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Technical Assistance on the Other Health Impairment Educational Classification in Utah Public Schools (April, 2017)

The purpose of this document is to:

- Clarify the need to acquire a student's prior medical history.
- Clarify the role of a medical diagnosis when determining if a student is eligible for the IDEA educational classification of Other Health Impairment (OHI).
- Clarify the role of individual licensed professionals when providing information for eligibility evaluation.

IDEA and USBE SER eligibility criteria for Other Health Impairment (Utah State Board of Education (USBE) Special Education Rules (SER) II.J.9.)

a. Definition.

Other Health Impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, Tourette syndrome, and HIV/AIDS, or an acquired brain injury which may result from health problems such as an hypoxic event, encephalitis, meningitis, brain tumor, or stroke, and that adversely affects a student's educational performance.

b. Eligibility Criteria.

A team of qualified professionals and the student's parent(s) or the adult student determines eligibility as defined above.

- (1) The health impairment must adversely affect the student's educational performance.
- (2) The student with the health impairment must require special education and related services.
- (3) The team must determine that the other health impairment is the student's primary disability.
- (4) The requirements of Rule II.I must be met.

c. Evaluation

- (1) The student's prior medical history, from a qualified health or mental health professional, must be on record regarding specific syndromes, health concerns, medication, and any



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information deemed necessary for planning the student's educational program. Each individual who provides health and/or mental health evaluation information may only provide information consistent with the parameters of his or her Utah professional licensure.

(2) Multiple measures (formal and informal) must be used to assess all areas of suspected deficits (e.g., educational, adaptive, behavioral, physical).

(3) The requirements of Rules II.D–H must be met.

The prior medical history required in the evaluation

In order for eligibility teams to adequately understand a student's health impairment and how it affects his/her educational performance, the team must review the student's medical history of any syndromes, concerns, use of medication as well as any other health or mental health information that would contribute to the determination that the student is or is not a student with a disability under IDEA and USBE SER. If the eligibility team determines that additional medical information such as, co-morbid conditions, can only be provided by a healthcare provider, the LEA must ensure that the information is acquired in a timely manner. If the IEP team determines such information is necessary to determine eligibility but the student's parents have not seen a health care professional or have seen a health care professional but will not release records to the LEA, the information must be obtained at no cost to the parents. This means that that the LEA would be required to pay for the student to see a health care provider that will provide the required medical history to the LEA.

Prior medical history can only be provided by someone licensed to provide medical information, such as a physician, nurse or other healthcare professional. As some of the health impairments that would be eligible for an OHI classification are more related to mental/behavior health, some of the "information deemed necessary for planning the student's educational program" may be provided by a mental health provider, such as a psychologist, school psychologist, counselor, or clinical social worker, etc. However, even when mental health information is provided to the team, the student's medical history is still required and must be provided by a qualified health professional.

The role of a medical diagnosis in OHI eligibility determination

An IDEA educational classification of OHI is determined by the eligibility team which includes a group of qualified professionals and the student's parent(s). The eligibility team should consider information from a variety of sources. This information may include a medical diagnosis of an eligible condition. However, a medical diagnosis is not required to determine that a student is eligible for special education services under the IDEA OHI classification. Similarly, a medical diagnosis of an eligible condition does not guarantee IDEA eligibility if the student does not have a disability and if that disability does not adversely affect the student's educational performance. For a student to qualify for special education services under the OHI



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classification, the only medical requirement, according to the USBE SER is to have on record the student's prior medical history. If the eligibility team determines that a diagnosis is required to determine eligibility, the evaluation must be conducted at no cost to the parents, meaning the LEA would be responsible to pay for it.

Determination of the appropriate disability category

It may be possible for a student to meet the criteria for more than one educational classification, such as Specific Learning Disability (SLD) and OHI. For example, a student may present characteristics for both attention deficit hyperactivity disorder (ADHD), an eligible condition under OHI, and a reading disability. If the team determines that ADHD, and thus the OHI, more significantly impacts the student's education performance than the reading disability, the team may determine that OHI is the primary disability. However, if the reading disability more significantly impacts the student's education performance, the team may determine that SLD is the student's primary disability. If the eligibility team determines that a combination of disabilities exist and cause such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments, the student may be eligible under the Multiple Disabilities classification.

Role of qualified professionals (USBE SER I.E.34. & 35.)

The role of each licensed educational professional team member providing specific portions of information to determine an OHI classification should be understood and documented. Each individual who provides evaluation information should provide information consistent with the parameters of his or her Utah professional license.

Qualified health professional (USBE SER I.E.34.)

A qualified health professional is an individual who has the requisite training and functions in the role of providing medical information to the eligibility team consistent with his/her professional license. This person could be the student's physician, nurse practitioner, nurse, etc.

Qualified mental health professional (USBE SER II.J.9.c.(1))

A qualified mental health professional is an individual who has the requisite training and functions in the role of providing mental health information to the eligibility team consistent with his/her Utah professional license. This person could be a psychologist, school psychologist, counselor, or clinical social worker, etc.

Reference

Utah State Board of Education (USBE). (2016). *Special education rules*. Utah State Board of Education. SLC, UT.