

AGING, DEPARTMENT ON[17]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 231.14, 231.23 and 17A.3, the Department on Aging hereby gives Notice of Intended Action to amend Chapter 6, “Area Agency on Aging Planning and Administration,” Iowa Administrative Code.

The proposed amendments change the chapter in the following particulars:

1. The amendments remove references to Iowa Aging Program Instructions (IAPI). IAPIs have traditionally been used by the Department to provide guidance to Area Agencies on Aging. IAPIs are identified in Chapter 6 as a form of federal or state regulation. These amendments remove references to IAPIs to ensure that IAPIs are not used as or confused with federal or state regulation.

2. The amendments alter the requirements of Area Agencies on Aging in regard to submission of affirmative action plans. The rule will no longer require Area Agencies on Aging to submit the affirmative action plans to the Department, but instead require Area Agencies on Aging to make the affirmative action plan available for review by the Department.

3. The amendments clarify client projections provided by Area Agencies on Aging pursuant to area plan content.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 6, 2014. Such written comments or suggestions should be directed to Kimberly Murphy, Iowa Department on Aging, Jessie M. Parker Building, 510 E. 12th Street, Des Moines, Iowa 50319. E-mail may be sent to kimberly.murphy@iowa.gov.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 231.

The following amendments are proposed.

ITEM 1. Amend subrules 6.2(4), 6.2(5) and 6.2(10) as follows:

6.2(4) Requirements. An area plan shall provide for a comprehensive and coordinated service delivery system as defined in:

- a. and b. No change.
- c. This chapter;
- d. ~~IAPI issued by the department.~~

6.2(5) Plan content. The area plan shall, at a minimum, contain the following information:

- a. and b. No change.
- c. Client ~~estimates~~ projections. Area agencies shall ~~estimate project, on forms or in a format prescribed by the department,~~ the number of older individuals ~~with the characteristics identified in Form 3 A 1 of an IAPI who will be served within each PSA.~~

6.2(10) Area profile. Each AAA shall submit to the department a profile in accordance with the time frame and procedures as issued ~~in department IAPI by the department.~~ The profile shall contain, but not be limited to, the following AAA information:

- a. to e. No change.

ITEM 2. Amend subrule 6.3(4) as follows:

6.3(4) Affirmative action plans. Each AAA shall develop an ~~employment~~ affirmative action plan which shall be ~~submitted as part of the profile required in this chapter. All affirmative action plans shall comply with the requirements as given in IAPI available for review by the department.~~

ITEM 3. Amend subrule 6.6(2) as follows:

6.6(2) Additional duties include:

- a. No change.
- b. Submit all reports in accordance with ~~IAPI~~ of the department-prescribed form or format and due dates;
- c. to g. No change.

ITEM 4. Amend subrule 6.11(3) as follows:

6.11(3) Contracts with for-profit organizations. An AAA must request prior approval from the department of any proposed service contracts with for-profit organizations under an area plan.

- a. and b. No change.
- e. ~~Services shall mean the services described in the uniform definitions of services contained in IAPI issued by the department.~~

ITEM 5. Amend subrule 6.14(1) as follows:

6.14(1) *Contributions.* The AAA shall consult with the relevant service providers and older individuals in the PSA to determine the best method for accepting voluntary contributions. As established by contract with the AAA, each service provider, including an AAA providing direct service, shall:

- a. to c. No change.
- d. Utilize appropriate procedures to safeguard and account for all contributions against loss, mishandling or theft by obtaining bonding for all employees and volunteers ~~in accordance with instructions issued by the department in an IAPI~~;
- e. No change.