

## **PROGRAM INSTRUCTION**

AoA-PI-09-04

TO: STATE AGENCIES ON AGING ADMINISTERING PLANS  
UNDER TITLE III AND TITLE VII OF THE OLDER  
AMERICANS ACT (OAA) OF 1965, AS AMENDED.

SUBJECT: Reallotment Procedure for the Federal Fiscal Year 2009  
OAA Title III and Title VII Mandatory Grant Funds

LEGAL AND  
RELATED

REFERENCES: Section 304(b) and Section 703(b) of the  
Older Americans Act of 1965, As Amended

The purpose of this Program Instruction is to notify State Agencies on Aging that, by September 21, 2009, they must provide to the Administration on Aging (AoA):

- 1) a statement, signed by the authorized state agency official, that all Federal Fiscal Year (FY) 2009 Title III and Title VII funds will be fully used; or,
- 2) the amount, if any, of FY 2009 Title III and/or Title VII funds the state will not use by September 30, 2009, and will be releasing for reallotment; and,
- 3) the request for additional Title III and/or Title VII funds, if any, which could be obligated by the state agency by the end of Federal FY 2010, i.e., September 30, 2010.

### **Deadline for Obligation of Funds**

We would like to remind you that FY 2009 funds must be obligated by a state during the federal fiscal year for which they were appropriated; i.e., funds may not be obligated after September 30, 2009. In addition, we would like you to inform area agencies on aging and the service providers of their responsibility to liquidate obligated funds within two fiscal years after the fiscal year for which these funds were awarded, i.e., this provides a total of three fiscal years (including the year awarded) for liquidation of Federal funds appropriated during a given fiscal year.

States are encouraged to expend allocated funds as intended under the reauthorization of the Older Americans Act (October 2006). Under the modernization of the Older Americans Act, states are asked to promote the development and implementation of a comprehensive and coordinated system of long-term care that enables older individuals to receive such care and services in home and community-based settings, in a manner responsive to the needs and preferences of the older individuals and their family caregivers.

### **Reallotted Funds**

Reallotted funds are available for obligation by state agencies during the fiscal year following the fiscal year for which funds were appropriated. In other words, if a state receives reallotted FY 2009 funds, it must obligate those funds not later than September 30, 2010.

**Statement of Fully Used Funds**

State agencies shall submit a statement, signed by the authorized state agency official, that all Federal Fiscal Year (FY) 2009 Title III and Title VII funds will be fully used.

**Release of Unused Funds**

State agencies not intending to use the full amount of their Title III or Title VII allotments must submit a statement signed by the authorized state agency official releasing Title III and/or Title VII funds for reallotment. This statement must identify from which part of Title III (B, C1, C2, D, or E) or Title VII (Ombudsman or Elder Abuse Prevention) the funds are being released. If a state releases funds for reallotment, AoA will issue a revised grant award reflecting the decrease.

**Request for Funds**

If additional funds can be utilized, state agencies should submit a brief statement justifying the need for additional funds signed by the appropriate state agency official. The statement must identify the Parts of Title III and/or VII for which funds are being requested.

States must submit their requests to their AoA Regional Administrator by September 21, 2009. States are reminded that reallotted funds are one-time awards and that there is no assurance that the State will receive additional reallotted funds in future years. Also, reallotted funds do not affect a state's allocation of funds in future years.

DUE DATE:                   September 21, 2009, for submission to  
Regional Administrators on Aging, DHHS  
Regional Offices

INQUIRIES:                 Inquiries should be addressed to  
Regional Administrators on Aging, DHHS  
Regional Offices

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John Wren  
Deputy Assistant Secretary for Policy and Management  
Administration on Aging