

231.4 Definitions.

1. For purposes of this chapter, unless the context otherwise requires:

a. “*Administrative action*” means an action or decision made by an owner, employee, or agent of a long-term care facility, assisted living program, elder group home, or by a governmental agency, which affects the service provided to residents or tenants covered in this chapter.

b. “*Assisted living program*” means a program which provides assisted living as defined pursuant to section 231C.2 and which is certified under chapter 231C.

c. “*Certified volunteer long-term care ombudsman*” or “*certified volunteer*” means a volunteer long-term care ombudsman certified pursuant to section 231.45.

d. “*Commission*” means the commission on aging.

e. “*Department*” means the department on aging.

f. “*Director*” means the director of the department on aging.

g. “*Elder group home*” means elder group home as defined in section 231B.1 which is certified under chapter 231B.

h. “*Equivalent support*” means in-kind contributions of services, goods, volunteer support time, administrative support, or other support reasonably determined by the department as equivalent to a dollar amount.

i. “*Federal Act*” means the Older Americans Act of 1965, 42 U.S.C. § 3001 et seq., as amended.

j. “*Home and community-based services*” means a continua of services available in an individual’s home or community which include but are not limited to case management, homemaker, home health aide, personal care, adult day, respite, home delivered meals, nutrition counseling, and other medical and social services which contribute to the health and well-being of individuals and their ability to reside in a home or community-based care setting.

k. “*Legal representative*” means a tenant’s legal representative as defined in section 231B.1 or 231C.2, or a guardian, conservator, or attorney in fact of a resident.

l. “*Long-term care facility*” means a long-term care unit of a hospital or a facility licensed under section 135C.1 whether the facility is public or private.

m. “*Long-term care ombudsman*” means an advocate for residents and tenants of long-term care facilities, assisted living programs, and elder group homes who carries out duties as specified in this chapter.

n. “*Older individual*” means an individual who is sixty years of age or older.

o. “*Options counseling*” means a service involving an interactive process, which may include a needs assessment, directed by the recipient individual and which may include other participants of the individual’s choosing and the individual’s legal representative, in which the individual receives guidance to make informed choices about long-term living services and supports in order to sustain independent living.

p. “*Resident*” means an individual residing in a long-term care facility, excluding facilities licensed primarily to serve persons with an intellectual disability or mental illness.

q. “*Tenant*” means an individual who receives assisted living services through an assisted living program or an individual who receives elder group home services through an elder group home.

r. “*Unit of general purpose local government*” means the governing body of a city, county, township, metropolitan area, or region within the state that has a population of one hundred thousand or more, that is recognized for areawide planning, and that functions as a political subdivision of the state whose authority is general and not limited to only one function or combination of related functions, or a tribal organization.

2. For the purposes of this chapter, “*aging and disability resource center*”, “*area agency on aging*”, “*focal point*”, “*greatest economic need*”, “*greatest social need*”, “*planning and service area*”, and “*tribal organization*” mean as those terms are defined in the federal Act.

86 Acts, ch 1245, §1004
C87, §249D.4

C93, §231.4

2003 Acts, ch 141, §2; 2005 Acts, ch 45, §3; 2009 Acts, ch 23, §15; 2010 Acts, ch 1062, §3, 4;
2011 Acts, ch 25, §143; 2012 Acts, ch 1019, §83; 2012 Acts, ch 1086, §2, 3; 2013 Acts, ch 18, §18

Referred to in §235B.6

[T] Subsection 1 amended