

**ALABAMA DEPARTMENT OF SENIOR SERVICES**

**Request for Application**

**Alabama Department of Senior Services**

**Jefferson County Area Agency on Aging (AAA)**

**Issued: July 5, 2016**

**Applications Due: August 1, 2016**

**Applications Directed to: Emily Marsal**

**Street Address:**

**Alabama Department of Senior Services  
201 Monroe Street  
RSA Tower, Suite 350  
Montgomery, AL 36130**

**Mailing Address:**

**Alabama Department of Senior Services  
P.O. Box 301851  
Montgomery, AL 36130-1851**

# **GENERAL REQUIREMENTS FOR PROGRAMS AND APPLICATION INFORMATION**

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## **SECTION I: APPLICATION PROCESS**

This Request for Application (RFA) is issued by the Alabama Department of Senior Services (ADSS). The purpose of the RFA is to solicit bids for the delivery of service for state and federally funded programs for the Jefferson County, Alabama service area. It is the intent of this RFA to award one applicant to deliver service for all programs listed in this RFP. Only one applicant will be selected.

Applicants for the delivery of service programs listed as part of this Request for Application provided with state and/or federal funds must comply with all established general program requirements. Each program must adhere to the definition and minimum standards in order for expenses to be deemed allowable.

**APPLICATION:** Applicants proposing to deliver services must follow designated application procedures and submit information as follows:

- a. Information Submission: The application must be completed by organizations in Jefferson County, Alabama proposing to enter into a contract for the delivery of services utilizing Title III of the Older Americans Act and/or state funding. Applicants must set forth a **detailed plan for the proposed long term delivery of service** and short term transition including the required information listed below in Section II (E).
- b. Eligible Applicants for Funding: Eligible applicants will be organizations located in Jefferson County, Alabama and can offer services which meet the minimum standards and serve the Jefferson County service area. Should an organization which applies be located outside of Jefferson County, that application will be reviewed if no viable applicant from Jefferson County applies or emerges from the process.
- c. Eligible Services through the Application Process: The types of services to be provided are announced in this RFA. Minimum service standards are established for each program. **Compliance with these standards is mandatory.**
- d. Questions and Clarifications during the Application Process: As this is a competitive RFA process, questions raised by prospective applicants, as well as answers given by ADSS, will be posted as per deadlines on the ADSS website, [www.alabamaagline.gov](http://www.alabamaagline.gov), under the *Business* tab.
- e. Population to be Served and Targeting of Participants: All services shall be provided only to persons allowed under the eligibility criteria for the specific programs. Programs also have various targeting emphases which must be adhered to for program eligibility which are outlined in the specifics for each program.

Depending on the program eligibility, participants shall not be denied or limited services because of their income or financial resources.

Elderly members of Native American tribes and organizations in greatest economic and/or social need within the service area are to receive services comparable to those received by non-Native Americans. Service providers within a geographic area in which a reservation is located must demonstrate a substantial emphasis on serving Native Americans in that area.

**SECTION II. SELECTION PROCESS**

A. **Letters of Intent:** The application process will begin with a required submittal of Letters of Intent from interested applicants. Only applicants submitting Letters of Intent received by the due date and time are eligible for consideration. **(See Form in Attachment A).**

**B. Key Events**

- 1. Pre-Issue Meeting of Interested Applicants .....June 27, 2016
- 2. RFA Issue Date .....July 5, 2016
- 3. Letter of Intent .....July 12, 2016 (3 PM)
- 4. Electronic Questions Due.....July 13, 2016
- 5. Final Response to Questions .....July 20, 2016
- 6. Request for clarification of Response to Questions.....July 22, 2016
- 7. Applications Due.....August 1, 2016 (3 PM)**
- 8. Projected Award Date.....August 19, 2016
- 9. Projected Start of Services.....October 1, 2016

**C. Electronic Question and Answer Period**

All questions will be accepted by email. Written questions should be emailed to **Emily Marsal at [emilyt.marsal@adss.alabama.gov](mailto:emilyt.marsal@adss.alabama.gov)**.

The writer should directly tie questions to the RFA. Each question should begin by referencing the RFA, section heading, and page number to which it relates.

**D. Cut-Off Date for Questions and Inquiries**

The cut-off date for questions and inquiries relating to this RFA is July 13, 2016.

Final release of responses to questions will be made by July 20, 2016. Questions will not be answered individually. A summary of all questions received will be compiled into one document and distributed to all who have submitted letters of intent as well as posted on [www.alabamaageline.gov](http://www.alabamaageline.gov). Any clarification request related to the Question Response Document must be submitted prior to the close of business on July 22, 2016.

In the event that it becomes necessary to clarify or revise this RFA, such clarification or revision will be by addendum. Addenda, if any, to this RFA will be submitted electronically to each potential Applicant and shall become part of this RFA.

**THE DATE, TIME AND LOCATION FOR APPLICATION DEADLINE:**

<b>Application Due Date</b>	<b>August 1, 2016</b>
<b>Time</b>	<b>3:00 PM</b>
<b>Location</b>  <b>(Directions to ADSS can be obtained by calling 334-242-5743. Persons who require special accommodations should immediately contact ADSS at the number above).</b>	<p><b><u>Delivered to:</u> Emily Marsal</b></p> <p><b>Alabama Department of Senior Services</b></p> <p><b>201 Monroe Street</b></p> <p><b>RSA Tower, Suite 350</b></p> <p><b>Montgomery, AL 36130</b></p> <p><b>or</b></p> <p><b><u>Mailed to:</u> Emily Marsal</b></p> <p><b>Alabama Department of Senior Services</b></p> <p><b>P.O. Box 301851</b></p> <p><b>Montgomery, AL 36130-1851</b></p>

**E. Application Requirements**

All applications must follow the required format described below. Applicants should address all requirements listed in the prescribed order. At ADSS’s discretion, failure to do so will result in disqualification. **Please provide an original and seven copies of the application, as well as an additional electronic copy.** Any and all questions not completely answered may be deemed as not meeting that requirement and may result in the disqualification.

- i. **Description of the Applicant’s Organization:** Describe the current organizational mission, vision and structure. Applicant should specifically describe the structure of governance over the organization and any changes in the current structure that the applicant may propose as a part of provision of service under this RFA.
- ii. **Relevant Experience:** The Applicant must include all relevant background and experience related to the work outlined in the programs and services included in this RFA. Applicant should describe experience in administering similar programs including any federal programs.
  - Emphasis should be on activities related to the programs and services included in this RFA. **Additionally, please list any contracts in the last three (3) years between the Applicant and any agency of the State of Alabama.**

- iii. Funding Sources: Discuss the current funding sources which support current programs. Include an explanation of the use of supplementary revenues.
- iv. References: Include at least three references and their contact information. Reference letters may be included as attachments to the application, if available.
- v. Scope of Work: describe in detail the plan to deliver services as the Jefferson County Area Agency on Aging to include the following:
  - Describe Applicant Mission
  - Describe Applicant Goals
  - Applicant should include information about unique and innovative aspects of operation which will contribute to the overall success of the program.
  - Describe Applicant's long range plan and goals to sustain and grow the programs. Applicant should also include any plans for short term transition if different from long range implementation plans for programs.
  - Describe Applicant's current services and experience to indicate a level of community based services understanding and knowledge to ensure successful operation of the programs listed, evaluate how Applicant identifies unmet needs of current clients, and how Applicant will set priorities.
    - Applicant should explain which organizations with which they coordinate services most frequently and why. Explain the current criteria used in determining priority for services when demand exceeds resources. Describe the assurances of quality of the services currently provided.
  - Give detailed account of current salaries for personnel and detail how those salaries are set or determined.
  - Describe Applicant history, how it fits the program requirements to successfully implement proposed services to administer and how objectives will be specified, measured and achieved to ensure success of each program.
  - Describe Applicant provision of receipt and recording of all complaints, timely handling and resolution of complaints.
  - Describe Applicant client population, history of providing services to clients, goals and objectives, number of clients served and growth in service capacity.
  - Describe Applicant utilization and management of volunteers to assist and enhance program effectiveness and efficiency.
  - Describe Applicant experience of utilizing other community resources and coordination with network of aging services.
  - Describe Applicant's plans to increase public awareness of the Programs and how it will demonstrate these plans to achieve maximum public awareness of the program.
  - Describe Applicant's management plan and competence and capacity to meet the administrative, financial, matching, record keeping, and reporting requirements of each program in a timely and accurate manner.

- vi. **Personnel Listing:** A complete listing of current staff is required.
- vii. **Audit:** A copy of the most recent financial statement, with an opinion letter from a CPA with a valid state license, is required as a part to the RFA.
- viii. **Conflict of Interest:** Disclose any relationships which may pose a conflict of interest.
- ix. **Additional Data:** The Applicant should include any additional information relevant to this RFA that it wishes to bring to the attention of ADSS.

**F. Application Review Process**

The State of Alabama is an Equal Opportunity and Affirmative Action employer and does not discriminate in its hiring, employment, or business practices. ADSS is committed to complying with the Americans with Disabilities Act of 1990 (ADA) and does not discriminate on the basis of disability, in admission to, access to, or operation of its programs, services, or activities.

A Selection Committee composed of representatives from ADSS and other designees as deemed appropriate will review all applications. Applicants may be required to participate in one or more interviews with the Selection Committee, which may be conducted in person or by telephone any time during the selection process. Any such requirement for interviews will be at the discretion of the Selection Committee.

**G. Application Review Criteria** – Applications are reviewed according to the following Application Review Criteria:

- i. Objectives/Program Plan
  - 1. Contiguity to ADSS goals, mission and vision
  - 2. Ability to serve Jefferson County and location
  - 3. Ability to adhere to general requirements and minimum service standards for all programs including but not limited to:
    - a. Targeting
    - b. Program Income/Contributions/Cost Sharing
    - c. Confidentiality and Client Satisfaction
    - d. Coordination, Publicity, and Alternate Funding
    - e. Staff and volunteers
    - f. Ability to Train
  - 4. Administrative Structure
  - 5. Innovation
- ii. Access/Quality Control
  - 1. Ability to utilize and implement an evaluation process with measureable outcomes
  - 2. Coordination with other services
  - 3. Ability to assess Client Eligibility

4. Clarity of plan to respond to client needs and grievances
- iii. Organizational Capability
  1. Experience in managing programs relative to those proposed
  2. Organizational stability
  3. Fiscal Responsibility and management
  4. Fiscal ability to adhere to match requirements
- iv. Technical Considerations – Clarity and completeness of application.

## H. Notice of Award

The applicant who is awarded will be notified in writing of approval within seven (7) calendar days of the decision.

ADSS reserves the right to award with or without further discussion of the application submitted. Therefore, applications should be submitted initially on the most favorable terms which the Applicant can propose. ADSS also reserves the right to reject any and all applications received by reason of the Request for Application. ADSS also reserves the right to negotiate modifications after the applicant has been selected.

The funding information listed in this application will be subject to change based on funding available. All funding listed is an estimation.

ADSS reserves the right to arrange on-site fiscal and program assessments by ADSS staff to determine the applicant's ability to meet the terms and conditions of the Request for Application.

## SECTION III. FUNDING INFORMATION

### FUNDING AVAILABLE

This section describes the areas/programs that funding likely will be made available through this RFA. **Funding amounts are estimates. Awards will be made annually based on availability and program year.** While this section includes fiscal requirements that pertain to each of the programs included in the RFA, what is detailed here is not meant to represent all fiscal requirements. Attached for each of the programs are detailed definitions of services that describes the services to be performed under each program.

All organizations receiving Federal financial awards (i.e. grant, cooperative agreement, contract) or sub-award must have a DUNS (Data Universal Numbering System) and be registered with the CCR (Central Contractor Registration) as Outlined in 2 CFR Part 25, Financial Assistance use of Universal Identifier and Central Contractor Registration.

#### A. Title III of the Older Americans Act (OAA)

- a. ESTIMATED FUNDING AVAILABLE
  - i. Funding will be available under the OAA for the following Parts of Title III:

1. Part B Supportive Services (CFDA # 93.044)
  - a. Part B Area Plan Administration.....\$122,000
  - b. Part B Services.....\$388,000
2. Part C-1 Congregate Meals (CFDA # 93.045).....\$698,000
3. Part C-2 Home Delivered Meals (CFDA # 93.045).....\$362,000
4. Part D Preventive Health (CFDA # 93.043).....\$32,000
5. Part E National Family Caregivers Program (CDFA # 93.052)
  - a. Part E Area Plan Administration.....\$24,000
  - b. Part E Caregiver Services.....\$215,000

b. OBLIGATIONS AND LIQUIDATIONS

- i. Title III funds are required to be allocated to AAA based on the state’s Intrastate Funding Formula (IFF). The IFF is described in ADSS’ State Plan on Aging.
- ii. The AAA must obligate Title III funds within two years after the year in which the funds were awarded by the state (e.g., funds awarded in federal fiscal year 2017 must be obligated by September 30, 2019).

c. MATCH REQUIREMENTS

- i. Area Plan Administration- The non-federal share for area plan administration shall not be less than 25 percent of the funds expended. Title III expenditures for area plan administration includes the administration of programs, which are consistent with the Older Americans Act.
- ii. Title III Services- The AAA will be required to fund services under Title III B, C, D, and E with no less than a 10 percent non-federal matching requirement. ADSS will contribute 5% state match to the required non-federal match of no less than 15%.
- iii. Non-federal match requirements may be provided in the form of either cash from local resources or In-kind Contributions or a combination of both. In-kind contributions may include volunteers, supplies, donated office space, etc.

d. PARTICIPANT CONTRIBUTIONS

- i. Anyone receiving services shall be given an opportunity to make a voluntary contribution (Program Income). A service provider may not deny a service because the eligible person could or did not contribute to the cost of the service.
- ii. Service contributions collected must be used to expand the services for which the contributions were given.
- iii. Program income cannot be included as match.

e. TRANSFERS BETWEEN TITLE III Parts B and C Subparts 1 and 2:

- i. Title III Parts B and C, Subparts 1 and 2, are the only parts between which transfers may be made. The AAA may elect to transfer not more than 40%

- of its part C funds between subpart 1 and 2. A request for a waiver to transfer amounts over the 40% limitation must be approved by ADSS.
- ii. The AAA may elect to transfer not more than 30% between part B and part C. A request for a waiver to transfer amounts over the 30% limitation must be approved by ADSS.
- f. Title III Part B SERVICES-PRIORITY SERVICES
- i. Per requirements of the Older Americans Act, AAAs must spend those designated percentages unless the state agency grants a waiver based on a demonstration by the AAA that services being furnished are sufficient to meet the need for such services (Sec. 306(b)).
  - ii. Title III-B Social Services expenditures for Priority Services (access, in-home and legal) must meet or exceed the minimum spending levels established by ADSS as follows:
    - 1. Access: 29.1% of FY 2017 Title III-B award (plus 10% match)
    - 2. In-Home: 2.5% of FY 2017 Title III-B award (plus 10% match)
    - 3. Legal: 6.7% of FY 2017 Title III-B award (plus 10% match)
  - iii. Access services are reported in the Assisted Transportation, Transportation, Information and Assistance, Outreach, and Case Management expenditure categories. In-Home services are reported in the Personal Care, Homemaker, and Chore expenditure categories. Legal services are reported in the Legal Assistance expenditure category.
- g. Title III-E FAMILY CAREGIVER PROGRAM
- i. Title III-E Family Caregiver Program budgeted expenditures should not exceed 10% of the federal funding (plus non-federal match) for support services to grandparents and older individuals who are relative caregivers as defined in the law.
  - ii. In addition, budgeted expenditures should not exceed 20% of the federal funding (plus non-federal match) for the Supplemental Services expenditure category.
- h. Part D PREVENTIVE HEALTH – DISEASE PREVENTION AND HEALTH PROMOTION
- i. Funding Amounts for Title III Part D may only be used for programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective. Further guidance may be found on AOA website: [http://www.aoa.acl.gov/AoA\\_Programs/HPW/Title\\_IIID/index.aspx](http://www.aoa.acl.gov/AoA_Programs/HPW/Title_IIID/index.aspx).
- i. Nutrition Services Incentive Program (NSIP) - The Administration on Aging (AoA) provides funding to states for OAA Title III eligible meals provided to eligible aged participants through Section 311 of the OAA Nutrition Services Incentive Program (NSIP). Funds are distributed per eligible meal served throughout the state.

**B. Other ACL Programs**

a. ESTIMATED FUNDING AVAILABLE

i. Funding will be available from ADSS through ACL for the following programs:

1. State Health Insurance program (SHIP)(CFDA # 93.324).....\$90,000
2. Medicare improvements for Patients and Providers (MIPPA) (CFDA # 93.071).....\$22,000

b. OBLIGATIONS AND LIQUIDATIONS

- i. The AAA must obligate funds during the period identified on grant agreement awarded specifically for these Programs.
- ii. Grant agreements are typically awarded for a one year budget period but there could be exceptions.

c. MATCH REQUIREMENTS

i. There is no required match for these programs

**C. Other State Funded Programs**

a. ESTIMATED FUNDING AVAILABLE

i. Funding will be available from ADSS for the following programs:

1. Aging and Disability Resource (ADRC).....\$30,000
2. SenioRx Program.....\$200,000

b. OBLIGATIONS AND LIQUIDATIONS

- i. The AAA must obligate funds during the period identified on grant Agreement awarded specifically for these Programs.
- ii. Grant agreements are typically awarded for a one year budget period but there could be exceptions.

c. MATCH REQUIREMENTS

i. There is no required match for these programs

**SECTION IV. ADDITIONAL STANDARDS (APPLY TO ALL PROGRAMS)**

**REFERRAL AND COORDINATION:** Each program shall establish working relationships with other community agencies for referrals and resource coordination to ensure that participants have the maximum possible choice. Each program must establish, at a minimum, written referral protocols with local Mental Health centers, 3-10 boards, the Department of Rehabilitation, and Home and Community Based Medicaid Programs, operating in the region.

**DISASTER RESPONSE:** Applicant must have established written emergency protocols for weather emergencies, both responding to disaster and undertaking appropriate activities to assist victims to recover from disaster, depending upon the resources and structures available.

**INSURANCE COVERAGE:** Applicant shall have sufficient insurance to indemnify loss of federal, state and local resources, due to casualty, fraud, or employee theft. All buildings equipment, supplies, and other property purchased in whole or in part with funds awarded are to be covered with sufficient insurance to reimburse the program for the fair market value of the asset at the time of loss. The following types of insurance are required:

- Worker's compensation
- Unemployment
- Property and theft coverage (including employee theft)
- Fidelity bonding (for persons handling cash)
- No-fault vehicle insurance (for applicant owned vehicles)
- General liability and hazard insurance (including facilities coverage)

The following types of insurance are recommended for additional protection:

- Insurance to protect the programs from claims against program drivers and/or passengers
- Professional liability (individual and corporate)
- Umbrella liability
- Errors and Omissions insurance for Board Members
- Special multi-peril

**VOLUNTEERS:** Each program that utilizes volunteers shall have a written procedure governing the recruiting, training, supervising and management of volunteers consistent with the procedure utilized for paid staff. Volunteers shall receive written position description, orientation training, and a yearly performance evaluation, as appropriate.

**STAFFING:** Each program shall employ competent and qualified personnel sufficient to provide services. Each program shall be able to demonstrate an organizational structure including established lines of authority. Prior to employment or engagement, all potential employees must be subjected to a statewide criminal background check. No person with a felony conviction may be hired. The safety and security of program clients must be paramount in such considerations to employ those working with any program described in this RFA.

**ORIENTATION AND TRAINING PARTICIPATION:** All incoming program staff must receive orientation training that includes, at a minimum, introduction to the program, the aging network, maintenance of records and HIPAA compliance, the aging process, ethics, and emergency procedures. Issues addressed under the aging process may include though are not limited to, cultural diversity, dementia, cognitive impairment, mental illness, abuse and exploitation.

Program staff are encouraged, and in some cases required, to participate in relevant ADSS sponsored training workshops, as well as any training done by the Applicant, as appropriate. Records that detail dates of training, attendance, and topics covered are to be maintained, as well as noted in employee

and volunteer files. Some training expenses may be allowable costs against grant funds per grant agreements.

**CONTINGENCY CLAUSE:** It is expressly understood by both parties and mutually agreed that any commitment of funds herein shall be contingent upon receipt and availability of funds under the program. In the event of the proration of the fund from which payment is to be made, the program will be subject to termination.

**NOT TO CONSTITUTE A DEBT OF THE STATE:** Under no circumstances shall any commitments by ADSS constitute a debt of the State of Alabama as prohibited by Article XI, Section 213, Constitution of Alabama of 1901, as amended by Amendment 26. It is further agreed that if any provision of this grant shall contravene any statute or Constitutional provision or amendment, whether now in effect or which may, during the course of this grant, be enacted, then that conflicting provision in the grant shall be deemed null and void. The Applicant's/Grantee's sole remedy for the settlement of any and all disputes arising under the terms of this agreement shall be limited to the filing of a claim against ADSS with the Board of Adjustment for the State of Alabama.

**ACCESS TO RECORDS AND MONITORING:** At any time during normal business hours, and as often as ADSS may deem necessary for purposes of monitoring and evaluation, the Applicant/Grantee shall make available to ADSS the Alabama Department of Examiners of Public Accounts, the Comptroller General or any other authorized designee all records with respect to matters covered by this grant agreement and will permit ADSS or those authorized designees to audit, examine, investigate, or extract excerpts from invoices, materials, documents, papers, records or other data relating to matters covered by a grant agreement.

**HIPPA COMPLIANCE:** Applicant shall comply with the provisions of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and any implementing regulations as adopted. Therefore, all parties agree that this section satisfies HIPAA's requirement for a "business associate agreement" between a covered entity and business associate and applies to PHI provided to or received from the Contractor in electronic, handwritten, typed or digital formats, stored in either magnetic or optical media that is used or disclosed as agreed upon. The Applicant acknowledges that the Applicant has a federally legislated obligation for compliance with applicable provisions of the HIPAA Privacy and Security regulations regardless of whether or not those provisions are expressly contained within any future agreement.

**TRAFFICKING VICTIMS PROTECTION ACT:** This award is subject to the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (72 U.S.C. 7104). This grant is subject to the requirements set forth in 45 CFR Part 75 (for non-profit organizations and educational institutions) or 45 CFR Part 75 (for state, local, and federally recognized tribal governments).

**COPYRIGHT:** As a term and condition of a grant award under 45 CFR 75, the grant awarding agency will retain a royalty-free, nonexclusive, irrevocable license to reproduce, publish or otherwise use and authorize others to use, for Federal government purposes, the copyright in any work developed under the grant, or a sub grant or subcontract, and in any rights to a copyright purchased with grant support.

**MANDATORY DISCLOSURES:** The Applicant is required to notify ADSS in writing of all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this federal award.

**DEBARMENT:** The Applicant certifies it is not barred from bidding for or entering into this agreement and the Applicant acknowledges that ADSS may declare the agreement void if the certification completed is false.

**REGISTRATION:** All organizations receiving Federal financial awards or sub awards must have a DUNS (Data Universal Numbering System) and be registered with the CCR (Central Contractor Registration) as outlined in 2 CFR Part 25, *Financial Assistance Use of Universal Identifier and Central Contractor Registration*.

**WHISTLEBLOWER:** Applicants/Grantees are hereby given notice that the 48 CFR §3.908 implementing section 828, entitled "Pilot Program for Enhancement of Contractor Whistleblower Protections," of the National Defense Authorization Act applies to this award.

**IMMIGRATION LAW COMPLIANCE:** By signing this agreement, the Applicant/Grantee affirms for the duration of the agreement that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, if Applicant/Grantee is found to be in violation of this provision it shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom. The Applicant hereby certifies compliance with the requirements of §31-13-9(a) and (b), Code of Alabama 1975, as amended, and has provided proper documentation to ADSS.

**CONFIDENTIALITY:** Applicant/Grantee shall treat all information, and in particular information relating to individuals that is obtained by or through its performance under the agreement, as confidential information to the extent confidential treatment is provided under State and Federal laws and regulations. Applicant/Grantee shall not use any information so obtained in any manner except as necessary for the proper discharge of its obligations and rights under this grant agreement.

**APPLICANT STATUS:** The Applicant/Grantee is not an agent or employee of the State or ADSS.

## SECTION V. PROGRAM INFORMATION

The following is a description of the programs and the minimum requirements for providing services to the citizens of Jefferson County. Please note, programs operate on various funding and reporting schedules. The term Grantee is used to indicate whomever is awarded the RFA and enters a contract with ADSS for the Federal or State grant for the program.

## TITLE III of the Older Americans Act (OAA)

### TITLE III - PART B – Supportive Services

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#### AGING AND DISABILITY RESOURCE CENTER

Definition: Aging and Disability Resource Centers (ADRCs) serve as highly visible and trusted places where people of all incomes and ages can receive information and guidance to help support their ability to make informed decisions. As the Area Agency on Aging, the Applicant will serve as the ADRC and will maximize resources to provide a “No Wrong Door” entryway for services that provide persons with disabilities, older individuals, their families, and the community at large with information, assistance, referral, benefits/options counseling, short term case management, and follow-up to assist in making informed decisions regarding their long-term care planning, home and community-based services, and healthcare.

**Assurances for Compliance with ADRC:**

1. Grantee agrees to utilize standardized tools, instruments, and forms as they are developed by ADSS. Methodologies will be streamlined and followed as directed by ADSS.
2. Grantee agrees to develop local relationships and to have written agreements with the local Developmental Disabilities 310 Boards, Independent Living Centers (where appropriate), and Community Mental Health Centers to establish referral and follow-up processes. Staff in-services with community partners to share resources, develop processes and to establish relationships are encouraged at ADRCs and with the staff of partnering agencies.
3. Grantee agrees to implement and maintain such services and procedures as may be necessary for the proper and orderly administration of the program, including keeping all appropriate records, financial and otherwise, to ensure the continuation of the program in accordance with guidelines and regulations established, or to be established, by ADSS or the Administration on Aging applicable at this time or later made applicable to this program.
4. Grantee agrees to review all fund sources and develop a cost allocation plan to sustain the ADRC functions operating as the “No Wrong Door” and single entry point for all agency services.
5. Grantee agrees to utilize and advertise the 1-800-AGELINE number which shall be directed to ADRC staff for first point of entry.
6. Grantee agrees to notify ADSS of any changes in ADRC staff within 48 hours via email.
7. Grantee agrees to utilize the Universal Intake Form (UIF) and follow all policies, procedures, and guidance surrounding the use of the form.
8. Grantee agrees to provide information and referral services regarding long-term support and service options and other resources for future long-term care needs.
9. Grantee agrees to provide short-term assistance necessary to stabilize individuals and their families.
10. Grantee agrees to provide sufficient information for consumers to make informed choices.

11. Grantee agrees to assist consumers in obtaining financial and programmatic eligibility determinations through options counseling.
12. Grantee agrees to assist consumers as needed with completion of applications for benefit programs to include, but not limited to, Medicaid services, Food Assistance, SeniorRx, MSP, and LIS.
13. Grantee agrees to conduct follow-up to determine verification of services received and/or if the request for additional guidance or assistance has been met.
14. Grantee agrees to maintain both an ADRC Coordinator as referenced in the procedures manual and provide on-going training. Grantee agrees to solicit additional funding for an ADRC Specialist position as the program demands increase.
15. Grantee will ensure individuals are qualified to perform duties of ADRC Specialist in the following areas: consumer service, interviewing, listening, assessing, documenting, providing benefits and options counseling, assembling resources, implementing services, and conducting follow-up.
16. Grantee will ensure that all ADRC client confidentiality is protected.
17. Grantee agrees it is the responsibility of the ADRC to ensure all appropriate data is collected and streamlined into reports for AIMS and SHIPMates.
18. Grantee agrees to provide a streamlined and efficient process for referrals, referral tracking, and follow-up.
19. Grantee agrees to update and maintain individual case records and utilize narrative for documentation.
20. Grantee agrees to collect required information for the ADRC Reporting Tool and any other information required by various fund sources and ADSS. This includes collecting all required demographic information for each contact and/or client as appropriate.
21. Grantee agrees to provide documentation that all ADRC staff members are SHIP certified and AIRS certified within one year of employment.
22. Grantee agrees to transfer all SHIP activities provided at ADRC into SHIPMates for SHIP reporting purposes.
23. Grantee agrees to provide a list of all interagency agreements or MOUs with ADRC Stakeholders and partners in a quarterly report.
24. Grantee agrees to staff the ADRC with a minimum of one full-time equivalent (FTE) for answering incoming calls from consumers. Dedicated staff can be assigned to ADRC, rotated from various programs, but all operators must be skilled in consumer service, interviewing,

listening, assessing, documenting, providing benefits and options counseling, assembling resources, implementing services, and conducting follow-up.

25. Grantee agrees to provide cross-training on program services eligibility and requirements for all program staff who will assist with ADRC, SenioRx, or SHIP activities. Volunteers can be utilized for some ADRC activities such as quick calls, outreach, assistance with completing forms, etc., but are not appropriate for providing ADRC screenings with UIF.
26. Grantee agrees to provide documentation of staff in-services cross-training on program services eligibility and requirements in a quarterly report.
27. Grantee agrees to ensure the primary ADRC Specialist participates in training activities required by ADSS.

### **PERSONAL CARE**

(A direct service, must be sub-contracted)

Definition of Service: Provides assistance, stand-by assistance, supervision, or cues. Example: dressing, bathing, personal grooming, toileting, transferring in/out of bed/chair, or walking to assist with personal care needs.

### **HOMEMAKER**

(A direct service, must be sub-contracted)

Definition of Service: Providing assistance such as preparing meals, shopping for personal items, managing money, using the telephone, or doing light housework.

### **CHORE**

(Service may be sub-contracted or coordinated by AAA staff – local choice)

Definition of Service: Providing assistance such as heavy housework, yard work, or light maintenance. This could include building ramps and making home more accessible.

### **ADULT DAY CARE**

(A direct service, must be subcontracted)

Definition of Service: Personal care for dependent elders in a supervised, protective, and congregate setting during some portion of a day. Services offered typically include social and recreational activities, training, counseling, and services such as rehabilitation, medications assistance, and home health aide services for adult day health.

## **CASE MANAGEMENT**

Definition of Service: Assistance either in the form of access or care coordination in circumstances where the older person is experiencing diminished functioning capacities, personal conditions, or other characteristics which require the provision of services by formal service providers or family caregivers. Activities of case management include such practices as screening and assessing needs, providing options counseling, coordinating services, and providing follow-up as required. Short term case management is used to stabilize individuals and their families in times of immediate need before they have been connected to ongoing support and services. It may involve a home visit and more than one follow-up contact.

## **LEGAL SERVICES**

*(In house or subcontracted)*

Definition of Service: All services shall be carried out in accordance with Title III of the Older Americans Act of 1965, as amended, as well as by the policies and procedures established by ADSS. The Area Agency on Aging can make the decision whether to sub-contract an individual or entity which provides legal services for older persons in Jefferson County with the greatest social and economic needs in accordance with their need for such service within the planning and service area. The sub-contractor shall be obtained by use of a Request for Proposal process.

The sub-contractor must have no present interest and shall have no interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed. No person having such interest shall be employed by sub-contractor.

## **ASSURANCES AND PROGRAM REQUIREMENTS**

1. Provide at no cost to clients access to attorneys with the capacity to provide advice and representation in the areas outlined in the Older Americans Act of 1965, as amended.
2. All sub-contractors must be licensed to practice law in the State of Alabama and carry malpractice insurance.
3. Use Title IIIB funds or other funds to maintain or increase, to the extent practicable, the level of legal assistance furnished to eligible individuals, and not to supplant funds from other federal or non-federal sources.
4. Give clients a voluntary opportunity to contribute to the cost of the services they receive and ensure privacy with respect to the clients and contributions
5. Have the capacity to provide legal assistance in the principal language spoken by the clients in the areas where a significant number of clients do not speak English as their principal language in accordance with the OAA.
6. Provide complete, accurate AIMS programmatic and fiscal reports and other required program data in a timely manner and provide additional information requested while maintaining client confidentiality.
7. Provide advice and representation to clients of the Long-Term Care Ombudsman Program who are 60 years of age or older.
8. Coordinate with Long-Term Care Ombudsman while maintaining client confidentiality with both programs.

9. In cooperation with the Legal Services Developer, develop and follow a protocol and a program policy for referral of fee generating cases pursuant to the OAA. Pursuant to 45 CFR 1321.71(g), a fee generating case may not be accepted by a Legal Assistance provider.

### **ASSISTED TRANSPORTATION**

*(In-house or sub-contracted)*

Definition of Service: Assistance and transportation, including escort, to a person who has difficulties (physical or cognitive) using regular vehicular transportation. Assisted transportation must involve a personal escort for the older person, not just a helpful driver.

### **TRANSPORTATION**

*(In-house or sub-contracted)*

Definition of Service: Transportation from one location to another.

- A) **Transportation Senior Center** is to the Senior Center and/or trip home from the Senior Center.
- B) **Transportation Other** would be to/from another location such as a doctor, store, recreation, religious activity, health fair, enrollment event, etc. Any location other than a trip to/from a Senior Center.

## **TITLE III – Part B – Aggregate Services**

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### **INFORMATION AND ASSISTANCE (I&A) for Senior Center Only**

Definition of Service: Provides individuals with information requested and/or connects individuals to resources available within the community. Information and assistance may be provided via Internet, in person or over the phone. Telephone reassurance by phoning an individual in order to provide comfort or help.

### **OUTREACH**

Definition of Service: Intervention with individuals initiated by an agency or organization for the purpose of identifying potential participants or their caregivers and encouraging their use of existing services and benefits. Friendly visiting by going to see a participant to provide comfort or help.

### **PUBLIC EDUCATION**

Definition of Service: Providing opportunities for individuals to acquire non-nutrition related knowledge, experience, or skills. This service may include workshops designed to increase awareness on various topics, such as crime or accident prevention, continuing education, or legal issues. Workshops may be

designed to teach participants a specific skill in craft, job, or occupation as long as the participant does not expect to receive wages or other stipends.

### **PUBLIC INFORMATION**

Definition of Service: An activity that involves contact with multiple individuals through newsletters, publications, or other social or mass media activities providing education and outreach.

### **RECREATION**

Definition of Service: Activities facilitated by a service provider which may include sports, use of exercise equipment, performing arts, games, and crafts. The participant may enjoy the activity either as a spectator or an active participant.

## **TITLE III – Part C -1 – Congregate Meals and Part C-2 – Home Delivered Meals**

### **ELDERLY NUTRITION PROGRAM**

**Purpose:** To assist in the provision of nutrition of the elderly population to remain independent in the community. The meals provided are in congregate and home bound settings.

*Target Population Under OAA for Services and Programs:* Age 60+ with greatest social and economic need, especially low-income older people, those residing in rural areas, older people with limited English proficiency, and older people at greatest risk for institutional care (i.e. has at least two activity of daily living impairments).

**Services Provided:** The client services provided include congregate meals, home delivered meals, nutrition education, and nutrition counseling. Active senior centers are the central focus for meals, services and socialization with the participants.

#### **Eligible Participants:**

- Age 60 and over
- Spouses of individuals age 60 and over (C-1 Congregate meals)
- Person with disability residing with eligible participant
- Person with disability at Senior Centers located in housing facilities primarily occupied by older individuals (can serve individuals with disabilities under age 60)
- Volunteer assisting at mealtime (C-1 Congregate Meals)

**Program Income:** Gross income received by the AAA and all sub-grantees such as voluntary contributions or income earned only as a result of the grant project during the grant period.

**State Level Program Administration:** A team of three Registered Dietitians work with menu production, monitoring of statewide meals contract, monitoring AAAs Nutrition program, and senior centers. The nutrition team also provides technical assistance to the AAA Nutrition Coordinator. The Nutrition Coordinator should be a FTE.

Currently, the AAA provides meals in a congregate setting (C-1) and to homebound participants (C-2). ADSS has a statewide contract with Valley Foods to prepare and deliver the meals to each senior center daily and to some homebound participants if they receive frozen meals instead of hot homebound meals served from the center.

**Service Definitions:** The Contractor shall adhere to the Older Americans Act Nutrition Service Definitions. As part of the contract, the Contractor agrees to ensure only participants eligible for nutrition services receive these services and that the units are recorded.

**Alabama Elderly Nutrition Program Manual (ENP):** The Contractor will adhere to all program guidelines policies and procedures for operation, administration and management of all nutrition services as stated in the current Alabama Elderly Nutrition Program Manual (ENP) provided by ADSS, as well as any updates and revisions made during the contract period.

**Senior Center Hours of Operation/Holidays:** Senior Centers within Jefferson County must be open for normal operations no less than four (4) hours per day, five (5) days per week (Monday – Friday). If operating less than five (5) days a week, Contractor must submit a request for waiver to ADSS for approval sixty (60) days in advance of any change in hours of operation. This waiver must be updated annually no less than 60 days before the start of the next contract year and the final decision will come from the ADSS Commissioner. There are 245 serving days in FY17. The AAA has an option to close 5 of those days countywide.

**Senior Centers:** Senior Centers are located as close as possible to concentrations of elderly with the greatest social and economic need, as well as those eligible older persons and handicapped or disabled persons living in housing facilities occupied primarily by the elderly. Senior Centers are in buildings that are clean, pleasant, and accessible to kitchen, restrooms, and telephones, as well as meet all applicable health, fire, safety, and sanitation regulations and inspections.

**ADSS Participant Enrollment Forms:** A Participant Enrollment Form is to be completed for any eligible participant who is to receive a service which requires the participant to be a registered participant. These services are identified in the service definitions under the Unit column as a “Registered Participant.” All senior centers must retain the Participant Enrollment Forms at the center on all participants who receive registered, Title III services. This information must be entered into AIMS by the AAA and/or contractors.

**Meal Orders:** The Contractor must receive and serve a minimum of 25 meals per day, five days per week for each senior center. The contractor may shift the number of meals allotted between centers and meal type but must adhere to no less than 25 *hot* meals per day out of each respective nutrition center.

**Voluntary Contributions:** See *Older Americans Act, Section 315(b)*

*(b) VOLUNTARY CONTRIBUTIONS.—*

*(1) IN GENERAL.—Voluntary contributions shall be allowed and may be solicited for all services for which funds are received under this Act if the method of solicitation is non-coercive.*

*(2) LOCAL DECISION.—The area agency on aging shall consult with the relevant service providers and older individuals in agency’s planning and service area in a State to determine the best method for accepting voluntary contributions under this subsection.*

(3) *PROHIBITED ACTS.*—The area agency on aging and service providers shall not means test for any service for which contributions are accepted or deny services to any individual who does not contribute to the cost of the service.

(4) *REQUIRED ACTS.*—The area agency on aging shall ensure that each service provider will—

(A) provide each recipient with an opportunity to voluntarily contribute to the cost of the service;

(B) clearly inform each recipient that there is no obligation to contribute and that the contribution is purely voluntary;

(C) protect the privacy and confidentiality of each recipient with respect to the recipient's contribution or lack of contribution;

(D) establish appropriate procedures to safeguard and account for all contributions; and

(E) use all collected contributions to expand the service for which the contributions were given **and to supplement (not supplant) funds received under this Act.**

## **TITLE III -Part D – Disease Prevention and Health Promotion – Evidence Based Programs**

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(In house or sub-contracted if evidence based criteria as outlined by ACL is substantiated)

Definition of Service: These funds are to be used for disease prevention and health promotion services that are based on scientific evidence and demonstrated to improve the health of older adults. These programs must meet the ACL definition of “Evidence-Based” which includes the following:

- Demonstrated through evaluation to be effective for improving the health and wellbeing or reducing disease, disability and/or injury among older adults; and
- Proven effective with older adult population, using Experimental or Quasi-Experimental Design; and
- Research results published in a peer-review journal; and
- Fully translated in one or more community site(s); and
- Includes developed dissemination products that are available to the public.

Examples of evidence-based programs include class-based physical programs, falls prevention programs, self-management programs, one-on-one health interventions within the home. Programs must be approved by ADSS as meeting evidence-based requirements prior to implementation.

## **TITLE III-Part E – National Family Caregiver Support Program**

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***Caregiver/Grandparent Services*** – *(Respite and some supplemental services are sub-contracted)*

Definition of Service: Alabama Cares is the National Family Caregiver Support program for ADSS. This program helps families continue their efforts to care for older individuals in their homes who have a

chronic illness or disability. This program is different in that the Caregiver is the client served. The five core services are:

- Information
- Access information
- Education and counseling
- Respite
- Supplemental services

A minimum of a full time staff person is required to fulfill the responsibilities of this program.

## **NON-DISCRETIONARY GRANTS**

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### **STATE HEALTH INSURANCE PROGRAM**

Definition of Service: **The State Health Insurance Assistance Program (SHIP)** provides education, counseling, and information to Medicare beneficiaries on their health coverage including Medicare, Medicare Supplement, Medicare Savings Programs, Medicaid, Prescription Drugs, Plan Comparisons, Billing and Claims, Rights and Protections, and Long-Term Care options. SHIP also assists Medicare beneficiaries during the Medicare Open Enrollment period. SHIP counselors conduct free health plan comparisons and enroll individuals in the health plan of their choice. SHIP volunteers are also available to give educational presentations on Medicare and other related topics throughout the year.

#### **Assurances and Program Requirements**

***\* Section 4360 of the Omnibus Budget Reconciliation Act of 1990 requires that each State program must encompass particular activities:***

Objective 1 – Grantee will provide personalized counseling to an increasing number and diversity of individual beneficiaries unable to access other channels of information or needing and preferring locally-based individual counseling services.

Objective 2 – Grantee will conduct targeted community outreach to beneficiaries in public forums either under their sponsorship or with community-based partners or coalitions to increase understanding of Medicare program benefits and raise awareness of the opportunities for assistance with benefit and plan selection.

Objective 3 – Grantee will increase and enhance beneficiary access to a counselor work force that is trained, certified, and fully equipped and proficient in providing the full range of services including enrollment assistance in appropriate benefit plans, and continued enrollment assistance in prescription drug coverage.

Objective 4 - Grantee will participate in Administration for Community Living education and communication activities, as required by ADSS, to assure that SHIP counselors are equipped to respond to both Medicare program updates and a rapidly changing counseling environment and to provide ACL

with information about the support and resources that SHIPs need to provide accurate and reliable counseling services.

**The grantee shall:**

1. Provide counseling and assistance to eligible individuals in need of health insurance information including:
  - a. Information that may assist individuals in obtaining benefits and filing claims under Titles XVIII and XIX of the Social Security Act.
  - b. Policy comparison information for Medicare supplemental policies (as described in section 1882(g)(1) of the Social Security Act, as amended) and information that may assist eligible individuals with filing claims under such Medicare supplemental policies.
  - c. Information regarding long-term care insurance.
  - d. Information regarding Medicaid programs, including Medicare Savings Programs.
  - e. Information regarding other types of health insurance benefits that may be provided to eligible individuals in the State.
  - f. Information regarding health insurance coverage options created under the Balanced Budget Act of 1997 and subsequent amendments under the Balanced Budget Refinement Act of 1999, the Benefits Improvement and Protection Act of 2000, and the Medicare Prescription Drug, Improvement and Modernization Act (DIMA) of 2003.
2. Conduct outreach programs to provide health insurance information, counseling and assistance to eligible individuals, including an emphasis on reaching vulnerable, isolated and non-English speaking seniors, and those under 65 who are disabled. In achieving these efforts, the grantee shall:
  - a. Provide counseling to a greater number of individual beneficiaries unable to access other channels of information or needing and preferring locally-based individual counseling services.
  - b. Create more counseling resources and locations that are locally accessible to low-income, dual eligible, and hard-to reach beneficiaries, including rural communities.
  - c. Increase targeted outreach in order to provide access to counseling to low-income, dual-eligible, and hard-to-reach populations.
  - d. Provide educational materials as necessary to assist in achieving these standards.
  - e. Coordinate SHIP outreach through the ADRC.
3. Develop systems of referral to appropriate Federal or State departments or agencies that provide assistance with problems related to health insurance coverage (including legal problems).
4. Assure full accessibility of SHIP services to all categories of Medicare eligible individuals, including the aged, disabled, and end stage renal disease patients. SHIP services are to be provided without discrimination on the basis of race, color, national origin, disability, age, sex, or income. Reasonable efforts must also be made to accommodate eligible individuals with existing barriers that limit their access to information, e.g. language, visual, hearing or speech impairments, physical accessibility, literacy, and location. Track and measure activities to ensure underserved populations are receiving outreach, education, and enrollment.
5. Establish a sufficient number of staff positions (including volunteers) necessary to provide the services of a health insurance information, counseling and assistance program.

6. Ensure that all SHIP counseling data is transferred from ADRC activity report into SHIPMates.
7. Request, as necessary, federal unique identifiers for staff and volunteers through state SHIP office. Maintain copies of signed confidentiality agreements for individually assigned unique IDs.
8. Ensure that all ADRC staff are SHIP certified and are assigned unique IDs.
9. Assure that SHIP staff and volunteers have no conflict of interest in providing health insurance information, counseling and assistance, and agree to abide by the SHIP Security Plan and confidentiality agreements for safeguarding confidential beneficiary information.
10. Collect and disseminate timely and accurate health insurance information to staff members (including volunteers and ADRC specialists).
11. Utilize state and federal training program materials as part of the training program for staff members, counselors, and SHIP volunteers. Conduct a certification review to ensure volunteers and staff are trained in accordance with their job duties. Conduct continuing education to ensure volunteers and staff are up to date in the knowledge necessary to complete their duties.
12. Recruit and screen the volunteer and staff workforce for the program. As such, the grantee shall:
  - a. Provide formal training opportunities for SHIP coordinators, ADRC specialists and volunteers utilizing state and federal training materials, including the preparation of copies of materials.
  - b. Ensure completion of the volunteer application form and confidentiality/non-conflict of interest form for all volunteers.
  - c. Ensure that all volunteers who provide one-to-one counseling and education seminars have satisfactorily completed extended training and volunteers of all other job descriptions have satisfactorily completed basic training, or customized training as instructed by ADSS when appropriate.
  - d. Ensure that all volunteers have satisfactorily completed their certification review upon the completion of training. Implement quality assurance protocols within the program.
  - e. Provide up-to-date resources, information, and training libraries (either in paper or electronic) to local volunteers.
  - f. Create and support full local volunteer access to Internet-based information, training materials, counseling, and enrollment tools as necessary.
  - g. Train volunteers on the use of Internet-based counseling, SHIP program tools, and Internet-based enrollment tools.
  - h. Solicit direct feedback from counselors to determine if the training and support materials they receive are helpful in counseling activities.
  - i. Ensure that any notices from state or federal resources are delivered and explained to counselors in a timely manner.
13. Terminate any volunteer from SHIP who has failed to meet the agreed commitments of the program, including but not limited to:
  - a. Failure to meet the terms of the confidentiality/non-conflict of interest.
  - b. Failure to attend more than 2 consecutive update trainings.
  - c. Consistent poor feedback from quality assurance mechanisms.All terminations must be reported to the state SHIP director.

14. Ensure that SHIP services are publicized to Medicare beneficiaries throughout the program area. Maintain contact with the community, including distributing literature and speaking at public gatherings to promote SHIP.
15. Plan and conduct at least one recognition event annually for SHIP volunteers at a minimal cost. Ensure volunteers have appropriate educational resources, supplies, and materials available to them.
16. Increase SHIP participation in ACL education activities. The grantee shall:
  - a. Ensure SHIP coordinator access to training materials through registration on the National SHIP Technical Assistance (TA) Center.
  - b. Ensure that the SHIP coordinator posts events and activities on the AAA and/or ADSS website.
  - c. Ensure contact information for the grantee is accurate and current.
17. Achieve at the minimum the eight performance measures for each county as provided by ACL and outlined in Exhibit 1 of this agreement, and conduct monthly self-monitoring activities to track performance measure outcomes.
18. Conduct an internal assessment of locations previously used to host Medicare Open Enrollment events to determine the basis to select new enrollment locations. Submit to ADSS no later than August 1, 2016, in writing, the plan to identify and secure new locations to host the enrollment events, if appropriate.
19. Upon the completion of SHIP Counselor certification, contact ADSS to provide the names of those certified and ensure each counselor receives a Certificate of Completion that is signed by the State SHIP Director, AAA Director, and ADSS Commissioner.
20. During the Medicare Open Enrollment period, the SHIP Coordinator and certified counselors must track the monetary savings to the client and report it in Ship mates no later than the 20<sup>th</sup> of the month.
21. Devise a plan to ensure the total time spent by all certified counselors is being collected and reported accurately in Ship mates no later than the 20<sup>th</sup> of the month.
22. Continue to strengthen the integration of SHIP in ADRC programmatic activities, and report those activities in Ship mates no later than the 20<sup>th</sup> of each month.
23. Plan and conduct, at a minimum, two "Welcome to Medicare" Birthday events during the grant year.
24. Plan at a minimum two visits to a medium to large sized companies in the region to provide outreach and education to their Human Resources Department to educate on retirement and Medicare.
25. Designate and maintain the services of a State Project Coordinator to serve as the leader for the existing SHIP pharmacy student projects. The Coordinator is responsible to update the current SHIP training curriculum, train and certify the pharmacy students, travel to local sites, attend enrollment events and meetings, assist the college staff to develop new promotional and outreach materials, and provide technical assistance to the pharmacy student staff, students, and local SHIP Coordinators as appropriate.

### **PROGRAM REQUIREMENTS**

1. Respond to constituent requests for information and/or assistance in a timely fashion (the standard is within two (2) business days).
2. The grantee shall make available quarterly to ADSS copies of all publications, intake forms, training materials, systems, items developed and samples of any forms used by the grantee to

provide these services. The grantee agrees that ADSS and the ACL shall have royalty-free, non-exclusive and irrevocable rights to reproduce, publish or otherwise use, and authorize others to use the items for state or federal purposes.

3. All SHIP materials published by the grantee shall include the acknowledgement that “This publication has been created or produced by the Alabama SHIP with financial assistance, in whole or in part, through a grant from the Administration for Community Living”. The grantee is also expected to use the Alabama SHIP logo on all SHIP publications.
4. Ensure program, agency representation at SHIP coordinator meetings, trainings, and conference calls.
5. Ensure all program staff, counselors, volunteers, and sub-contractors conduct themselves in a professional and appropriate manner when representing the SHIP program at internal meetings, all public events, one-on-one counseling sessions, and other SHIP related trainings and conferences.
6. The grantee shall establish the capability to send and receive e-mail and to access and download internet published information in the provision of SHIP services.
7. ADSS will monitor and assess programmatic records, reports and activities under this agreement to determine the effectiveness and efficiency of service delivery. ADSS and ACL or the appropriate designee shall have ready access to all reports and records relating to this agreement, subject to the maintenance of client confidentiality required by all governing entities.
8. Grantee shall utilize the online Counselor Certification tool to assist with SHIP certification. The online tool should be utilized for SHIP and ADRC staff certification. All verification of training shall be sent to the state SHIP director.
9. Grantee shall ensure that SHIP coordinator collaborates with the SenioRx program to target individuals needing extra medication assistance.
10. Grantee shall ensure provision of consumer awareness of durable medical equipment, prosthetics, orthotics, and supplies as it relates to the Affordable Care Act.
11. Grantee shall ensure provision of annual training to Medicaid Waiver case managers, the Alabama Cares coordinator, SenioRx coordinators, and ADRC staff.
12. Grantee shall ensure collaboration with health prevention programs such as Chronic Disease Self-Management Education , Pearls, and Matter of Balance for outreach to Medicare beneficiaries and education on health prevention and benefits.
13. Grantee shall ensure collaboration with the Senior Medicare Patrol program to continue education and outreach on fraud prevention and awareness initiatives.

### **NOTIFICATION REQUIREMENTS**

The grantee is required to notify the State SHIP Director of any changes in key personnel, contact information, or other significant administrative changes immediately upon learning of the change. This includes, but is not limited to, changes to permissions for Unique IDs issued.

**REPORTING:** The Grantee shall:

1. Enter the following into SHIPMATES on a monthly basis no later than the **20<sup>th</sup> day of the month following the end of the calendar month of service to which they apply.**
2. Provide the SHIP Director information regarding upcoming events monthly but no later than the 20<sup>th</sup> day of the month prior to the event.

3. The Grantee will assume responsibility for the accuracy and completeness of the information contained in all documents and reports.
4. The data reported monthly must have supportive documentation for verification purposes. Documentation shall be retained for a period of three years as set forth and described in 45 CFR Part 75. Copies or other facsimiles of program records, such as electronic media, are acceptable substitutions for original documents.
5. Financial reports shall be required in accordance with ADSS policies and procedures. Financial reports will be submitted by the 21<sup>st</sup> of the month following the end of the quarter. Reporting will be accurate and true. Reports will cover the funds and activities of this Grant Agreement only.

### **MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS (MIPPA)**

Definition of Service: The purpose of MIPPA funding is to enhance efforts through state and local coalition building focused on intensified outreach activities to help beneficiaries likely to be eligible for Low Income Subsidy program (LIS), Medicare Savings Program (MSP, Medicare Prescription Drug Coverage (Part D) and in **assisting beneficiaries in applying for benefits**. ACL provides funding to inform older Americans about available Federal and State benefits.

#### **ASSURANCES AND PROGRAM REQUIREMENTS**

The Grantee shall provide these activities in Jefferson County:

- (1) Ensure the local SHIP program activities continue to be co-integrated with the ADRC activities and ensure all clients that contact their local ADRC are screened for LIS, MSP, Medicare Part D, and the Supplemental Nutrition Assistance Program (SNAP).
- (2) Utilize the SHIP staff as the primary “Trainer” to train and certify the appropriate aging AAA staff to become certified as a SHIP Counselor and require them to report any and all Medicare and/or SHIP activities to the local SHIP Coordinator on a monthly basis.
- (3) Utilize the SHIP Coordinator to serve as the pivotal AAA staff person for each of the AAAs/ADRCs to report MIPPA and SHIP activities on a monthly basis.
- (4) Ensure proper operational procedures are followed at the ADRC to streamline access to screening and enrollment services. This will include cross training and SHIP Certification of all ADRC Specialist and transfer of documentation of all calls.
- (5) Generate awareness of the ADRCs in the existing aging network to include Senior Centers, Network sub-contractors and other community partners.

The Grantee shall provide the following activities in the targeted counties as outlined in the attached document showing focused counties to target:

- (6) Work and collaborate with the Auburn University Harrison School of Pharmacy (HSOP) staff as appropriate to expand education and outreach of SHIP, ADRC, MSP, LIS, and Medicare Part D benefits.
- (7) Extend education and outreach to local pharmacists and other professional groups as appropriate to increase beneficiary’s access to services and supports.

- (8) Outside of the pharmacy network, work with at least one partner outside the aging network to expand education and outreach of SHIP, ADRC, MSP, LIS, and Medicare Part D benefits to include health prevention and wellness outreach. Conduct a minimum of one Benefit Check-Up Event (BCU) which involves local partners.
- (9) Submit a local 9 month Outreach Expansion Plan on or before January 20<sup>th</sup>, 2017 that outlines from January 2016 through September 30, 2016, how the AAA/ADRC will expand outreach in the targeted areas, determining what new methods and strategies will be developed and implemented to increase the number of persons screened and enrolled in LIS, MSP, Medicare Part D, and SNAP/AESAP programs.
- (10) Increase the number of beneficiaries who are screened and educated on disease prevention and Medicare preventative services.
- (11) In targeted counties increase the number of beneficiaries enrolled in LIS, MSP, Part D, and SNAP/AESAP public benefit programs.

#### **PROGRAM REQUIREMENTS**

- 14. Respond to constituent requests for information and/or assistance in a timely fashion (the standard is within two (2) business days).
- 15. The Grantee shall make available to ADSS copies of all publications, intake forms, training materials, systems, items developed and samples of any forms used by the Grantee to provide these services. The Grantee agrees that ADSS and the Centers for Medicare and Medicaid Services (CMS) shall have royalty-free, nonexclusive and irrevocable rights to reproduce, publish or otherwise use, and authorize others to use the items for state or federal purposes.
- 16. All public outreach materials published by the Grantee shall include the acknowledgement that “This publication has been created or produced by the local Aging Disability Resource Center (ADRC) with financial assistance, in whole or in part, through a grant from the Centers for Medicare and Medicaid Services, the Federal Medicare agency.”
- 17. Ensure program/agency representation at meetings/trainings/conference calls.
- 18. The Grantee shall establish the capability to send and receive e-mail and to access and download internet published information in the provision of MIPPA services.
- 19. ADSS will monitor and assess programmatic records, reports and activities under this agreement to determine the effectiveness and efficiency of service delivery. ADSS and CMS or the appropriate designee shall have ready access to all reports and records relating to this agreement, subject to the maintenance of client confidentiality required by all governing entities.
- 20. Enter the LIS, MSP, and Part D activities into SHIPMATES on a monthly basis and no later than the **20<sup>th</sup> day of the month following the end of the calendar month of service to which they apply.**
- 21. The Grantee will ensure the AAA/ADRC staff and partners provide a narrative report to the grantee on a monthly basis and no later than the 20<sup>th</sup> day of the following month for the duration of this grant agreement.
- 22. AAA shall have a full time SHIP Director.

## **NOTIFICATION REQUIREMENTS**

The grantee is required to notify the State SHIP Director of any changes in key personnel, contact information, or other significant administrative changes immediately upon learning of the change.

### **SENIORX PROGRAM**

Definition of Service: **The SenioRx Program** is a state funded prescription drug assistance program that assists in obtaining free or low cost prescription drugs from pharmaceutical companies. The goal is to improve independence and quality of life by providing prescription drug and other benefits assistance to those Alabamians who have chronic conditions, inadequate health care coverage, and/or who would otherwise potentially be at risk for institutionalization, permanent disability, or even death due to lack of access to medications.

The target population to serve is those 55 and older, and individuals of any age who have a doctor's declaration of disability, have applied for Social Security Disability, or who have been deemed disabled and are in the 24 month waiting period. Another target population is Medicare recipients that have reached their Part D Prescription Drug coverage gap.

All goals and objectives are based on those at 200% of the Federal Poverty Level. Individuals who qualify for prescription drug coverage at higher percentages of poverty level, determined by various companies, can also be served through the program.

### **ASSURANCES AND PROGRAM REQUIREMENTS**

1. The grantee will provide public outreach, public information, and educational activities to older adults and their families, caregivers, individuals under the age of 55 that may be potential clients, placing an emphasis on reaching vulnerable, isolated, and minority individuals. The grantee will place a special emphasis and devise a marketing plan to target individuals under age 55, and those between the ages of 55 – 64.
2. The grantee shall extend public outreach, information, and education to professional groups, advocacy organizations, and local governmental agencies to raise awareness of the SenioRx Program and the services provided. Entering into formal and non-traditional partnerships is encouraged.
3. The grantee must continue to coordinate, at a minimum, with local Mental Health Centers, local 3-10 Boards, local Medicaid and Social Security District Offices, local Public Health Departments, local health clinics, and local Department of Human Resources offices to ensure that SenioRx services are maximized and that paperwork and inconvenience to clients is minimized.
4. The grantee shall recruit and utilize volunteers to extend awareness of the program and its services. Volunteers should be vetted carefully and properly trained on the appropriate aspects of the program, depending on their volunteer role and level of responsibilities. All volunteers must be trained on confidentiality procedures and HIPAA laws.

5. Each Grantee will ensure the program is adequately staffed with funds available through this grant. The SenioRx staff will be required to work collaboratively with the ADRC staff to ensure each person that contacts the ADRC is properly screened as appropriate for SenioRx services. A SenioRx Coordinator position is required.

6. The Grantee will maintain records as required to include necessary forms with client's signature for matters of confidentiality. All client information and files must be kept confidential and properly secured to ensure clients and potential client's information is not jeopardized.

7. The Grantee and its subcontractors must have in place a grievance procedure for registered clients to include a process for resolution.

**At a minimum, the Grantee will achieve the goals set forth below:**

8. Devise a new marketing outreach and education plan to target local pharmacists and medical office professionals to ensure they have a good working knowledge of the program and how to properly refer individuals for screening purposes.

9. Enroll a minimum number (to be determined) of unduplicated clients (2.8% of the agencies potentially eligible population) into the SenioRx Program, ensuring at least 20% of them are considered "new" clients.

10. Ensure the grantee has an efficient system in place to follow up with current clients needing prescription refills. All clients should be encouraged to complete their own applications and refills if they are able.

11. Continue to utilize the required RX Assist Plus and the Rx Assist Plus Pricing Module.

12. Ensure the SenioRx program is integrated with the ADRC business model to streamline all processes and the ADRC staff are reporting the accurate number of SenioRx referrals to the Coordinator no later than the 10th of each month.

13. Staff will participate in all SenioRx and ADRC training events provided by ADSS.

14. Continue to utilize the SenioRx name and logo in all publications and presentations.

15. Create, widely disseminate, and track new education and outreach materials.

16. Work with ADSS to implement a plan to maximize both paid and unpaid advertising opportunities

**Appendix A**

Letter of Intent

**Return to:** Emily Marsal  
**Street Address:** Alabama Department of Senior Services  
201 Monroe Street  
RSA Tower, Suite 350  
Montgomery, AL 36130  
**Mail Address:** Alabama Department of Senior Services  
P.O. Box 301851  
Montgomery, AL 36130-1851  
**Telephone:** 334-242-5743  
**FAX:** 334-242-5594  
**Email:** [Emilyt.marsal@adss.alabama.gov](mailto:Emilyt.marsal@adss.alabama.gov)

**Return by:** 3:00 PM, July 12, 2016

The organization indicated below intends to reply to the following Request for Application :

**STATE OF ALABAMA**  
Alabama Department of Senior Services  
Jefferson County Area Agency on Aging (AAA)  
Request for Application

It is understood that submission of this form does not bind the organization to submit an application.

Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_ FAX: \_\_\_\_\_

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*

**APPENDIX B**  
AREA AGENCY ON AGING ASSURANCES

***\*Please review. After the selection to this RFA is made, the applicant will be required to adhere to the following assurances to operate as the Area Agency on Aging for Jefferson County.***

**Alabama Department of Senior Services**

**Area Plan ASSURANCES and Required Activities (Fiscal Year 2017)**

**Requirements**

1. Each Operating Agency will give priority to legal assistance related to income, healthcare, long-term care, nutrition, housing, utilities, and protective services, defense of guardianship, abuse, neglect, and age discrimination. [Source: OAA, Sec. 307(a)(11)(E)]
  
2. Each Operating Agency providing services for the prevention of abuse of older individuals will conduct a program consistent with relevant State law and coordinated with existing State adult protective service activities for—
  - (A) public education to identify and prevent abuse of older individuals;
  - (B) receipt of reports of abuse of older individuals;
  - (C) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance where appropriate and consented to by the parties to be referred; and referral of complaints to law enforcement or public protective service agencies where appropriate. [Source: OAA, Sec. 307(a) (12)]
  - (D) Report immediately any suspected abuse, neglect, and exploitation to the Department of Human Resources as a mandatory reporter as specified in Section 38-9-8.[Alabama Code, Act 2008-398, p.787]
  
3. Each Operating Agency will conduct efforts to facilitate the coordination of community-based, long-term care services and options and benefits counseling, pursuant to section 306(a)(7), for older individuals who—
  - (A) reside at home and are at risk of institutionalization because of limitations on their ability to function independently;
  - (B) are patients in hospitals and are at risk of prolonged institutionalization; or
  - (C) are patients in long-term care facilities, but who can return to their homes if community-based services are provided to them. [Source: OAA, Sec. 307(a)(18)]
  
4. Each Operating Agency will provide, to the extent feasible, for the furnishing of services under this Act, consistent with self-directed care. [Source: OAA, Sec. 307(a)(27)]
  
5. Each Area Plan will include information detailing how the Operating Agency will coordinate activities and develop long-range emergency preparedness plans with local and State emergency response

agencies, relief organizations, local and State governments and other institutions that have responsibility for disaster relief service delivery.

[Source: OAA, Sec. 306 (a) (17)]

6. Each Operating Agency is responsible for maintaining compliance with all current ADSS Information Technology policies and procedures applicable to the Operating Agency. The ADSS Information Technology policies and procedures are available on the ADSS intranet.
7. Each Operating Agency is responsible for monitoring and maintaining compliance with the current Alabama Elderly Nutrition Program Manual.
8. Each Operating Agency is responsible for monitoring and maintaining compliance with the current SenioRx guidelines.
9. Each Operating Agency is responsible for monitoring and maintaining compliance with the current Alabama Cares guidelines.
10. Each Operating Agency is responsible for monitoring and maintaining compliance with the current Senior Community Service Employment Program guidelines if applicable.
11. Each Operating Agency is responsible for monitoring and maintaining compliance with the current State Health Insurance Assistance Program (SHIP) guidelines.
12. Each Operating Agency is responsible for monitoring and maintaining compliance with the current Long Term Care Ombudsman Program Policies and Procedures.
13. Each Operating Agency is responsible for monitoring and maintaining compliance with any other contractual agreements as well as program and fiscal guidance.
14. Each Operating Agency agrees to operate under the business model of Aging and Disability Resource Centers as a “No Wrong Door” to services and supports, following guidance and work agreements from ADSS and the Alabama Medicaid Agency (if applicable).
15. Each Operating Agency is responsible for maintaining compliance with all current ADSS HIPAA training program policies and procedures available on the ADSS intranet. Additionally, each Operating Agency must assure each employee reviews the Operating Agency HIPAA training program annually and provides the executed receipt of HIPAA training form annually to their agency HIPAA Officer for the retention in HIPAA and Personnel files.

16. Each Operating Agency is responsible for maintaining compliance with the following requirements concerning conflict of interest, administrative and fiscal procedures:

(A) The Area Plan, Assurances, and other Memorandums of Understanding serve as the contractual relationship with the State Unit to provide services to persons age 60 and over, persons with disabilities where appropriate, and their caregivers.

(B) Conflict of Interest:

(i) The Operating Agency will not contract with any individual, or member of the immediate family of an individual, subject to a conflict of interest; and ensure that no officer or employee or representative of any entity with which the Operating Agency contracts, or member of the immediate family of the officer, employee, or representative, is subject to a conflict of interest.

(ii) If a conflict is found, it will be grounds for immediate termination of the contract between the Operating Agency and the individual or entity and language to that effect must be included in the contract between the Operating Agency and the vendor.

(iii) Further, each Operating Agency must institute and follow its own conflict of interest policies for its staff, board of directors, and contractors including appropriate procedures for disclosure.

(iv) The Alabama Ethics Law will be followed by all parties. Alabama Code §36-25-1 et seq.

17. Administrative and Fiscal Procedures:

(A) The operating agency, sub-contractors, and providers will abide by the following financial and administrative procedures and guidance documents as applicable:

(i) U.S. Department of Health and Human Services, Administration on Aging, Office of Management, Grants Management Division, AOA Fiscal Guide, OAA, Titles II and VII, 05/2004;

(ii) Generally Accepted Accounting Principles, GAAP;

(iii) Code of Alabama 1975- Chapter 16-Article 2- State Bid Laws; Title 41, Chapter 16

(iv) 45 CFR, Part 1321 – Grants to State and Community Programs on Aging, Authority: 42 U.S.C. 3001 et seq.; Title III, Older Americans Act, as amended;

(v) 45 CFR, Part 75- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards.

(vi) State Of Alabama, Act. No. 40, Open Meetings Act; §36-25A-1-11, Code of Alabama 1975, as amended

(vii) 2 CFR, - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for DOL Awards; 2 CFR 2900 – Department of Labor Exceptions;

Other Requirements (as Applicable)

1. 29 CFR Part 93, Lobbying Certification
2. 29 CFR Part 37, Non-discrimination and Equal Opportunity Requirements
3. 29 CFR Part 98, Debarment and Suspension; Drug Free Workplace
4. 20 CFR Part 652 et al., Workforce Investment Act
5. Wagner-Peyser Act

6. Section 106 (g) of the Trafficking Victims Protection, Act of 2000, as amended (22 U.S.C. 7104)
7. 48 CFR section 3.908, implementing section 828 entitled "Pilot Program for Enhancement of Contractor Whistleblower Protections," of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Pub. L. 112-239, enacted January 2, 2013)
8. All grantees are expected to recognize any same-sex marriage legally entered into in a U.S. jurisdiction that recognizes their marriage, including one of the 50 states, the District of Columbia, or a U.S. territory, or in a foreign country so long as that marriage would also be recognized by a U.S. jurisdiction. Any similar familial terminology references in HHS statutes, regulations, or policy transmittals will be interpreted to include same-sex spouses and marriages legally entered into as described herein.

(B)The Operating Agency will have available for inspection the following documents that should be updated at a minimum every three years although they may be updated more frequently as needed:

- (I) Accounting and Administrative Procedures to include but not limited to:
  - (i) Contract Development and Monitoring Procedures
  - (ii) Personnel Policies and Procedures
  - (iii) Grievance procedure for sub-contractors and clients

(C) Organizational charts should be updated annually with any changes.

(D) If operating under a Board of Directors, the Operating Agency should have available for inspection the following documents that should be updated at a minimum every three years although they may be updated more frequently as needed:

- (i) Board of Directors Training Manual
- (ii) Board of Directors Conflict of Interest Policy
- (iii) Minutes of all Board meetings
- (iv) By-laws

The Operating Agency will comply with the provisions of any and all applicable amendments to the Older Americans Act, its regulations, and other laws and regulations which may become applicable in all its practices, policies, programs, and facilities during the period covered by this Area Plan on Aging.

## Older Americans Act Sec. 306, AREA PLANS

(a) Each area agency on aging designated under section 305(a)(2)(A) shall, in order to be approved by the State agency, prepare and develop an area plan for a planning and service area for a two-, three-, or four-year period determined by the State agency, with such annual adjustments as may be necessary. Each such plan shall be based upon a uniform format for area plans within the State prepared in accordance with section 307(a)(1). Each such plan shall—

(1) provide, through a comprehensive and coordinated system, for supportive services, nutrition services, and, where appropriate, for the establishment, maintenance, or construction of multipurpose senior centers, within the planning and service area covered by the plan, including determining the extent of need for supportive services, nutrition services, and multipurpose senior centers in such area (taking into consideration, among other things, the number of older individuals with low incomes residing in such area, the number of older individuals who have greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas) residing in such area, the number of older individuals who have greatest social need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas) residing in such area, the number of older individuals at risk for institutional placement residing in such area, and the number of older individuals who are Indians residing in such area, and the efforts of voluntary organizations in the community, evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of supportive services, nutrition services, or multipurpose senior centers in such area, for the provision of such services or centers to meet such need;

(2) provide assurances that an adequate proportion, as required under section 307(a)(2), of the amount allotted for part B to the planning and service area will be expended for the delivery of each of the following categories of services—

(A) services associated with access to services (transportation, health services (including mental health services) outreach, information and assistance, (which may include information and assistance to consumers on availability of services under part B and how to receive benefits under and participate in publicly supported programs for which the consumer may be eligible) and case management services);

(B) in-home services, including supportive services for families of older individuals who are victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction; and

(C) legal assistance; and assurances that the area agency on aging will report annually to the State agency in detail the amount of funds expended for each such category during the fiscal year most recently concluded;

(3) (A) designate, where feasible, a focal point for comprehensive service delivery in each community, giving special consideration to designating multipurpose senior centers (including multipurpose senior centers operated by organizations referred to in paragraph (6)(C)) as such focal point; and

(B) specify, in grants, contracts, and agreements implementing the plan, the identity of each focal point so designated;

(4)(A)(i) (I) provide assurances that the area agency on aging will—

- (aa) set specific objectives, consistent with State policy, for providing services to older individuals with greatest economic need, older individuals with greatest social need, and older individuals at risk for institutional placement;
- (bb) include specific objectives for providing services to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas; and
- (II) include proposed methods to achieve the objectives described in items (aa) and (bb) of subclause (I);
- (ii) provide assurances that the area agency on aging will include in each agreement made with a provider of any service under this title, a requirement that such provider will—
  - (I) specify how the provider intends to satisfy the service needs of low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in the area served by the provider;
  - (II) to the maximum extent feasible, provide services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in accordance with their need for such services; and
  - (III) meet specific objectives established by the area agency on aging, for providing services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas within the planning and service area; and
- (iii) with respect to the fiscal year preceding the fiscal year for which such plan is prepared—
  - (I) identify the number of low-income minority older individuals in the planning and service area;
  - (II) describe the methods used to satisfy the service needs of such minority older individuals; and
  - (III) provide information on the extent to which the area agency on aging met the objectives described in clause (i);
- (B) provide assurances that the area agency on aging will use outreach efforts that will—
  - (i) identify individuals eligible for assistance under this Act, with special emphasis on—
    - (I) older individuals residing in rural areas;
    - (II) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);
    - (III) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);
    - (IV) older individuals with severe disabilities;
    - (V) older individuals with limited English proficiency;
    - (VI) older individuals with Alzheimer’s disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and
    - (VII) older individuals at risk for institutional placement; and
  - (ii) inform the older individuals referred to in sub-clauses (I) through (VII) of clause (i), and the caretakers of such individuals, of the availability of such assistance; and

- (C) contain an assurance that the area agency on aging will ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, will include a focus on the needs of low-income minority older individuals and older individuals residing in rural areas;
- (5) provide assurances that the area agency on aging will coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities, and individuals at risk for institutional placement with agencies that develop or provide services for individuals with disabilities;
- (6) provide that the area agency on aging will—
- (A) take into account in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan;
  - (B) serve as the advocate and focal point for older individuals within the community by (in cooperation with agencies, organizations, and individuals participating in activities under the plan) monitoring, evaluating, and commenting upon all policies, programs, hearings, levies, and community actions which will affect older individuals;
  - (C)(i) where possible, enter into arrangements with organizations providing day care services for children, assistance to older individuals caring for relatives who are children, and respite for families, so as to provide opportunities for older individuals to aid or assist on a voluntary basis in the delivery of such services to children, adults, and families;
  - (ii) if possible regarding the provision of services under this title, enter into arrangements and coordinate with organizations that have a proven record of providing services to older individuals, that-
    - (I) were officially designated as community action agencies or community action programs under section 210 of the Economic Opportunity Act of 1964 (42 U.S.C. 2790) for fiscal year 1981, and did not lose the designation as a result of failure to comply with such Act; or
    - (II) came into existence during fiscal year 1982 as direct successors in interest to such community action agencies or community action programs; and that meet the requirements under section 676B of the Community Services Block Grant Act; and
    - (iii) make use of trained volunteers in providing direct services delivered to older individuals and individuals with disabilities needing such services and, if possible, work in coordination with organizations that have experience in providing training, placement, and stipends for volunteers or participants (such as organizations carrying out Federal service programs administered by the Corporation for National and Community Service), in community service settings;
  - (D) establish an advisory council consisting of older individuals (including minority individuals and older individuals residing in rural areas) who are participants or who are eligible to participate in programs assisted under this Act, family caregivers of such individuals, representatives of older individuals, service providers, representatives of the business community, local elected officials, providers of veterans' health care (if appropriate), and the general public, to advise continuously the area agency on aging on all matters relating to the development of the area plan, the administration of the plan and operations conducted under the plan;
  - (E) establish effective and efficient procedures for coordination of—
    - (i) entities conducting programs that receive assistance under this Act within the planning and service area served by the agency; and

- (ii) entities conducting other Federal programs for older individuals at the local level, with particular emphasis on entities conducting programs described in section 203(b), within the area;
  - (F) in coordination with the State agency and with the State agency responsible for mental health services, increase public awareness of mental health disorders, remove barriers to diagnosis and treatment, and coordinate mental health services (including mental health screenings) provided with funds expended by the area agency on aging with mental health services provided by community health centers and by other public agencies and nonprofit private organizations;
  - (G) if there is a significant population of older individuals who are Indians in the planning and service area of the area agency on aging, the area agency on aging shall conduct outreach activities to identify such individuals in such area and shall inform such individuals of the availability of assistance under this Act;
- (7) provide that the area agency on aging shall, consistent with this section, facilitate the area-wide development and implementation of a comprehensive, coordinated system for providing long-term care in home and community-based settings, in a manner responsive to the needs and preferences of older individuals and their family caregivers, by—
- (A) collaborating, coordinating activities, and consulting with other local public and private agencies and organizations responsible for administering programs, benefits, and services related to providing long-term care;
  - (B) conducting analyses and making recommendations with respect to strategies for modifying the local system of long-term care to better—
    - (i) respond to the needs and preferences of older individuals and family caregivers;
    - (ii) facilitate the provision, by service providers, of long-term care in home and community-based settings; and
    - (iii) target services to older individuals at risk for institutional placement, to permit such individuals to remain in home and community-based settings;
  - (C) implementing, through the agency or service providers, evidence-based programs to assist older individuals and their family caregivers in learning about and making behavioral changes intended to reduce the risk of injury, disease, and disability among older individuals; and
  - (D) providing for the availability and distribution (through public education campaigns, Aging and Disability Resource Centers, the area agency on aging itself, and other appropriate means) of information relating to—
    - (i) the need to plan in advance for long-term care; and
    - (ii) the full range of available public and private long-term care (including integrated long-term care) programs, options, service providers, and resources;
- (8) provide that case management services provided under this title through the area agency on aging will—
- (A) not duplicate case management services provided through other Federal and State programs;
  - (B) be coordinated with services described in subparagraph (A); and
  - (C) be provided by a public agency or a nonprofit private agency that—
    - (i) gives each older individual seeking services under this title a list of agencies that provide similar services within the jurisdiction of the area agency on aging;

- (ii) gives each individual described in clause (i) a statement specifying that the individual has a right to make an independent choice of service providers and documents receipt by such individual of such statement;
  - (iii) has case managers acting as agents for the individuals receiving the services and not as promoters for the agency providing such services; or
  - (iv) is located in a rural area and obtains a waiver of the requirements described in clauses (i) through (iii);
- (9) provide assurances that the area agency on aging, in carrying out the State Long-Term Care Ombudsman program under section 307(a)(9), will expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 2000 in carrying out such a program under this title;
- (10) provide a grievance procedure for older individuals who are dissatisfied with or denied services under this title;
- (11) provide information and assurances concerning services to older individuals who are Native Americans (referred to in this paragraph as “older Native Americans”), including—
  - (A) information concerning whether there is a significant population of older Native Americans in the planning and service area and if so, an assurance that the area agency on aging will pursue activities, including outreach, to increase access of those older Native Americans to programs and benefits provided under this title;
  - (B) an assurance that the area agency on aging will, to the maximum extent practicable, coordinate the services the agency provides under this title with services provided under title VI; and
  - (C) an assurance that the area agency on aging will make services under the area plan available, to the same extent as such services are available to older individuals within the planning and service area, to older Native Americans; and
- (12) provide that the area agency on aging will establish procedures for coordination of services with entities conducting other Federal or federally assisted programs for older individuals at the local level, with particular emphasis on entities conducting programs described in section 203(b) within the planning and service area.
- (13) provide assurances that the area agency on aging will—
  - (A) maintain the integrity and public purpose of services provided, and service providers, under this title in all contractual and commercial relationships;
  - (B) disclose to the Assistant Secretary and the State agency—
    - (i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and
    - (ii) the nature of such contract or such relationship;
  - (C) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not resulted and will not result from such contract or such relationship;
  - (D) demonstrate that the quantity or quality of the services to be provided under this title by such agency will be enhanced as a result of such contract or such relationship; and
  - (E) on the request of the Assistant Secretary or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals;

(14) provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title;

(15) provide assurances that funds received under this title will be used—

(A) to provide benefits and services to older individuals, giving priority to older individuals identified in paragraph (4)(A)(i); and

(B) in compliance with the assurances specified in paragraph (13) and the limitations specified in section 212;

(16) provide, to the extent feasible, for the furnishing of services under this Act, consistent with self-directed care; and

(17) include information detailing how the area agency on aging will coordinate activities, and develop long-range emergency preparedness plans, with local and State emergency response agencies, relief organizations, local and State governments, and any other institutions that have responsibility for disaster relief service delivery.

(b) (1) An area agency on aging may include in the area plan an assessment of how prepared the area agency on aging and service providers in the planning and service area are for any anticipated change in the number of older individuals during the 10-year period following the fiscal year for which the plan is submitted.

(2) Such assessment may include—

(A) the projected change in the number of older individuals in the planning and service area;

(B) an analysis of how such change may affect such individuals, including individuals with low incomes, individuals with greatest economic need, minority older individuals, older individuals residing in rural areas, and older individuals with limited English proficiency;

(C) an analysis of how the programs, policies, and services provided by such area agency can be improved, and how resource levels can be adjusted to meet the needs of the changing population of older individuals in the planning and service area; and

(D) an analysis of how the change in the number of individuals age 85 and older in the planning and service area is expected to affect the need for supportive services.

(3) An area agency on aging, in cooperation with government officials, State agencies, tribal organizations, or local entities, may make recommendations to government officials in the planning and service area and the State, on actions determined by the area agency to build the capacity in the planning and service area to meet the needs of older individuals for—

(A) health and human services;

(B) land use;

(C) housing;

(D) transportation;

(E) public safety;

(F) workforce and economic development;

(G) recreation;

(H) education;

(I) civic engagement;

- (J) emergency preparedness; and
- (K) any other service as determined by such agency.

(c) Each State, in approving area agency on aging plans under this section, shall waive the requirement described in paragraph (2) of subsection (a) for any category of services described in such paragraph if the area agency on aging demonstrates to the State agency that services being furnished for such category in the area are sufficient to meet the need for such services in such area and had conducted a timely public hearing upon request.

(d) (1) Subject to regulations prescribed by the Assistant Secretary, an area agency on aging designated under section 305(a)(2)(A) or, in areas of a State where no such agency has been designated, the State agency, may enter into agreement with agencies administering programs under the Rehabilitation Act of 1973, and titles XIX and XX of the Social Security Act for the purpose of developing and implementing plans for meeting the common need for transportation services of individuals receiving benefits under such Acts and older individuals participating in programs authorized by this title.

(2) In accordance with an agreement entered into under paragraph (1), funds appropriated under this title may be used to purchase transportation services for older individuals and may be pooled with funds made available for the provision of transportation services under the Rehabilitation Act of 1973, and titles XIX and XX of the Social Security Act.

(e) An area agency on aging may not require any provider of legal assistance under this title to reveal any information that is protected by the attorney-client privilege.

(f) (1) If the head of a State agency finds that an area agency on aging has failed to comply with Federal or State laws, including the area plan requirements of this section, regulations, or policies, the State may withhold a portion of the funds to the area agency on aging available under this title.

(2)(A) The head of a State agency shall not make a final determination withholding funds under paragraph (1) without first affording the area agency on aging due process in accordance with procedures established by the State agency.

(B) At a minimum, such procedures shall include procedures for—

- (i) providing notice of an action to withhold funds;
- (ii) providing documentation of the need for such action; and
- (iii) at the request of the area agency on aging, conducting a public hearing concerning the action.

(3) (A) If a State agency withholds the funds, the State agency may use the funds withheld to directly administer programs under this title in the planning and service area served by the area agency on aging for a period not to exceed 180 days, except as provided in subparagraph (B).

(B) If the State agency determines that the area agency on aging has not taken corrective action, or if the State agency does not approve the corrective action, during the 180-day period described in subparagraph (A), the State agency may extend the period for not more than 90 days.

(42 U.S.C. 3026)