

17—6.13 (231) Waivers of priority service expenditures.

6.13(1) An AAA shall request a waiver from the priority service expenditures in rule 17—5.5(231) if it does not propose sufficient funding to allow older individuals to have convenient access to a service. The waiver request shall be submitted with the plan or plan amendment pursuant to applicable procedures under 17—Chapter 11.

6.13(2) The commission, in approving an area plan or a plan amendment, may, upon recommendation of the director, waive the requirement of rule 17—5.5(231) for any category of service for which the AAA demonstrates the following:

- a.* That the services being furnished by other providers meet the needs of older individuals in the PSA for that category of service; or
- b.* That the AAA has made every reasonable effort to meet the need for a specific category of service.

[**ARC 8489B**, IAB 1/27/10, effective 1/7/10; **ARC 0744C**, IAB 5/15/13, effective 6/19/13]