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

- 2.2(231) Definitions
- 2.3(231) Department established
- 2.4(231) Director
- 2.5(231) Organizational units of the department
- 2.6(231) Staffing
- 2.7(231) Discrimination
- 2.8(231) Affirmative action plans
- 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) Designation of PSA
- 4.4(231) Designation of AAA
- 4.5(231) Types of entities that qualify as an AAA
- 4.6(231) Multipurpose entity
- 4.7(231) Request for waiver
- 4.8(231) Applicant qualification and preference
- 4.9(231) Procedure for designation of an AAA
- 4.10(231) Withdrawal of AAA designation
- 4.11(231) Procedures for withdrawal of AAA designation
- 4.12(231) Department action subsequent to withdrawal
- 4.13(231) Technical assistance
- 4.14(231) Severability

CHAPTER 5 DEPARTMENT FISCAL POLICY

- 5.1(231) Definitions
- 5.2(231) Grants to area agencies on aging
- 5.3(231) Limitations on use
- 5.4(231) Expenditures in rural areas
- 5.5(231) Funding formulas
- 5.6(231) State appropriations and case management allotments
- 5.7(231) Program allotment calculations
- 5.8(231) Funding estimates
- 5.9(231) Matching funds
- 5.10(231) Allowable use of federal and state funds for multiyear area plan administration
- 5.11(231) Reallotment
- 5.12(231) Restriction on delegation of authority to other agencies
- 5.13(231) Records and reports
- 5.14(231) State reviews and audits
- 5.15(231) Acquisition of goods and services
- 5.16(231) Restrictions for multipurpose agencies designated as AAA
- 5.17(231) Records—contract administration
- 5.18(231) Recapture of funds for facilities
- 5.19(231) Property management

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 and subgrants
- 6.12(231) Direct service
- 6.13(231) Noncompliance
- 6.14(231) Priority service expenditures
- 6.15(231) Waivers of priority service expenditures
- 6.16(231) Requirements for service providers
- 6.17(231) Entrepreneurial activities of AAA
- 6.18(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
1.0(231)	Restriction

- 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 RESIDENT'S ADVOCATE/OMBUDSMAN

- 8.1(231) Definitions
- 8.2(231) Purpose
- 8.3(231) Long-term care resident's advocate/ombudsman duties
- 8.4(231) Access requirements
- 8.5(231) Authority and responsibilities of the department
- 8.6(231) Volunteer long-term care ombudsman program

CHAPTER 9

RESIDENT ADVOCATE COMMITTEES

- 9.1(231) Definitions
- 9.2(231) Resident advocate committees established
- 9.3(231) Application for committee membership
- 9.4(231) Appointment to resident advocate committees
- 9.5(231) Objection to and termination of appointments to resident advocate committees
- 9.6(231) Request for reconsideration of appointment or termination of appointment
- 9.7(231) Resident advocate committee structure and procedures
- 9.8(231) Duties of the committee
- 9.9(231) Committee access and assistance
- 9.10(231) Confidentiality
- 9.11(231) Committee response to complaints and grievances
- 9.12(231) Complaints referred from the department of inspections and appeals
- 9.13(231) Accountability measures
- 9.14(231) Reporting statistics
- 9.15(231) Severability

CHAPTER 10

SENIOR INTERNSHIP PROGRAM (SIP)

- 10.1(231) Scope and purpose
- 10.2(231) Definitions
- 10.3(231) Eligibility for service
- 10.4(231) Funding
- 10.5(231) Program requirements
- 10.6(231) Funding criteria

10.7(231) Monitoring and record keeping

10.8(231) Severability

CHAPTER 11

WAIVERS OR VARIANCES 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 or variance

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 INITIATIVE AND DEPENDENT ADULT ABUSE MANDATORY REPORTER TRAINING

- 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(235B) Dependent adult abuse mandatory reporter training
- 15.21(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(17A,22) Personally identifiable information
- 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

CASE MANAGEMENT PROGRAM FOR FRAIL ELDERS

- 21.1(231) Authority
- 21.2(231) Purpose
- 21.3(231) Definitions
- 21.4(231) Program administration
- 21.5(231) Eligibility for CMPFE services
- 21.6(231) Admission into the case management program
- 21.7(231) Discharge from CMPFE
- 21.8(231) Organizational requirements
- 21.9(231) Personnel qualifications
- 21.10(231) Covered services
- 21.11(231) Assessment of consumer needs
- 21.12(231) Service plan development
- 21.13(231) Monitoring

21.14(231)	Reassessment
21.15(231)	Confidentiality
21.16(231)	Contracting for case management services
21.17(231)	Severability

CHAPTER 22

OFFICE OF SUBSTITUTE DECISION MAKER

- 22.1(231E,633) Purpose
- 22.2(231E,633) Definitions
- 22.3(231E,633) Substitute decision maker qualifications
- 22.4(231E,633) Ethics and standards of practice
- 22.5(231E,633) Staffing ratio
- 22.6(231E,633) Conflict of interest—state office
- 22.7(231E,633) Consumers eligible for services
- 22.8(231E,633) Application and intake process—guardianship, conservatorship, representative payee and personal representative
- 22.9(231E,633) Application and intake process—power of attorney
- 22.10(231E,633) Case records
- 22.11(231E,633) Confidentiality
- 22.12(231E,633) Termination or limitation
- 22.13(231E,633) Service fees
- 22.14(231E,633) Fee schedule
- 22.15(231E,633) Denial of services—appeal
- 22.16(231E,633) Contesting the actions of a guardian or conservator
- 22.17(231E,633) Contesting the actions of an attorney-in-fact
- 22.18(231E,633) Severability

CHAPTERS 23 to 27 Reserved

Reserved

CHAPTER 28

IOWA SENIOR LIVING PROGRAM—HOME- AND COMMUNITY-BASED SERVICES FOR SENIORS

28.1(2	31,249H)	Purpose	

- 28.2(231,249H) Use of funds
- 28.3(231,249H) Definitions
- 28.4(231,249H) Disbursement of funds
- 28.5(231,249H) Eligible use of funds
- 28.6(231,249H) Client participation
- 28.7(231,249H) Reallotment of unobligated funds
- 28.8(231,249H) Prohibited use of senior living trust fund moneys
- 28.9(231,249H) Disbursement of SLTF funds to AAA subcontractors
- 28.10(231,249H) Reporting requirements
- 28.11(231,249H) Severability