

7.1 Area Plans

According to Section 306 of the Older Americans Act (OAA), each Area Agency on Aging (AAA) shall develop an area plan that is approved by the Kansas Department for Aging and Disability Services (KDADS) for a period designated by KDADS, with such annual adjustments or revisions as may be necessary.

7.1.1 Public Hearing Requirements

- A. Each AAA must hold, at a minimum, one (1) public hearing on its area plan, and one (1) public hearing for each area plan update. The hearing must be held before the plan or update is submitted to KDADS for approval.
- B. The AAA must provide a minimum of five (5) days written notice of the hearing.
- C. The notice must include the hearing date, time, location, and purposes and shall be published in the largest newspaper of general circulation within the applicable locality at least five (5) days prior to the hearing date. Interested persons who have requested to be notified of the hearings must be provided a copy of the written notice. As deemed necessary by the AAA to ensure adequate input on the area plan, copies of the written notice may be sent to providers and advocacy agencies that serve older adults.
- D. The AAA must maintain a written record of how notice was given and a record of the hearing.

7.1.2 Adequate Proportion

- A. Each AAA shall assure that an adequate proportion of the amount allocated to their agency for OAA Title III B and OAA III E is budgeted and expended for the delivery of each of the following categories of service:
 - 1. OAA III B
 - i. Access;
 - ii. In-home services; and
 - iii. Legal Assistance
 - 2. OAA III E
 - i. Respite;
 - ii. Information;
 - iii. Assistance;
 - iv. Support Groups; and
 - v. Supplemental Services

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

Section 7.1

Area Plans

Effective Date: October 1, 2014

Revision: 2014-01

7.1.2 (cont.)

- B. Adequate proportion of the OAA Title III B and the OAA Title III E allocation is thirty-nine percent (39%) of the amount allocated to the AAA for a fiscal year. Of these percentages, the AAA shall budget and expend for each of the services as follows:

Service	Funding Source	Minimum Percentage
Access	OAA III B	9%
In-home	OAA III B	20%
Legal	OAA III B	5%
Any one or a combination of the service categories listed above	OAA III B	5%
Total	OAA III B	39%

Service	Funding Source	Minimum Percentage
Information	OAA III E	7%
Assistance	OAA III E	7%
Support Groups	OAA III E	5%
Respite	OAA III E	15%
Supplemental Services	OAA III E	5%
Total	OAA III E	39%

- C. The AAA shall determine the amount to budget and expend on the remaining OAA III B adequate proportion amount of five percent (5%) to any one or a combination of the three services of access, in-home, and/or legal.
- D. Adequate proportion for OAA III E services can be a combination of services for either/or caregivers or grandparents. The total combination must equal minimum percentage for services.

7.1.3 Direct Service Waivers

A. Eligible Services

The AAA may only provide OAA supportive services, nutrition services, or in-home services directly to program customers, in lieu of contracting or granting with another entity to provide such services, in accordance with OAA Section 307(a)(8) when any of the following conditions are met:

1. It is necessary to assure an adequate supply of such services;

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

Section 7.1

Area Plans

Effective Date: October 1, 2014

Revision: 2014-01

7.1.3.A (cont.)

2. Services are directly related to the AAA’s administrative functions; or
3. Services of comparable quality can be provided more economically by an AAA.

B. Waiver Requests

There are two types of requests for waivers that will be accepted by KDADS.

1. Request to Provide Services Directly Related to AAA Administrative Functions

This type of request shall be made in the transmittal letter that accompanies the initial area plan, an area plan update, or an area plan revision. The transmittal letter shall include the page number in the area plan referencing the service the AAA would like to provide directly. The transmittal letter shall be sent to KDADS’s Area Plan Coordinator.

The following services are considered related to the AAA’s administrative functions:

<p>Title III B</p> <ul style="list-style-type: none">• Advocacy/Representation• Assessment• Case Management• Coordination• Education/Training• Information and Assistance• Interpreting/Translation• Newsletter• Outreach• Public Education• Placement• Program Development <p>Title III C</p> <ul style="list-style-type: none">• Nutrition Outreach	<p>Title III D</p> <ul style="list-style-type: none">• Coordination of Community Mental Health Services• Counseling Regarding Social Services and Follow-Up Services• Home Injury Control Educational Services• Home Injury Control Screening Services• Information- Age Related Disorders• Medication Management Education• Provision of Education Activities for the Prevention of Depression <p>Title III E</p> <ul style="list-style-type: none">• Information• Assistance
--	---

2. Request to Provide Services Not Directly Related to AAA Administrative Functions

This type of request shall be made by submitting the Direct Service Waiver Request form (KDADS 200-2) for all non-administrative services listed on the aging services taxonomy when direct provision of services is:

7.1.3.B.2 (cont.)

- a. Necessary to assure an adequate supply of such services; or
 - b. The AAA can provide services of comparable quality more economically.
3. The form shall be included in the initial area plan, an area plan update, or an area plan revision and placed between the application and verification of application. The form and transmittal letter shall be sent to KDADS's Area Plan Coordinator.

C. Waiver Determination

1. Only the Secretary has the authority to grant a direct service waiver to the AAA.

D. Duration of Waiver(s)

1. If the waiver request is submitted with the initial area plan, the waiver will be in effect for the duration of the plan.
2. If the request is submitted with an annual update, the waiver will be in effect for the remainder of the update of the plan, whichever is requested.
3. A waiver may also be granted for any portion of the fiscal year(s) in which it is submitted.

7.1.4 Area Plan Revisions

- A. A revision request(s) must be submitted on the standard area plan format when one or more of the following occur:
1. An addition or deletion of a program objective;
 2. An increase or decrease of 20% or more in the number of units or cost of each service budgeted in OAA Title III B (except for services in the In-Home and Access Services categories), III C1, III C2, III D, and III E (except services in the Supplemental Services Category) (see taxonomy for service definition and unit of service);
 3. An increase or decrease of 20% or more in the total number of units or cost budgeted for Title III B In-Home and Access service categories and Title III E Supplemental Services category;
 4. A transfer of funds between OAA III C1 and III C2;

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

Section 7.1

Area Plans

Effective Date: October 1, 2014

Revision: 2014-01

7.1.4.A (cont.)

5. An addition or deletion to capital expenditures including equipment, buildings, and renovation;
 6. An application for a direct service waiver; or
 7. An application for program development or coordination services funds.
- B. KDADS will not approve area plan revisions that prevent the AAA from meeting the matching and service funding requirements prescribed in applicable policy.
- C. Transmittal letters indicating the date of the Governing body's approval must accompany area plan revisions.
- D. Area Plan Revisions must include all requested information outlined in Area Plan Instructions issued for corresponding fiscal year in order to be considered for a revision of the Area Plan.

7.1.5 OAA Intrastate Funding Formula

A. Base Allocation

1. A base allocation of \$150,000 is allotted to each planning and service area (PSA) from the OAA III B social services allotment. This base allocation takes into consideration the special needs of the rural PSAs and ensures viable funding across the entire state.

B. Remaining Allotment

1. The remaining OAA III B social service, OAA III C nutrition services, OAA III D health promotion and disease prevention, OAA III E the National Family Caregiver Support Program, and any future allocation under Title III shall be allotted using the following method:
2. Using best available data, each PSA shall be allotted an amount based on 40% of the population age 60 and older, plus 40% of the low-income population age 60 and older, plus 10% of the minority population age 60 and older, plus 10% of the population age 75 and older in the PSA.

OR

(Formula found on following page)

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

Section 7.1

Area Plans

Effective Date: October 1, 2014

Revision: 2014-01

7.1.5.B.2 (cont.)

$$\frac{[(40\%A) + (40\%B) + (10\%C) + (10\%D)]}{[(40\%E) + (40\%F) + (10\%G) + (10\%H)]} = \text{PSA allocation percentage}$$

A = PSA's age 60 and older population	E = State's age 60 and older population
B = PSA's low-income population age 60 and older	F = State's low-income population age 60 and older population
C = PSA's minority population age 60 and older	G = State's minority population age 60 and older
D = PSA's age 75 and older population	H = State's age 75 and older population

3. The low-income population consists of the number of persons with incomes at or below poverty level as established by the Census Bureau.

7.1.6 Funds for Reallocation of OAA Unearned Funds

A. If the amount of the unearned OAA funds, excluding Administrative funds, is not more than five (5) percent of the AAA's total federal award, then the entire amount of the unearned federal funds shall be retained by the AAA.

B. If the amount of unearned OAA funds is more than five percent of the AAA's total award, then:

1. An amount of the OAA unearned funds equal to five percent of the AAA's award shall be retained by the AAA; and
2. Remaining unearned funds shall be pooled, reduced by an amount designated for special or model projects, and if a balance remains, those funds will be allocated to the AAAs that had unearned funds of five percent or less, using the intrastate funding formula adjusted by excluding those AAAs that had unearned funds in excess of five percent of their award.

7.1.7 Limitations on Budget and Expenditures

A. The AAA shall budget and expend its total AAA administrative allotment before the AAA can earn any OAA III B funds for coordination and/or program development.