



PROGRAM INSTRUCTION

SUA-22-PI-06

1/20/2022

Rescinds: SUA-21-PI-07

TO: Senior Volunteer Program Subrecipients of the State Unit on Aging

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

BY: Ben Stromberg *B* Program Manager

SUBJECT: Aging Services Regulations Chapter 5 – Senior Volunteer Program

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

Title 15 Chapter 4 previously contained regulations for the Senior Companion Volunteer Program. With the name change to Senior Volunteer Program, the regulations remain in Title 15, are contained in Chapter 5, and carry out the statutes revised through the passage of LB 417 in 2017. All definitions moved to Chapter 1. The link to the regulations is <http://dhhs.ne.gov/Pages/Title-15.aspx>.

Please review the entire chapter for all details. Below is a table summarizing significant changes to the Senior Volunteer Program regulations.

By way of this Program Instruction, the State Unit on Aging sets forth requirements in certain sections of the regulations and provides further clarity.

If you have questions, please contact Ben at 402-580-9166 or Attn: Ben, DHHS.Aging@nebraska.gov.

Attachment A – Annual Volunteer Appraisal

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.

Aging Regulations Reference and Summary: Title 15 Chapter 5

New Regulation # and Summary	Old Regulation #
<p>Section 01 Scope and Authority. These regulations govern the Senior Volunteer Program. The regulations are authorized by and implement the Nebraska Senior Volunteer Program Act, Nebraska Revised Statutes (Neb. Rev. Stat.) §§81-2273 to 81-2283, and § 81-2210.</p> <p>Change: Program name changed from Senior Companion Program to Senior Volunteer Program.</p>	4-001 Scope and Authority
<p>002 Definitions. Located in Title 15 Chapter 1.</p> <p>Change: Significant changes include removal of Frail Elderly, In-home supportive services, Non-stipend volunteer and Stipend.</p>	40-002 Definitions
<p>003.01 Eligibility Criteria. Includes 003.01 (A) – Age. An individual must be age 60 or older. 003.01(B) – Non-Discrimination. Recruitment, selection and eligibility may not be restricted on the basis of education, experience, citizenship, race, color, creed, belief, sex, national origin, disability, sexual orientation, or political affiliation. 003.01(C) – Background Checks must meet requirements as set forth by the State Unit on Aging.</p> <p>Change: Definition of Age is limited to age 60 with other provisions in the definition listed in the old regulation removed. “Frail elderly” criteria have been removed. Non-discrimination includes “sexual orientation.” Background Checks added. The State Unit on Aging sets forth the following requirements for background checks:</p> <ul style="list-style-type: none"> A. Direct Service Providers must conduct the following background checks on all volunteers. <ul style="list-style-type: none"> 1. Adult Protective Services/Child Protective Services 2. Criminal Background Check (State Patrol or other law enforcement) 3. Sex Offenders’ Registry 4. Annual check of Department of Motor Vehicles Driver’s Record as required in§ 004.02(L) B. Copies of the results of the background checks listed above must be placed in the volunteer’s file for review during the monitoring by the State Unit on Aging. C. The Direct Service Providers must budget sufficient funds each year for any associated costs for the background checks. D. Direct Service Providers may conduct additional background checks as locally required. 	4-003(A), 4-003(B), 4-003(C) and 4-003(D)
<p>Section 003.02. Senior Volunteer Benefits</p> <p>Change:</p>	4-003.03

<u>New Regulation # and Summary</u>	<u>Old Regulation #</u>
There is a change is the section number for this provision.	
<p>Section 003.03. Senior Volunteer Assignments. Assignments and activities may involve person-to-person relationships with individuals served or service to the volunteer station. Appropriate activities may include but are not limited to: personal care, nutrition duties, social or recreational activities, home management, information and advocacy, respite care, service senior center meals, and home delivered meals.</p> <p>Change: For the purpose of the Senior Volunteer Program Act, "service to a volunteer station" such as a Bingo or other senior center activities does not apply.</p>	4-003.04A and 4-003.03B
Terms of Service was removed from new regulation	4-003.02 Terms of Service
<p>004.01 Service Provider Eligibility - Public agencies and private non-profit organizations that have the capacity to accept and the capability to administer these grants are eligible.</p> <p>Change: The section number for this provision changed.</p>	4-004.01
<p>004.02 Service Provider Responsibility. (F) Establish grievance and appeal procedures for volunteers following the guidance provided by the State Unit on Aging. (L) Conduct an annual appraisal of the volunteers' performance using forms prescribed by the State Unit on Aging and an annual review of volunteers' driver's record and liability insurance.</p> <p>Change: 004.02(F). The State Unit on Aging provides the following guidance on grievance and appeal procedures: Direct Service Providers must establish grievance and appeal procedures for volunteers to follow. At a minimum, the procedures should outline where volunteers can file a complaint within the agency, how to appeal the decision of the service provider agency to the next level(s) such as agency board or the State Unit on Aging and timeline for filing the appeal. Volunteers must be notified of the procedures during new volunteer orientation.</p> <p>004.02(L). An Annual review of volunteers' driver's record and liability insurance is required in addition to the volunteers' annual performance appraisal. Direct Service Providers must:</p> <ol style="list-style-type: none"> 1. Conduct an annual appraisal of the volunteers' performance using the form provided as Attachment A with this Program Instruction. 2. Annually, review each volunteer's driver's record with the Department of Motor Vehicles (DMV) if the volunteer provides transportation to his/her clients. Major findings in the driver's record will be reviewed on a case-by-case basis with the 	4-004.02 #12

<u>New Regulation # and Summary</u>	<u>Old Regulation #</u>
<p>State Unit on Aging to determine the appropriateness of enrolling the new volunteer or continuing the existing volunteer's services.</p> <ol style="list-style-type: none"> 3. Conduct an annual review of the volunteer's liability insurance on their owned vehicle if the volunteer provides transportation to his/her clients while volunteering. 4. Budget funds for the annual review of the volunteer's DMV driver's record. 5. Place the documents related to the above in the volunteer's file for review during the monitoring by the State Unit on Aging. 	
<p>005.02(B) Funding Level. Individual project grants of up to a maximum of \$25,000 are awarded annually and are subject to appropriations and other funding available.</p> <p>Change: Previously, regulations stipulated a maximum of \$50,000 in individual project grants for a two-year period. This makes the award annual, for \$25,000 each.</p>	4-005.02C