

OMB NO.  
Expires:

**Certification of Maintenance of Effort**

**CERTIFICATION OF STATE RESOURCES EXPENDED, UNDER TITLE III OF  
THE OLDER AMERICANS ACT OF 1965, AS AMENDED, TO MEET THE  
REQUIRED LEVEL OF MAINTENANCE OF EFFORT DURING FISCAL YEAR \_\_\_\_\_**

**STATE: \_\_\_\_\_**

I, the undersigned, certify that the State resources expended to meet the maintenance of effort requirement set forth by Title III of the Older Americans Act, under the approved State plan, for the period of October 1, \_\_\_\_\_ through September 30, \_\_\_\_\_ were \$ \_\_\_\_\_.

This amount is (check one):

- Less than the required level of maintenance of effort
- Equal to the required level of maintenance of effort
- More than the required level of maintenance of effort

\_\_\_\_\_  
Signature of Authorized State Official

\_\_\_\_\_  
Date

## Certification of Long-Term Care Ombudsman Program Expenditures

**State Agency Expenditures:** In accordance with Sections 307(a)(9) and 705(a)(4) of the Older Americans Act (OAA), I certify that for Fiscal Year \_\_\_\_\_ the State/Territory of \_\_\_\_\_ expended on its statewide Long-Term Care Ombudsman Program not less than an amount expended by the State agency with funds received under Title III for Fiscal Year 2000, that all Title VII Chapter 2 funds that were expended were expended on the Long-Term Care Ombudsman Program, and that Title VII expenditures supplemented and did not supplant any Federal, State or local funds expended by the State or unit of general purpose local government to provide ombudsman services.

**Area Agency Expenditures:** I further certify that, in compliance with Section 306(a)(9) of the OAA, each area agency on aging in the State which expended Title III funds received under Section 304 (d)(1)(D) of the Act on ombudsman activities in FY 2000 expended at least this amount on the Ombudsman Program, as defined in Section 712 of the OAA, during the past fiscal year and that these expenditures supplemented and did not supplant any Federal, State or local funds expended by the State or unit of general purpose local government to provide ombudsman services.

\_\_\_\_\_  
Signature of authorized State official                      Date

\_\_\_\_\_  
Signature of State Long-Term Care Ombudsman  
Date

**For reference, the following represents your state's expenditures for FY 2000 as previously reported to the Administration on Aging:**

<b>Source</b>	<b>Base Year (FY 2000)</b>
*Title VII, Chapter 2, Ombudsman	\$xxx,xxx
Title VII, Chapter 3, Abuse Prev.	xxx,xxx
*Title III, expended by State, as authorized in OAA, Sec.304(d)(1)(B)	xxx,xxx
*Title III provided at AAA level	xxx,xxx
Other Federal	xxx,xxx
State funds	xxx,xxx
Local (Does not include "in kind")	xxx,xxx
<b>TOTAL</b>	<b><u>\$ xxx,xxx</u></b>

***\*Expenditures of these funds are subject to minimum funding requirements in the Older Americans Act (2006 Authorization). FY 20xx expenditures must have met or exceeded these amounts.***

*Please send this signed certification for the preceding fiscal year expenditures to your Regional Administrator, Administration for Community Living, by the date indicated in the accompanying Program Instruction.*

## **Older Americans Act (2016) Provisions Related to Ombudsman Minimum Funding, Non-Supplantation Requirements, and State Authorization to Expend Title III-B Funds on Ombudsman Activities**

**Section 307 (a)(9):** “The [State] plan shall provide assurances that the State agency will carry out, through the Office of the State Long-Term Care Ombudsman, a State Long-Term Care Ombudsman Program in accordance with section 712 and this title [III], and will expend for such purpose an amount that is not less than an amount expended by the State agency with funds received under this title [III] for fiscal year 2000, and an amount that is not less than the amount expended by the State agency with funds received under title VII for fiscal year 2000.”

**Section 306 (a)(9)** “[Each area plan shall] 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 [III].”

**Section 705(a)(4):** “[The State plan submitted under section 307 shall include] an assurance that the State will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of enactment of this subtitle, to carry out each of the vulnerable elder rights protections activities described in the chapter.”

**Authorizing committee report:** It is the committee's intent for a State to expend in subsequent years, at a minimum, the amount spent by the State on its Long Term Care Ombudsman Program in FY 2000, in addition to any increase in funding provided for ombudsman activities in each fiscal year under Title VII. *The Senate Committee on Health, Education, Labor and Pensions [HELP] report "Older Americans Act Amendments of 1999," Senate Committee Report 106-399, page 5*

### **OAA authorization for expenditure of Title III-B funds for ombudsman activities:**

**Section 304 (d)(1):** “From any state’s allotment, after the application of section 308(b), under this section for any fiscal year... **(B)** such amount (excluding any amount attributable to funds appropriated under section 303(a)(3)) as the State agency determines to be adequate for conducting an effective ombudsman program under section 307(a)(9) shall be available for conducting such program.”