



## PROGRAM INSTRUCTION

**SUA-21-PI-04**

**10/01/2020**

**TO:** Subrecipients of the State Unit on Aging

**FROM:** Cynthia Brammeier, Administrator *Cyn*  
State Unit on Aging, Division of Medicaid & Long-Term Care

**BY:** Ben Stromberg, Program Manager *BS*

**SUBJECT:** Aging Services Regulations Chapter 2 - Community Aging Services Act (CASA)

**CONTENT:** Title 15 Aging Services regulations were signed by the Governor on 9/16/2020 and became effective September 21, 2020.

Title 15 Chapter 1, previously contained all Community Aging Services Act (CASA) regulations. CASA regulations remain in Title 15 and are now contained in Chapter 2. All definitions moved to Chapter 1, except for the Long-Term Care Ombudsman program.

Please review the entire chapter for all details. Below is a summary of significant changes to the CASA regulations.

If you have questions, please contact Ben at 402-471-4555 or Attn: Ben at [DHHS.Aging@nebraska.gov](mailto:DHHS.Aging@nebraska.gov)

## Aging Regulations Reference and Summary: Title 15 Chapter 2 - CASA

New Regulation # and Summary	Old Regulation #
<p><b>004.04</b> - A decision by the Department to deny or revoke designation may be appealed in writing to the director of the State Unit on Aging within 10 days of the date the denial or revocation notice was sent. Appeal and hearing procedures are governed by the Administrative Procedures Act, Neb. Rev. Stat. Sec. 84-917 and 465 NAC 6.</p> <p><b>Change:</b> Details regarding appeal and hearing procedures were previously provided. These procedures are now just referred to by the Administrative Procedures Act, Neb. Rev. Stat. Sec. 84-917 and 465 NAC 6.</p>	001.05
<p><b>005.02</b> - An Area Agency on Aging must submit a budget to the State Unit on Aging no later than May 1 of each year.</p> <p><b>Change:</b> The Annual Plan and Budget must be submitted to the Department by July 1 of each year.</p>	001.06(C)
<p><b>006</b> - An Area Agency on Aging must submit to the State Unit on Aging for approval an Area Plan that covers a period of two, three, or four years (as indicated by the State Unit on Aging) from the date of approval.</p> <p><b>Change:</b> Each Area Agency on Aging shall submit to the Department for approval and Area Plan and Budget that covers a period of 5 years from the date of approval.</p>	001.07
<p><b>006(H)(iv)</b> – Fiscal records must be maintained for three years from the date of final payment, except records that fall under the provisions of the Health Insurance Portability and Accountability Act (HIPAA) must be maintained for six full years from the date of final payment. (Health Insurance Portability and Accountability Act [HIPAA] procedures must be compliant with Code of Federal Regulations (CFR) 45 Sec.160, Sec.162, and Sec.164.) Records must identify adequately the source and application of funds for grant or subaward support activities.</p> <p><b>Change:</b> The above text was added to 001.07I(4)</p>	001.07(I)(4)
<p><b>007(D)</b> – Identify all subgrantees and contractors who receive Older Americans Act of 1965 funds, including dollar amounts for each;</p> <p><b>Change:</b> The regulations did not previously specifically require the identification of all subgrantees and contractors who receive Older Americans Act of 1965 funds, including dollar amounts for each.</p>	n/a – this is a new addition; it is related to and builds upon 001.08(A)(3)

## Aging Regulations Reference and Summary: Title 15 Chapter 2 – CASA

New Regulation # and Summary	Old Regulation #
<p><b>009.04</b> – To qualify for reimbursement, an Area Agency on Aging must provide no less than 25 percent of the approved budget from local sources, which must include but not be limited to:</p> <p>(A) Local public tax dollars, federal revenue sharing trust funds and local government in-kind donations in the form of rent, building space, utilities, utility repair, paving, sewer fees, equipment, labor materials, and supplies, provided they are program related; and</p> <p>(B) Local "other" donations in the form of cash, labor, materials, supplies, acceptable safe food, transportation services, furniture, equipment, provided they are program related.</p> <p><b>Change:</b> Participant contribution and fees has been removed (was previously listed as C).</p>	<p><b>001.10(D)(3)</b></p>