**24:14:11:01.02.  Conditions.** For every child under the age of three who is referred to the Part C program or screened in accordance with this chapter, the department is not required to:

 (1)  Provide an evaluation of the child unless the child is suspected of having a disability or the parent requests an evaluation; or

 (2)  Make early intervention services available under Part C to the child unless a determination is made that the child meets the state's definition of infant or toddler with a disability under this article.

 **Source:** 39 SDR 109, effective December 17, 2012.

 **General Authority:** SDCL 13-37-1.1.

 **Law Implemented:** SDCL 13-1-23, 13-14-1, 13-37-1.1.