

CHAPTER 4
DEPARTMENT PLANNING RESPONSIBILITIES

[Prior to 5/20/87, see Aging, Commission on the[20] Chs 3 to 5]

321—4.1(231) State plan on aging.

4.1(1) Authority for the state plan. The Iowa department of elder affairs is designated as the sole state unit on aging in Iowa for the development and implementation of a state plan on aging.

4.1(2) Duration and format of the state plan. The department shall develop a two-year state plan in compliance with the Older Americans Act of 1965, as amended, and Iowa Code section 231.31, in order to receive grants from its allotments under the Act. The state plan will be developed in accordance with the format, content, time limits, transmittal forms, and procedures specified by the federal AOA.

4.1(3) Content of the state plan. The state plan on aging shall be composed of the following sections:

a. Determination of needs. This section shall contain a description of the methods used to determine the needs of elders in Iowa and a listing of the most critical needs, including priorities as identified by area agencies on aging.

b. Establishment of priorities. This section shall define the priorities addressed in the state plan and describe the process for identifying priorities.

c. Objectives. This section shall contain statewide objectives to implement the Act and other funding sources available to the department.

d. Administrative structure. This section shall include a description of the commission, the department, and the statewide aging network.

e. Resource allocation. This section shall contain an estimate of funding available to the department for implementation of the two-year state plan and a description of the method of distributing funds to planning and service areas.

f. Other. This section shall include required assurances and other appropriate attachments.

4.1(4) Requirements for processing the state plan and state plan amendment.

a. The department shall hold at least one public hearing on the state plan.

b. The state advisory council shall review and make recommendations to the commission on the state plan.

c. The commission shall consider and approve the state plan or state plan amendment prior to submittal to the governor for approval and signature.

d. Each state plan or state plan amendment shall be signed by the governor and submitted to AOA to be considered for approval at least 45 calendar days before the effective date of the plan or the plan amendment.

321—4.2(231) Designation of planning and service areas.

4.2(1) Criteria for designation. The planning and service areas shall remain the same as those which existed on July 1, 1985. The commission shall alter existing planning and service area boundaries only after giving consideration to:

a. The distribution in the state of persons aged 60 or older, including those with greatest social and economic need;

b. The views of public officials of affected units of governments, the general public, known groups of elders, AAAs and others expressed orally or in writing at a public hearing;

c. The incidence of need for services provided under the Act and the resources available to meet these needs in the planning and service areas;

d. The boundaries of units of general purpose local government, regional planning areas, Indian reservations and settlements, existing economic development districts, and areas within the state established for planning and administering human services;

e. Whether there will be an increase or decrease in the total number of administrative units or dollars for service delivery statewide;

f. Recommendations from the department; and

g. Other relevant factors.

4.2(2) Procedure for designation of planning and service areas initiated by the commission.

a. Prior to submission of the multiyear state plan on aging, the commission shall notify the Administration on Aging of the intent either to maintain or to alter existing planning and service area boundaries.

b. The department shall send letters of notification of the hearing to public officials, known groups of elders and the AAA(s) in the affected planning and service area(s), the other AAAs and to the applicant. The notification shall include a comment form to provide an opportunity to indicate approval or disapproval and the reasons for approval or disapproval.

(1) If the commission expresses intent to alter existing planning and service area boundaries, the notice of intent shall include details regarding the public hearing which shall be held within 60 days after notification to the Administration on Aging. The purpose of the public hearing is to receive comments regarding the alteration of planning and service area boundaries.

(2) Ninety days after the public hearing the commission shall issue a final decision regarding alteration of planning and service area boundaries based upon consideration of the criteria outlined in subrule 4.2(1) and analysis of the public hearing data.

(3) The commission decision regarding alteration of planning and service area boundaries shall include the effective date which shall be at least 365 days after the commission's final decision.

(4) In calculating schedules for meeting the time frame specified, Saturdays, Sundays, and state holidays are excluded.

4.2(3) Application process in response to commission intent to alter boundaries.

a. *Application for designation.* The department shall provide an opportunity to apply for designation as a planning and service area to any unit of general purpose local government, region recognized for areawide planning, metropolitan area, or a governing tribal organization(s) of an Indian reservation(s) or settlement(s).

(1) Within 60 days after the department's notification of intent to alter existing planning and service area boundaries, eligible organizations interested in applying for designation as a planning and service area shall send a letter of intent and request an information packet and application form to the department office identified in 321—subrule 2.1(2).

(2) Within 15 days of receipt of a letter of intent to apply for designation as a planning and service area from an eligible organization, the department shall furnish the requested application form and shall furnish AAAs in the potential remaining planning and service area(s) with form(s) to provide views and information regarding the potential planning and service area(s).

(3) The completed forms referred to in subrule 4.2(3), paragraph "a," subparagraph (2), shall be received at the department office within 60 days after the department provided the forms.

(4) Upon receipt of a completed application for planning and service area designation, the department shall notify all the AAAs.

b. *Public hearing.* Within 60 days after receipt of an application for planning and service area designation, the department shall hold a public hearing which will be chaired by the executive director or the director's designee for the purpose of receiving the views of public officials and of the general public.

(1) The executive director shall select a reasonable place, date, and time for the public hearing and publish advance notices of the public hearing which shall contain specific information about participation in the hearing.

(2) The department shall send letters of notification of the hearing to public officials of units of general purpose local governments, known groups of elders and the AAA(s) in the affected planning and service area(s), the other AAAs, and to the applicant. The notification shall include a comment form to provide an opportunity to indicate approval or disapproval and the reasons for approval or disapproval.

(3) The department shall receive written comments from any interested person prior to the public hearing.

(4) Presentations and testimony at the public hearing shall be time-limited and shall be pre-arranged with the department.

c. Application review and recommendation. Subsequent to the public hearing, the department shall review the application, the information forms, the written comments and salient comments made at the hearing, to prepare a written recommendation to the commission that is based on the criteria for designation of a planning and service area as outlined in subrules 4.2(1) and 4.2(4).

d. Commission action. The commission shall act on the application for designation as a planning and service area at the next commission meeting subsequent to receiving the department recommendation.

4.2(4) Criteria to be considered when evaluating the information and application form.

a. Distribution of elders. Distribution in the state of persons aged 60 and older, including those with the greatest economic need:

(1) Whether each of the proposed planning and service areas contains at least 5 percent of the state's elderly population;

(2) Whether each of the proposed planning and service areas contains 5 percent of the state's elderly population which is at or below the poverty level; and

(3) Whether each of the proposed planning and service areas has unique demographic characteristics pertaining to the elderly which set it apart from the existing planning and service area(s).

b. Incidence of need. The incidence of need for services provided under the Older Americans Act:

(1) The number of persons residing within each of the proposed planning and service areas who are currently served by Older Americans Act programs;

(2) The number of eligible persons within each of the proposed planning and service areas who are currently not utilizing proposed services offered under the Act;

(3) Whether each of the proposed planning and service areas has the financial resources available to provide matching funds for supportive services and nutrition services as specified in the Act; and

(4) Whether each of the proposed planning and service areas has service providers available to provide for supportive and nutrition services, as specified in the Act.

c. Boundaries. The boundaries of units of general purpose local governments, regional planning areas, Indian reservations or settlements, existing economic development districts, and areas within the state established for planning and administering human services including the areawide comprehensive planning and development districts or regions. The department may include all portions of an economic development district or Indian reservation or settlement(s) within a single planning and service area.

(1) Whether each of the proposed planning and service areas divides established boundaries of: units of general purpose local government; regional planning areas; Indian reservations or settlement(s); existing economic development districts; and areas within the state established for planning and administering human services.

(2) Whether each of the proposed planning and service areas has unique characteristics which set it apart geographically from the existing planning and service area.

4.2(5) Other relevant criteria.

a. Views of officials. Public officials from the unit(s) of general purpose local government within each of the proposed planning and service areas shall indicate their reason for approval or disapproval of each of the proposed planning and service areas. Written comments shall be solicited by the department.

b. Recommendation of the department. Whether the department recommends approval or disapproval of the designation of each of the proposed planning and service areas, and the reasons for approval or disapproval.

c. Other relevant factors.

(1) Whether the views of interested individuals, known groups of elders, organizations, and the general public indicate approval or disapproval of each of the proposed planning and service areas, and the reasons for approval or disapproval. Written comments will be solicited by the department.

(2) Whether there will be an increase or decrease in the total number of administrative units or dollars for service delivery statewide as a result of the altering of a planning and service area.

321—4.3(231) Designation of AAAs.

4.3(1) The commission shall designate 13 AAAs, the same as those which existed on July 1, 1985.

4.3(2) The commission shall continue the designation until an area agency on aging designation is removed for cause as determined by the commission or until the agency voluntarily withdraws.

321—4.4(231) Area agency designation.

4.4(1) Designation of AAA. The commissioners shall designate an entity to be the AAA to serve each planning and service area as defined in rule 4.2(231).

4.4(2) Reasons for altering designation. The commissioners shall alter existing AAA designations only for the following reasons:

- a.* Withdrawal by the department of an existing AAA designation as outlined in rule 4.14(231);
- b.* Voluntary withdrawal by the existing AAA of its AAA designation; or
- c.* A change in the designation of the planning and service area(s) served by the AAA.

4.4(3) Commission considerations for AAA designation. When designating an AAA, the commissioners shall give consideration to the following:

- a.* The views of public officials in the planning and service area;
- b.* Views of the general public, including elders;
- c.* The findings of an on-site assessment conducted for the purpose of verifying the application information of the qualified applicants for designation as an AAA;
- d.* Recommendation of the department; and
- e.* Other relevant factors.

321—4.5(231) Types of agencies that may be an area agency.

4.5(1) General rule. An AAA as designated in rule 4.4(231) shall be one of the following types of agencies that has the authority and capacity to perform the functions of an AAA.

- a.* An established office on aging which operates within the planning and service area designated by the commission;
- b.* Any office or agency of a unit of a political subdivision, which is designated for the purpose of serving as an AAA by the chief elected official of the political subdivision;
- c.* Any office or agency designated by the appropriate chief elected officials or any combination of political subdivisions to act on behalf of the combination of political subdivisions; or
- d.* Any public or nonprofit private agency in a planning and service area which can engage in the planning and provision of a broad range of supportive services or nutrition services within the planning and service area, except any regional or local agency of the state.

4.5(2) Right of first refusal. When the commission designates a new AAA, the commission shall give the right of first refusal to a political subdivision if:

- a.* It can meet the requirements of subrule 4.5(1);
- b.* Its boundaries and the boundaries of the area are reasonably contiguous; and
- c.* The political subdivision makes application as outlined in subrules 4.9(3) and 4.9(4).

321—4.6(231) Single or multipurpose entity.

4.6(1) General rule. An area agency may be either:

- a. An entity whose single purpose is to administer programs for older persons; or
- b. A multipurpose entity with the authority and capacity to administer human services in the planning and service area.

(1) A multipurpose entity shall delegate all its authority and responsibility under the Act to a single organizational unit in the entity unless the entity receives a waiver of this requirement from the department under subrules 4.6(2) and 4.6(3).

(2) Applicants for AAA designation shall submit a waiver request as part of the application.

(3) If a multipurpose entity has been designated as an AAA for the designated planning and service area, the AAA shall submit its waiver request as part of the multiyear area plan.

4.6(2) Waiver request. A waiver request asks waiver of the requirement to delegate all authority and responsibility under the Act to a single organizational unit. The request shall be submitted on a form supplied by the department, and shall:

- a. Describe its methods for carrying out its functions and responsibility under the Act; and
- b. Designate a component unit of the AAA to plan and develop all policy on programs for older persons in the multiyear area plan, to administer the area plan; and to provide a visible focal point for advocacy, coordination, monitoring and evaluation of programs for elders in the planning and service area.

4.6(3) Approval. The commission may approve a request for waiver if it is determined that the AAA can effectively carry out its function and responsibilities under the Act without being a single organizational unit.

4.6(4) Multipurpose agencies. If a multipurpose entity has been designated as the AAA for the designated planning and service area, the governing body of that multipurpose entity shall be responsible to the department for the administration and operation of the aging programs under the multiyear area plan.

321—4.7(231) Preference in AAA designation.

4.7(1) Right of first refusal. When the commission designates a new AAA, the commission shall give the right of first refusal to a unit of general purpose local government as stated in subrule 4.5(2).

a. If a unit of general purpose local government chooses to exercise the right of first refusal, it shall make application for designation as an AAA as outlined in subrules 4.9(3) and 4.9(4).

b. If a unit of general purpose local government does not exercise the right of first refusal by making application, preference shall be given to an established office on aging which is defined as a legally incorporated entity with employed staff whose single purpose is to administer programs for elders.

4.7(2) Additional preferences. In designating an AAA, if the type of agency listed in subrule 4.5(1), paragraph "a," is unavailable or unqualified, preference shall be given in the following order:

- a. An agency whose single purpose is to administer programs for elders.
- b. A multipurpose agency which delegates all authority and responsibility under the Act to a single organizational unit.
- c. A multipurpose agency which meets the waiver requirement of subrule 4.6(2).

4.7(3) Determination of qualified applicants. The method for determining qualified applicants for AAA designation and for giving preference, if there is more than one qualified applicant in any of the eligible applicant categories, is contained in rules 4.12 (231) and 4.13(231).

321—4.8(231) AAA qualifications. In order to qualify for designation as an AAA, an entity shall be able to carry out the responsibilities outlined in 321—Chapters 6 and 7.

321—4.9(231) Application for designation. The department shall provide an opportunity to apply for designation as an AAA to the types of entities that qualify by advertising the need as described in subrule 4.9(2) for an AAA for a planning and service area.

4.9(1) Time frame. The department shall establish a time frame for requesting applications for AAA designation and publish notice of the opportunity to apply for designation. In establishing the time frame, Saturdays, Sundays, and state holidays are excluded.

4.9(2) Letter of advertisement. The department shall send letters of advertisement to all county boards of supervisors, all mayors of incorporated cities, and to known groups of elders and service providers in the affected planning and service area.

4.9(3) Letter of intent. Eligible applicants as defined in subrule 4.5(1) interested in applying shall send a letter of intent and request an information packet and application form to the department office identified in 321—subrule 2.1(2).

4.9(4) Completion of application. The completed application for designation as an AAA shall be received at the department in accordance with the time frame indicated in the information packet.

4.9(5) Public hearing. The department shall hold a public hearing which shall be chaired by the executive director or the director's designee for the purpose of providing the opportunity for presentations by AAA applicants and receiving the views of public officials and of the general public.

a. Hearing date and location. The department shall designate a place, date and time for the public hearing and publish advance notices of the public hearing which shall contain specific information about participation in the hearing.

b. Hearing notice. The department shall send letters of notification to all county boards of supervisors, all mayors of incorporated cities, and to the applicant(s). Letters of notification shall be sent to known groups of elders and service providers in the affected planning and service area.

c. Public comment. The department shall receive written comments from any interested person prior to the public hearing. Presentations and testimony shall be time-limited and shall be prearranged with the department.

4.9(6) Determination of the most qualified applicant(s) to be considered for on-site assessment. Application review shall include the following:

a. Subsequent to the public hearing, the department shall review the application(s), the written comments received and salient comments made at the hearing to determine qualified applicant(s) to be considered for on-site assessment.

b. Criteria for designation of an AAA as defined in rules 4.9(231), 4.12(231) and 4.13(231) shall be the basis for determination of the qualified applicant(s) to receive an on-site assessment.

321—4.10(231) On-site assessment. The department shall conduct an on-site assessment of all the qualified applicants. The purpose of the on-site assessment is to verify the applicant information provided in the application.

4.10(1) Notification. The department shall notify all applicants of the qualified applicant for on-site assessment(s).

4.10(2) Visit. The department shall make arrangements for the on-site assessment visit(s) with the qualified applicant(s).

4.10(3) Tool. The department shall use a written assessment tool to conduct the on-site assessment.

4.10(4) Report. The department shall prepare a written report of the on-site assessment(s).

321—4.11(231) Recommendation. The department shall prepare a written recommendation regarding designation of an AAA for the commission.

4.11(1) Basis for recommendation. The basis for the recommendation shall be the application review, the views of representatives of general purpose local governments and the general public, the on-site assessment and other relevant factors.

4.11(2) Commission action. The commission shall act on the designation of an AAA at the next commission meeting subsequent to receiving the executive director's recommendation.

321—4.12(231) Application form criteria.

4.12(1) Criteria to be considered in the application form. Determination of qualified applicants shall be based on information provided in the application form which indicates agency stability, administrative ability and fiscal management, such as:

- a. Organizational structure;
- b. Program services; and
- c. Fiscal capabilities.

4.12(2) Other relevant factors covered in the application shall be as follows:

a. Applicant's proposed method for development of an advisory council whose members are representative of the planning and service area and population served and meet the requirements of 321—subrule 6.5(1);

b. A multipurpose agency applicant's proposal for the delegation of all its authority and responsibility to a single organizational unit;

c. A multipurpose agency which does not propose delegating all its authority and responsibility to a single organizational unit but proposes a waiver request as described in subrule 4.6(2); and

d. Applicant's proposal for addressing factors specific to the planning and service area for which an AAA is being designated.

321—4.13(231) Methods for determining qualifications and preference.

4.13(1) Qualifications. The method for determining qualified applicants for AAA designation as stated in subrule 4.5(1) is as follows:

a. All applications shall be reviewed to determine the qualifications of each applicant; and

b. All applicants shall be categorized according to types of agencies and their organizational structure as indicated in subrules 4.5(1) and 4.6(1) and preference categories indicated in rule 4.7(231).

4.13(2) First preference. The method for giving first preference as stated in subrule 4.7(1), paragraph "b," is as follows:

a. Determination shall be made if any qualified applicants are units of general purpose local government exercising right of first refusal.

b. If there is more than one qualified applicant in this category, the most qualified applicant will be determined by review, comparison and analysis of how well each applicant met the standards set forth.

4.13(3) Second preference. The method for giving second preference as stated in subrule 4.7(1), paragraph "b," is as follows:

a. If there is no qualified applicant under subrule 4.13(2), determination shall be made if any of the qualified applicants is an established office on aging.

b. If there is more than one qualified applicant in this category, the most qualified applicant will be determined by review, comparison and analysis of how well each applicant met the standards set forth.

4.13(4) Third preference. The method for giving third preference as stated in subrule 4.7(2), paragraph "a," is as follows:

a. If there is no qualified applicant under subrule 4.13(3), determination shall be made if any of the qualified applicants is an agency whose single purpose is to administer programs for older persons.

b. If there is more than one qualified applicant in this category, the most qualified applicant will be determined by review, comparison and analysis of how well each applicant met the standards set forth.

4.13(5) Fourth preference. The method for giving fourth preference as stated in subrule 4.7(2), paragraph “b,” is as follows:

a. If there is no qualified applicant under subrule 4.13(4), determination will be made if any of the qualified applicants is a multipurpose agency which proposes to delegate all authority and responsibility for the functions of an AAA to a single organizational unit not of an excluded category as described in subrule 4.5(1), paragraph “d.”

b. If there is more than one qualified applicant in this category, the most qualified applicant will be determined by review, comparison and analysis of how well each applicant has met the standards set forth.

4.13(6) Fifth preference. The method for giving fifth preference as stated in subrule 4.7(2), paragraph “c” is as follows:

a. If there are no qualified applicants under subrule 4.13(5), determination will be made if any of the qualified applicants is a multipurpose agency not of an excluded category as described in subrule 4.5(1), paragraph “d,” which has submitted a request for waiver of delegation of authority.

b. If there is more than one qualified applicant in this category, the most qualified applicant will be determined by review, comparison and analysis of how each applicant has met the standards set forth.

321—4.14(231) Withdrawal of AAA designation. If an AAA cannot fulfill the responsibilities outlined in 321—Chapters 6 and 7, withdrawal of AAA designation by the commission may result. The department shall follow procedures as outlined in rule 4.15(231) for the following reasons:

1. The AAA has substantially violated the grant terms and conditions or the requirements and standards set forth in rules and regulations;
2. The AAA has not adequately performed the responsibilities outlined in 321—Chapters 6 and 7;
3. The multiyear area plan is not approved by the commission;
4. Actual performance varies drastically from planned performance;
5. Financial instability;
6. Deficiency in implementation of programs. Contractual or direct services to the elderly commenced more than two months after the approved project period;
7. Reporting of fiscal or performance data does not comply with written procedures issued by the department; or
8. The AAA has been unable to take remedial action to correct cited deficiencies or has not demonstrated significant progress toward compliance with any specific time frame established for remedial action.

321—4.15(231) Procedures for withdrawal of AAA designation.

4.15(1) Procedure. When there is reason to withdraw designation of an AAA as outlined in rule 4.14(231), the department shall:

- a. Notify the AAA in writing of the deficiency which is the reason for the withdrawal;
- b. Provide technical assistance in determining the reasons for the deficiency;
- c. Assist in developing a specific action plan for correcting the deficiency within a specific time frame;
- d. Monitor the progress of the AAA toward correcting the deficiency;
- e. Report in writing to the AAA the findings of the monitoring of progress toward correction of the deficiency; and
- f. Determine appropriate action based on the progress toward correction of the deficiency, which may include:
 - (1) Probationary condition;
 - (2) Withdrawal of funds;
 - (3) Suspension; or
 - (4) Withdrawal of AAA designation.

4.15(2) Notification to AAAs. The department will give written notification to the AAA of:

- a. The decision;
- b. The remedial action required, if appropriate;
- c. The time frame involved; and
- d. The right to appeal as outlined in rule 321—2.7(231).

321—4.16(231) Department action subsequent to withdrawal of designation.

4.16(1) Notification and plan. When AAA designation has been withdrawn, the department shall:

- a. Notify the Administration on Aging in writing of the withdrawal of designation.
- b. Implement a plan for continuity of services in the affected planning and service area.

4.16(2) Continuity of services.

a. To ensure continuity of services in the planning and service area and, if necessary, for a period of up to 180 days after withdrawal of designation, the department may:

- (1) Perform the responsibilities of the AAA; or
- (2) Assign the responsibilities of the AAA to another agency in the planning and service area.

b. Request in writing from the Administration on Aging, if necessary, an extension of up to 180 days and demonstrate need for an extension to provide continuity of services in the affected planning and service area.

c. Designate a new AAA in the planning and service area in accordance with rules 4.4(231) and 4.5(231).

321—4.17 to 4.19 Reserved.

321—4.20(231) Multiyear area plan.

4.20(1) Area plan. Each AAA shall develop and administer a multiyear area plan.

4.20(2) Definition of a multiyear area plan. A multiyear area plan is a document submitted biennially with annual updates, by an AAA to the department in order to receive subgrants from the department's grants.

4.20(3) Duration and format of the multiyear area plan.

a. *Multiyear area plan.* The multiyear area plan shall be for the two-year period specified by the department.

b. *Uniform area plan format.* The AAA shall submit a multiyear area plan or amendment to the department in accordance with the uniform area plan format and other instructions issued by the department. The format shall include:

- (1) Assurance that the AAA agrees to abide by the requirements of the Act and all other applicable rules and regulations;
- (2) Projected budgets and objectives for each year of the two-year period; and
- (3) Other documents as specified by the department.

4.20(4) Comprehensive and coordinated delivery system. The multiyear area plan shall provide for the development of a comprehensive and coordinated service delivery system for all supportive and nutrition services needed by elders in the planning and service area to:

- a. Facilitate access to and utilization of all existing services; and
- b. Develop supportive and nutrition services effectively and efficiently to meet the needs of elders.

4.20(5) Content of the multiyear plan. A multiyear area plan shall provide for the comprehensive and coordinated service delivery system specified in the Act. The multiyear area plan shall contain the following information according to the uniform format and instructions provided by the department:

- a. Objectives and budgets for a multiyear period.

b. Through a comprehensive and coordinated system, provide for supportive services, nutrition services, and where appropriate, for the establishment, maintenance, or construction of multipurpose senior centers, within the planning and service area covered by the plan including:

(1) Determining biennially the need for supportive services, nutrition services, and multipurpose senior centers in the area;

(2) Taking into consideration, among other things, the number of elders with low incomes residing in the area and the efforts of voluntary organizations in the community;

(3) Evaluating the effectiveness of the use of resources in meeting needs; and

(4) Entering into agreements with providers of supportive services, nutrition services, or multipurpose senior centers in the planning and service area, for the provision of services or centers to meet the need.

c. Assurances that an adequate proportion of the amount allotted for Title III-B to the planning and service area will be expended for the delivery of each of the priority services which are access, in-home and legal assistance services, as detailed in rule 321—6.12(231).

d. Specify in detail the amount of funds expended in the categories of access, in-home and legal services for the fiscal year most recently concluded;

e. Provision for the establishment and maintenance of information and referral in sufficient numbers to ensure that elders within the planning and service area covered by the plan will have reasonably convenient access to services;

f. Assurances that preference will be given to providing services to elders with the greatest economic or social needs, with particular attention to low-income minority elders, and include proposed methods of carrying out the preference in the multiyear area plan; and

g. Assurance that the use of outreach efforts that will identify elders eligible for assistance with special emphasis on rural elders, and inform those elders of the availability of assistance.

h. Provision that the AAA will:

(1) Conduct periodic evaluations of activities carried out under the multiyear plan;

(2) Furnish appropriate technical assistance to providers of supportive services, nutrition services, or multipurpose senior centers in the planning and service area covered by the multiyear area plan;

(3) Take into account, in connection with matters of general policy arising in the development and administration of the multiyear area plan, the views of recipients of services under the plan;

(4) Serve as the advocate and focal point for elders within the community by monitoring, evaluating and commenting on all policies, programs, hearings, levies, and community actions which will affect the elders;

(5) Where possible, enter into arrangements with organizations providing day care services for children so as to provide opportunities for elders to aid or assist on a voluntary basis in the delivery of services to children;

(6) Develop and publish methods by which priority of services is determined, particularly with respect to the delivery of services;

(7) Establish effective and efficient procedures for coordination;

(8) Conduct efforts to facilitate the coordination of community-based, long-term care services to retain elders in their homes, thereby deferring unnecessary, costly institutionalization, and to emphasize the development of client-centered case management systems as a component of such services;

(9) Identify the public and private nonprofit entities involved in the prevention, identification, and treatment of the abuse, neglect, and exploitation of elders, and based on identification, determine the extent to which the need for appropriate services is unmet; and

(10) Facilitate the involvement of long-term care providers in the coordination of community-based long-term care services and work to ensure community awareness of an involvement in addressing the needs of residents of long-term care facilities.

321—4.21(231) Requirements for processing area plans, plan amendments and revisions.

4.21(1) Public hearing(s). The AAA shall hold at least one public hearing on the multiyear area plan and include priority services and priority services requirements in 321—subrule 6.12(1) of these rules as a distinct agenda item in the public hearing as required in 321—subrule 6.12(2). The area agency shall hold a public hearing regarding all amendments specified in subrule 4.21(4).

a. The public hearing(s) shall be held prior to submission of the multiyear area plan or amendment at a time and barrier-free location which permits older persons, public officials, and other interested parties reasonable opportunity to participate.

b. Adequate notice shall be provided to older persons, public officials and other interested parties of the times, dates, and locations of the public hearing(s).

4.21(2) Review and comment by the advisory council and intergovernmental review. The AAA shall submit the multiyear area plan and amendments for review and comment to the AAA advisory council and to the appropriate agency for intergovernmental review.

4.21(3) Submission. AAAs shall submit the multiyear area plan and amendments to the commission for approval following procedures issued by the department.

4.21(4) Amendments and revisions to the area plan.

a. Amendments. The AAA shall amend the multiyear area plan and submit it to the commission for approval if:

- (1) A new or amended state or federal statute or regulation requires a new provision or conflicts with any existing plan provision.
- (2) A United States Supreme Court decision changes the interpretation of a statute or regulation;
- (3) Local law, organization, policy or agency operation changes and is no longer accurately reflected in the multiyear area plan;
- (4) The department requires amendments; or
- (5) The grantee proposes to change the designation of the single organizational unit or component unit.

(6) The area agency proposed to add or delete a service category.

b. Revision. The area agency may be required to revise the multiyear plan and submit it to the department for approval if:

- (1) A department funding source to the area agency changes;
- (2) A program requirement changes.

4.21(5) Approval or disapproval of a multiyear area plan, plan amendments and revisions.

a. Approval or disapproval. The commission or department shall approve a multiyear area plan, a plan amendment or a revision which meets the established criteria for approval.

b. The multiyear area plans and plan amendments shall be approved by the commission after the plan or amendment has undergone intergovernmental review, public hearing(s), review by the area advisory council, approval by the grantee agency, assurance that there are signed contracts for service, and after review of recommendations by the department.

4.21(6) Appeal. If any applicant wishes to appeal a denial of approval or conditions for approval on the multiyear area plan or plan amendments, that applicant shall be offered the opportunity for an appeal as provided in rule 321—2.7(231).

321—4.22(231) Area profile. Each AAA shall submit to the department an AAA profile in accordance with the time frame and procedures issued by the department that shall contain, but not be limited to:

1. AAA affirmative action plan.
2. Table of organizational structure.
3. Inventory of nutrition sites and senior centers.
4. Listing of the area agency's designated community focal points.

321—4.23(231) Technical assistance by the department. As necessary, on-site technical assistance will be provided to AAAs that have been unable to meet target dates.

4.23(1) *Provided to any organization.* Technical assistance will be provided to any agency, organization, association or individual representing the needs of the elders.

4.23(2) *Provided to AAAs.* As necessary, on-site technical assistance will be provided to AAAs in response to requests for assistance or to initiate training and technical assistance.

4.23(3) *Technical assistance for remedial actions.* Technical assistance for remedial action shall be provided to AAAs with performance deficiencies as provided in rule 4.15(231).

These rules are intended to implement Iowa Code chapter 231.

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