot proceed with eligibility determination (evaluations) and/or services without information regarding the parents’ status.

This form gives the Early Intervention Program:

- The status of parental decision-making rights,
- The name and contact information of the parent,
- Information about the parents’ visitation with the child,
- Recommendations for Surrogacy Assignment (if necessary), and
- Name and contact information for the Foster Care Case Planner, Supervisor, and any Education Liaison.

If you cannot reach the parent within (7) calendar days and parental decision-making rights have not been terminated, surrendered or limited, please contact me to let me know. I can also assist with parental outreach.

I will call you after receiving the Foster Care Surrogacy Recommendation and EIOD Assignment form if there are any questions or concerns. You should also feel free to contact me at the numbers below.

With the consent of the parent or surrogate, we may communicate via email regarding the status of the above-named child and parent(s). To send completed forms via email, please discuss and complete the attached Parental Consent to Use E-mail to Exchange Personally Identifiable Information form with the child’s parent/legal guardian. Please ensure that the section labeled “Optional,” at the bottom of the form **is completed**.

Sincerely,

SC Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Office Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Agency/address: \_\_\_\_\_



**NYC EARLY INTERVENTION PROGRAM  
REQUEST FOR FOSTER CARE SURROGACY DETERMINATION LETTER  
INSTRUCTIONS FOR USE**

**This form replaces Foster Care Letter Part I**

For children in foster care, the Service Coordinator (SC) must send this form to the Education Liaison/Foster Care Case Planner along with the rest of the Early Intervention Foster Care Packet, which consists of the following forms, **no later than two (2) calendar days** from the date that ISC assignment was accepted:

1. Request for Foster Care Surrogacy Determination Letter
2. Foster Care Surrogacy Recommendation and EIOD Assignment form
3. Parent Designation of Person Acting in Place of Parent form
4. Parental Consent to Use E-mail to Exchange Personally Identifiable Information form
5. Reassignment or Termination of Surrogacy form

If the referral source was someone other than ACS or the Education Liaison/ Foster Care Case Planner (such as the foster parent or a primary health care provider), this Request for Foster Care Surrogacy Determination Letter serves as a way of informing the foster care agency of the child’s referral to the EIP. If the foster care agency made the referral, this letter serves as confirmation of EIP’s receipt of the referral.

The SC must call the foster care agency to ensure that the packet has been received and to answer any questions. Specifically, the SC must ensure that foster care agency staff understand how to complete the Parental Consent to Use E-mail to Exchange Personally Identifiable Information form.

1. To allow email communication between any EI provider or BEI staff member and foster care agency staff, the Parental Consent to Use E-mail to Exchange Personally Identifiable Information form must be completed by foster care agency staff as follows:
  - Complete the Parent’s Name and E-mail Address (optional) fields at the top of the form with the parent’s, guardian’s, or surrogate parent’s information.
  - Fill in the Child’s Name and Date of Birth.
  - The section, “Parental Acknowledgement and Agreement,” can be left blank.
  - The section, “Optional,” at the bottom of the form **must** be completed.
  - The Parent Consent to Use Email form is a specific consent that requires that the email addresses of the individuals permitted to communicate with one another be specifically indicated.
  - The parent uses this section to give permission for ‘Early intervention team members’—**which includes EI and foster care team members**—to communicate by email about their child.
  - On each line, 1-5, write the name and email address for each EI and foster care team member who will have permission to communicate via email about the child.
  - The parent must sign and date the form.
2. After a parent, guardian or surrogate has signed the completed Parent Consent to Use Email form, the service coordinator, evaluator, service provider, or NYC BEI staff member identified on the Parent Consent to Use Email form can communicate via email with the foster care agency staff listed on the form about the child’s case.

**The Initial Service Coordinator (ISC)** must monitor all timeframes to ensure that the child receives a timely evaluation.

If a child already participating in the EIP is placed in foster care, then:

1. **The Ongoing Service Coordinator (OSC)** must send this form to the Education Liaison/Foster Care Case Planner along with the rest of the Early Intervention Foster Care Packet (see above) to the foster care agency within two (2) days of notification that a child currently receiving Early Intervention services has been placed in foster care.

The ISC/OSC must assist with parent outreach if they are informed by the Foster Care Case Planner, Supervisor, or Education Liaison that parental decision-making rights have not been terminated, surrendered or limited. If this information is shared **verbally**, the ISC/OSC must clearly document this information and the names of the foster care agency staff who provided this information verbally.

**Following the receipt of the Foster Care Surrogacy Recommendation and EIOD Assignment Form:**

1. SC sends the completed Request for Foster Care Surrogacy Determination Letter, the Foster Care Surrogacy Recommendation and EIOD Assignment form, Parent Designation of Person Acting In Place of Parent form (if applicable), to the following HIN ID per NYC Regional Office via HCS Secure File Transfer (SFT) in the child’s borough of residence indicating that “Parent rights determination attached. EIOD approval needed/not needed for Child ID: XXXXX” within 24 hours of receipt.
  - Brooklyn RO HIN ID: BKRO
  - Bronx RO HIN ID: BXRO
  - Queens RO HIN ID: QRO
  - Manhattan RO HIN ID: MRO
  - Staten Island RO HIN ID: SIRO
2. If the Foster Care Surrogacy Recommendation and EIOD Assignment form indicates that a surrogate parent needs to be assigned or the Parent Designation of Person Acting in Place of Parent form is completed, EIOD approval is required prior to contacting the surrogate parent and initiating the EI process. The SC must do the following to facilitate approval:
  - Ensure that the following information is entered in the EI-Hub **prior to** submission of the surrogacy forms to the Regional Office via HCS Secure File Transfer:
    - The individual to be assigned as the surrogate is added as a “family member” in the “*Family Info*” tab in the EI-Hub
    - The individual must be selected as “*surrogate*” under “*family member type*”
    - The individual must be selected as the “*primary contact*” under “*contact type*”
      - Refer to [Determining the Need for and Assigning a Surrogate Parent Policy](#) for detailed EI-Hub procedures.
  - Call the Regional Office in the child’s borough of residence to follow-up if EIOD approval is **not** issued within **three (3) business days** of submission in HCS.
  - Checks the “Family Info” tab “Surrogate Parent Appointment” panel in the EI-Hub to view the Regional Office completed and approved surrogacy assignment.
  - Ensures that the Foster Care Surrogacy Recommendation and EIOD Assignment form or the Parent Designation of Person Acting in Place of Parent form (if applicable) is attached in the EI-Hub.
    - Checks EI-Hub as follows:
      - Clicks on the “*Document*” tab. Under “*Document Area*,” selects “*Surrogate*” from the dropdown and clicks “*Search*”.
      - *Applicable surrogacy attachments will appear in the grid*

3. Initiates surrogacy outreach as soon as possible following EIOD approval but no later than two (2) calendar days after the receipt of EIOD approval.

Note: In most cases, parental decision-making rights will be intact and the parent will be involved in the Early Intervention process. A surrogate parent will not be needed even if the child is in foster care.

If the Foster Care Surrogacy Recommendation and EIOD Assignment form indicates that surrogate assignment is not needed, SC initiates parent outreach as soon as possible to begin the EI process **no later than two (2) calendar days** after the receipt of the form. The SC should not wait for foster care agency staff to return the Request for Foster Care Surrogacy Determination Letter to the SC since there is no information for the foster care agency staff to complete.

The SC agency is required to keep a copy of all completed foster care related forms in the child's file for program monitoring and audit purposes.