



AAA Input Meeting: Division for Aging Services New Regs Team

Aug 13, 2024

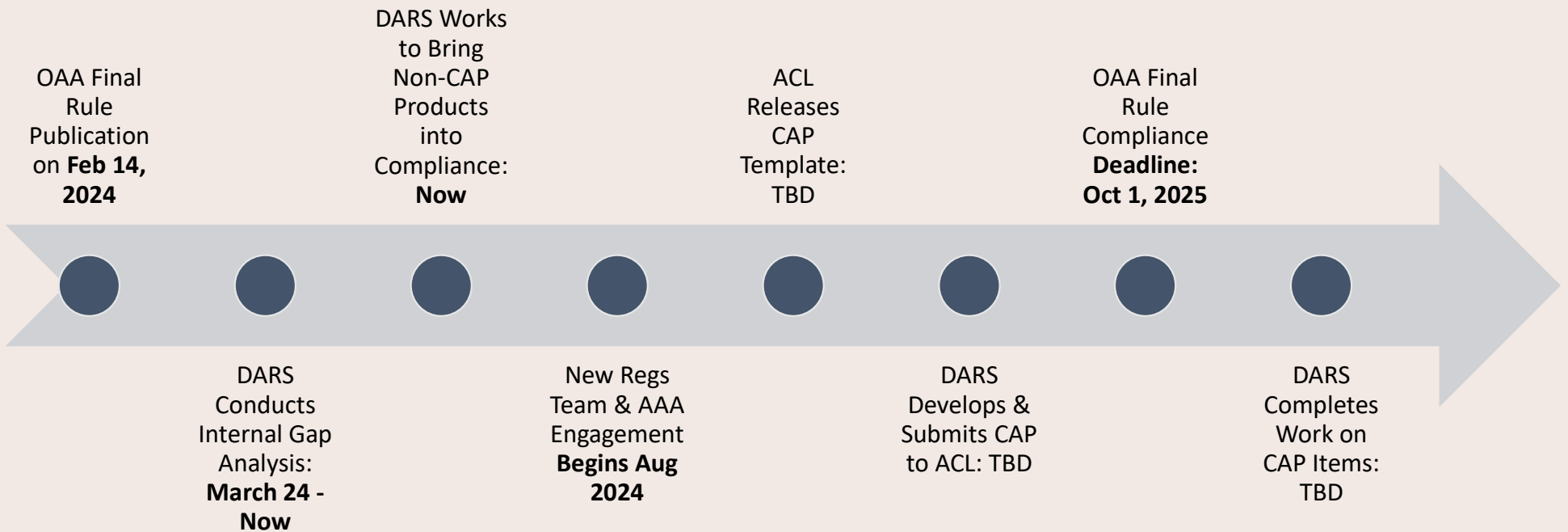


Agenda



- Welcome, grounding in goals and expectations
- Status update from New Regulations Team
 - Timeline / Products / Topical Categories
- Internal Implementation
 - Rural Minimum Expenditures
 - Supplement, not Supplant
 - Advance Funding
- Q & A
 - Update on Emergency Plan
 - Grab & Go

Timeline of Expected Activities



Expected Impacts on Products



Minimal or No Impacts

- Appropriation Act

Moderate Impacts

- State Plan for Aging Services
- Other Policies & Procedures
- Monitoring Tools
- PeerPlace/CRIA
- Forms
- MOUs/MOAs

Major Impacts

- 22VAC30-60
- AAA Area Plans
- AAA Contracts
- Service Standards

Topical Categories



Internal Implementation: P&Ps

- These areas require the creation or revision of existing policies and procedures for the **internal** operations of the SUA.

DARS & AAAs: Straightforward & Light Lift Items

- These areas have clarity in the OAA Final Rule but require the SUA's external engagement and collaboration with AAAs.

DARS & AAAs: Complex or Heavy Lift Items

- These items require the SUA's external engagement and collaboration with AAAs but would benefit significantly from additional guidance or clarity from ACL.

Internal Implementation: P&Ps



- DARS is working to document current internal processes and mechanisms to ensure compliance with SUA operational requirements.
- Many of these areas stem from 45 CFR § 1321.9(c)(2) provisions.
- These items are not expected to require a CAP.
- Examples:

Rural
Minimum
Expenditures

Supplement,
Not Supplant

Advance
Funding

Transfers

Reallotment

Maintenance
of Effort

Minimum
Adequate
Proportion

Rural Minimum Expenditures



- Definition: “Rural areas” - any jurisdiction (city or county) which is not within a Metropolitan Statistical Area (MSA) or any jurisdiction which is within an MSA, but which has a population density of 50 persons or less per square mile.
- Policy: DARS shall maintain minimum expenditures for services for older individuals residing in rural areas. For each fiscal year, DARS must spend on services for older individuals residing in rural areas the minimum annual amount that is not less than the amount expended for such services. Costs are projected for providing such services for each fiscal year (including the cost of providing access to such services) and specifies a plan for meeting the needs for such services for each fiscal year.

Procedural Implementation



- Obtain U. S. Bureau of Census Rural Population Data Table
- Review OMB-Bulletin – Core Based Statistical Areas
- Identify and compile Rural Jurisdiction Table
- If a PSA has 50% or greater jurisdictions designated as rural, the entire PSA is considered rural for expenditure calculation
- Expenditures are analyzed by PSA and the total amount per PSA is compiled based on the final Aging Monthly Report (AMR)
- Expenditures are aggregated and compared to previous yearly aggregated expenditures, reports updated accordingly

Supplement, Not Supplant



- Definitions:
 - “Supplement” – Use of federal funds to enhance existing state or local funds for program activities.
 - “Supplant” – Reduction of state or local funds for an activity, specifically because federal funds are available (or expected to be available) to fund the same program activity.
- Policy: DARS shall ensure that Funds awarded under the Act for services provided under sections 306(a)(9)(B) (42 U.S.C. 3026(a)(9)(B)), 315(b)(4)(E) (42 U.S.C. 3030c-2(b)(4)(E)), 321(d) (42 U.S.C. 3030d(d)), 374 (42 U.S.C. 3030s-2), and 705(a)(4) (42 U.S.C. 3058d(a)(4)), must be used to supplement, not supplant existing Federal, State, and local funds expended to support those activities.

Procedural Implementation



- Pre-planned program activities submitted on the Area Plan and Budget documents by each AAA
- Federal awards and state appropriations budgeted are reconciled to the annual allotment
- Spending by award and budgetary source (federal, state, local, contributions, etc.) is tracked and monitored against the remittance to ensure adherence to the approved budget
- Annual Monitoring - the final remittance and 13th month expenditure reports (AMR and AMR-OC) are compared to Schedule B – Cost by Program Activity

Annual Monitoring



- If the outcome of the periodic or annual comparison results in a variance between planned (budgeted) and claimed (reimbursed) expenditures, follow-up will be conducted
- An assessment determining the circumstances causing the difference will guide any further necessary action
- Training regarding supplementing, not supplanting occurs annually during the Area Plan and Budget training session

Advance Funding



- Definition: “Immediate Cash Requirements” – thirty days or less of advance funding.
- Policy: Advance payments to a non-Federal entity must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the non-Federal entity in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-Federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The non-Federal entity must make timely payment to contractors in accordance with the contract provisions. (Reference 2 CFR §200.305(b)(1))

Procedural Implementation



- Minimize the time that elapses between the transfer of grant funds to an AAA and the expenditure of those funds
- Applies to all federal and state funding distributed under the Area Plan Contract
- AMR and AMR-OC automatically calculates 1/12 of each award and category on the 'Request Tab'
- When a request in excess of 30 days is submitted (cells highlighted yellow), approval is needed from DAS
- The documents are evaluated and the circumstances surrounding the request is assessed to ensure compliance

DARS & AAAs: Straightforward



- Some items will require collaboration between DARS & AAAs, but do not require additional information or guidance from ACL to move forward.
- Some of these items will likely require a CAP due to the products that will be impacted.
- Examples:

Emergency Assessments & Plans

C1 for “Grab & Go” Meals

Cost-Sharing

Voluntary Contributions

Client Eligibility, Targeting, and Prioritization

Emergency Planning - Shared



- Definitions:
 - “Disaster” – (i) any man-made disaster, including any condition following an attack by any enemy or foreign nation upon the United States resulting in substantial damage of property or injury to persons in the United States including by use of bombs, missiles, shell fire, or nuclear, radiological, chemical, or biological means or other weapons ...(Virginia Administrative Code 44VAC146.16. Definitions.).
 - “Emergency” – any occurrence, or threat thereof, whether natural or man-made, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property or natural resources and may involve governmental action ...(Virginia Administrative Code 44VAC146.16. Definitions.).

Emergency Management



- **New Regulations:** The plan shall include: (i) The State agency's continuity of operations plan and an all-hazards emergency response plan based on completed risk assessments for all hazards and updated annually; (ii) A plan to coordinate activities with area agencies on aging, service providers, local emergency response agencies, relief organizations, local governments, State agencies responsible for emergency and disaster preparedness, and any other institutions that have responsibility for disaster relief service delivery; (iii) Processes for developing and updating long-range emergency and disaster preparedness plans; and (iv) Other relevant information as determined by the State agency. The plan shall also include information describing the involvement of the head of the State agency in the development, revision, and implementation of emergency and disaster preparedness plans, including the State Public Health Emergency Preparedness and Response Plan as well as discuss coordination with area agencies on aging and service providers and Tribal and local emergency management.

Intrastate Emergency - Shared



- DARS and VDEM – update the continuity of operations plan and all-hazards plan based on a risk assessment
- Activities coordinate with Emergency Support Functions
- § 44-146.18. Department of Emergency Management; administration and operational control; coordinator and other personnel; powers and duties

Area Agency Emergency Plan



- **New Regulations:** Area agencies on aging shall establish emergency plans. Such plans must include: (i) The area agency's continuity of operations plan and an all-hazards emergency response plan based on completed risk assessments for all hazards and updated annually; (ii) A description of coordination activities for both development and implementation of long-range emergency and disaster preparedness plans; and (iii) Other information as deemed appropriate by the area agency on aging. The area agency on aging shall coordinate with Federal, local, and State emergency response agencies, service providers, relief organizations, local and State governments, and any other entities that have responsibility for disaster relief service delivery, as well as with Tribal emergency management, as appropriate.

Emergency – Shared Role



- DARS Division of General Services – Safety and Risk Unit
- Lead: Mark Evans, Safety and Risk Manager
mark.evans@dars.virginia.gov (804)662-7481
- Emergency Management Coordinator contact information
 - AAA
 - Contact Name
 - Email
 - Phone
- Next steps – collect contact information, review Area Plan documents, and virtual and telephone introductions

DARS & AAAs: Complicated



- Some items will require collaboration between DARS & AAAs but will likely require additional information or guidance from ACL to move forward.
- Some of these items will likely require a CAP due to the products that will be impacted.
- Examples:

Contracts &
Commercial
Relationships

Private Pay
Programs

Program
Development &
Coordination
Activities (PDCA)

Conflicts of Interest

Greatest Social
Needs

More Resources



- Continue to take advantage of the following resources:
 - USAging's Analysis - [Crosswalk](#)
 - ACL – “Back to Basics” [webinar series](#), [Federal Regulations](#)
 - DAS [e-newsletter](#)
 - CFO Quarterlies
- Mark your calendars for AAA engagement and input dates:
 - Sept 12
 - Oct 16
 - Nov 13
 - Dec 18
 - Jan 15