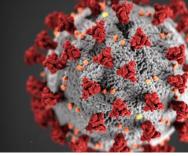# OLDER AMERICANS ACT DISASTER RELIEF
UPDATE

March 16, 2020

On Friday, March 13, 2020, the President declared that the ongoing Coronavirus Disease 2019 (COVID-19) pandemic is of sufficient severity and magnitude to warrant an emergency determination under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), and that the emergency exists nationwide (see declaration).

In addition, as the President stated in the emergency declaration, requests for a declaration of a "major disaster" as set forth in section 401(a) of the Stafford Act may be appropriate and encouraged Governors and Tribal Leaders to consider requesting such a declaration.

To assist you, see information on the Stafford Act Declaration Process. Should a State or Tribe (Title VI grantee) request and receive a Major Disaster declaration by the President under the Stafford Act, this declaration triggers disaster relief authority in the Older Americans Act (OAA).

For States

Once this Major Disaster declaration request by a State is approved, Section 310(c) permits states to use any portion of the funds made available under any and all sections of the Act for disaster relief for older individuals. In this regard, flexibility is provided for states – without the need for a separate application, transfer request, or request for a waiver -- to use existing allocations already made to them under Title III-B, C-1, C-2, D, and E for disaster relief.

This means that a state may use Title III-B, C-1, C-2, D, and/or E funds for any disaster relief activities for older individuals or family caregivers served under the OAA, which may include, but are not limited to:

- providing drive through, take out, or home-delivered meals,
- providing well-being checks via phone, in-person, or virtual means, and
- providing homemaker, chore, grocery/pharmacy/supply delivery, or other services.

For example, as part of their COVID-19 disaster relief activities, a state may use:

- funding originally allocated under Title III-C-1 to provide take-out meals and, and
- funding originally allocated under Title III-D to conduct daily phone well-being checks.

In this COVID-19 Major Disaster-declared response for the examples above, the state does not need to submit a transfer or waiver request to ACL. However, the state should be prepared to track:

- COVID-19 related expenditures using Title III-C-1 funding and number of persons and meals served and
- COVID-19 related expenditures using Title III-D funding and number of persons and units served.

acl.gov/COVID-19   ACL is an operating division of the U.S. Department of Health and Human Services.

ACL Administration for Community Living

For Tribes

Once this Major Disaster declaration request by a Tribe is approved, Section 310(c) permits tribes to use any portion of the funds made available under any and all sections of the Act for disaster relief for older individuals. In this regard, flexibility is provided for tribes – without the need for a separate application or request for a waiver -- to use existing allocations already made to them under Title VI Part A/B and Part C for disaster relief.

This means that a tribe may use Title VI Part A/B and/or Part C for any disaster relief activities for older individuals or family caregivers served under the OAA, which may include, but are not limited to:

- providing drive through, take out, or home-delivered meals,
- providing well-being checks via phone, in-person, or virtual means, and
- providing homemaker, chore, grocery/pharmacy/supply delivery, or other services.

Similarly, as part of their COVID-19 disaster relief activities, a tribe may use:

- funding originally allocated under Title VI Part A/B to provide take out or home-delivered meals and other services to elders or family caregivers, and
- funding originally allocated under Title VI Part C to provide take out or home-delivered meals and other services to elders or family caregivers.

In this COVID-19 Major Disaster-declared response for the examples above, the tribe does not need to submit a transfer or waiver request to ACL. However, the tribe should be prepared to track:

- COVID-19 related expenditures using Title VI Part A/B funding and number of persons and meals or other units served and
- COVID-19 related expenditures using Title VI Part C funding and number of persons and meals or other units served.

Fiscal & Program Reporting Requirements for States and Tribes

For your own records, we recommend that specific fiscal and program reporting of funds reallocated for disaster relief be identified as "COVID-19" with notes that describe what was provided and what services were initially planned, but not provided. We understand that each State and Tribe may need to implement new or updated practices regarding claiming and reimbursement of expenditures in order to help funds properly continue to flow to meet the needs of your communities. ACL encourages you to exercise maximum flexibility.

ACL will provide further details regarding both fiscal and program reporting as soon as practicable. Please note that you may wish to consider how you will record other program data as additional funds may become available via other sources.

OAA Disaster Assistance Grant

Section 310 of the Act provides the ability of ACL to provide very limited amounts of disaster assistance to reimburse states and tribes for responding to Presidentially declared Major Disasters. This disaster assistance is available to states and tribes who submit applications as described here. At this time, ACL isn't accepting applications for disaster assistance related to COVID-19 through this funding opportunity announcement. Additional information and guidance regarding this limited assistance available directly from ACL will be forthcoming.

As always, we encourage States and Tribes to work through their Regional Administrators to request any additional clarification or additional FAQ items. From an emergency perspective, we also encourage States and Tribes to share emergency information with their Regional Administrators on an ongoing basis so that ACL may be as responsive as possible.