

**Program Instructions**

**AoA-PI-03-03: Attachment 1 State Plan Provisions and Information Requirements**

The following provisions and information requirements are listed in the indicated sections of the Older Americans Act, as amended in 2000. State Plans may address the provisions and information requirements in a format determined by each State with an indication of where these items may be found (page numbers). States may also choose to use the notes section of this document to discuss a specific provision or information item, or to reference where documentation of the item may be found, e.g., the State Unit on Aging Policies and Procedures Manual.

Section I. State Plan Provisions from Section 307(a)

The State Plan can address the Section 307 provisions (Section I) below by: (A) providing a statement of compliance which includes the re-stating of the following provisions; and/or (B) providing a written discussion on each of the provisions in a format determined by the State.

(A) The plan includes a statement of compliance that restates the following provisions from Sec. 307(a) and is found on page(s) \_\_\_\_\_.

(B) The plan provides a discussion of each provision as indicated below:

(1)(A)The State Agency requires each area agency on aging designated under section 305(a)(2)(A) to develop and submit to the State agency for approval, in accordance with a uniform format developed by the State agency, an area plan meeting the requirements of section 306; and

(B) The State plan is based on such area plans.

Discussion of provision is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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Note: THIS SUBSECTION OF STATUTE DOES NOT REQUIRE THAT AREA PLANS BE DEVELOPED PRIOR TO STATE PLANS AND/OR THAT STATE PLANS DEVELOP AS A COMPILATION OF AREA PLANS.

(2) The State agency:

(A) evaluates, using uniform procedures described in section 202(a)(29), the need for supportive services (including legal assistance pursuant to 307(a)(11), information and assistance, and transportation services), nutrition services, and multipurpose senior centers within the State;

Discussion of provision is found on page(s) \_\_\_\_\_.

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(B) has developed a standardized process to determine the extent to which public or private programs and resources (including volunteers and programs and services of voluntary organizations) have the capacity and actually meet such need;

Discussion of provision is found on page(s) \_\_\_\_\_.

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(4) The State agency conducts periodic evaluations of, and public hearings on, activities and projects carried out in the State under titles III and VII, including evaluations of the effectiveness of services provided to individuals with greatest economic need, greatest social need, or disabilities, with particular attention to low-income minority individuals and older individuals residing in rural areas.

Note: Periodic (defined in 45CFR Part 1321.3) means, at a minimum, once each fiscal year.

Discussion of provision is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(5) The State agency:

(A) affords an opportunity for a public hearing upon request, in accordance with published procedures, to any area agency on aging submitting a plan under this title, to any provider of (or applicant to provide) services;

(B) issues guidelines applicable to grievance procedures required by section 306(a)(10); and

(C) affords an opportunity for a public hearing, upon request, by an area agency on aging, by a provider of (or applicant to provide) services, or by any recipient of services under this title regarding any waiver request, including those under 316.

Discussion of provision is found on page(s) \_\_\_\_\_.

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(6) The State agency will make such reports, in such form, and containing such information, as the Assistant Secretary may require, and comply with such requirements as the Assistant Secretary may impose to insure the correctness of such reports.

Discussion of provision is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(8)(A) No supportive services, nutrition services, or in-home services are directly provided by the State agency or an area agency on aging in the State, unless, in the judgment of the State agency--

(i) provision of such services by the State agency or the area agency on aging is necessary to assure an adequate supply of such services;

(ii) such services are directly related to such State agency's or area agency on aging's administrative functions; or

(iii) such services can be provided more economically, and with comparable quality, by such State agency or area agency on aging.

Discussion of provision is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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## Section II. State Plan Information Requirements

Information required by Sections 102, 305, 307 and 705 that must be provided in the State Plan:

102(19)(G) (required only if State funds in-home services not already defined in Sec. 102(19)) The State agency includes and defines on page(s) \_\_\_\_\_ the following in-home services in the plan:

\_\_\_\_\_

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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## Section 305(a)(2)(E)

The State agency provides assurance that preference will be given to providing services to older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals and older individuals residing in rural areas and includes proposed methods of carrying out the preference on page(s) \_\_\_\_\_ in this State plan;

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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Section 307(a)

(2) The State agency:

(C) specifies on page(s) \_\_\_\_\_ in this plan, a minimum proportion of the funds received by each area agency on aging in the State to carry out part B that will be expended (in the absence of a waiver under sections 306(b) or 316) by such area agency on aging to provide each of the categories of services specified in section 306(a)(2) and listed below (may be listed in dollars, or percentages of titles III and VII allocations):

ACCESS \_\_\_\_\_

IN HOME \_\_\_\_\_

LEGAL ASSISTANCE \_\_\_\_\_

Notes: \_\_\_\_\_

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(3) The plan:

(A) includes a numerical statement of the intrastate funding formula and a demonstration of the allocation of funds to each planning and service area (PSA).

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(B) with respect to services for older individuals residing in rural areas, the State agency:

(i) assures it will spend for each fiscal year of the plan, not less than the amount expended for such services for fiscal year 2000.

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(ii) identifies, for each fiscal year to which the plan applies, the projected costs of providing such services (including the cost of providing access to such services).

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

\_\_\_\_\_

(iii) describes the methods used to meet the needs for such services in the fiscal year preceding the first year to which such plan applies.

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(8) (B) Regarding case management services, the following agencies are already providing case management services (as of the date of submission of the plan) under a State program, and the State agency specifies that such agencies are allowed to continue to provide case management services:

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Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(C) Regarding information and assistance services and outreach, the State agency specifies that the following agencies may provide these services directly:

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\_\_\_\_\_

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

\_\_\_\_\_

(10) The plan provides assurance that the special needs of older individuals residing in rural areas are taken into consideration and describes how those needs have been met and how funds have been allocated to meet those needs.

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(15) The plan, with respect to the fiscal year preceding the fiscal year for which this plan is prepared--

(A) identifies the number of low-income minority older individuals in the State.

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(B) describes the methods used to satisfy the service needs of such minority older individuals.

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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(21) (B) The plan specifies the ways in which the State agency intends to implement activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits provided under title III.

Discussion of requirement is found on page(s) \_\_\_\_\_.

Notes: \_\_\_\_\_

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#### Section 705(a)(7)

The State Agency includes on page(s) \_\_\_\_\_ of this plan, a description of the manner in which the State agency will carry out Title VII (Vulnerable Elder Rights Protection Activities) in accordance with the assurances described in paragraphs (1) of through (6) of this section. The description must:

1- describe the program of services for the ombudsman program and describe the program for the prevention of abuse, neglect, and exploitation.

Notes: \_\_\_\_\_

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2- describe how the State uses public hearings and other means to obtain the views of older persons, area agencies on aging, Title VI grantees, and other interested parties.

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3- describe how the State will consult with area agencies and will identify and prioritize statewide activities aimed at ensuring that older persons have access to and assistance in securing and maintaining benefits and rights.

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4- describe how the State will ensure that it will not supplant pre-existing funds to carry out each of the vulnerable elder rights protection activities.

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5- describe how the State will ensure that it will place no restriction other than those in Section 712(a)(5)(C) on the eligibility of entities for designation of local Ombudsman activities.

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6- describe how the State agency will conduct a program of services consistent with State law and coordinated with existing State adult protective services for public education, receipt of reports, active participation of older persons through outreach, conferences, and referral, how referral of complaints to law enforcement or public protective services will be done, how the State will not permit involuntary or coerced participation in the program, and how all information gathered in the course of receiving reports and making referrals shall remain confidential except under prescribed conditions.

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