

## **AGING, DEPARTMENT ON[17]**

Prior to 5/20/87, see Commission on the Aging[20]  
 Delay: Effective date (June 24, 1987) of Chapters 1 to 18 delayed 70 days pursuant to Iowa Code section 17A.4(5) by the  
 Administrative Rules Review Committee at their June 9, 1987, meeting.  
 [Prior to 1/27/10, see Elder Affairs Department[321]]

### CHAPTER 1

#### INTRODUCTION, ABBREVIATIONS AND DEFINITIONS

- 1.1(231) Authority and purpose
- 1.2(231) Other regulations and order of precedence
- 1.3(231) Applicability
- 1.4(231) Abbreviations
- 1.5(231) Definitions

### CHAPTER 2

#### DEPARTMENT ON AGING

- 2.1(231) Mission statement
- 2.2(231) Definitions
- 2.3(231) Department established
- 2.4 Reserved
- 2.5(231) Organizational units of the department
- 2.6 to 2.8 Reserved
- 2.9(231) Department complaint and appeal procedures
- 2.10(231) Severability

### CHAPTER 3

#### COMMISSION ON AGING

- 3.1(231) Definitions
- 3.2(231) Purpose of the commission
- 3.3(21,231) Organization of the commission and proceedings
- 3.4(231) Commission duties and authority

### CHAPTER 4

#### DEPARTMENT PLANNING RESPONSIBILITIES

- 4.1(231) Definitions
- 4.2(231) State plan on aging
- 4.3(231) Planning and service areas
- 4.4(231) Area agencies on aging
- 4.5(231) Continuity of services in the event of appeal of designation
- 4.6(231) Dededesignation of area agency on aging
- 4.7(231) Continuity of services in the event of dedesignation or appeal of dedesignation
- 4.8(231) Severability clause

### CHAPTER 5

#### DEPARTMENT FISCAL OPERATIONS

- 5.1(231) Funds to area agencies on aging
- 5.2(231) Distribution of Older Americans Act funds to area agencies on aging
- 5.3(231) Distribution of state funds
- 5.4(231) Posting of formulas for distribution
- 5.5(231) Priority service expenditures
- 5.6(231) Match requirements for Older Americans Act funds
- 5.7(231) Match requirements for state funds
- 5.8(231) Contributions

- 5.9(231) General reporting requirements
- 5.10(231) Redistribution
- 5.11(231) State reviews and audits
- 5.12(231) Acquisition of goods and services
- 5.13(231) Records—contract administration
- 5.14(231) Correction of deficiencies

#### CHAPTER 6

##### AREA AGENCY ON AGING PLANNING AND ADMINISTRATION

- 6.1(231) Definitions
- 6.2(231) Area plan
- 6.3(231) Area agency administration
- 6.4(231) Confidentiality and disclosure of AAA information
- 6.5(231) AAA contact information
- 6.6(231) Duties of AAA
- 6.7(231) AAA board of directors
- 6.8(231) AAA advisory council
- 6.9(231) Emergency situations
- 6.10(231) AAA procedures manual
- 6.11(231) Contracts
- 6.12(231) Direct service
- 6.13(231) Waivers of priority service expenditures
- 6.14(231) Requirements for service providers
- 6.15(231) Entrepreneurial activities of AAA
- 6.16(231) Severability

#### CHAPTER 7

##### AREA AGENCY ON AGING SERVICE DELIVERY

- 7.1(231) Definitions
- 7.2(231) Service delivery
- 7.3(231) Outreach for greatest need
- 7.4(231) Delivery of service
- 7.5(231) Funding for services and program facilities
- 7.6(231) Compliance with health, safety and construction requirements
- 7.7(231) Term of use of an acquired or constructed facility
- 7.8(231) Restrictions
- 7.9(231) Information and assistance services
- 7.10(231) Legal assistance requirements
- 7.11(231) Disease prevention and health promotion under Title III-D of the Act
- 7.12(231) Nutrition services
- 7.13(231) AOA NSIP programs
- 7.14(231) Nutrition performance standards
- 7.15(231) Food standards
- 7.16(231) Food-borne illness
- 7.17(231) Menus
- 7.18(231) Special dietary needs
- 7.19(231) Congregate nutrition services
- 7.20(231) Eligibility for meals at congregate nutrition sites
- 7.21(231) Home-delivered meals
- 7.22(231) Noncompliance
- 7.23(231) Requirements for opening or closing congregate nutrition sites
- 7.24(231) Evaluation of sites

CHAPTER 8  
LONG-TERM CARE OMBUDSMAN

8.1(231)	Purpose
8.2(231)	Interference
8.3(231)	Monetary civil penalties—basis
8.4(231)	Monetary civil penalties—notice of penalty
8.5(231)	Monetary civil penalties—appeals
8.6(231)	Certified volunteer long-term care ombudsman program
8.7(231)	Managed care ombudsman program

CHAPTERS 9 and 10  
Reserved

CHAPTER 11  
WAIVERS FROM ADMINISTRATIVE RULES

11.1(17A,231,ExecOrd11)	Definitions
11.2(17A,231,ExecOrd11)	Scope of chapter
11.3(17A,231,ExecOrd11)	Applicability of chapter
11.4(17A,231,ExecOrd11)	Criteria for waiver
11.5(17A,231,ExecOrd11)	Filing of petition
11.6(17A,231,ExecOrd11)	Content of petition
11.7(17A,231,ExecOrd11)	Additional information
11.8(17A,231,ExecOrd11)	Notice
11.9(17A,231,ExecOrd11)	Hearing procedures
11.10(17A,231,ExecOrd11)	Ruling
11.11(17A,22,231,ExecOrd11)	Public availability
11.12(17A,22,231,ExecOrd11)	Summary reports
11.13(17A,231,ExecOrd11)	Cancellation of a waiver
11.14(17A,231,ExecOrd11)	Violations
11.15(17A,231,ExecOrd11)	Defense
11.16(17A,231,ExecOrd11)	Judicial review
11.17(17A,231,ExecOrd11)	Severability

CHAPTER 12  
Reserved

CHAPTER 13  
RULES AND PRACTICES IN CONTESTED CASES

13.1(17A)	Scope and applicability
13.2(17A)	Definitions
13.3(17A)	Time requirements
13.4(17A)	Requests for contested case proceeding
13.5(17A)	Notice of hearing
13.6(17A)	Presiding officer
13.7(17A)	Waiver of procedures
13.8(17A)	Telephone proceedings
13.9(17A)	Disqualification
13.10(17A)	Consolidation—severance
13.11(17A)	Pleadings
13.12(17A)	Service and filing of pleadings and other papers
13.13(17A)	Discovery
13.14(17A)	Subpoenas
13.15(17A)	Motions

13.16(17A)	Prehearing conference
13.17(17A)	Continuances
13.18(17A)	Withdrawals
13.19(17A)	Intervention
13.20(17A)	Hearing procedures
13.21(17A)	Evidence
13.22(17A)	Default
13.23(17A)	Ex parte communication
13.24(17A)	Recording costs
13.25(17A)	Interlocutory appeals
13.26(17A)	Final decision
13.27(17A)	Appeals and review
13.28(17A)	Applications for rehearing
13.29(17A)	Stays of department actions
13.30(17A)	No factual dispute contested cases
13.31(17A)	Emergency adjudicative proceedings
13.32(17A)	Informal settlement

#### CHAPTER 14

##### IOWA FAMILY CAREGIVER SUPPORT PROGRAM

14.1(231,249H)	Purpose
14.2(231,249H)	Definitions
14.3(231,249H)	Eligibility for services
14.4(231,249H)	Priorities for service
14.5(231,249H)	Coordination
14.6(231,249H)	Service categories
14.7(231,249H)	Conflict of interest
14.8(231,249H)	Confidentiality
14.9(231,249H)	Quality standards
14.10(231,249H)	Reports
14.11(231,249H)	Failure to meet program requirements; waiver of standards
14.12(231,249H)	Severability

#### CHAPTER 15

##### ELDER ABUSE PREVENTION AND AWARENESS

15.1(231)	Purpose
15.2(231)	Definitions
15.3(231)	Project administration
15.4(231)	Contractor responsibilities
15.5(231)	Funding restrictions
15.6(231)	Reallocation of funds
15.7(231)	Eligibility
15.8(231)	Assessment intake
15.9(231)	Release of information
15.10(231)	Assessment
15.11(231)	Monitoring and reassessment
15.12(231)	Purchase of service
15.13(231)	Case records
15.14(231)	Refusal of assistance
15.15(231)	Termination or limitation
15.16(231)	Confidentiality and disclosure
15.17(231)	Legal representatives

15.18(231)	Appeals
15.19(231)	Conflict of interest
15.20(231)	Severability

## CHAPTER 16

Reserved

## CHAPTER 17

## PETITION FOR RULE MAKING

(Uniform Rules)

17.1(17A)	Petition for rule making
17.3(17A)	Inquiries

## CHAPTER 18

## DECLARATORY ORDERS

18.1(17A)	Petition for declaratory order
18.2(17A)	Notice of petition
18.3(17A)	Intervention
18.4(17A)	Briefs
18.5(17A)	Inquiries
18.6(17A)	Service and filing of petitions and other papers
18.7(17A)	Consideration
18.8(17A)	Action on petition
18.9(17A)	Refusal to issue order
18.10(17A)	Contents of declaratory order—effective date
18.11(17A)	Copies of orders
18.12(17A)	Effect of a declaratory order

## CHAPTER 19

## PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

(Uniform Rules)

19.1(17A,22)	Definitions
19.3(17A,22)	Requests for access to records
19.9(17A,22)	Disclosures without consent of the subject
19.10(17A,22)	Routine use
19.11(17A,22)	Consensual disclosure of confidential records
19.12(17A,22)	Release to subject
19.13(17A,22)	Availability of records
19.14	Reserved
19.15(17A,22)	Other groups of records
19.16(17A,22)	Data processing systems
19.17(17A,22)	Applicability

## CHAPTER 20

Reserved

## CHAPTER 21

## THE SERVICE OF CASE MANAGEMENT

21.1(231)	Authority
21.2(231)	Purpose
21.3(231)	General requirements for providers of case management services
21.4(231)	Case management service activities

CHAPTER 22  
OFFICE OF PUBLIC GUARDIAN

22.1(231E,633)	Purpose
22.2(231E,633)	Definitions
22.3(231E,633)	Public guardian qualifications
22.4(231E,633)	Ethics and standards of practice
22.5(231E,633)	Staffing ratio
22.6(231E,633)	Conflict of interest
22.7(231E,633)	Individuals eligible for services
22.8(231E,633)	Application and intake process—guardianship, conservatorship, and representative payee
22.9(231E,633)	Case records
22.10(231E,633)	Confidentiality
22.11(231E,633)	Termination or limitation
22.12(231E,633)	Service fees
22.13(231E,633)	Fee schedule
22.14(231E,633)	Denial of services—appeal
22.15(231E,633)	Contesting the actions of a guardian or conservator
22.16(231E,633)	Severability

CHAPTER 23  
AGING AND DISABILITY RESOURCE CENTER

23.1(231)	Authority
23.2(231)	Aging and disability resource centers
23.3(231)	ADRC
23.4(231)	Population served
23.5(231)	Options counselors