

DEPARTMENT OF AGING

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PROGRAM MEMO

TO: Area Agencies on Aging	NO.: PM 98- 12 (P)
SUBJECT: Community-Based Services Programs Direct Service Policy	DATE ISSUED: April 29, 1998
	EXPIRES: N/A
REFERENCES:	SUPERSEDES: N/A
PROGRAMS AFFECTED: <input type="checkbox"/> All <input type="checkbox"/> Title III-B <input type="checkbox"/> Title III-C1/C2 <input type="checkbox"/> Title III-D <input type="checkbox"/> Title III-F <input type="checkbox"/> Title V <input checked="" type="checkbox"/> CBSP <input type="checkbox"/> MSSP <input type="checkbox"/> Title VII <input type="checkbox"/> ADHC <input type="checkbox"/> Other _____	
REASON FOR PROGRAM MEMO: <input type="checkbox"/> Change in Law or Regulation <input type="checkbox"/> Response to Inquiry <input checked="" type="checkbox"/> Other Specify: Provision of Law – W & I Code Section 9533(f); 9534(a)-(e); Program Expansion Budget Change Proposal	
INQUIRIES SHOULD BE DIRECTED TO: Jim Christensen, Manager, Older Americans Act Services Branch, (916) 322-0773	

This Program Policy Memo is intended to serve three purposes:

- 1) Provide guidance for direct service provision by Area Agencies on Aging (AAA) in State Fiscal Year (SFY) 98-99 of existing Health Insurance Counseling and Advocacy Programs (HICAP), and anticipated new Community-Based Services Programs (CBSP) provided for in the proposed SFY 1998-99 Governor's Budget;
- 2) Provide information relevant to future planning efforts for AAAs intending to provide existing CBSPs specified in Chapter 7.5 commencing with Section 9540 of the Welfare and Institution Code (W & I Code) in SFY 1999/2000; and
- 3) Provide guidance related to the required written summary of public hearings conducted in accordance with California Code of Regulations Title 22, Division 1.8, Section 7308 that incorporates a review of the goals related to the services that the AAA intends to provide directly.

The intent of the Legislature in the Mello-Granlund Older Californians Act is to:

- Foster a CBSPs network by contracting responsibility for the local management of the state-funded CBSPs to participating AAAs.
- Ensure that contracts for CBSPs be awarded through a competitive procurement process, considering factors such as cost and scope of services.

The Legislature recognizes that programs may benefit from the economical use of shared resources that are collocated and, where not otherwise prohibited by State or Federal law or regulations, supports the development or continuation of the collocation of the CBSPs.

Responsibility

The W & I Code Sections 9533(a), (f) and 9535(b) identifies the responsibility of the Department and AAAs for integrating CBSPs into the Area Plans and the Area Plan development process governed by California Code of Regulations (CCRs) Title 22, Division 1.8, Chapter 3, Article 3. The Department is responsible for reviewing and approving the CBSPs network component of Area Plans. Area Agencies that have not been providing direct CBSPs shall not commence directly providing these services until the Department has reviewed and concurred with the Area Plan or update documentation to the Area Plan as required and submitted by the Area Agency.

CBSPs Direct Service Provision

AAAs that have not provided direct CBSPs may request permission to do so as follows:

SFY 1998-99

- AAAs that have not directly provided existing HICAP services may request permission for such provision.
- AAAs will be eligible to seek permission for direct service provision of anticipated new CBSPs provided for in the proposed SFY 1998-99 Governor's Budget.

SFY 1999-2000

- AAAs may seek eligibility to provide other current existing CBSPs specified in Chapter 7.5 commencing with Section 9540 of the W & I Code.

AAAs who intend to provide any direct CBSPs, that have not been directly providing the service(s), shall submit required written documentation as an attachment to the annual update or amendment to the Area Plan that:

- 1) identifies any services the AAA intends to provide directly that have not been previously included in the Area Plan.
- 2) provides documentation demonstrating, in accordance with W & I Code Section 9533(f), **that the AAA can provide a comparable quality of service, at least as economically and at an enhanced benefit to the consumer or that there is not an adequate supply of these services.**

Policy

Documentation Supporting Provision of Direct CBSPs

AAAs are responsible for integrating the CBSPs into the local Area Plan development process which encompasses essential planning requirements such as: needs assessment, targeting, description of program goals and objectives, and includes the Area Agency on Aging Advisory Council participation and Governing Board support and approval.

The following criteria are provided to guide AAA development of written documentation as required in W & I Code Section 9533(f). The documentation is to be submitted as an attachment to the Area Plan (See attachment).

Criteria

- Comparable Quality - can be described through many factors which include, but are not limited to the following:
 - responsiveness to the identified need
 - provision of services in a timely fashion
 - performance of required activities
 - increased independence, self-autonomy
 - degree of choices available to individual
 - anticipated increases in or maintenance of a person's functioning capacity
- As Economically - The total cost of service provided by an AAA must be equal to or less than the cost of a local service provider(s); thus, demonstrating efficient management and use of available resources. The AAA shall perform some form of cost analysis comparing AAA direct service cost and local provider(s) service cost that supports and demonstrates the AAA's ability to perform the service at the same or less cost.
- Enhanced Consumer Benefit - to increase or make greater; to augment. Enhancements must include measurable goals and objectives promoting favorable measurable results to the consumer that may include but are not limited to the following:
 - greater accessibility to services
 - more knowledgeable, experienced, trained staff
 - increased consumer satisfaction
 - greater ability of achieving and meeting the needs of the consumer
 - greater ability to leverage local resources demonstrated by accomplishing goals and objectives for measurable increases in clients served and/or services performed.

- Adequate Supply - there are no other providers or existing provider(s) that have the capacity for meeting the goals and objectives related to identified service needs in the area planning process. The AAA can and will effectively provide the service to meet the identified needs in the Planning and Service Area.

Public Input

Apart from the specific statutory factors, related to public hearings, an over-arching principle is that the process for seeking broad public input should be characterized as open and informative.

AAAs are to:

- Receive, record, and consider testimony from the public related to the AAA's proposed action for providing direct CBSPs.
- Demonstrate to the public the need for AAA direct provision of CBSPs with appropriate goals and objectives for meeting the identified need. Provide a written summary to the Department of the public presentation and the community's response.
- Inform the Department, in the summary, of any dissenting views received from the community that require or have the potential of requiring additional follow up from the AAA to resolve.

Sincerely,


DIXON ARNETT
Director

Attachment - AAAs only

Attachment

TRANSMITTAL LETTER

Documentation for Incorporation as an Attachment to the Area Plan

Welfare and Institutions Code (W&I Code), Section 9533(f), requires Area Agencies on Aging that have not been directly providing Community-Based Services Programs, provided for in Chapter 7.5 commencing with Section 9540 of the W&I Code, shall not commence directly providing these services until the Department has reviewed and concurred with the Area Plan or update documentation demonstrating the Area Agency can provide a comparable quality of these service at least as economically and at an enhanced benefit to the consumer or that there is not an adequate supply of these services in the affected area.

The Area Plan documentation for incorporation as an attachment to the Area Plan, of Planning and Service Area (PSA)____, is hereby submitted to the California Department of Aging. It reflects the support of the Governing Body to coordinate this provision of statute with local systems to enable individuals to live out their lives with maximum independence and dignity through the development of comprehensive and coordinated systems of home and community-based care.

1. (Signed) _____
Chairperson, Governing Board Date _____
W&I Code Section 9400(c)

2. (Signed) _____
Director, Area Agency on Aging Date _____

The Area Agency Advisory Council has had the opportunity to participate in the planning process and to review and comment on the documentation for incorporation into the Area Plan for AAA direct service provision of CBSPs.

3. (Signed) _____
Chairperson, Area Agency on Aging Date _____
Advisory Council
W&I Code Section 9400(c)