Advocates for Children of New York
Protecting every child's right to learn

Testimony for the Joint Legislative Hearing on the Fiscal Year 2027 Executive Budget Proposal: Health

Re: Early Intervention

February 10, 2026

Advocates for Children of New York (AFC) appreciates the opportunity to submit testimony regarding the need to significantly invest in Early Intervention (EI) in the Fiscal Year 2027 Executive Budget. For more than 50 years, AFC has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. Every year, we help thousands of New Yorkers navigate the early childhood education and school-aged education systems. We focus on students whose needs are often overlooked, such as students with disabilities, English Language Learners, students who are homeless or in foster care, students with mental health needs, and students with involvement in the juvenile or criminal legal systems.

With respect to Early Intervention (EI), we urge the Legislature to:

1. Fulfill the promise made to providers and families by implementing the five percent rate increase promised in the FY 2025 State Budget.
2. Increase EI reimbursement rates by an additional eight percent for services delivered in person.
3. Fund a comprehensive assessment of the EI system to identify how to make services accessible, equitable and effective for every child who needs them, as proposed in the Early Intervention Reform Bill (A.283A/S.1222A).
4. Expand the pipeline of qualified early childhood professionals by providing loan forgiveness to individuals entering the EI workforce. Advance the Early Intervention Loan Forgiveness bill (A.1974/S.8290) to draw new providers into the EI field.

We are pleased to see the significant investments Governor Hochul has proposed for early childhood care and education programs in the Executive Budget. These investments are recognition that the first few years of a child's life are formative

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years that greatly impact a child's future academic success and social-emotional development and deserve significant state support and funding.

When the State considers the needs of young children and their families, it must not forget children with developmental delays or disabilities. Congress established the Early Intervention (EI) program as part of the Individuals with Disabilities Education Act (IDEA) to provide critical services to infants and toddlers with developmental delays or disabilities and their families at a time when these services could have the greatest impact on a child's development. For over thirty years, New York's Early Intervention program has helped hundreds of thousands of young children reach important developmental milestones. At AFC, we've heard families say these services helped their nonverbal children begin to communicate by pointing and using gestures, while others say they heard their toddler utter their first word and respond to their name thanks to the program.

However, New York's Early Intervention program is struggling. In recent years, low EI reimbursement rates have led to a severe shortage of evaluators, service coordinators, and service providers, resulting in long delays in the EI process and inequitable access to legally mandated services. Furthermore, before March 2020, all evaluations and services were provided in person. However, following the pandemic, many families are now only being offered telehealth services even when their young child needs services delivered in person.

While the Early Intervention program is designed to support a child's developmental growth to prepare them for preschool and elementary school, it is currently in urgent need of comprehensive reform and a significant investment to ensure children with developmental delays or disabilities receive their mandated services. Failure to do so will result in challenges for children and their families who do not receive the support they need. It will also cost the State more in the long term as it will have to provide more intensive and costly services to children as they get older.

In this moment when the State is looking to expand access to state-funded early childhood care and education programs, it is going to be critical to ensure that young children with developmental delays and disabilities are not left behind.

1. **Fulfill the promise made to providers and families by implementing the five percent rate increase promised in the FY 2025 State Budget.**

After years of no across-the-board rate increases, we were pleased that Governor Hochul took a step towards investing in the Early Intervention program by promising a five percent increase in reimbursement rates for services delivered in person as part of the Fiscal Year 2025 Budget. While modest, the rate increase was meant to help address the significant shortage of providers that is impacting young children's access to timely in-person services. Unfortunately, while this rate increase was supposed to start in April 2024, providers are still waiting for the State to begin implementing it.

The shortage of providers has a direct and significant impact on the children and families Early Intervention is meant to serve. Failure to address the shortage results in thousands of young children with developmental delays and disabilities going without the Early Intervention services they need each year.

Data shared by the New York State Department of Health in December 2025 show that across the State only 61.4% of children received timely Early Intervention services during program year 2023-2024.[1] The primary reasons reported for the delays include the lack of providers available to provide services in person, provider capacity issues, and provider scheduling problems and waitlists.

In New York City, which serves nearly half of all the children receiving Early Intervention in the State, only 55% of infants and toddlers with developmental delays or disabilities received all their mandated services within the 30-day legally required timeframe between July 1, 2024, and June 30, 2025 (NYC Fiscal Year 2025)[2]. During this same period, close to 2,000 young children (1,875 or 8%) did not receive any of their mandated Early Intervention services within the legally required timeframe.

The State cannot continue to delay implementing the five percent rate increase promised to providers two years ago. Although the rate increase was supposed to begin on April 1, 2024, the State failed to submit a State Plan Amendment (SPA) to the federal Centers for Medicare & Medicaid Services (CMS) for approval until December 31, 2024. While that plan is now pending approval by the federal government, it is critical that the State move forward and implement the promised rate increase now. The State can no longer wait for CMS action to move forward with the rate increase.

The State has been failing to meet its legal obligation to young children with developmental delays and disabilities and must make the investments needed to recruit and retain providers – starting with the five percent rate increase promised two years ago – regardless of the action or inaction of the federal government.

2. **Increase EI reimbursement rates by an additional eight percent for services delivered in person.**

Even if the promised five percent rate increase were fully implemented, EI provider rates would still be lower now than they were twenty years ago –without taking into account the increased cost of living.

The low reimbursement rate is having a visible impact on workforce capacity. At least two counties, Franklin and Hamilton, have no EI service providers remaining.[3] Across the State, more than 2,000 providers have left New York's EI program since 2019, often to work in other settings that offer higher salaries, while dozens of service agencies have closed their doors due to insufficient funds.

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[1] *See* NYS Department of Health: ***Annual Performance Report State Systemic Improvement Plan***, December 2025 Early Intervention Coordinating Council (EICC) Meeting.
[2] *See* NYC Department of Health and Mental Hygiene: ***Bureau of Early Intervention FY2025 Annual Report***, December 1, 2025.
[3] *See* Jeanna Capito and Danielle Fuentes Johnson, ***Understanding the True Cost of Early Intervention Services in the Adirondack Region***, Prenatal to Five Fiscal Strategies, 2025.

For comparison, preschool special education providers who serve a similar population of children, received a 4% rate increase in Fiscal Year 2022, an 11% increase in Fiscal Year 2023, and yearly increases of 6.25%, 4.3%, and 2.9% since then.

As noted above, the workforce shortage is causing thousands of children to experience delays in securing timely EI services. These delays limit the potential growth and progress young children can make before aging out of the program. Therefore, it is critical to address the provider shortage immediately by providing a meaningful rate increase that will allow the program to attract new providers, retain the existing workforce, and help the State meet its legal obligation to provide timely services to infants and toddlers with developmental delays or disabilities.

3. **Fund a comprehensive assessment of the EI system to identify how to make services accessible, equitable and effective for every child who needs them, as proposed in the Early Intervention Reform Bill (A.283A/S.1222A).**

To address the systemic challenges in the Early Intervention program that are contributing to children experiencing delays, provider shortages, and administrative difficulties, the State must conduct a comprehensive assessment of the Early Intervention system to identify reforms to make services more accessible, equitable and effective for every child who needs them.

Among other things, the assessment should include a review of the existing methodology used to determine payment for all EI evaluations, services and service coordination in order to ensure that the program can properly serve infants and toddlers with developmental delays or disabilities in a timely manner going forward.

Such a study could inform new reimbursement methodologies to address ongoing financial concerns providers face, as well as to address disparities in evaluations and service delivery based on race, income, geographic location, and other factors. Among other things, the assessment should address the cost of services provided in rural and low-income areas, the need for bilingual and culturally competent services, areas with provider shortages, travel time reimbursement, cost of living increases, reimbursement for professional development, and the rate for telehealth services and technology.

Two years ago, the Senate and Assembly passed a bill (A.10175/S.1198) that would have required the Department of Health to conduct such a study. However, the Governor vetoed the bill because it did not include funding. We're calling on the Legislature to include in the budget the Early Intervention Reform Bill (A.283A/S.1222A) to modernize and strengthen EI statewide and to allocate $1 million to cover the cost of this comprehensive assessment.

4. **Expand the pipeline of qualified early childhood professionals by providing loan forgiveness to individuals entering the EI workforce. Advance the Early Intervention Loan Forgiveness bill (A.1974/S.8290) to draw new providers into the EI field.**

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In addition to immediate rate increases to properly compensate providers, the State must make efforts to help attract new providers to the field in order to ensure the program can continue to recruit qualified staff who can provide timely and high-quality services to infants and toddlers with developmental delays or disabilities. We urge the Legislature to ensure the final budget includes a student loan forgiveness program such as the one proposed in A.1974/S.8290 to help expand the pipeline of qualified early childhood professionals.

While we appreciate the increased investments in early childhood care and education programs proposed in the Executive Budget, the State must also meet its legal obligation to provide Early Intervention evaluations and services to young children with developmental delays and disabilities. We look forward to working with the Legislature to ensure that infants and toddlers with developmental delays or disabilities receive the support they need and have a legal right to receive.

Thank you for the opportunity to submit this testimony. If you have any questions, please feel free to contact me at 212-822-9534 or **bbaez@advocatesforchildren.org**.

Respectfully submitted,

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