



PROGRAM INSTRUCTION

SUA-20-PI-38

07/01/2019

Rescinds: SUA-00-PI-19

TO: Subrecipients of the State Unit on Aging

FROM: Cynthia Brammeier, Administrator, State Unit on Aging

SUBJECT: Title III-B Minimum Percentages for Access, In-Home, Legal Services and Waiver Requirements

CONTENT: Sec. 306(a)(2) of the Older Americans Act stipulates that area agencies shall expend an adequate proportion of Title III-B allotments for services associated with access to services, in-home services, and legal services. This program instruction will provide additional information as to the method that will be used by the state unit on aging to determine compliance with this section of statute.

Nebraska established the following percentages as the minimum amount of funding that must be expended on the three categories of service.

Access Services	15%
In-Home Services	15%
Legal Service	2%

Services in the aging network's taxonomy of services that are considered to be access services include transportation, assisted transportation, outreach, information and assistance and care management. In-home services include personal care, homemaker, chore, adult day care, home health aide, emergency response system, durable medical equipment, and respite. Legal service is the only service that can be applied to the legal service minimum percentage.

The amount of funds that must be expended to meet the requirements of Sec. 306(a)(2) will be determined by applying the state's minimum percentage to an area agency on aging's Title III-B allotment as listed in the reservation table. The product of that calculation will be the minimum level of funding that must be expended in each of the three categories of service.

The state unit on aging will calculate the total funding expended for all services in each category and compare that amount to the minimum spending requirement.

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

The state unit on aging will not approve an area plan in which the budgeted funding level for any of the three categories of service is less than the minimum expenditure level.

Area agencies on aging may submit a request to waive the minimum funding requirements.

If you have questions, please contact Cynthia at 402-471-9155 or Attn: Cynthia at DHHS.aging@nebraska.gov.