**24:14:12:02.02.  Use of records to determine eligibility.** A child's medical and other records may be used to establish eligibility, without conducting an evaluation of the child, under Part C if those records indicate that the child's level of functioning in one or more of the developmental areas identified in § 24:14:12:02 constitutes a developmental delay or that the child otherwise meets the state's criteria for eligibility under this article. If the child's Part C eligibility is established under this section, the department or early intervention service provider shall conduct assessments of the child and family in accordance with this chapter.

 **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.