

TOOLKIT FOR DISABILITY- INFORMED PROFESSIONALS



NAVIGATING DIVORCE WITH PARENTS OF CHILDREN WITH DISABILITIES
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JOSH'S "DISABILITY" CONSTRUCT

What we call "disability" is not located in the person; it does not point to a defect or brokenness within the human being. Disability arises when the world into which a person is born was not designed or prepared to meet their basic needs.

All human beings have the same basic needs: to be safe, healthy, loved, educated, meaningfully connected with others, and respected for who they are. In this way, there are no "special needs." Where we sometimes differ is in what it takes to meet our needs.

When the families, communities, schools, laws, economy, medical and mental health systems, and environment into which we were born happened to be reasonably well-suited and prepared to meet our needs, we should think of ourselves as enabled, rather than able. Similarly, when we encounter a fellow human being who needs significant changes to these systems to allow them to live a safe, healthy, connected, full life, we should work hard to enable those changes.

STATEMENT OF INTENTION

The terms "disability" and "special needs" are **imprecise and controversial**. There is **no consensus** on their meaning or use. Some view them as **ineffective euphemisms**. Many favor **other terms** (e.g., exceptionalities, challenges, different abilities). Some reject all labels as **stigmatizing and harmful** to people whom society marginalizes. Others favor labels when their use advances **efforts to improve lives**.

I use the person-centric terms "children with disabilities" and "children with special needs" as **inclusively** as possible, and with the **utmost respect** for the human beings to whom I refer. I use them **not to create hierarchies or categories**, but to call attention to my duty to better meet the needs of extremely vulnerable children and families that our community has overlooked and underserved.

MEDICAID AND SUPPLEMENTAL SECURITY INCOME OVERVIEW

What is Medicaid?

Medicaid is a public health insurance program that is funded and governed by cooperative agreements between the federal government and each state individually. The purpose of Medicaid is to provide free or low-cost medical insurance coverage and benefits to vulnerable populations, including: adults with a low income, children, people who are pregnant, people who are age 65 or over, and people with disabilities.

Each state has its own Medicaid program, each with its own name. To find out what the program is called in your state, [click here](#).

Is Medicaid the same as Medicare?

No. Medicare is a federal insurance program that primarily serves people over the age of 65 regardless of income, and some people under 65 who have certain disabilities. Medicare is a federal program that does not vary from state to state.

ELIGIBILITY AND APPLICATION

What children are eligible for Medicaid?

Eligibility requirements (age, income/asset limits, etc.) vary from state to state. Most states consider the parents' income when determining a disabled child's eligibility for Medicaid, but some (e.g., Pennsylvania) only consider the child's. To find the eligibility requirements for any state's Medicaid program, use [this handy search tool](#) and database.

What does Medicaid provide for eligible children?

While services/benefits vary from state to state, eligible children can expect to receive comprehensive coverage for medical, dental, vision, and mental/behavioral health services through their state's Medicaid program. This should also include coverage for medically necessary assistive technology, durable medical equipment, and prescriptions. Medicaid may also cover the cost of in-home services, such as skilled nursing and therapeutic support service. Families should NOT expect Medicaid to cover educational and other non-medical expenses.

Medicaid typically acts as a "payor of last resort," meaning it "kicks in" only after the other insurance coverage a child may have, including private insurance through a parent.

How do I apply for Medicaid for a child?

Each state operates its own Medicaid program, with its own rules, requirements and application portal and process. Use [this handy link](#) to find and connect to the Medicaid program in any state.

What is Supplemental Security Income (SSI)?

Supplemental Security Income (SSI) is a federal program administered by Social Security that provides monthly benefits to people who are both disabled and have low income. Unlike Medicaid, SSI benefits are monetary payments, not insurance coverage.

What children are eligible for SSI?

Children (under 18) are eligible for SSI if they are disabled and live in a household that has income and resource below the required limits. To be disabled, a child must have a physical or mental condition that very seriously limits his or her major life activities, and that has lasted, or is expected to last, at least 1 year or result in death.

How do I apply for SSI for a child?

You can apply for SSI using this [link](#).

If a child is eligible for Medicaid, are they automatically eligible for SSI?

Usually, but not always. It depends on what state the child lives in and that state's eligibility rules. Many (most) states will automatically enroll a Medicaid eligible child into the state's SSI program. Some states have a separate applications for each program, and some states have different eligibility requirements for each program. [This website](#) explains how this works in each state.

WHERE TO FIND HELP

If I need help or advice related to Medicaid or SSI for a child, who can help me?

There are many disability and public benefits advocacy and legal organizations around the country that offer free or low cost advice and assistance in navigating the sometimes complex Medicaid and SSI systems. The following are good places to start to identify resources in your state:

Legal Services Corporation (LSC):

Nonprofit that connects people to free/low cost legal services, which often include Medicaid/Public Health Law advocacy. Use their [Search Tool](#) to find services in your state.

National Disability Rights Network: NDRN is the nonprofit organization for the federally mandated Protection and Advocacy (P&A) Systems and Client Assistance Programs (CAP), largest network/provider of legally based advocacy services to people with disabilities in the United States. Use their [Search Tool](#) to find resources in your state.

Additional Help and Resources (continued on next page)

The ARC: One of the largest and most respected non-profit organizations dedicated to improving the lives of people with disabilities in the United States. Find your local chapter using their [Directory](#).

Additional Help and Resources for Medicaid and SSI (continued)

The National Health Law Program: A nationwide nonprofit health care rights advocacy organization and information clearinghouse with amazing materials and resources to help people advocate for public health rights, including Medicaid.

Contact them to ask about resources in your state, or check out their free “do it yourself” [Medicaid Advocacy Guide](#).

Community Health Advocates (New York): <https://communityhealthadvocates.org/>

Community Health Law Project (New Jersey): <http://www.chlp.org/>

Pennsylvania Health Law Project (Pennsylvania): www.phlp.org

Florida Legal Services (Florida): <https://www.floridalegal.org/>

Medicaid Self-Advocacy Guide: <https://autisticadvocacy.org/wp-content/uploads/2017/05/Medicaid-Toolkit-Plain-Text-Full.pdf>

SPECIAL NEEDS TRUSTS OVERVIEW

What is a Special Needs Trust?

A Special Needs Trust is a legal instrument that allows money and assets to be used for the benefit of a person with disabilities without jeopardizing that person's eligibility for needs-based public benefits such as Medicaid and SSI. SNTs are often created as part of a person's estate planning and/or financial planning process.

When should parents consider establishing a SNT for their child?

Every parent of a child who is or who may someday be eligible for needs-based public benefits, such as Medicaid or SSI, should consider establishing a SNT for their child. Without a duly-established SNT in place, a person with disabilities could become ineligible for valuable and important public benefits when/if they inherit money outright or receive a payment as a beneficiary to a life insurance policy. Parents of children or adults with disabilities must plan ahead for their child's future care needs, which includes careful estate and financial planning that will maximize lifelong eligibility for public benefits.

WHERE TO FIND HELP

Who can advise parents about Special Needs Trust creation and administration?

Parents should speak with an **Estate Planning attorney** who has experience and expertise in working with parents of children and adults with disabilities.

Parents may also wish to speak with a **financial planning professional** who has expertise in this area, such as **Chartered Special Needs Consultant (ChSNC®)**. To find a ChSNC near you, use the [American Academy of Financial Services online directory](#).

The **Academy of Special Needs Planners (ASNP)** also maintains a [national directory of financial and estate planning professionals](#) who are well-versed in the needs of families of children and adults with disabilities.

SPECIAL EDUCATION LAW OVERVIEW

What laws protect students with special education needs?

The two main federal laws that offer special protections and benefits to eligible students are the Individuals with Disabilities in Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). In addition, every state has its own laws (often called an “Education Code”) that either adopts these two federal laws in full or offers additional protections. State laws may not curtail or limit the protections of the federal laws.

What are the main differences between IDEA and Section 504?

In general, IDEA offers eligible students many more rights, benefits, and protections than Section 504. IDEA is designed to offer eligible students robust, individualized instruction (“specially designed instruction”) and comprehensive “related services,” far beyond what non-eligible students are generally entitled to. Section 504, by contrast, aims to prevent discrimination based on a student’s disabilities by giving them “accommodations” that enable equal access to the same educational opportunities enjoyed by non-disabled peers. IDEA places many more responsibilities and obligations on public school districts than does Section 504 and offers parents more recourse if districts do not comply.

ELIGIBILITY AND PROTECTIONS

Who is eligible for protection and services under IDEA?

Students enrolled in a public school district (K-12) or a public early intervention program (0-3 or 3-5) who: (1) fit into one of the [statutory disability categories](#) AND (2) who, because of that disability, require “specially designed instruction” in school. Specially designed instruction means modifications to the content, methodology or delivery of instruction in school.

Who is eligible for protection and services under Section 504?

Any public-school student who meets the definition of a “qualified individual with a disability,”

“[P]ersons with a physical or mental impairment which substantially limits one or more major life activities. People who have a history of, or who are regarded as having a physical or mental impairment that substantially limits one or more major life activities, are also covered. Major life activities include caring for one's self, walking, seeing, (continued next page)

(continued)

hearing, speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness.”

<https://www.hhs.gov/sites/default/files/ocrcivilrights/resources/factsheets/504.pdf>

What are eligible students entitled to under IDEA?

Students who qualify for IDEA protections are entitled to a Free and Appropriate Public Education (FAPE). Essentially, this means the child is entitled to an individualized public education, at no cost to the parents, that includes the programming, placement and services necessary to ensure the child makes meaningful progress in all areas of need. In addition, the student’s placement must be in the “Least Restrictive Environment” (LRE) for that student. LRE means that, to the maximum extent appropriate, the student should be educated with non-disabled peers. Students who receive services under IDEA will receive an Individualized Education Plan (IEP), a written and legally enforceable agreement between the District and the parents that sets forth the student’s placement, services, measurable goals, specially designed instruction, related services, and that documents the student’s progress.

Importantly, FAPE includes a broad range of “Related Services” that the student requires to benefit from their education, including:

“transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.”

Related services do NOT include “medical” services and procedures, such as those that would normally be provided by a physician, prescription medications, surgical procedures and implantable medical devices (e.g., cochlear implants).

What are eligible students entitled to under 504?

Section 504 offers students “accommodations” that are necessary to ensure students have access to the educational benefits equal to those of their non-disabled peers. Confusingly, Section 504 states that eligible students are entitled to “FAPE,” even though this does not equate with the same (much more robust) bundle of rights that is FAPE under IDEA. Typically, Section 504 accommodations include things like: preferential seating, extended time or untimed tests, note-taking assistance, frequent breaks, extra time to pass between classes. Section 504 does NOT offer students the individualized, specially designed instruction, related services, and individualized placement in the LRE that IDEA provides.

DETERMINING ELIGIBILITY

How is IDEA eligibility determined?

The student’s school district is responsible for identifying students who may be eligible for IDEA protection. This is called “Child Find.” When the district suspects, or should suspect, that a student might be eligible for IDEA protection, it must notify the parents and seek permission to perform a comprehensive evaluation (at no cost to the parents or their insurance) in all areas of suspected needs. Parents who believe their child might qualify for IDEA protection may also request an evaluation from the District. Once requested in writing, Districts must complete the evaluation within the timeline provided under state law (usually 30-60 school days, not including vacation). There are strict requirements for what constitutes an appropriate evaluation, including the qualifications of the evaluator(s), the tests/measures used, and the input the district must obtain from the child’s teachers, parents, and others.

Parents who believe the District has not (or cannot) perform an appropriate evaluation may request an Independent Educational Evaluation by an outside provider (one not employed by the District), at the District’s expense.

How is Section 504 eligibility determined?

As with IDEA, the District is responsible for evaluating (at no cost to parents or their insurance) students whom the District believes, or should believe, may be qualified for protection under Section 504. Parents may also request this evaluation if they have concerns. While there are some requirements for what constitutes an appropriate evaluation under Section 504, they are much less stringent than those found under IDEA.

PRIVATE SCHOOLS AND COLLEGE

Does either IDEA or 504 apply to private school?

IDEA only applies to public schools. Section 504 also applies to all public schools in the United States, and to a few non-public schools that are recipients of significant federal educational funding.

Does either IDEA or 504 apply in college?

No. However, college students with disabilities are entitled to protection against discrimination under the Americans with Disabilities Act, as well as state and local non-discrimination laws. IEPs and 504 Service Agreements do not “follow” students to college and colleges are not required to implement them.

WHERE TO FIND HELP

If parents need advice, guidance or representation related to IDEA/504 eligibility and services, who can help them?

Special education law and advocacy is complex. Parents and their teams should seek advice and support from experienced attorneys and advocates who work in this field. The best way to find a qualified attorney or advocate is through the Council of Parents Attorneys and Advocates (COPAA) using their [“Find a Professional” search tool](#).

ASK

Ask questions (early) that will reveal gaps in parents' knowledge (open questions) and areas of agreement/disagreement (alignment).

IDENTIFY

(OTC)

Opportunities: Identify gaps in knowledge and areas of agreement/disagreement; reframe them as opportunities for learning, understanding, growth, and to better meet their/ child's needs.

Team: Identify the ways the current team can support the parents in answering open questions and achieving agreements, and where other professionals are needed.

Conversations and Challenges:

- Identify the conversations the parents will need to have to answer open questions, achieve agreement, and maximize their opportunities to learn, grow, and better meet their/child's needs.
- Identify facts/circumstances creating significant challenges to answering questions and reaching agreements in this case.

DIRECT

Connect parents with professionals, services, programs, supports, information, and other resources they need (to answer open questions and reach agreement), beyond what their current team can provide.

EXPAND

How did you **expand opportunities** and **lower risk** for these parents/children in their divorce/separation process and beyond?

What information, resources, opportunities, supports, skills, insights, relationships, did they gain because of your **questions, expertise, conversations** and **referrals**?

COMPREHENSIVE LIST OF QUESTIONS FOR CLIENT INTAKE AND INTERVIEWS

Note:

- Gather/Obtain information about EACH CHILD
- Obtain this information from EACH PARENT separately

Parent Information

Full legal name

Preferred pronouns

Gender/Sex (open-ended)

Date of Birth

Primary Language? Other language(s)?

Address

Phone Number(s) (Cell, Home, Work, Preferred)

Preferred non-work email address:

Are you currently represented by an attorney? If so, please provide name.

If married:

- Date of marriage
- Name of spouse
- Location of marriage (county and state)

Child Information

Child's full name

Preferred pronouns

Gender/Sex (open-ended)

Date of Birth

Adopted? If so, date of adoption?

Primary Language? Other language(s)?

Child's address(es) and who else lives in each of those homes.

Is your child currently represented by an attorney?

Does your child have any legal guardians other than their parents?

Is your child represented by a court-appointed Guardian ad Litem?

Recreational Activities

Does your child participate in any recreational activities, such as sports, arts, music, etc.?

- If so, which?
- How often?

Does your child have any special hobbies or interests?

Medical

Does your child have any medical or physical conditions, disabilities or special needs that require care from a physician?

- If so, please explain the condition(s) and how they impact your child's life.
- Please explain how you expect these conditions might impact your child's life in the years to come, including into adulthood.
- Is any of these conditions potentially life-threatening?
- List of Medications:

Professional caregivers (e.g., doctors, therapists, counselors, aides, psychologists, etc.):

Name	Type of professional	Reason for care	How often seen	Covered by insurance?

Does your child require any in-home medical or behavioral healthcare services? If so, what type of care, how often, and who delivers this care?

Does your child use any Assistive Technology for mobility, communication, personal care, eating/feeding, etc.?

Does your child require any modifications to the home environment or automobiles (e.g., ramps, lifts, modified bathroom, etc.)?

Does your child suffer from any sleep challenges or disturbances?

Educational

What school does your child attend?

Is this a public private, charter or parochial school?

What grade is your child in?

Has your child ever "skipped" or "repeated" a grade in school?

Has anyone ever expressed concern to you about your child's performance or behavior in school?

Do you have any concerns about your child's performance or behavior in school?

Does your child have (or ever had) an Individualized Education Plan (IEP)?

- If so, since when?
- What eligibility category(ies)?
- When did the School District last Evaluate/Reevaluate your child per their IEP?
- What Services does your child receive per the IEP? (e.g., speech/physical/occupational therapies, etc.)
- Which parent(s) attend your child's IEP meetings?
- Do you have concerns about your child's IEP goals or their progress in achieving them?
- If your child is 14 or older, have you ever discussed Transition Planning with their IEP team?

Does your child have (or ever had) a Section 504 Service Agreement (504)?

- If so, since when?
- What disability category(ies)?
- What accommodations does your child receive per the 504 plan?

Has your child ever been suspended or expelled from school?

- If so, when
- For what reason?
- Does your child have a Positive Behavioral Support Plan at school?

What is/are your child's favorite subject(s) in school?

Have you ever hired an Attorney or Advocate to represent or advise you in connection with your child's special education rights or services?

Have you ever entered into a settlement agreement with your child's school in connection with a special educational dispute?

How much money have you spent in the last 12 months on expenses related to your child's educational needs?

How much money do you anticipate spending in the next 12 months on expenses related to your child's educational needs?

Mental Health / Emotional / Social

Does your child have (or ever had) any emotional or mental health conditions, disabilities or special care needs that require care from a counselor, therapist, psychologist, social worker, or psychiatrist?

- If so, please explain the condition(s) and how they impact your child's life.
- Names of professional caregivers (see chart above)
- How often does your child require in-person care, counseling, treatment, or check-ups with professional caregivers? (see chart above)
- List of medications:

Does your child have challenges transitioning between activities or environments?

- If so, please explain

Does your child have (or ever had) any challenges or special needs related to making friends or relating to other children?

Does your child have (or ever had) any very close friendships with another child/ren? If so, please explain.

Does your child have (or ever had) any very close relationships with relatives (other than parents), such as siblings, grandparents, cousins, aunts/uncles, etc.?

Does your child have (or ever had) any very close relationships with a pet?

Have you discussed your separation/divorce with your child?

- If so, when?
- Please describe any concerns you have about your child's experience during and since this conversation.

Has your child ever seriously injured themselves or another person or pet?

Has your child ever threatened or attempted to end their own life or another's?

Has your child ever experienced or witnessed trauma (e.g., as acts of violence, loss of a close family member or friend, serious illness/injury, poverty, threat to personal safety, extreme danger, etc.)

How much money have you spent in the last 12 months on expenses related to your child's mental health/social/behavioral needs?

How much money do you anticipate spending in the next 12 months on expenses related to your child's mental health/social/behavioral needs?

Financial / Estate Planning

Do you have a Will?

- When did you last update it?
- Who is/was your estate planning attorney?
- Did you name a guardian for your child(ren)?
 - Who?
 - Do you have any concerns about this person being your child(ren)'s guardian?

Are you saving for your child's college education?

- Do you have a 529 Plan?
- Do you have an ABLE account?

Do you have life insurance?

- Who is the beneficiary/ies?

Does your child receive any federal or state public benefits, such as Medicaid (Medical Assistance), Social Security, Waiver(s), etc.?

- If so, please list all:

Does your child have any tangible property, financial assets, or real estate in their own name?

Does your child have any independent sources of personal income (i.e., employment, investments, etc.)?

Are there any trusts established for the care of your child?

- If so, please list, including name(s) of Trustees.
- Please indicate if any of these are duly established Special Needs Trusts.

Have you or your child ever received (or expect to receive) financial/monetary compensation from a settlement, verdict, judgment, or other legal proceeding in connection with a lawsuit?

Is your child employed? (If so, by whom, and approx. income)

Does your child have any medical, mental health, educational or other challenges that may limit their employment options/opportunities in the future?

Are there other people in your or your child's life who provide financial support for your child (e.g., relatives, friends, charitable organizations, etc.)?

Co-Parenting

Have you and your co-parent ever worked with a therapist, counselor, social worker, or other professional to help you with your parenting/co-parenting?

How do you and your co-parent currently share/allocate general parenting responsibilities?

What concerns do you have about creating a new co-parenting routine following separation/divorce?

Are you concerned about your child adjusting to your new co-parenting routine following your separation/divorce?

Do you anticipate that your child will have difficulty transitioning between your home and your co-parent's home after your separation/divorce?

What are your and your co-parent's current roles in providing direct care (medical, mental health, educational) to your child?

Do you expect that your role in providing direct care (medical, mental health, educational) to your child will change after separation/divorce?

Do you have concerns about your or your co-parent's ability to meet all of your child's needs following separation/divorce?

Do you have concerns about your and your co-parent's ability to communicate with each other to ensure your child's needs are met after your separation/divorce?

Do you have any concerns about your or your co-parent's ability to care for your child in an medical, mental health, or other type of emergency?

Do you expect that your or co-parent's parenting responsibilities will change significantly after your child turns 18?

Does your child have a “smart” device such as a phone, tablet, laptop?

Is your child active on Social Media?

Do you or your co-parent communicate with your child using their smart device?

Do you have any concerns about your child’s or co-parent’s use of social media or online activity?

Child Support:

Are you currently paying or receiving child support? **If yes:**

Who is paying the support / to whom are you paying it?

How much are you paying/receiving?

When did payments begin?

When do you expect payments to end?

Is this support pursuant to a court order?

How was the amount of support calculated? (e.g., using court’s “support calculator,” through negotiation, mediation, informal discussion)

Do you feel the amount of child support you are paying/receiving is too low, too high, about right? Please explain.

Do any of your child’s care needs impact your ability to maintain full-time employment?

Have you ever had difficulty paying for any of your child’s medical, mental health, educational, or other care needs in the past?

Have you ever declined care options for your child because of the anticipated cost of the care?

Do you have concerns about being able to afford any of your child’s medical, mental health, or educational needs arising in the future?

How much did you spend on your child’s medical, mental health, and educational care in the last 12 months?

How much do you expect to spend on your child’s medical, mental health, and educational care in the next 12 months?

Do you expect the cost of your child’s care to significantly increase or decrease over the next 5 years? Please explain.

Surveys:

http://www.childneurologyfoundation.org/wp-content/uploads/2016/04/C_SelfCareAssessmentParents.pdf

LIST OF RESOURCES AND PROFESSIONALS

Build your Disability-Informed “Rolodex”

This list provides some starting points but is by no means exhaustive. Add your own referral sources and share connections with your colleagues to help create a robust disability-informed network.

Mediators

Collaborative Practice Professionals: Use the [International Academy of Collaborative Professionals](#)’ (IACP) Online Member Directory search tool.

- Attorneys
- Financial Neutrals
- Coaches/Mental Health Professionals
- Child Specialists
- Special Needs Consultant

Co-Parenting Specialists: Contact [Christina McGhee](#)

Divorce Coaches:

- Use the [Certified Divorce Coaches Directory](#) to find trained divorce coaches in your area.
- The High Conflict Institute maintains a [directory of New Ways for Families Licensed Coaches and Counselors](#).

Developmental/Behavioral Pediatricians:

- You can search the [Society for Developmental & Behavioral Pediatrics](#) online member directory.
- You can also check any doctor’s certifications using [the SDBP search tool](#)

Child/Adolescent Psychiatrists: You can use the [American Board of Psychiatry and Neurology](#) online search tool.

General Practitioners

Child/Adolescent Psychologists: Start with the [American Board of Professional Psychology](#) online Directory search tool.

Neuropsychologists (for educational testing): Start with the [American Academy of Clinical Neuropsychology](#) online directory search tool.

Marriage/Family Therapists: Start with the [American Academy of Marriage and Family Therapists](#) online directory search tool.

Discernment Counselors: Use the [Doherty Relationship Institute](#) online Directory

Trauma-Informed Therapists

Family Systems Therapists

Reunification Specialists

Behavioral Health Professionals

- **Board Certified Behavioral Analysts (BCBA):** Use the [Behavioral Analyst Certification Board](#) online Directory.
- **Personal Care Assistants (PCA)**
- **Therapeutic Support Staff (TSS)**

Related Service Providers

- **Physical Therapists**
- **Occupational Therapists**
- **Speech Therapists**
- **Skilled Nurses**
- **Assistive/Adaptive Technology Specialists**
- **Inclusion Specialist**

Other Legal:

Estate Planning Attorneys (w/experience with Special Needs Trusts)

Special Education Attorneys: Use the [Council of Parent Attorneys and Advocates](#) (COPAA) online Directory

Non-Attorney Special Education Advocates: Use the [Council of Parent Attorneys and Advocates](#) (COPAA) online Directory. (Hint: Look for an Advocate who has completed COPAA's "SEAT" training program.)

Tax Attorneys (w/experience with special needs issues)

Financial Advisors/Planners

- Chartered Special Needs Consultant: Use the [American Academy of Financial Services online directory](#).
- Special Needs Planner: Use the [Academy of Special Needs Planners](#) (ASNP) national directory of financial and estate planning professionals.

Care Planners: Start with the [National Care Advisors](#).

PROSPECTIVE REFERRAL QUESTIONS AND INFORMATION

Information to Gather/Share with Prospective Referral Professionals

Use this as a guide for your conversations/meetings with prospective referral professionals. Keep completed copy in a binder/folder for future reference when considering making referrals or expanding your network.

Name:

Type of Professional:

Date of Meeting:

How we Met (Introduced by):

Phone:

Email:

Website:

What experience do you have working with children with disabilities and their parents? (What percentage of your work is with this population?)

What experience do you have working with parents who are separating/divorcing?

Have you ever worked with divorcing/separating parents of children with disabilities?

- What was that like?
- How did you help?
- Did you work with other professionals? Who?

How do you feel about working with other professionals on a team supporting a family?

Do you accept insurance? (including Medicaid?)

What is your fee structure? (What do you charge for? Flat fee? Hourly? Rate? Retainer?)

How much does a typical engagement cost? What factors determine the cost?

How long do parents/children typically work with you?

Do you work in-person, online, both?

What are you looking for in your clients? (describe your ideal client)

Are there any populations, circumstances, challenges, disabilities that you do NOT work with or that you find do not work well with you?

Are you active on social media professionally? (get links)

Have you written/spoken on topics related to children with disabilities? (get links)

Are you active in any organizations, groups, professional societies? (which?)

Do you know other professionals in the area who could be of support to divorcing/separating parents of children with disabilities?

What is the best way to introduce parents to you?

REMEMBER TO SHARE ABOUT YOU!

- ✓ Your interest in working with children with disabilities and their parents. Why you're interested, your experience, personal connections (if you wish).
- ✓ Your disability construct/intention (your terminology choice and rationale).
- ✓ Special training/education in the field.
- ✓ How you support children/parents during/after divorce and separation.
- ✓ What you look for in a client (your ideal referral).
- ✓ If there are any circumstances/situations you prefer NOT to work with.
- ✓ How/what you charge.
- ✓ If you take insurance.
- ✓ How long clients can expect to work with you.
- ✓ How much it typically costs to work with you, and what factors into cost.
- ✓ Links to your professional social media, publications, media, etc.
- ✓ Names of other professionals you could introduce them to (expand their network).
- ✓ Best way for them to refer clients to you!