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Introduction

The 1987 Amendments to the Older Americans Act and the regulations published on August 31, 1988, include a number of new requirements. These requirements are intended to enhance services and opportunities for older persons from the least to the frailest. In order to achieve the intent, the regulations to the Older Americans Act have provided an overall mission to each state agency and to each Area Agency, as follows:

- (1) Comprehensive and coordinated community-based delivery system,
- (2) Supportive services shall be organized to meet the needs of active older persons as well as frail individuals living in their homes, congregate living facilities and community-based institutions, and
- (3) Supportive services, enumerated in this policy section, shall be performed by qualified supportive service provider agencies unless the state grants a waiver as authorized under Section 306(b) of the Older Americans Act.

Mission

The mission of the supportive service provider shall be to perform the services that are authorized under the approved area plan to eligible Title III participants. The supportive service provider shall assure that low-income minority individuals are given preference.

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Definitions

- (1) Access means information and referral services, outreach service and transportation service.
- (2) Adequate Proportion means no less than sixty-five (65) percent of the Federal Title III-B allocation, and no less than sixty-five (65) percent of the Area Agency's Federal Title III-B allocation, excluding Administrative funds.
- (3) Case Management is a method of ensuring access to the continuum of care, ensuring that appropriate services (duration, scope, frequency) are provided, that meet the changing needs of the clients and the caregivers, assuring, through monitoring and evaluation, that high quality services are provided in a timely and cost-efficient manner.
- (4) In-home Services are the supportive services enumerated in 45 CFR Part 1321.3 as follows:
 - (a) Homemaker and home health aide;
 - (b) Visiting and telephone reassurance;
 - (c) Chore maintenance;
 - (d) In-home respite;
 - (e) Adult day care;
 - (f) Adult day health care;
 - (g) Alzheimer's respite; and
 - (h) Home repair
- (5) Legal Assistance means legal advice and representation by an attorney, including to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the supervision of an attorney. It also includes counseling or representation by a non-lawyer, where permitted by law, to older individuals with economic or social needs. (OAA, Section 302(4))
- (6) Participant is a person 60 years or over of age who is receiving services funded by Title III of the Older Americans Act. Certain supportive services, such as home-delivered meals and homemaker, may employ other requirements to target services as long as a means test is not utilized. The term "client", "resident" or "patient" shall mean the same as "participant."
- (7) Supportive Service Provider is an entity that provides authorized Title III-B supportive services under an approved area plan.
- (8) Unit(s) of Service is the measure used to document the provision of a service, example: one half hour, one hour, one trip, one contact, one session, etc. The following activities facilitate the delivery of services but shall not be reported as units of service except where required for a specific service:

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- (a) Review, update or maintenance of resource or agency files
- (b) Travel time incurred in the delivery of the service
- (c) Training, staff meeting
- (d) Project management

TITLE III – SUPPORTIVE SERVICES Establishing Minimum Percentages	DAIL-TIII-22.3
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Establishing Minimum Percentages

In keeping with the intent of the Older Americans Act of developing a comprehensive and coordinated service delivery system, the Area Agencies on Aging and Independent Living shall assure in their Area Plans that an adequate proportion is planned and expended to fund access, in-home, and legal assistance. Each Area Agency shall set the minimum percentage for access, in-home, and legal assistance subject to the approval process of the area plan review.

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Notification to the Department for Aging and Independent Living (DAIL)

Each area agency shall submit to the Department for Aging and Independent Living the minimum percentages it plans to expend during the next fiscal year for access in-home, and legal assistance. The plan shall include a justification for the minimum percentages and assurances that the area agency will be able to meet the minimum performance standards during the following fiscal year for each of the following categories of service:

- (1) Access;
- (2) In-home; and
- (3) Legal assistance

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Responsibilities of the Provider

Responsibilities of supportive services providers shall be as follows:

- (1) Services shall be provided in a manner consistent with provisions of Title III of the Older Americans Act and regulations promulgated there under except where special standards are identified for Homecare, Adult Day Care, Adult Day Health Care, and Alzheimer's Respite.
- (2) All services shall be provided in accordance with the approved Area Agency on Aging and Independent Living Plan.
- (3) Eligibility of each participant shall be established and personnel who approve services to be delivered shall be designated.
- (4) Volunteers and paid staff with the same written job description and responsibilities shall meet comparable requirements for training and skills.
- (5) Services shall be provided under the supervision of qualified personnel.
- (6) Services shall be accessible to older persons by telephone, home visit, center location, or person-to-person contact.
- (7) Center services shall be available on a regularly scheduled basis. Any major permanent changes shall have prior approval of the Area Agency on Aging and Independent Living and be publicized to participants.
- (8) The delivery of services shall be only by staff and volunteers trained to deliver those services. New staff shall receive an orientation and shall be trained prior to assuming responsibilities or receive on-the-job training from qualified agency staff. Existing staff shall receive training on job-related topics at a minimum of once per year.
- (9) Staff shall not accept personal gratuities (gifts or money) from participants or vendors.
- (10) Staff shall not, without prior approval of the supervisor, pay bills or cash checks for clients or participants.
- (11) Designated staff must be trained and skilled in assessing and dealing with the needs of the elderly and in the delivery of each service shall be provided.
- (12) There shall be a staff person, qualified by training and experience, responsible for administering each service and supervising assigned staff.
- (13) The following activities facilitate the delivery of services but shall not be reported as units of service except where required for a specific service:
 - (a) Review, update or maintenance of resource or agency files
 - (b) Travel time incurred in the delivery of the service
 - (c) Training, staff meeting
 - (d) Project management

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- (14) A record on each participant documenting participant identification data, requests for service, eligibility for services provided and follow-up shall be maintained.
- (15) A procedure shall be utilized annually by the service provider for the evaluation of unmet needs.
- (16) The results of the evaluation shall be made available to the Area Agency on Aging and Independent Living to be used to plan and implement program changes to meet a participant's needs.

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Responsibilities of the Area Agency on Aging and Independent Living

The responsibilities of the Area Agency on Aging and Independent Living shall be as follows:

- (1) Provide services in accordance with the approved Area Agency on Aging and Independent Living plan.
- (2) Develop procedures for monitoring which assure that financial monitoring of each service occurs at least quarterly and that programmatic monitoring occurs at least semiannually.
- (3) Assure that staff is not permitted to accept personal gratuities (gifts or money) from participants or providers.
- (4) Establish a written procedure to assure that older persons are systematically made aware of available services.
- (5) Assure that an accurate record is maintained on each participant that documents participant identification data, requests for service, eligibility for services provided and follow-up. This data shall be utilized to provide financial and service information as required by the Department for Aging and Independent Living.
- (6) Provide an evaluation of Title III-B services including, but not limited to, the following:
 - (a) Unmet needs and gaps in services to the elderly.
 - (b) Monthly comparison of the initial projection of units of service to the actual units of service provided.
- (7) Utilize the results of the evaluation to plan and implement program changes and, meet participants' needs.

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Responsibilities of the Department for Aging and Independent Living (DAIL)

The Department for Aging and Independent Living shall be responsible for the statewide administration of the supportive services. In keeping with the statutory mandates and mission of the program, the Department shall be responsible for providing direction to the Area Development Districts in, effectively and efficiently administering the program.

Procedure:

- (1) Provide a format for the area plan to inform the Area Development District of requirements necessary for supportive services.
- (2) Allocate funds on an equitable formula to each Area Development District to provide supportive services.
- (3) Develop and revise, as necessary, program and fiscal reporting requirements for the Program.
- (4) DAIL will monitor, at least annually (or more often if necessary), the Area Development District's administration and coordination of supportive services.
- (5) When supportive services are provided directly by the Area Development District, monitor the provision of services, at least annually.
- (6) Be available to provide or assist with training and technical assistance in situations where assistance is needed due to problems in, coordination with other programs or agencies, a difficult client situation or complaint.
- (7) Develop minimum procurement requirements and model procurement guidelines.
- (8) Develop other protocol, guidelines or program requirements when the need has been identified.
- (9) Be responsible for developing annual reports, program information, needs surveys, budget requests and other information to keep administration, providers and the public aware of needs and performance.

TITLE III – SUPPORTIVE SERVICES Services Funded under the Older Americans Act	DAIL-TIII-22.7
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Services Funded under the Older Americans Act

Only the following services shall be funded with Older Americans Act Title III-B and III-D monies:

- (1) Adult Day Care;
- (2) Adult Day Health Care;
- (3) Advocacy;
- (4) Assessment;
- (5) Case Management;
- (6) Chore;
- (7) Counseling;
- (8) Education;
- (9) Employment Services;
- (10) Escort;
- (11) Friendly Visiting;
- (12) Health Promotion;
- (13) Home Health Aide Services
- (14) Homemaker, Home Management (includes Financial Management);
- (15) Homemaker, Personal Care;
- (16) Home Repair;
- (17) Information and Referral
- (18) Legal Assistance;
- (19) Ombudsman Services;
- (20) Outreach;
- (21) Recreation;
- (22) Respite;
- (23) Telephone Reassurance; and
- (24) Transportation

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Eligibility

Eligibility for Title III-B and D services shall be limited to persons 60 years of age and over. Area Agencies on Aging and Independent Living may establish systems for prioritizing applicants to assure that services are targeted to those in greatest need; however, means tests shall not be allowed.

TITLE III – SUPPORTIVE SERVICES Special Initiatives Introduction/Definitions	DAIL-TIII-22.9
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Special Initiatives

Introduction:

Federal, State, and local initiatives cover a wide array of special projects, which are designed to enhance the quality of life of Kentucky's elderly citizens.

The Kentucky Department for Aging and Independent Living, in keeping with its role of advocates for the elderly, identifies and approves initiatives to be implemented by the Department for Aging and Independent Living and the Area Agency on Aging and Independent Living. These policies do not prohibit the Area Agencies on Aging and Independent Living from developing and implementing additional initiatives not previously identified by the Department for Aging and Independent Living when those initiatives comply with the approved area plan.

The Department for Aging and Independent Living Director assigns a division-level staff person to be responsible for each approved initiative.

Definitions:

Initiative is a special project, which may be classified under one of the following categories: Federal, State and local.

Examples of special initiatives may include, but are not limited to the following:

- (1) Intergenerational
- (2) Housing
- (3) Energy Assistance
- (4) Kentucky Senior Games
- (5) Gatekeeper Program
- (6) Health Promotion
- (7) Program Income

TITLE III – SUPPORTIVE SERVICES Special Initiatives Department for Aging and Independent Living Responsibilities	DAIL-TIII-22.9.1
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Department for Aging and Independent Living Responsibilities

The Department for Aging and Independent Living's responsibility for these initiatives shall be as follows:

- (1) Identify initiatives
- (2) Disseminate information about the initiative to Area Agencies on Aging, and other appropriate agencies
- (3) Conduct research surveys
- (4) Provide research analysis to Department for Aging and Independent Living's Director and Area Agencies on Aging and Independent Living upon request
- (5) Represent Department for Aging and Independent Living in related meetings with other agencies and organizations

TITLE III – SUPPORTIVE SERVICES Special Initiatives Area Agency on Aging and Independent Living Responsibilities	DAIL-TIII-22.9.2
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Area Agency on Aging and Independent Living Responsibilities

The Area Agency on Aging and Independent Living's responsibility for these initiatives shall be as follows:

- (1) Respond to requests for information by the Department for Aging and Independent Living within reasonably specified timeframes.
- (2) Notify the Department for Aging and Independent Living's program coordinator for that specific district of any initiatives not previously identified and/or approved by the Department for Aging and Independent Living.
- (3) Implement federal and state initiatives that are funded as submitted in the Area Plan.
- (4) Develop and implement other initiatives as determined appropriate by Area Agencies on Aging.