

Guidelines for Making Changes to the Area Plan Between Annual Updates

Area Agencies on Aging (AAAs) may need to make changes to their Area Plans between the Annual Area Plan Update periods. Depending on the nature and extent of these changes, updates may be categorized as either **Area Plan Amendments** or **Area Plan Modifications**, each with specific procedural requirements.

Types of Allowed Area Plan Changes:

There are three types of area plan changes.

1. Type 1 Area Plan Amendments: Require Full Public Input

These changes must go through the **entire public input process**, including:

- 30-Day Public Comment Period
- Public Hearing
- Advisory Council Consultation
- Governing Board Approval¹

Examples include:

- **New Minimum Adequate Proportion (MAP) Waiver Request**
- **Substantial amendments or numerous modifications**, even if individually minor
 - **NOTE:** *If you're unsure whether your proposed changes meet this threshold, consult DARS prior to drafting.*

2. Type 2 Area Plan Amendments: Require Limited Public Input

These changes require:

- 30-Day Public Comment Period
- Advisory Council Consultation
- Governing Board Approval²

NOTE: *No Public Hearing is required for these changes.*

Examples include:

- New **Waiver Requests** for:
 - Cost Sharing
 - Alternative Fee Scale
 - Direct Services
- The **addition or removal of an OAA service**
 - **NOTE:** This will likely also need to include a corresponding budget revision
- **Moderate amendments or various modifications**, even if individually minor
 - **NOTE:** *If you're unsure whether your proposed changes meet this threshold, consult DARS prior to drafting.*

¹ See Governing Board section for more details

² See Governing Board section for more details

3. Area Plan Modifications

These are the most common type of mid-year changes to an Area Plan. These changes require:

- Advisory Council Notification (consultation not required)
- Governing Board Notification³

NOTE: These are considered minor changes and do not require a 30-Day Public Comment Period or Public Hearing).

Examples include:

- **Budget Revisions:**
 - Transfers between Title III-B and III-C or State General Funds
 - Adjustments to AAA program/service budgets:
 - Decreasing funding in one service and allocating it to another within the same funding source
- AAA **address changes** (e.g., AAA offices, congregate meal site locations)
- Changes to **contracted service providers**
- **Updates to an existing Program Service Page** (e.g., changing program details without adding or removing services)

Directions for Submitting Area Plan Changes:

A. Identify the Type of Area Plan Change

Determine if the requested change will require full public input, limited public input, or no public input. This will help set your submission timeline.

B. Complete the Required Program Forms

Required Forms may include:

- **Minimum Adequate Proportion (MAP) Waiver**
- **Direct Service Waiver**
- **Cost Sharing Waiver**
- **Alternative Fee Scale Waiver**
- **Service Discontinuation Form:**
 - Used when ending an existing AAA service, which may involve transferring funding to an existing service or adding a new service
- **New Service Page(s):**
 - Used when adding a new service

Use the most current forms available on the **VDA Providers Portal**.

C. Complete the Required Budget Forms

- **Area Plan Budget Change Form:**
 - Used for **Budget Revisions** when reallocating funds within the existing budget. AAAs may initiate Budget Revisions as a standalone action (e.g., transfers), or it may be initiated in conjunction with changes to the AAA's Area Plan Program (e.g., shifting funding from one service to another, which may or may not include ending a service).

³ See Governing Board section for more details

D. Complete the Required Public Input Process Elements

Based on the Area Plan changes, determine what is needed and complete those processes (e.g., 30-Day Public Comment Period, Public Hearing, Advisory Council consultation or notification, and/or Governing Board approval or notification; see Governing Board section for more details).

E. Submit Required Information to DARS for Approval

- DARS will review all Area Plan Forms and information. DARS may request further clarification, if needed. DARS' approval must be received before making expenditures under the AAA's proposed changes. AAAs must not reflect changes in monthly fiscal reports (AMR) until they have received approval from DARS for the changes.

F. Upon Approval, DARS will issue the official Contract Modification, if needed

- At that point, the AAA agency can now implement its proposed program changes.

When Contract Modifications Are Needed:

Area Plan Amendments will always require a corresponding Contract Modification to the existing contract between DARS and the AAA.

Area Plan Modifications may or may not require a Contract Modification when they are made between the Annual Area Plan Update periods.

In other words:

Type of Area Plan Change	Contract Modification Required?
Area Plan Amendment Requiring Full Public Input	Yes
Area Plan Amendments Requiring Limited Public Input	Yes
Area Plan Modification	Depends on the Change(s)

Contract Modifications are **not** required:

- When service delivery is not impacted (e.g., the AAA is not adding or removing a service, or adding or removing a waiver) **or**
- For **Budget Revisions** that request changes in funding but do not exceed a 10% change in each funding source

Contract Modifications are required when:

- The change **impacts service delivery** (e.g., adding or removing a service, adding or removing a waiver) or
- The AAA requests a Budget Revision that:
 - Involves a **10% or greater change** in any funding source or
 - Involves a **transfer** of funds between funding sources

Deadlines

Budget Revision Deadlines:

- **State General Fund Budget Revisions:** Must be submitted by **March 31**
- **Federal Budget Revisions:** Must be submitted by **June 30**

Governing Board Approvals and Notifications for Mid-Year Changes

As indicated above, at times, AAAs must seek approval or provide notification to their respective governing boards regarding mid-year Area Plan changes. In implementing governing board expectations, AAAs should adhere to the guidelines outlined below.

Private non-profit AAAs, as defined in 22VAC30-60-20, must seek approval from (or when permitted, provide notification to) their organization's legally designated governing board.

Government-sponsored AAAs, as defined in 22VAC30-60-20, include the following structure types:

1. AAAs created through the joint exercise of powers
2. AAAs created as units of community services boards (CSBs)
3. Units of general purpose by local government

AAAs created through the joint exercise of powers and AAAs created as units of CSBs must adhere to the governing board requirements for private non-profit AAAs (stated above).

AAAs that are units of general purpose by local government may identify a designated approver in lieu of the AAA's respective city or county governing board. The designated approver must be organizationally placed outside of the AAA unit and have oversight over the AAA unit. Generally, a designated approver will serve as a county/city administrator/manager or deputy city/county administrator/manager. If the AAA wishes to use a designated approver in lieu of the AAA's governing board, the AAA must submit the designated approver's information as well as an organizational chart reflecting the placement of the AAA's proposed designated approver to DARS for review and approval. AAAs must submit documentation and obtain approval from DARS prior to preparing and submitting mid-year Area Plan changes.