

**PENNSYLVANIA
DEPARTMENT OF AGING**

INFORMATION REQUIREMENTS

2016-2020 STATE PLAN ON AGING | ATTACHMENT B



FY 2016 State Plan Guidance

Attachment B INFORMATION REQUIREMENTS

States must provide all applicable information following each OAA citation listed below. The completed attachment must be included with your State Plan submission.

Section 305(a)(2)(E)

Describe the mechanism(s) for assuring that preference will be given to providing services to older individuals with greatest economic need and older individuals with greatest social need, (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas) and include proposed methods of carrying out the preference in the State plan;

The primary mechanism is the Intrastate Funding Formula (IFF) which targets Older Americans Act (OAA) dollars to those in greatest economic and social need. The department's Quality & Compliance Specialists and Fiscal Monitoring staff oversee AAAs to continuously monitor their implementation. The department has a Cultural Diversity Advisory Committee who advises the department in diversity and limited English proficiency issues. Target groups include: individuals over age 75, individuals over age 85, minority individuals over age 60, rurally isolated individuals over age 60, and individuals living in poverty over age 60.

Section 306(a)(17)

Describe the mechanism(s) for assuring that each Area Plan will include information detailing how the Area Agency will coordinate activities and develop long-range emergency preparedness plans with local and State emergency response agencies, relief organizations, local and State governments and other institutions that have responsibility for disaster relief service delivery.

The mechanism for disaster relief coordination is covered in our Area Plan Aging Program Directive, and it's organized and coordinated through the Department's Agency Representative to the Pennsylvania Emergency Management Agency (PEMA). Each AAA area plan must include a specific section on local emergency responsiveness and how the AAA will coordinate with the department and PEMA.

Disaster relief services during a declared disaster's response phase are coordinated through the department's representative to the PEMA Commonwealth Response Coordination Center (CRCC). This individual coordinates state level intra-agency and inter-agency responses for issues identified at the local level. During the recovery phase of a disaster, an ad hoc committee is created between the department and the AAA network to develop solutions related to remaining issues.

Section 307(a)(2)

The plan shall provide that the State agency will:

(C) Specify a minimum proportion of the funds received by each area agency on aging in the State to carry out part B that will be expended (in the absence of a waiver under sections 306 (c) or 316) by such area agency on aging to provide each of the categories of services specified in section 306(a)(2) (Note: those categories are access, in-home, and legal assistance). Provide specific minimum proportion determined for each category of service.

AAAs are required to provide a minimum proportion of funding to core services. The department, through its IFF, specifies a minimum proportion of the funds received by each AAA will be used to carry out part B requirements, including access, in-home, and legal assistance. Oversight for this is provided by the department's fiscal (oversight) staff.

AAAs are required to meet established standards for funding services provided primarily to

individuals in their residence. For example, in FY 2015-16, they were required to spend a minimum of 60% of their designated funding (Block Grant, Block Grant Supplement, Caregiver Support, Nutrition Services Incentive Program, and Options Services) on these activities.

Section (307(a)(3)

The plan shall:

(B) with respect to services for older individuals residing in rural areas:

- (i) provide assurances the State agency will spend for each fiscal year of the plan, not less than the amount expended for such services for fiscal year 2000.
- (ii) identify, for each fiscal year to which the plan applies, the projected costs of providing such services (including the cost of providing access to such services).
- (iii) describe the methods used to meet the needs for such services in the fiscal year preceding the first year to which such plan applies.

The state agency assures that it and AAAs will not spend less for each fiscal year of the plan than the amount expended for such services for fiscal year 2000. According to the allocation methodology utilized by the department and approved by AoA, the population of a AAA's PSA, as noted by the latest approved census, is a weighted factor in calculating the Block Grant allocation for the agency. This calculation can and often is overridden by state law that contains a hold harmless provision requiring each AAA receive no less Block Grant funding than they received in the prior fiscal year.

Section 307(a)(10)

The plan shall provide assurance that the special needs of older individuals residing in rural areas are taken into consideration and shall describe how those needs have been met and describe how funds have been allocated to meet those needs.

According to the allocation methodology utilized by the department and approved by AoA the population of an AAA's PSA, as noted by the latest approved census, is a weighted factor in calculating the Block Grant allocation for the agency.

Section 307(a)(14)

(14) The plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared—

(A) identify the number of low-income minority older individuals in the State, including the number of low income minority older individuals with limited English proficiency; and

(B) describe the methods used to satisfy the service needs of the low-income minority older individuals described in subparagraph (A), including the plan to meet the needs of low-income minority older individuals with limited English proficiency.

From the US Census Bureau, of the 345,079 minority individuals age 60 and over in Pennsylvania, 106,383 are low income. Further, of the 345,079 minority individuals age 60 and over in Pennsylvania, 29,160 were low income and spoke English less than "very well." This data comes from the 2014 American Community Survey 1-Year Public Use Microdata File. Individuals who are low income are those whose income is 150% of the federal poverty level and less.

The department's Cultural Diversity Advisory Committee advises the department on both diversity and limited English proficiency issues. Some of the department's publications are in Spanish, and AAAs have materials published in languages appropriate to their consumers' languages.

Section 307(a)(21)

The plan shall:

(B) provide an assurance that the State agency will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs

and benefits provided under this title **(title III)**, if applicable, and specify the ways in which the State agency intends to implement the activities .

There are no formal Native American tribes in Pennsylvania.

Section 307(a)(29)

The plan shall include information detailing how the State will coordinate activities, and develop long-range emergency preparedness plans, with area agencies on aging, local emergency response agencies, relief organizations, local governments, State agencies responsible for emergency preparedness, and any other institutions that have responsibility for disaster relief service delivery.

Within the Area Plan Aging Program Directive there is a section requiring all Area Plans to include both their local emergency plan as well as how the AAA will coordinate their needs with the department. Periodically the department's representative will review AAA plans and provide technical assistance as needed.

Section 307(a)(30)

The plan shall include information describing the involvement of the head of the State agency in the development, revision, and implementation of emergency preparedness plans, including the State Public Health Emergency Preparedness and Response Plan.

The Secretary of the Department of Aging has been leading the department and its staff on all aspects of the State Plan on Aging, including the emergency preparedness plan. The secretary also routinely meets with other state cabinet secretaries, and the Departments of Health, Insurance, and Human Services on many matters, including emergency preparedness. Additionally, the secretary and the agency's Representative to PEMA attend various exercises to ensure interdepartmental responses to anticipated activities are coordinated and planned.

Section 705(a)(7)

In order to be eligible to receive an allotment under this subtitle, a State shall include in the State plan submitted under section 307:

(7) a description of the manner in which the State agency will carry out this title in accordance with the assurances described in paragraphs (1) through (6).

(Note: Paragraphs (1) of through (6) of this section are listed below)

In order to be eligible to receive an allotment under this subtitle, a State shall include in the State plan submitted under section 307:

(1) an assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will establish programs in accordance with the requirements of the chapter and this chapter;

(2) an assurance that the State will hold public hearings, and use other means, to obtain the views of older individuals, area agencies on aging, recipients of grants under title VI, and other interested persons and entities regarding programs carried out under this subtitle;

(3) an assurance that the State, in consultation with area agencies on aging, will identify and prioritize statewide activities aimed at ensuring that older individuals have access to, and assistance in securing and maintaining, benefits and rights;

(4) an assurance that the State will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out each of the vulnerable elder rights protection activities described in the chapter;

(5) an assurance that the State will place no restrictions, other than the requirements referred to in clauses (i) through (iv) of section 712(a)(5)(C), on the eligibility of entities for designation as local Ombudsman entities under section 712(a)(5);

(6) an assurance that, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3--

(A) in carrying out such programs the State agency will conduct a program of services consistent with

relevant State law and coordinated with existing State adult protective service activities for:

- (i) public education to identify and prevent elder abuse;
 - (ii) receipt of reports of elder abuse;
 - (iii) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance if appropriate and if the individuals to be referred consent; and
 - (iv) referral of complaints to law enforcement or public protective service agencies if appropriate;
- (B) the State will not permit involuntary or coerced participation in the program of services described in subparagraph (A) by alleged victims, abusers, or their households; and
- (C) all information gathered in the course of receiving reports and making referrals shall remain confidential except--
- (i) if all parties to such complaint consent in writing to the release of such information;
 - (ii) if the release of such information is to a law enforcement agency, public protective service agency, licensing or certification agency, ombudsman program, or protection or advocacy system; or
 - (iii) upon court order

The department hosted seven Community Listening Forums in March and April 2016. Pennsylvanians were invited (via e-mail, the department's website, newspaper announcements, and radio spots) to share their input on programs and priorities and to measure their awareness of services and supports. More than 230 individuals participated in the sessions and more than 400 individuals responded to surveys. A draft version of the plan was presented for review and comment on the department's website and in three public hearings in May 2016.

Beginning in May of 2016 and lasting until May of 2017, the Commonwealth of Pennsylvania is participating in the NCI-AD National Core Indicators—Aging and Disability Consumer Survey (“NCI-AD Survey”). The commonwealth will interview a minimum of 400 consumers who are receiving long-term services and supports to assess quality of life, service satisfaction, and outcomes of service recipients. The commonwealth will use the NCI-AD Survey Data to improve the quality of services, communicate with service recipients, families, advocates and lawmakers, compare programs with the commonwealth and compare programs with other state programs nationally. The commonwealth plans to continue participating in the NCI-AD Survey in the future.

Pennsylvania's State Health Insurance Assistance Program (APPRISE) will work in partnership with the Senior Medicare Patrol to extend fraud education efforts to include information on elder abuse. The APPRISE program will also disseminate information to beneficiaries through activities conducted as part of Medicare Improvements for Patients and Providers Act (MIPPA) outreach.

Through collaboration between both the Pennsylvania Department of Aging (PDA) and the 52 Area Agencies on Aging (AAA), the Older Adults Protective Services Act (OAPSA) is consistently implemented to ensure that older adults who lack the capacity to protect themselves and are at imminent risk of abuse, neglect, exploitation, or abandonment shall have access to and be provided with the services necessary to protect their health, safety, and welfare.

In accordance with this Act (35 P.S. §§10225.101, et seq.), the Pennsylvania Department of Aging (PDA) works with the AAA network to increase public awareness regarding elder abuse, neglect, exploitation, and abandonment. This public outreach and education includes providing for an ongoing educational campaign regarding the causes and warning signs of elder abuse, profiles of victims and perpetrators and the voluntary and mandatory reporting requirements of Pennsylvania's Older Adults Protective Services Act and Adult Protective Services Act. In addition, AAAs work tirelessly to employ prevention, identification, and abuse mitigation/elimination strategies.

PDA is responsible to administrative oversight, technical assistance, and quality oversight while the local AAAs are responsible for the intake, investigation, and resolution of elder abuse allegations. All information is maintained within strict confidentiality provisions although limited sharing of information between protective services, law enforcement, and service providers is permitted when appropriate. Release of confidential information does require either consent of the older adult or a court order.

PDA assures services are in accordance with the OAA, AAAs, ADRCs, and Long-term Care

Ombudsman programs are monitored for compliance and a plan for remediation is developed as necessary.

PDA assures there are no restrictions other than those included in Section 712(a)(5)(C)(i)-(iv), regarding the eligibility of entities for designation as local Ombudsman entities. All local Ombudsman entities shall follow Pennsylvania Department of Aging 71 P.S. §§581-1 et seq. and its Aging Program Directive 16-10-01 Long-term Care Ombudsman Program.

PDA assures it will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out each of the vulnerable elder rights protections.

