

**641—74.9(135) Fiscal management.** All contract agencies are required to meet certain fiscal management policies.

**74.9(1) Last pay.** Family planning grant funds are considered last pay. Title XIX, Title XX and other third parties are to be billed first if the client is covered by those sources.

**74.9(2) Program income.** Program income means gross income earned by the contractor from activities in which part or all of the cost is either borne as a direct cost by a grant or counted as a direct cost toward providing services. It includes but is not limited to such income in the form of Title XIX and Title XX fees for services, third-party reimbursements, client fees, and proceeds from sales of tangible personal or real property.

Program income shall be used for allowable costs of the project. Program income shall be used prior to the use of funds received from the department. Excess program income may be retained to establish a three-month operating capital. Program income shall be used during the current fiscal year or the following fiscal year. Five percent of unobligated program income may be used by the contract agency for special purposes or projects provided such use furthers the mission of the family planning program and does not violate state rules or federal regulations governing the program.

**74.9(3) Advances.** A contract agency may request an advance up to one-sixth of its contract at the beginning of a contract year. The amount of any advance shall be deducted prior to the end of the fiscal year.

**74.9(4) Subcontracts.** Contract agencies may subcontract a portion of the project activity to another entity provided such subcontract is approved by the department. Subcontract agencies must follow the same rules, procedures, and policies as required of the contract agency by these rules and contract with the department. The contract agency is responsible for ensuring the compliance of the subcontract agency. Subcontract agencies may not subcontract these project activities with other entities.