



## PROGRAM INSTRUCTION

**SUA-25-PI-14**

**12/23/2024**

**TO:** Sub-recipients of the State Unit on Aging

**FROM:** Josie Rodriguez, Administrator, State Unit on Aging

*Josie Rodriguez*

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

**SUBJECT:** Designation of and designation changes to planning and service areas

**CONTENT:** This Program Instruction describes the process for changing a planning and service area, if initiated outside of the state agency.

The planning and service area of Nebraska's Area Agencies on Aging is defined in Nebraska Revised Statute 81-2213(6):

The department shall have the following powers and duties:

(6) To divide the state into planning-and-service areas as provided in section 71-807 for behavioral health regions, except that Regions 3 and 5 may each be divided into two planning-and-service areas with boundaries as established by the department for planning-and-service areas in existence in those regions on July 1, 1982;

Proposals to change planning and service areas, therefore, must be initiated through the legislative process.

In the event that the State Unit on Aging is given the legislative authority to accept applications for proposed changes to planning and service areas, the entity proposing changes to the planning and service area must provide a written proposal to the State Unit on Aging specifying the need for the action including:

- what planning and service areas will be affected
- the perceived benefit to older adults being served in the service area; and
- identifying and potential conflicts of interest

*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.*

Within 14 calendar days of receiving a written proposal, the State Unit on Aging will provide written notice of the proposal to affected Area Agencies on Aging. Within 30 days a public meeting, subject to requirements of the Nebraska Open Meetings Act, will be scheduled by the State Unit on Aging. The public meeting will serve as the opportunity for involving Area Agencies on Aging, service providers, and older individuals effected by the action to provide feedback.

The appeal process for affected parties will follow the process described in NAC 15 2(004.04) APPEAL PROCESS.

If you have questions, please feel free to contact the SUA at 402-471-2307 or via email at [DHHS.Aging@nebraska.gov](mailto:DHHS.Aging@nebraska.gov).