

17—29.7 (231) Transfer of client files and records.

29.7(1) Dedesignated area agencies on aging shall submit information to the department outlining the dedesignated area agency on aging's plan to transfer all client files and records to the designated area agency on aging that will provide services to the same counties served by the dedesignated area agency on aging.

29.7(2) The plan shall be received by the department by the close of business on February 15, 2013. The plan shall be submitted to the department in writing and sent to the following address: Iowa Department on Aging, Jessie Parker Building, 510 East 12th Street, Suite 2, Des Moines, Iowa 50319.

29.7(3) The plan regarding the transfer of client files and records shall include at a minimum the following:

- a.* An explanation of how the dedesignated area agency on aging will comply with federal and state laws, rules, and regulations pertaining to the transfer of client files and records;
- b.* The projected date on which the transfer will occur; and
- c.* The signature of the executive director and board chairperson of the dedesignated area agency on aging attesting that the dedesignated area agency on aging has cooperated in good faith with the designated area agency on aging to accomplish the transfer.

29.7(4) The department, in its discretion, may request additional information from the dedesignated area agency on aging, the designated area agency on aging, or both, as it deems required by the circumstances.

29.7(5) The department, in its discretion, shall accept or reject the plan to transfer client files and records. If the department rejects the plan to transfer client files and records, the department shall provide the dedesignated area agency on aging with a plan of correction and shall require the dedesignated area agency on aging to resubmit the plan to transfer client files and records according to the plan of correction.

29.7(6) Failure to comply with this rule may result in one or more of the following:

- a.* The dedesignated area agency on aging may be required to accept and follow technical assistance provided by the department.
- b.* The dedesignated area agency on aging may be subject to additional monitoring, including but not limited to desk and on-site monitoring.
- c.* The dedesignated area agency on aging may be subject to dedesignation pursuant to 17—Chapter 4. This dedesignation is a distinct and separate procedure and would be effective prior to June 30, 2013.

29.7(7) The designated area agency on aging shall accept all files and records provided by the dedesignated area agency on aging and shall determine appropriate disposition of all files and records pursuant to federal and state laws, rules, and regulations.

29.7(8) The designated area agency on aging shall keep and maintain files and records for a minimum of three years, or for a time period otherwise determined by federal and state laws, rules, and regulations, whichever period of time is longer.