

MAINE STATE LEGISLATURE

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Bureau of Elder and Adult Services

Maine Department of Human Services



State Plan

October 1, 1994 - September 30, 1997

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Verification of Intent

The State Plan on Aging is hereby submitted for the State of Maine for the period October 1, 1994 through September 30, 1997. It includes the goals; objectives and activities to be conducted by the Bureau of Elder and Adult Services, Maine's State Unit on Aging, during this period. The Bureau of Elder and Adult Services (BEAS) has been given the authority to develop and administer the State Plan on Aging in accordance with all requirements of the Older Americans Act. BEAS is primarily responsible for the coordination of all state activities related to purposes of the Act, such as the development of comprehensive and coordinated systems for the delivery of supportive services, including health, housing, social and nutrition services; and to serve as the advocate for elderly persons in the state.

The Plan is hereby approved by the Governor and constitutes authorization to proceed with the activities under the Plan upon approval by the Commissioner on Aging.

The State Plan hereby submitted has been developed in accordance with all Federal statutory and regulatory requirements. The State Agency assures that it will comply with the specific program and administrative provisions of the Older Americans Act.

8/5/94
(date)

(signed) Christine Giampoulos
Christine Giampoulos, Director
Bureau of Elder and Adult Services

8/9/94
(date)

(signed) Jane Sheehan
Jane Sheehan, Commissioner
Department of Human Services

8/10/94
(date)

(signed) John McKernan, Jr.
John McKernan, Jr.
Governor

Introduction

The preparation of this State Plan is an opportunity to inventory the events of the last planning period and propose a direction for the next three years. Our last plan began in October 1990, at a time when Maine was on the verge of its most acute economic decline since the Great Depression. This downturn paralleled the recession occurring elsewhere in the Northeast, but it has been longer and deeper because Maine lacks the economic diversity enjoyed by other parts of the region. During the years that followed, Maine lost 30,000 jobs, saw deficits approaching 30 percent of the state budget, experienced a two week shut down of state government, enacted major cutbacks in funding for social services and welfare programs, reduced staff in many agencies, and generally went into a "survival" mode. Long-established elements of Maine's network of health and social programs were called into question by a public disenchanted with government and with the partisan bickering that marked the legislative process.

The Bureau of Elder and Adult Services and the Aging Network experienced in microcosm what was happening statewide. The Governor proposed, and the Legislature approved, reductions in state general revenue funds for elderly nutrition, outreach, transportation, home care ombudsman and legal services. The new Property Tax Deferral program was capped at its initial enrollment. The Maine Committee on Aging was eliminated in 1992. With the loss of the Committee, the Bureau had to find a new organizational sponsor, Legal Services for the Elderly, Inc., for the Long Term Care Ombudsman Program (LTCOP). During the two year period from 1991 to 1993, the Bureau lost one-third of its central office administrative staff. Managing downsizing and the legislative budget process consumed a disproportionate share of staff time and energy.

The crisis also was an opening for changes that might not have been possible absent the pressure of the State's fiscal problems. Policy makers and service providers were challenged to re-think "business as usual." The Bureau's success in working with the Governor and the Legislature to enact major long term care reform was due in large part to the need to control nursing home costs, which had doubled over a five year period and represented the largest single component in the State Medicaid budget. At the Bureau level, we finally had to admit that we could no longer do all that we had been doing--that the gap between our expansive mandate and our finite resources was not going to close no matter how hard or how long we worked. We struggle with allocating time and resources appropriately between maintenance and new activities; between doing what should be done and doing what must be done. Nevertheless, a review of activities of the last three years shows significant accomplishments, despite the fiscal and staffing constraints.

There are signs that the economic freefall has stopped and that the State is beginning to recover. Regardless of the strength of the recovery, it is not likely that things will ever be as they were. New resources for preventive services will still compete against entitlement programs; income security initiatives for low income elders will be weighed against other, equally deserving, requests. Because needs continue to grow, the Bureau and those who work with us on behalf of Maine's elders will have to be focused and creative in using what we have.

At the federal level, we look to policy makers to heed the President's call for "re-inventing" government. Recasting the Older Americans Act to better reflect today's realities and giving states and localities more flexibility in the use of Older Americans Act funds are essential if we are serious about responding to the needs of an aging society.

Significant Events of 1991 to 1994

The Bureau of Elder and Adult Services believes that adults should have the opportunity to live a quality of life that meets their needs and is consistent with their values and decisions. Our mission is to promote optimal independence for older adults and adults in need of protective services. We accomplish our mission with the cooperation and support of other organizations and individuals. During the last three years, in the face of challenging circumstances, we made significant progress toward our goals.

Advocacy:

- ⇒ The Maine Advisory Council on Elder Affairs (MACEA) was established to advise the Bureau on matters affecting Maine's elder citizens; advocate for older persons; provide a forum for discussion of services provided by agencies serving Maine's elder citizens. Council members represent Title III and Title VI providers. The Advisory Council will assume some of the review and comment functions that were lost to the Bureau when the Legislature eliminated the Maine Committee on Aging in 1992.
- ⇒ Collaborated with Legal Services for the Elderly on a successful proposal for one of the first three legal services hotlines funded by the Administration on Aging.
- ⇒ Advocated for the appointment of Madeleine Freeman, Chair of the Board for Legal Services for the Elderly, Inc., and a former AAA director to the national White House Conference on Aging Planning Committee.

Guardianship and Adult Protective Services:

- ⇒ In 1994 Legislation was passed to protect the due process rights of alleged incapacitated persons in temporary guardianship proceedings and to expedite petitions for guardianship and conservatorship for purposes of placement and protection of estates. The Bureau, Legal Services for the Elderly, the Attorney General's Office and the Elder Law and Probate Sections of the Maine Bar worked together in advocating for these changes. The relationships that have developed over the last four years will assist us as we pursue additional issues in this area.
- ⇒ Re-designed the system for managing the assets of public wards in order to better protect and maximize these assets, and to improve the coordination between central and regional office staff.
- ⇒ A Consent Decree was signed in 1990 covering patients of the Augusta Mental Health Institute. To comply with its responsibilities under the Decree, the Bureau has developed expanded residential and supportive services for class member public wards. As a result, the number of public wards institutionalized at AMHI has decreased by half.
- ⇒ Produced a training guide and companion video on Prevention of Abuse, Neglect and Exploitation in Licensed Facilities.
- ⇒ Developed and implemented a new uniform Adult Services assessment tool to provide a more consistent case study process.

Long Term Care:

- ⇒ In 1993 the Legislature enacted major reforms to Maine's long term care system. The legislation is intended to reduce nursing home admissions by targeting eligibility to those who cannot be served in a less institutional setting and placing a moratorium on new nursing home beds.. A portion of the projected savings were allocated for the expansion of home care and other residential alternatives. The Bureau, the Aging Network and the Senior Legislative Advocacy Coalition were instrumental in passage of this legislation. Implementation involved the development of a new uniform assessment instrument that will be used across long term care settings.
- ⇒ In collaboration with the Bureau of Medical Services, obtained approval for a five year renewal of the Elderly Medicaid Waiver and initial approval of a Medicaid Waiver to serve non-elderly disabled adults.
- ⇒ Maine was one of fifteen states to receive a three year grant from the U.S. Public Health Service to expand respite and consultation services for people with Alzheimer's and their families.
- ⇒ Assumed responsibility for administering state Homemaker funds and recruited, more cost effective providers in several areas of the state.
- ⇒ Westbrook Housing Authority has been able to expand the availability of congregate housing services in their various buildings by leveraging federal funds for an expansion of their Congregate Housing Services Program using State dollars from the Bureau of Elder and Adult Services as part of the match.

Management:

- ⇒ The BEAS has made significant efforts to better utilize available technology in order to improve staff efficiency and effectiveness. Efforts have included dissemination of cellular phone technology to Regional Offices, use of voice mail in Central Office, distribution of computer applications throughout the Central and Regional Offices, and investigation of options for electronic financial management of client funds. BEAS staff are actively participating in a number of Departmental and state level groups addressing technological issues.

Nutrition:

- ⇒ Worked with the Bureau of Income Maintenance on a program that allows older people to use Food Stamps in participating restaurants.
- ⇒ Bureau and Area Agencies on Aging used new, federal health promotion funds for nutrition initiatives. These activities included:
 - Southern Maine Area Agency on Aging contracted for nutrition screening of new home delivered meals participants using the Nutrition Screening Initiative Determine Checklist. Diet technicians will be doing the next level screening when the Checklist indicates a need and a dietitian will do 3rd level screening when needed.
 - Aroostook Area Agency on Aging contracted to have a certified Body Recall instructor go to meal sites.

- Eastern Area Agency on Aging produces and distributes a Title III F Home Delivered newsletter called JUST FOR YOU.
 - Western Area Agency on Aging provided blood pressure screening equipment to each of its meal sites and Community Activities Coordinators started exercise programs and trained volunteers to conduct them.
- ⇒ As a result of participating as a site in a national AoA evaluation project, BEAS revised its instrument and process for nutrition program compliance reviews at area agencies.
- ⇒ BEAS established the practice of contracting with licensed dietitians to do meal site reviews. The reviews combine education and technical assistance to site staff with BEAS basic regulatory responsibilities. The reviewers do follow-up visits to problem sites.
- ⇒ BEAS compiled examples of AAA successful fund raising strategies for dissemination to the others. Aroostook Area Agency on Aging met a substantial challenge grant from their local Rotary that covered the cost of a van and other food preparation equipment. Southern Maine Area Agency on Aging held a successful dance and received a grant from Scott Paper company which grants funds to programs in which company employees volunteer. Western Area Agency on Aging was able to buy two food delivery trucks with money donated by NYNEX, which provides grants to agencies nominated by its employees to acknowledge assistance a family member has received from that agency.

Snapshot of Maine's Older Population

- ⇒ There are 218,000 people age 60 or over in Maine
- ⇒ One in five are in the labor force; of this group, half work more than 35 hours per week.
- ⇒ 13% had incomes below the federal poverty level in 1989. (\$498/month/one person household)
- ⇒ An additional 21% had incomes below 125% of the poverty level. (\$623/month/one person household)
- ⇒ Majority of older people live on income of less than \$10,000 a year.
- ⇒ Women comprise 69% of the low-income older population.
- ⇒ 15% had difficulty with self care and daily tasks.
- ⇒ Of people in the 60 - 64 age group, 16% live alone.
- ⇒ In the 80 - 84 group, 42% live alone.
- ⇒ Only one in 25 older people live in a nursing home.

Table 1 - Racial Diversity

The United States' population is composed of many races and ethnic groups. The State of Maine, located in the northeastern corner of the U.S., is not as diverse racially as the U.S. as a whole. Of the 60 and older population nationwide, 85.3% are non-hispanic whites. In Maine, 99.4% are non-hispanic whites.

Age 60+	United States	Maine
American Indian, Eskimo, or Aleutian	171,763	345
Asian or Pacific Islander	657,850	225
Hispanic	1,595,058	316
Black	3,468,107	262
White	37,052,929	216,823
Other	480,388	40
Total	43,426,095	218,011

Table 2 - Type of Living Arrangement

Persons age 60 and over	Percentage
In households--living alone	26%
In households--with spouse	56%
In households--with other family members, except spouse	10%
In households--with non-relatives only	3%
In group quarters--nursing homes	4%
In group quarters--shelters for homeless persons	0%
In group quarters--other group quarters	1%

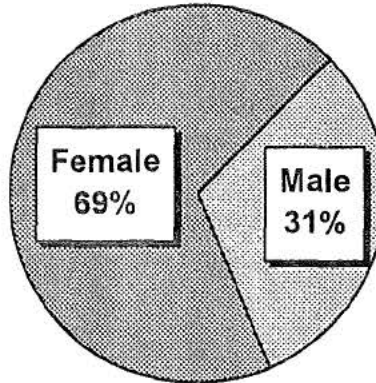
Table 3 - Marital Status

Persons age 60 and over	Percentage
Married	58%
Separated	1%
Widowed	30%
Divorced	6%
Never married	5%

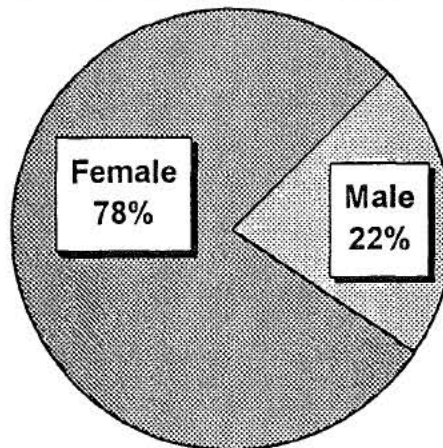
Table 4- Persons Living Alone by Age Group

Age	Percentage
60-64	15.9%
65-69	21.4%
70-74	27.2%
75-79	34.9%
80-84	42.4%
85 and over	36.8%

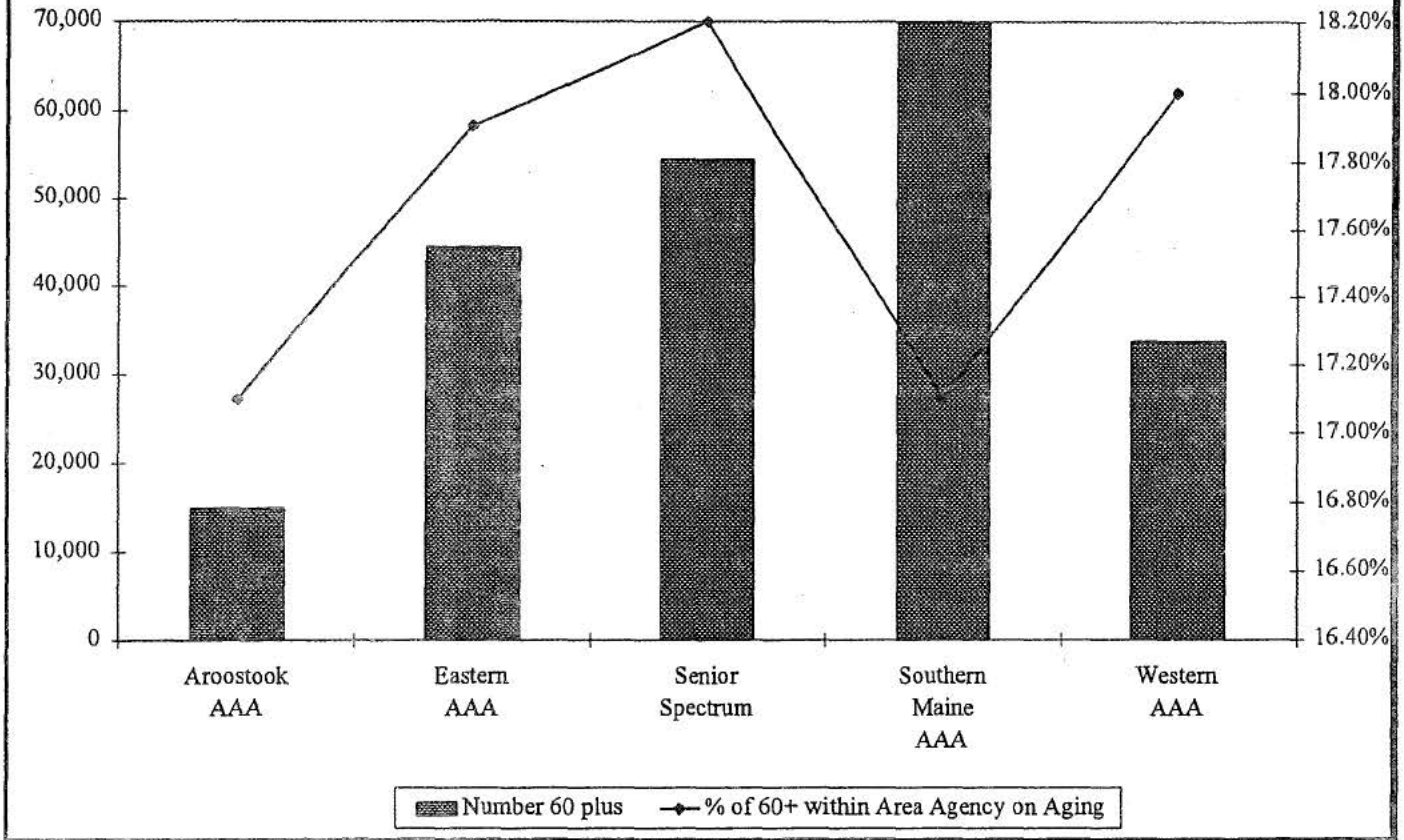
**Low-Income Status by Gender
Persons age 60 and over**



**Living Alone by Gender
Persons age 60 and over**

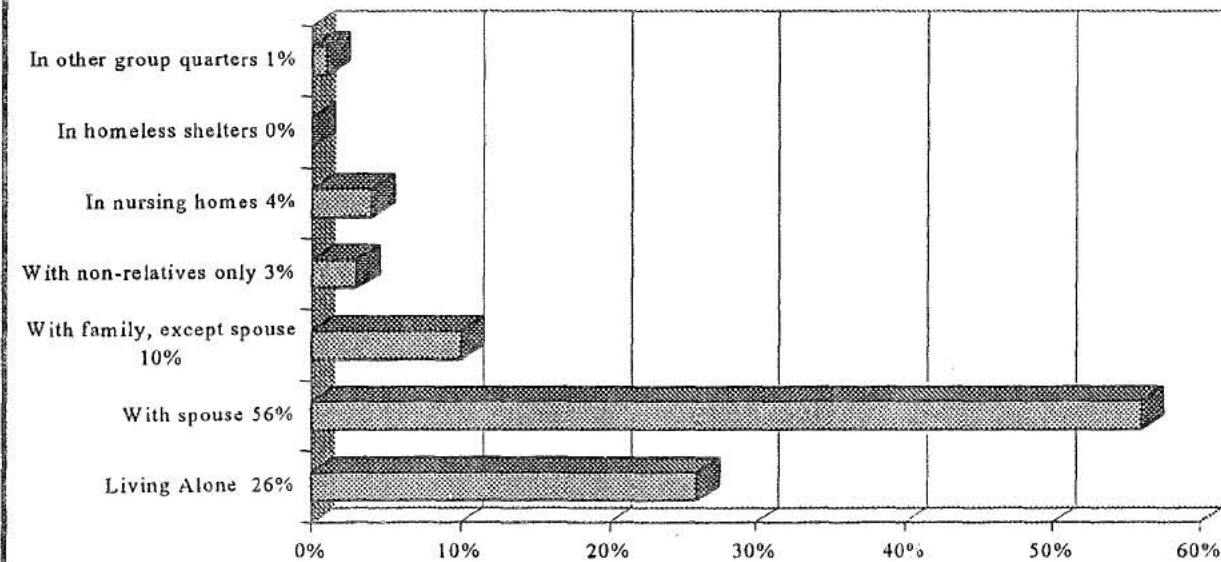


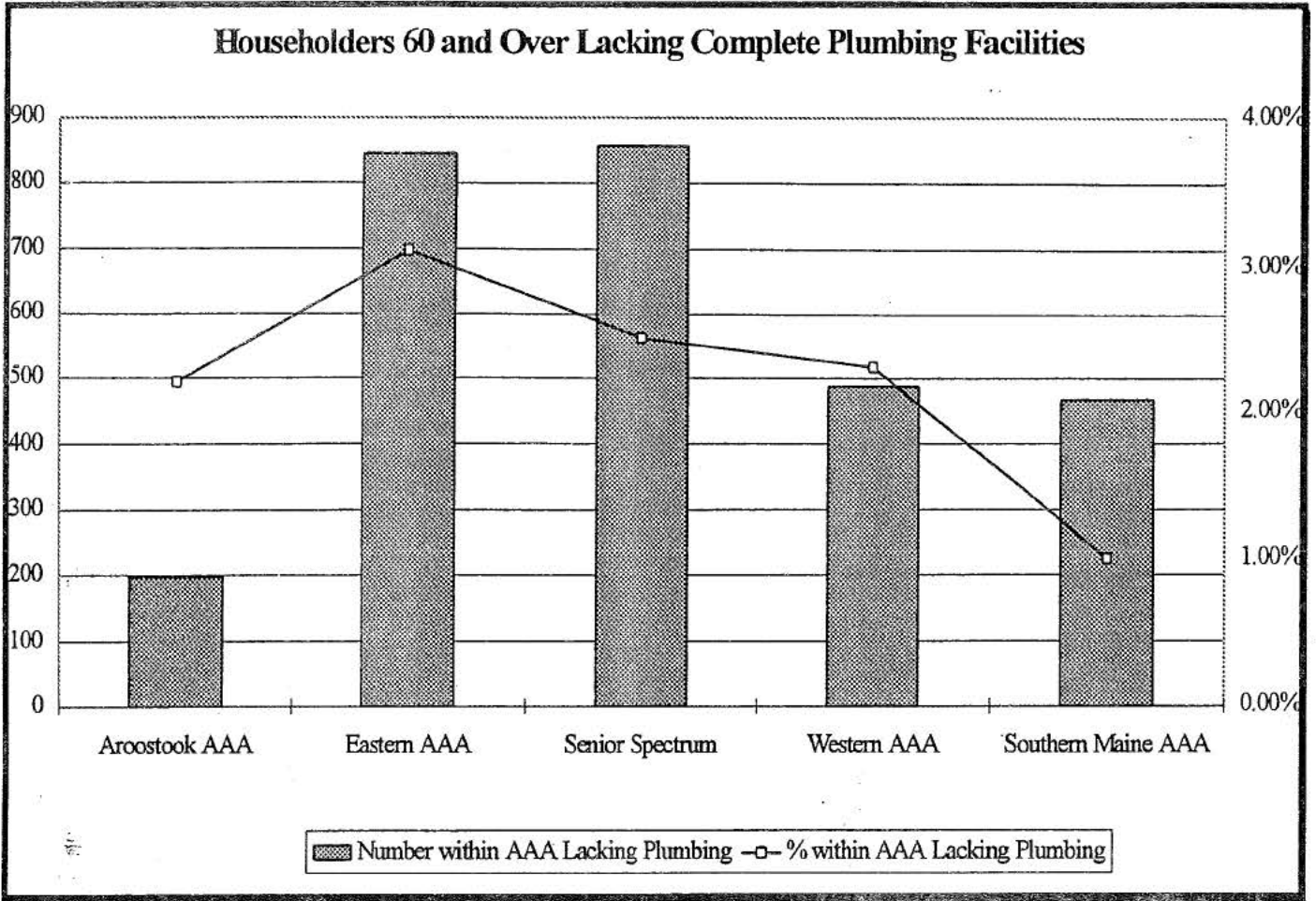
Maine People Age 60 and Over by Area Agency on Aging



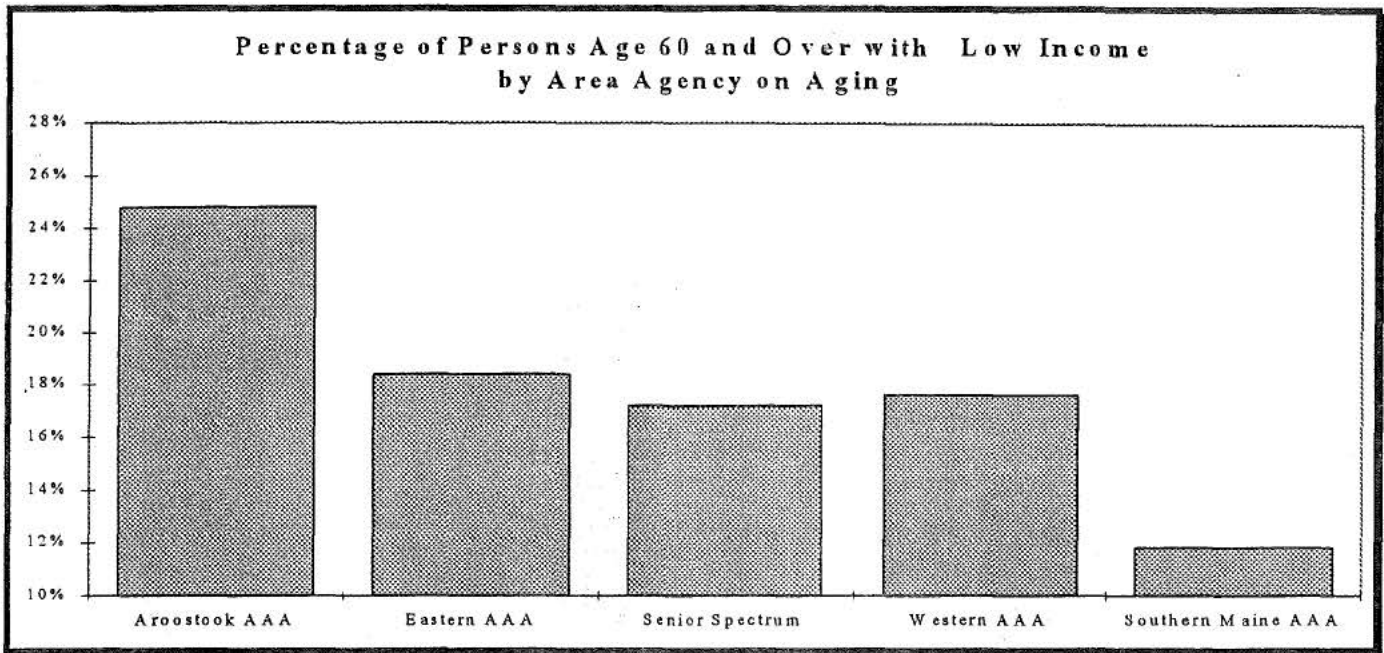
*Planning and Service Area data by county. Adjustments were not made for Brunswick and Harpswell

Living Arrangement in Maine for Persons Age 60 and Over

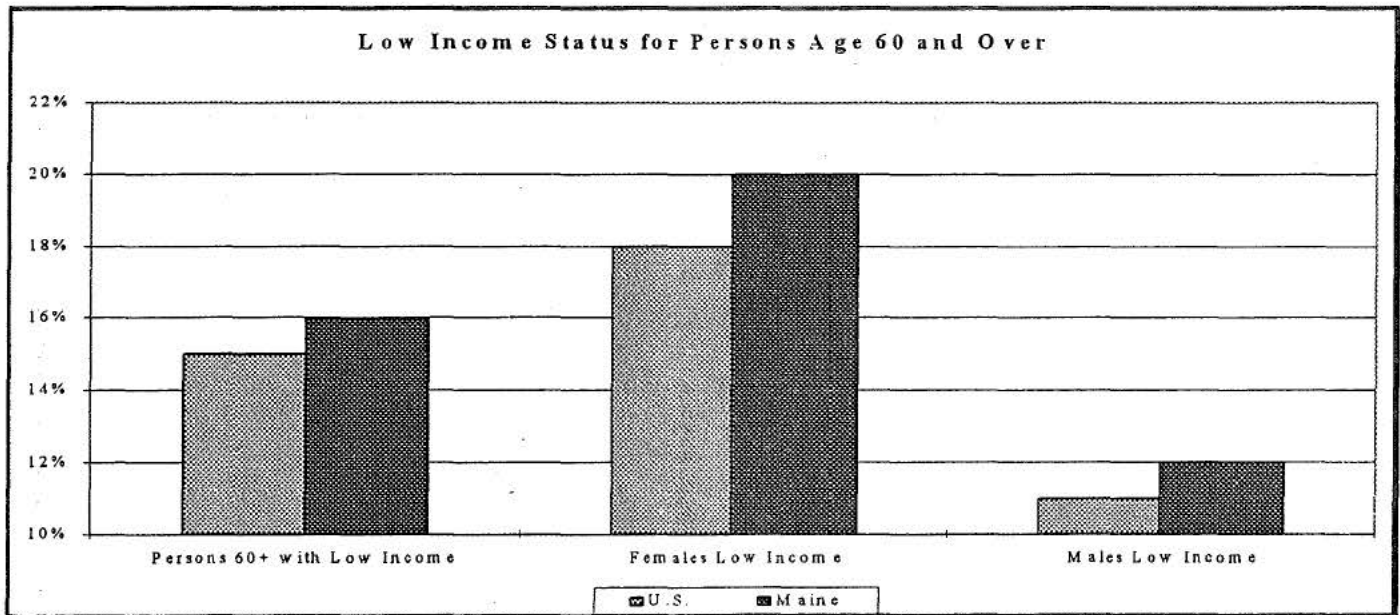




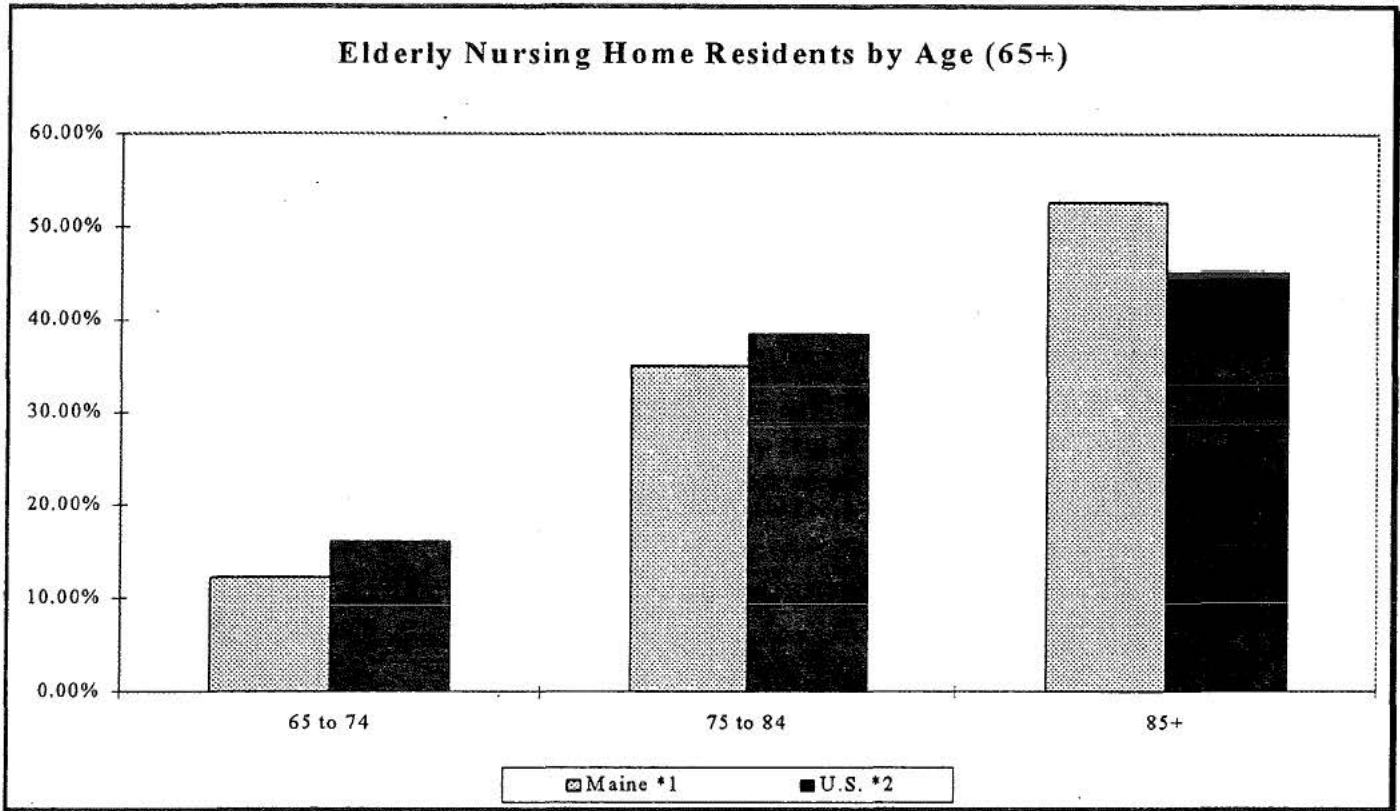
*Planning and Service Area data by county. Adjustments were not made for Brunswick and Harpswell. If one of the following is missing, a household lacks complete plumbing facilities:
 Hot and cold piped water, a flush toilet, a bathtub or shower.



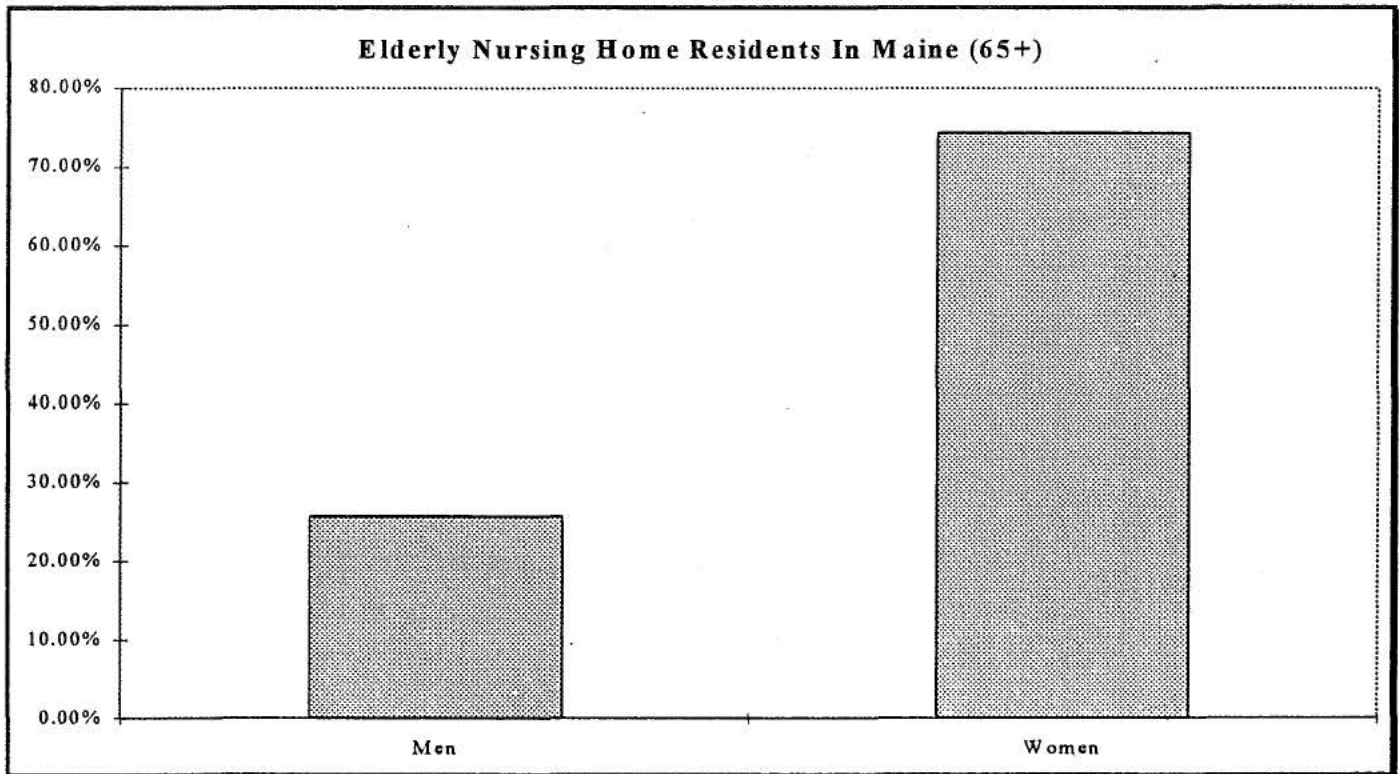
* Planning and Service Area data by county. Adjustments were not made for Brunswick and Harpswell. Low income status determined using Department of Health and Human Services guidelines.



Low income status determined using Department of Health and Human Services Guidelines

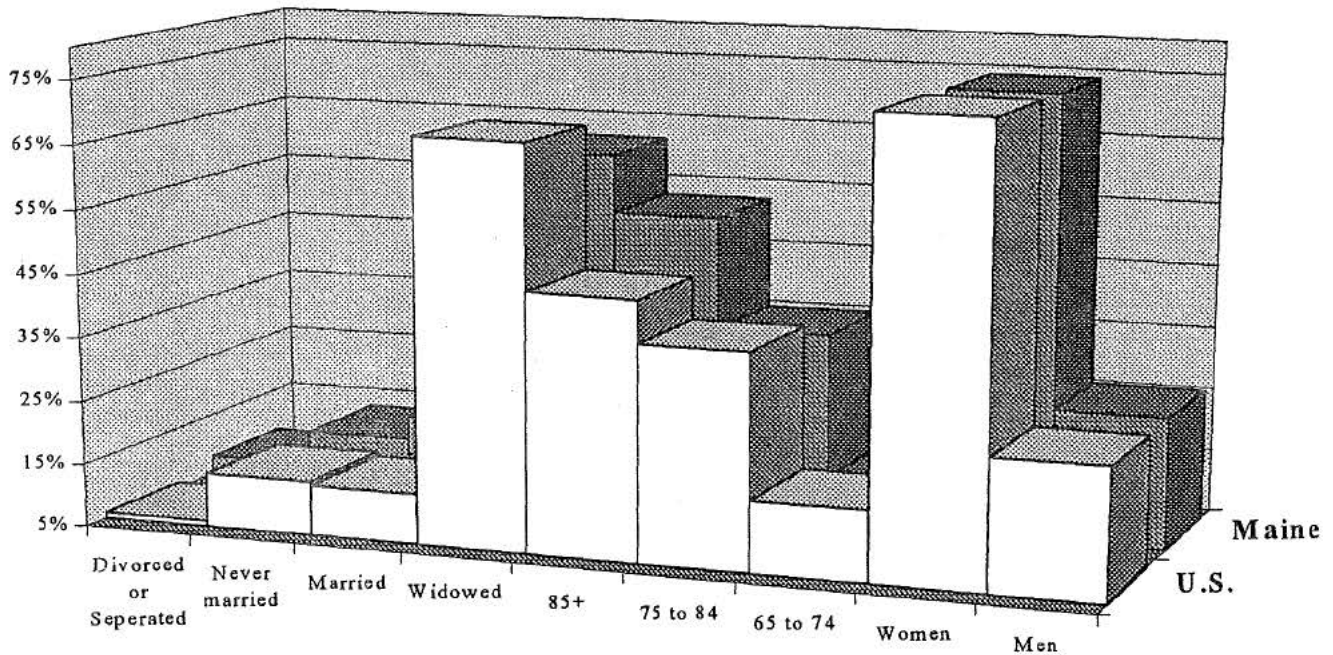


Source: 1. Muskie Institute of Public Affairs, Case Mix Roster data as of March 15, 1994
 2. 1985 Nursing Home Survey Data



Source: Muskie Institute of Public Affairs, Case Mix Roster data as of March 15, 1994

Selected Characteristics of Elderly (65+) Nursing Home Residents



Ongoing Activities

The Objectives included in this State Plan represent new or significantly expanded activities which the Bureau will be undertaking. In addition to these activities, the Bureau will continue to perform the ongoing activities listed below.

Long Term Care

- ⇒ Administer Maine's Home Based Care and Medicaid Waiver programs which provide in home care to older consumers that is coordinated by the Area Agencies on Aging.
- ⇒ Administer the Medicaid Waiver for Adults with Disabilities.
- ⇒ Administer Congregate Housing Services Program
- ⇒ License Adult Day Care facilities.
- ⇒ Administer the Social Services Block Grant funds for homemaker services for elderly people.
- ⇒ Administer the nursing facility pre-admission screening demonstration project.
- ⇒ Administer the terms of an agreement with the Bureau of Medical Services to arrange for and oversee nursing facility assessments being done by the Area Agencies on Aging.
- ⇒ Administer the Administration on Aging Alzheimer's Demonstration grant to improve services in Maine for Alzheimer's patients and their caregivers.
- ⇒ Coordinate the Department's internal Long Term Care Workgroup.
- ⇒ Staff the Commissioner's Long Term Care Task Force

Employment

- ⇒ Manage the BEAS Senior Community Services Employment Program (SCSEP)

Adult Services

- ⇒ Provide adult protective services to incapacitated or dependent adults who are at substantial risk of or are being abused, neglected or exploited.
- ⇒ Provide 24 hour-a-day emergency adult protective services, statewide.
- ⇒ Assess the need for guardianship/conservatorship of incapacitated adults and provide public guardianship/conservatorship when the incapacitated adult has no responsible substitute decision-maker.
- ⇒ Advocate for the development of adequate and appropriate services and resources for Adult Services clients, including additional group homes in Bangor and Portland.
- ⇒ Comply with the AMHI and City of Portland Consent Decree requirements.
- ⇒ Manage assets of 600 public wards.

Housing

- ⇒ Advocate for the provision of adequate housing options
- ⇒ Provide counseling to those interested in the Home Equity Conversion program

**Older
Americans
Act
activities**

- ⇒ Administer and monitor AoA funded programs, including Nutrition, Advocacy and Outreach, and activities to protect the rights of vulnerable elders as mandated by Title VII of the Older Americans Act.
- ⇒ Contract for and monitor the provision of legal services for Maine's elderly
- ⇒ Advocate for legal reform on issues affecting the elderly in Maine
- ⇒ Contract for and monitor the provision of Ombudsman services

Other:

- ⇒ Advocate for alternatives to the traditional legal dispute mechanisms.
- ⇒ Participate in a variety of advocacy groups, including the Senior Legislative Advocacy Coalition, Maine's "Aging Network," the Joint Mental Health Advisory Committee
- ⇒ Work with the Bureau of Health, as opportunities arise, on projects relating to safety and health issues affecting older people. A current example is BEAS membership in a Technical Advisory Group to the Bureau of Health as it develops a Breast and Cervical Cancer Screening Project for older women in Maine.

Goals and Objectives

Goal 1: Advocate for the development of appropriate services for Maine's older people and for adults needing protective services

Objectives:

- 1. Collaborate with the Area Agencies on Aging and the Office of Substance Abuse to expand the availability of representative payee programs (September 1995)**
- 2. Participate in the design and initial implementation of the Department of Human Services' Long Term Care managed care initiative. (September 1997)**
- 3. Seek additional funds, or authorization to reallocate existing funds, for homemaker services. (December 1994)**
- 4. Submit at least one grant application annually to the Administration on Aging to test new models for providing services. (ongoing)**
- 5. Advocate for regulatory and financing changes that will promote a broader range of housing and services options for long term care consumers. (ongoing)**
- 6. Promote the availability of Level II Nutrition Screening and follow-up. (December 1995)**

Goal 2: Ensure continued collaboration with both private and public groups to promote independence for older people and other adults through programs for health, social services, housing, and economic assistance.

Objectives:

1. Develop mechanisms for consistent community and client education

- ⇒ Ensure that Adult Protective Services, Area Agency on Aging clients, and clients of Congregate Housing Services Programs are familiar with the BEAS appeals process. (December 1994)
- ⇒ Work with the Long Term Care Ombudsman, the Area Agencies, and other groups to improve public understanding of changes in the long term care system. (June 1995)

2. Offer pre-admission screening to all nursing home applicants. (October 1995)

3. Implement activities mandated by Title VII of the Older Americans Act

- ⇒ Develop strategy for coordination within the Aging Network regarding Legal Services, Ombudsman, Health Insurance Counseling and Adult Protective services activities. (December 1995)
- ⇒ Establish a task force on financial exploitation. (December 1995)
- ⇒ Sponsor annual training for Aging Network Title VII program staff.

4. Conduct a State White House Conference on Aging. (March 1995)

5. Facilitate communication and joint efforts between nutrition sites and the Division of Health Promotion and Education. (ongoing)

6. Advocate with the Joint Advisory Committee of Mental Health Needs of the Elderly (JACMHNE) for the development of appropriate support services for older people with mental illness and other behavioral needs. (ongoing)

- ⇒ Streamline the Pre-Admission Screening and Annual Resident Review (PASARR) process.
- ⇒ Seek funds for behavioral consultation for residents of nursing homes and residential care facilities.
- ⇒ Continue funding for Alzheimer's evaluation services.

7. Support activities to promote public education on the need for Federal long term care reform. (ongoing)

8. Coordinate with the Maine State Housing Authority and other housing lenders to identify opportunities to adapt existing subsidized housing stock for use by tenants with increased supportive service needs. (ongoing)

9. Work with the Area Agencies to design a statewide project on the use of Older Americans Act funds appropriated under Title VII that will fulfill its requirements regarding health promotion and disease prevention in medically underserved areas. (June 1995)

Goal 3: Increase the effectiveness and efficiency of existing programs and services through improved management and accountability.

Objectives:

1. Create a Bureau of Elder and Adult Services' Total Quality Management (TQM) council which will charter Process Action Teams to address issues identified by the council. Possible issues are:

- ⇒ Quality assurance/Case Review
- ⇒ Guardianship
- ⇒ Technology/Management information systems
- ⇒ Performance Based Contract Management (ongoing)

2. Improve financial management of Adult Services clients' accounts.

- ⇒ Review current system. (November 1994)
- ⇒ Evaluate other possible methods/systems; select most appropriate solution. (July 1995)
- ⇒ Implement new system (December 1995)

3. Implement requirements of the National Aging Program Information System (NAPIS)

- ⇒ Develop, train and implement nutritional risk screening for mandated populations (pending issuance of requirements by Administration on Aging)
- ⇒ Design a revised client reporting system for Homemaker services that is compatible with NAPIS. (October 1995)

4. Revise intrastate funding formula based on final rules promulgated by the Administration on Aging (pending AoA regulations)

5. Conduct compliance review of the Home Based Care and Medicaid Waiver programs. (June 1995)

6. Fiscal Policy and Reporting

- ⇒ Complete the BEAS fiscal policy manual. (July 1995)
- ⇒ Develop and implement revised fiscal reporting forms to fully comply with Federal requirements regarding cash balances available at agencies. (July 1995)
- ⇒ Implement training for agency fiscal staff. (June 1995)

7. Increase utilization of technology and provide training and technical assistance within the aging and adult services networks.

- ⇒ Computerize BEAS resource directory for distribution. (January 1995)
- ⇒ Foster electronic transfer of fiscal, program reports, and other data. (ongoing)

8. Promote the use of vouchers and other policy initiatives to promote greater consumer direction of long term care services. (ongoing)

Intrastate Funding Formula

The Older Americans Act requires the BEAS to establish a formula to allocate Title III funds to Area Agencies on Aging. The current formula takes into account regional variations in income, minority status, and level of social need of the elderly population of Maine. The current formula allocates funds as follows:

Aroostook AAA	9.86%
Eastern AAA	20.59%
Central AAA	25.75%
Western AAA	16.60%
Southern AAA	27.20%

For purposes of developing the Intrastate Funding Formula the following definitions apply:

- (a) **Greatest Economic Need** - people with incomes at or below poverty level as defined by OMB.
- (b) **Greatest Social Need** - people requiring assistance with personal care and mobility and non-English speaking people who might have greater difficulty in obtaining services.
- (c) **Minority** - people of American Indian, Alaskan Native, Asian, Pacific Islander, Black or Hispanic descent.

Title III Part F funds will be allocated to AAAs on the basis of the proportion of Maine's total Part F target population in the Planning and Service Area's Medically Underserved Areas (MUAs), based upon 1990 Census data. The target population includes the uninstitutionalized population living in MUAs who are:

- (a) 65 years of age and older with Mobility and Self-Care Limitations; plus,
- (b) those 60 years of age and older with incomes below poverty.

The following definitions apply to symbols used in this part of the Intrastate Funding Formula used for allocating Title III Part B and C funds:

Symbol	Definition
B\$	Total dollars available under Title III B for distribution to AAAs.
C\$	Total dollars available under Title III C for distribution to AAAs.
60+	Total number of people 60 and over in Maine.
EN60	Total number of people 60 and over who are in the greatest economic need in Maine.
SN60	Number of people 60 and over who are in the greatest social need in Maine.
M60	Number of minority people 60 and over in Maine.
A:60+	Number of people 60 and over in the AAA's PSA.
A:EN60	Number of people 60 and over who are in the greatest economic need in the AAA's PSA.
A:SN60	Number of people 60 and over who are in the greatest social need in the AAA's PSA.
A:M60	Number of minority people 60 and over in the AAA's PSA
#AAAs	Number of designated AAAs in Maine.
*	Multiplied by.

An Area Agency on Aging's Title III allocation will be equal to:

$$\frac{(.18 * B\$)}{\#AAAs} + \left[\frac{A:60 + A:M60 + A:SN60 + A:EN60}{60 + M60 + SN60 + EN60} * (.82 * B\$) \right] \text{ Plus } \frac{(.18 * C\$)}{\#AAAs} + \left[\frac{A:60 + A:M60 + A:SN60 + A:EN60}{60 + M60 + SN60 + EN60} * (.82 * C\$) \right]$$

The Intrastate Funding Formula must be updated periodically in a manner consistent with the Older Americans Act and 45 CFR Part 1321.

The BEAS will update the intrastate funding formula when final regulations are received from the Administration on Aging.

Transfer of Title III C Funds

In order for the BEAS to give final approval to AAAs FY 95 Area Plans for III C, we are requesting approval from the Administration on Aging for a waiver from the 30% transfer allowed from congregate to home-delivered meals as required by Section 308 of the Older Americans Act as amended. In order to meet the needs of priority clients, planning and funding of services requires that consideration be given to the following factors:

1. Area Agency on Aging care management systems continue to expand serving more frail elderly. Home-delivered meals have become a valuable service in the entire care plan and more frail elderly are able to remain in their homes.
2. Home-delivered meals are available in most areas of the state. Local restaurants, hospitals, and nursing homes are being used for the provision of home-delivered meals in areas where no other option is available.
3. Maine's Medicaid Waiver for the Elderly and the Home Based Care Program continue to provide services to a growing number of frail elderly who are able to remain in their homes and who require home-delivered meals. The total number of home-delivered meals continues to increase statewide.

The state agency will not delegate to an area agency on aging or any other entity the authority to make a transfer under provisions of Section 308 of the Act.

Service Expenditures from Title III B Funds

In FY 95 through FY 97, from Part B funds, each Area Agency on Aging will expend a minimum of 50% on access services, 5% on in-home services and 10% on legal services.

Delivery of Services in FY94 to Low Income Minority Persons

There are 198 low income minority (as defined under DHHS guidelines for "low income") persons age 60 and over in the State of Maine. In the Aroostook AAA's Planning and Service Area there are six elderly low income minority people. Eastern AAA's Planning and Service Area has 72 elderly low income minority people. Central Maine AAA (Senior Spectrum) has 43 elderly low income minority people. Southern Maine AAA has 65 elderly low income minority people. In the Western AAA's Planning and Service Area there are 12 elderly low income minority people. BEAS assures Maine's low income minority persons have access to all services and benefits to which they are entitled through its funding of AAAs.

Census data shows that the areas of the state most effected are the Eastern AAA and the Southern Maine AAA. In the Eastern AAA, the majority of the elderly low income minorities are Native Americans. EAAA has established contacts with the Native American communities to provide information about programs available and to gain access to them. In the southern part of the State, the AAA has established contact with the Refugee Resettlement Program to assure that elderly minority refugees are aware of services available to them.

The Aroostook AAA employed a Native American Outreach worker who has been a liaison to both tribal bands in the area, the Maliseets and the MicMacs; obtained representatives to its Policy Advisory Council from their elders' councils; has a contract with the Houlton Band of Maliseets to provide a nutrition program for their elders and also assisted them in creating a satellite dining site at their new elders' housing project. There are other ongoing contacts between Aroostook AAA and MicMac outreach staff.

Delivery of Services in FY94 to Persons Living in Rural Maine

Maine is largely a rural state. The Administration on Aging's Special Tabulation on Aging indicates there are 14,441 persons age 60 and over who live in Rural Maine. The majority of services in Maine are delivered to rural elderly. Under our current reporting system, the most recent data on service recipients indicates that of services funded with Title III B, 21% were rural older persons. Of recipients of Title III C services, 69% were rural older persons.

The BEAS Outreach Program Manager has been working with AAA Outreach Directors in encouraging special efforts to reach these low income rural elders. The AAAs have responded to the needs of older persons in rural areas.

The BEAS Outreach Program Manager reports that the AAAs regularly make special efforts to reach older people in rural areas who may be in need of services. Through presentations to senior clubs, to town employees and officials, to town meetings, to support groups of various kinds, to dining center participants, to other agencies and organizations providing services to older people and through displays and attendance at fairs and church and other gatherings the AAAs emphasize that services are available throughout the state and that they want to reach people who might otherwise remain out of sight and isolated. Mailings of brochures, distribution of AAA newsletters and messages disseminated through the media augment these efforts. Although many of these activities are carried out by AAA staff, several AAAs have plans to recruit and train volunteers to expand the outreach to older people in rural areas. One of the AAAs has already conducted a two day training session for volunteers who will then train other volunteers.

Delivery of Services to Persons Having the Greatest Economic and Social Need and Low Income Minority Persons

Maine assures that services are directed to low income minority persons in greatest economic and social need in the method used to allocate resources. Formulas are employed that weight income, minority, and social need data, to assure funds for services are directed to planning and service areas that have a greater concentration of elderly in designated categories. Formulas will be updated as final regulations are received from the Administration on Aging.

Outreach efforts concentrate on reaching low income persons with emphasis on persons at greatest economic or social need. Methods used and to be used include identifying persons in these groups through the use of public communications media and coordinating efforts with town officials, churches, and other agencies. A priority for outreach is to provide information about and access to programs available to these population groups. Assistance includes help with applications, referrals and follow-up to insure that persons are getting the services for which they are eligible.

Special efforts have been made to reach non-English speaking persons through bilingual outreach workers employed by AAAs to communicate with and provide information about services and benefits available. When appropriate and feasible, publications have been translated to reach this group.

ALLOCATION OF FUNDS

The table on the next page shows the Federal and State sources of funds which are disbursed by the Bureau of Elder and Adult Services as part of its responsibilities for the planning, policy development, coordination, priority setting and evaluation of state activities relating to older people and adults in danger of abuse, neglect or exploitation. The Bureau is the designated conduit for these funds. It has limited discretion over how it carries out the disbursement since the Federal and State laws appropriating the funds generally specify for what purposes and by whom they may be used. For example, most of the funding received through the Older Americans Act must be awarded to the Area Agencies on Aging.

Federal Sources:

Older Americans Act

- Title IIIB authorizes funds to be used for access to a range of supportive services (e.g., information and referral, outreach, transportation), legal assistance and in-home services.
- Title IIIC authorizes funds to be used for nutrition programs, both home delivered meals and community dining.
- Title IIID authorizes funds to be used for in-home services for frail older individuals.
- Title IIIF authorizes funds to be used for disease prevention and health promotion.
- Title VIIA authorizes funds to be used for outreach, counseling and assistance for insurance and public benefits.
- Title VIIB authorizes funds to be used for the Long Term Care Ombudsman Program.
- Title VIIC authorizes funds to be used for elder abuse prevention.
- SCSEP is the Senior Community Services Employment Program which is funded through Title V Provides part-time employment for people with low incomes age 55+.

USDA (United States Department of Agriculture) and Nutrition Block Grant both provide funds to support the nutrition programs for older people.

Health Insurance Counseling funds are provided through a three year Federal grant which supports counseling for Medicare recipients about "Medigap", long term care and other kinds of health insurance through the Area Agencies and the Legal Services for the Elderly Hotline.

The BEAS Alzheimer's Demonstration project, funded by another three year Federal grant, is working to expand services to Alzheimer's patients and their caregivers by contracting with several non-profit providers around the state.

The White House Conference on Aging, will be held in Washington in May, 1995. This \$10,000 is a one time appropriation to carry out related in-state activities.

As has been the case for the last several years, there is little prospect for Federal funding increases. BEAS receives official notification of actual awards in the fall.

State Sources:

All of these funds are authorized and appropriated by the State Legislature.

- PSSP (Priority Social Services Program) funds supplement the Federal Social Services Block Grant and Older Americans Act services.
- Legal Services. These funds go to Legal Services for the Elderly, Inc.
- Housing Services funds are used for the BEAS Guardianship and Conservatorship Programs handling of wards' properties, Home Equity Conversion counseling, Congregate Housing Services Program certifications and to assist in the development of specialized facilities for adult protective clients.
- Congregate Housing. Most of these funds go to the Area Agencies. The \$75,835 in the "Other" column is contracted out to other non-profit providers, usually local housing authorities..
- The Long Term Care Ombudsman Program which BEAS contracts out to Legal Services for the Elderly, Inc. receives all of the funds in this line. A \$5.00 per bed tax on nursing homes is the source.
- Volunteer Grants. These funds go to Area Agencies and other volunteer service providers who operate the Foster Grandparent, Senior Companion and Retired Senior Volunteer Programs.
- HBC (Home Based Care). The amount under "Other" has been set aside to fund quality assurance of this program.
- HBC, the \$50,000 under "Other" from the Home Based Care Program for adults under age 60 is contracted out to a non-profit provider to manage the Medicaid Waiver for in-home care for disabled adults.
- HBC/Outreach. These funds are to be used to supplement the Area Agency Outreach Programs which assist Home Based Care clients in obtaining benefits.
- Adult Protective Services This BEAS program uses the amounts under "Other" in its line and those labeled Adult Protective Home Based Care and Adult Protective State Block Grant to purchase various support services for its clients.

The increase in State funds of \$290,827 over FY 94 appropriations has been allocated as follows:

- \$20,000 to Legal Services for the Elderly, Inc.,
- \$238,239 to the Home Based Care Program,
- \$16,705 to Home Based Care Program for adults under age 60 and
- \$15,883 to Adult Protective Home Based Care.

Allocation of FY 95 Funds - Bureau of Elder and Adult Services

Funding Source:

Federal

	Total:	BEAS Admin	Program Admin	Regional Admin	AAA	LSE	Other
Title III-B	1,636,215	183,110			1,381,437	71,668	
Title III-C	2,505,840	302,490			2,203,350		
Title III-D	35,632				35,632		
Title III-F	85,780				85,780		
Title VII A	10,073				10,073		
Title VII B	22,009					22,009	
Title VII C	23,409		23,409				
USDA	700,000				700,000		
Nutrition Block Grant	419,780				419,780		
SCSEP	484,518		66,970		253,733		163,815
Health Insurance Counseling	106,498		26,144		60,000	20,354	
Alzheimer's Demonstration	185,000				69,659		115,341
White House Conference on Aging	10,000						10,000
Federal Total:	6,224,754	485,600	116,523		5,219,444	114,031	289,156

State

	Total:	BEAS Admin	Program Admin	Regional Admin	AAA	LSE	Other
Administration	576,439	372,564			141,375	62,500	
PSSP	275,395				275,395		
Legal Services	139,208					139,208	
Housing Services	39,600		39,600				
Congregate Housing	460,105				384,270		75,835
LSE Ombudsman	48,465					48,465	
Volunteer Grants	74,776				18,694		56,082
HBC	3,891,360				3,821,360		70,000
HBC Under 60	326,286				276,286		50,000
HBC/Outreach	100,000				100,000		
Adult Protective Services	3,746,951		244,944	3,314,111			187,896
Adult Protective HBC	173,430						173,430
Adult Protective (State BG)	39,000						39,000
Homemaker	578,429				114,332		464,097
*State Total:	10,469,444	372,564	284,544	3,314,111	5,131,712	230,173	1,116,340

Total All Funds: 16,684,198 858,164 401,067 3,314,111 10,351,156 344,204 1,395,496

* Total does not include \$3,412,836 appropriated by the State as match for the Medicaid Waiver for elderly people.

Public Hearings and Public Comments

Instead of holding a single hearing in one place as in 1990, to elicit public comment on the draft 1995-1997 state plan, the Bureau of Elder and Adult Services held three hearings at the same time at three locations around the state. They took place at Augusta, Bangor and Portland. Notification of the hearings was sent to an interested parties list of over 250 people along with a draft copy of the plan. A public hearing notice was published in newspapers in Augusta, Bangor, Lewiston/Auburn and Portland the weekend prior to the hearings. Although attendance at all three hearings was sparse, the BEAS received a number of written comments.

General Comments

Comment: The plan neglects listing the many on-going activities that are regularly carried out by the Bureau.

Response: Such a list has been added.

Comment: Had hoped to see more Bureau and Area Agency active collaboration in the housing area since housing is increasingly an integral part of long term care.

Response: We have included a specific item relating to congregate housing in the section on Significant Events. In the Ongoing Activities section, there is a more general statement on advocating for increased housing options. The word 'housing' has been added to the statement of Goal 2, along with an assisted living objective.

Comment: Include a separate advocacy goal with specific objectives.

Response: Advocacy is not a new nor separate activity. It is an integral part of all the Bureau's on-going and planned activities. We have, nevertheless, changed the title of Goal 1 to "Advocate for the development of appropriate services for Maine's older people and adults needing protective services."

Comment: There is no clear link between the Area Agency area plans and the state plan goals and objectives and what kind of "cooperation, coordination and collaboration" will take place in achieving them.

Response: The wording of Goal 2 assumes that the Area Agencies are prominent among the "private" groups with which the BEAS works. Even though the Aging Network, of which the AAAs are a part, is mentioned in several objectives throughout the plan, we have made the connection with them more explicit in several objectives.

Comment: It would be helpful to have prior funding levels shown as a basis for evaluating what is happening.

Response: We have addressed this in the narrative that accompanies the allocation table.

Comment: What is included in the "Other" column in the allocation table?

Response: See the narrative that accompanies the allocation table.

Comment: Will there be another round of hearings to consolidate the comments from the hearings?

Response: No. The next step is to submit this plan to the Administration on Aging on August 15 for review and comment. Final version of the plan which is to go into effect on October 1, 1994 will be available to the public once the Bureau has responded to Administration on Aging concerns.

Comment: What is the source of the tables used in the "Snapshot of Maine's Older Population?"

Response: Unless otherwise noted, the source is 1990 Census data or the Administration on Aging's Special Tabulation on Aging that is based on the 1990 Census.

Comment: BEAS should advocate for a Food Stamp "cash-out" program.

Response: BEAS is not opposed to the idea but the Federal government is not approving more demonstration projects.

Comment: The Aroostook AAA disputes the count of low-income minority persons in their area.

Response: BEAS count came from the Special Tabulation on Aging of the 1990 Census, which the Administration on Aging requests we use for the Intra-State Funding Formula. Nevertheless, we have added a summary of Aroostook AAA's efforts in this area to the section on Services to Low Income Minority Elders.

Comments on Goals and Objectives

⇒ Goal 1,

Objective 1

Comment: We would like to have seen this objective include that the Bureau will be working also with the Area Agencies in order to increase the availability of representative payees. At least one Area Agency has a specific objective addressing this issue.

Response: We have broadened this objective to include Area Agencies.

Objective 2

Comment: Encourage BEAS to include a role for the Area Agencies in the planning and implementation of the managed care initiative.

Response: BEAS intends to have consumer and Area Agency representatives on technical advisory groups for the managed care initiative should it be funded.

Objective 3

Comment: For Homemaker Services, how is the reallocation of existing funds determined? How is it authorized?

Response: The authorization to reallocate and how it is to be done require legislative action.

⇒ Goal 2

Objective 1

Comment: The Bureau should also insure that the clients of Congregate Housing Services Programs are familiar with its appeals process.

Response: We agree and have included them in the statement of this objective.

Comment: This goal needs a separate Title IIIIF objective that will have a broader focus than just nutrition.

Response: This is a good idea and we have added one.

⇒ **Goal 3**

Comment: A suggestion was made that the statement of Goal 3 might be more "Bureau friendly" if it started with the words "Maintain and increase..."

Response: Bureau staff feel that the current wording adequately conveys their intent.

Objective 4:

Comment: Would like the question to be addressed of whether funds should be allocated by county rather than by Planning and Service Area.

Response: Even if the Bureau were to allocate funds by county, the amount of money going to each Area Agency would not change since they would be receiving the funds for only those counties within their Planning and Service Area. It would complicate the management of the funds and limit the agency's flexibility in using them. Nevertheless, this issue could be brought to the board and management of an agency for consideration. It does not take action by the Bureau.

Standard Assurances for 1995-1997 State Plan

Federal law requires that the Bureau of Elder and Adult Services (BEAS) meet certain minimal conditions in order to receive Federal funds. One condition is to assure in our State Plan that certain requirements will be met. In compliance with these requirements, and in good faith, the Bureau of Elder and Adult Services assures that it will comply with the following conditions of the Older Americans Act of 1965. Maine meets each of the requirements of 45 CFR Parts 1321.5 through 1321.75.

Section 305--Title III

Sec. 305(a)(1) The Department of Human Services, Bureau of Elder and Adult Services, is the sole agency responsible for the administration of the State Plan on Aging. BEAS is primarily responsible for the planning, policy development, administration, coordination, priority setting, and evaluation of all State activities related to the objectives of the Older Americans Act. BEAS divides the State into distinct planning and service areas in accordance with guidelines issued by the Commissioner.

Sec. 305(a)(2)(A) The BEAS designates an area agency on aging for each planning and service area.

Sec. 305(a)(2)(B) BEAS will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of supportive services or nutrition services, or individuals using multipurpose senior centers.

Sec. 305(a)(2)(C,D) The BEAS will, in accordance with guidelines issued by the Commissioner, develop, publish, and submit to the Commissioner for review and comment a formula for the distribution of Title III funds within the State. The BEAS will review and update its formula as often as a new State Plan is submitted for approval or when final regulations from the Administration on Aging are received.

Sec. 305(a)(2)(E) BEAS will give preference to providing services to older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals. The BEAS includes proposed methods of carrying out the preference in the State plan and requires the inclusion of proposed methods of carrying out the preference in the area plans.

Sec. 305(a)(2)(F) BEAS requires use of outreach efforts described in Section 307(a)(24).

Sec. 305(a)(2)(G) BEAS sets specific objectives, in consultation with area agencies on aging, for each planning and service area for providing services funded under this title to low-income minority older individuals. BEAS undertakes specific program development, advocacy, and outreach efforts focused on the needs of low-income minority older individuals and provides a description of these efforts.

Sec. 305(b) BEAS has designated five planning and service areas in Maine, each of which is served by an established area agency on aging. BEAS will follow appropriate procedures to provide due process to affected parties if any change in such designation is considered. Each area agency on aging developed an area plan and has the ability to carry out, directly or through contractual or other arrangements, a program in accordance with the area plan.

Section 306

The State Unit on Aging assures that Area Agencies on Aging will comply with each requirement of Section 306 of the Act.

Section 307

Sec. 307(a)(1) The State Plan is based upon area plans developed by area agencies on aging (AAA's) within the State under section 305(a)(2)(A). The State prepared and distributed a uniform format for use by AAA's in developing area plans under section 306.

Sec. 307(a)(2) Each area agency on aging will develop and submit to BEAS for approval an area plan which complies with the provisions of section 306.

Sec. 307(a)(3)(A) BEAS will evaluate the need for supportive services (including legal assistance and transportation services), nutrition services, and multipurpose senior centers within the State and determine the extent to which existing public or private programs meet such need. To conduct the evaluation, BEAS uses the procedures implemented under section 202(a)(29).

Sec. 307(a)(3)(B) BEAS will spend in each fiscal year, for services to older individuals residing in rural areas in the State assisted under this title, an amount equal to not less than 105 percent of the amount expended for such services (including amounts expended under Title V and Title VII) in fiscal year 1978.

Sec. 307(a)(4) The plan provides for the use of such methods of administration as are necessary for the proper and efficient administration of the plan, and, where necessary, provide for the reorganization and reassignment of functions to assure such efficient administration.

Sec. 307(a)(5) BEAS affords an opportunity for a hearing upon request to any AAA submitting a plan under this title, to any provider of a service under such a plan, or to any applicant to provide a service under such a plan. BEAS established and published procedures for requesting and conducting such hearings.

Sec. 307(a)(6) BEAS will complete reports as required by the Commissioner.

Sec. 307(a)(7)(A) The plan provides satisfactory assurance that such fiscal control and fund accounting procedures are adopted as necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid to the recipients of a grant or contract.

Sec. 307(a)(7)(B) BEAS assures--that no individual (appointed or otherwise) involved in the designation of the State agency or an area agency on aging, or in the designation of the head of any subdivision of the State agency or of an AAA, is subject to a conflict of interest prohibited under this Act; that no officer, employee, or other representative of the State agency or AAA is subject to a conflict of interest prohibited under this Act; and that mechanisms are in place to identify and remove conflicts of interest prohibited under this Act.

Sec. 307(a)(7)(C) BEAS and each AAA will maintain the integrity and public purpose of services provided, and service providers, under the State plan in all contractual and commercial relationships. BEAS and each AAA will disclose to the Commissioner the identity of each nongovernmental entity with which they have a contract or commercial relationship relating to providing any service to older individuals as well as the nature of such contract or such relationship. BEAS and each AAA will demonstrate that such contract or such relationship will enhance, and not detract from, services provided under the State plan. All sources and expenditures of funds the BEAS or AAA's receive or expend to provide services to older individuals will be disclosed on the request of the Commissioner.

Sec. 307(a)(8) BEAS conducts periodic evaluations of, and public hearings on, activities and projects carried out under the State plan. BEAS solicits the views and experiences of entities that are knowledgeable about the needs and concerns of low-income minority older individuals.

Sec. 307(a)(9) The State plan provides for maintaining information and assistance services in sufficient numbers to assure that all older individuals in the State who are not furnished adequate information and assistance services under section 306(a)(4) will have reasonably convenient access to such services.

Sec. 307(a)(10) The AAA's and BEAS will not directly provide supportive services, nutrition services, or in-home services. If these direct services cannot be provided in sufficient quantity or can be done more economically by the AAA, the AAA must request a waiver from BEAS to provide such direct services.

Sec. 307(a)(11) Subject to the requirements of merit employment systems, preference is given to older individuals and to individuals with formal training or equivalent professional experience in the field of aging for any staff position in BEAS and the AAA's.

Sec. 307(a)(12) BEAS will carry out a State Long-Term Care Ombudsman program in accordance with section 712 and this title.

Sec. 307(a)(13)(A-I) BEAS assures that nutrition services will be available to older individuals, their spouses, and handicapped or disabled individuals under 60 residing in housing facilities at which congregate nutrition services are provided. Primary consideration will be given to provision of meals in a congregate setting; home-delivered meals will be provided as needed and in accordance with all requirements. Voluntary contributions for meals will be solicited and used to increase the number of meals served by the project involved. Meals will be provided in a congregate setting which is in as close proximity to the majority of eligible individuals' residences as feasible. Each project will establish outreach activities. Meals will be administered with the advice of dietitians and persons knowledgeable of the needs of older individuals. Projects will provide special menus, where feasible, to allow for differing health needs, religious requirements, or ethnic backgrounds.

Sec. 307(a)(13)(J-M) Nutrition education will be provided on at least a semiannual basis to participants. Each nutrition project will comply with applicable provisions of State or local laws regarding the safe and sanitary handling of food, equipment, and supplies used in the storage, preparation, service, and delivery of meals to an older individual. BEAS will monitor, coordinate, and assist in the planning of nutritional services as required. BEAS will develop nonfinancial criteria for eligibility to receive nutrition services under section 336 and will periodically evaluate recipients of such services to determine whether they continue to meet such criteria.

Sec. 307(a)(14) BEAS assures that it will comply with all requirements with respect to the acquisition, alteration, or renovation of existing multipurpose senior centers. BEAS assures that it will comply with all requirements regarding the purchase or construction of new facilities to be used as a multipurpose senior center.

Sec. 307(a)(15) BEAS will provide for the coordination of the furnishing of legal assistance to older individuals within the State, and provide advice and technical assistance in the provision of legal assistance to older individuals within the State. BEAS assures that it will meet all requirements with respect to legal assistance.

Sec. 307(a)(16) BEAS assures that any AAA providing services for the prevention of abuse of older individuals will do so consistent with relevant State law and in coordination with existing State adult protective service activities. BEAS will not permit involuntary or coerced participation. All information will remain confidential unless all parties to the complaint consent in writing to the release of such information, except that such information may be released to a law enforcement or public protective service agency.

Sec. 307(a)(17) BEAS will provide inservice training opportunities for personnel of agencies and programs funded under this Act.

Sec. 307(a)(18) BEAS will assign personnel to provide State leadership in developing legal assistance programs for older individuals throughout the State.

Sec. 307(a)(19) AAA's may enter into grants or contracts with providers of education and training services.

Sec. 307(a)(20) If a substantial number of the older individuals residing in any planning and service area are of limited English-speaking ability, BEAS will require the AAA for each such area to utilize outreach workers who are fluent in the language spoken by a predominant number of such older individuals who are of limited English-speaking ability. In addition, the AAA will designate an employee to assist said older individuals as well as their service providers.

Sec. 307(a)(21) In regards to the Long-Term Care Ombudsman program, BEAS will not expend less than the total amount expended by the agency in fiscal year 1991.

Sec. 307(a)(22) BEAS shall specify a minimum percentage of the funds received by each AAA for part B that will be expended, in the absence of the waiver granted under section 306(b)(1), by such AAA to provide each of the categories of services specified in section 306(a)(2).

Sec. 307(a)(23) BEAS assures that the plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared, identify the number of low-income minority older individuals in the State and describe the methods used to satisfy the service needs of such minority older individuals.

Sec. 307(a)(24) BEAS will require outreach efforts that will identify individuals eligible for assistance under this Act, with special emphasis on older individuals who--reside in rural areas; have greatest economic need; have greatest social need; have severe disabilities; have limited English-speaking ability; and who have Alzheimer's disease or related disorders. Older individuals and their caretakers who are in a special emphasis area will be made aware of the availability of assistance.

Sec. 307(a)(25) BEAS will coordinate planning, identification, assessment of needs, and service for older individuals with severe disabilities with the State agencies with primary responsibility for individuals with disabilities.

Sec. 307(a)(26) BEAS assures that AAA's will conduct efforts to facilitate the coordination of community-based, long-term care services, pursuant to section 306(a)(6)(I) for older individuals who are at risk of institutionalization or who are patients in long-term care facilities, but who can return to their homes if community-based services are provided to them.

Sec. 307(a)(27) BEAS will consult and coordinate the planning and provision of in-home services under section 341 with State and local agencies and private nonprofit organizations which administer and provide services relating to health, social services, rehabilitation, and mental health services.

Sec. 307(a)(28) Any funds received under section 303(e) will be expended to carry out part E.

Sec. 307(a)(29) The methods used to satisfy the service needs of older individuals who reside in rural areas will be described with respect to the fiscal year preceding the fiscal year of this plan.

Sec. 307(a)(30) The plan shall include the assurances and description required by section 705(a).

Sec. 307(a)(31)(A) If 50% or more of the area plans in the State provide for an area volunteer services coordinator as described in section 306(a)(12), the State shall provide for a State volunteer services coordinator who shall--

- (i) encourage AAAs to provide for area volunteer services coordinators;
- (ii) coordinate the volunteer services offered between the AAAs;
- (iii) encourage, organize, and promote the use of older individuals as volunteers to the State;
- (iv) provide technical assistance, which may include training, to area volunteer services coordinators; and,
- (v) promote recognition of the contributions made by volunteers to the programs administered under the State plan.

Sec. 307(a)(31)(B) If fewer than 50% of the area plans in the State provide for an area volunteer services coordinator, the State plan may provide for the State volunteer services coordinator described in (A) above.

Sec. 307(a)(32) BEAS assures that special efforts will be made to provide technical assistance to minority providers of services.

Sec. 307(a)(33) The plan--(A) shall include the statement and demonstration required by paragraphs (2) and (4) of section 305(d); and (B) may not be approved unless the Commissioner approves such statement and such demonstration.

Sec. 307(a)(34) BEAS will coordinate programs under this title and title VI, if applicable.

Sec. 307(a)(35) BEAS assures that it will pursue activities to increase access for older Native Americans to all aging programs and benefits provided by the agency, including those under Title 3, if applicable, and will specify in this plan how it will implement these activities.

Sec. 307(a)(36) If case management services are offered to provide access to supportive services, BEAS shall ensure compliance with the requirements specified in section 306(a)(20).

Sec. 307(a)(37) The plan shall identify for each fiscal year the actual and projected additional costs of providing services under this title, including the cost of providing access to such services in rural areas, according to a standard definition of rural areas as specified by the Commissioner.

Sec. 307(a)(38) BEAS assures that no Title 3 funds will be used to pay any part of a cost (including administrative) incurred by the State or a AAA to carry out a contract or commercial relationship that is not carried out to implement this title.

Sec. 307(a)(39) BEAS assures that no preference in receiving services will be given by AAAs to particular older individuals as a result of a contract or commercial relationship that does not implement this title.

Sec. 307(a)(40) BEAS assures that any funds appropriated under section 303(g) will be used by BEAS and the AAAs to carry out part g.

Sec. 307(a)(41) Demonstrable efforts will be made to--(A) coordinate services provided under this act with other State services for older people; and (B) provide multigenerational activities, such as opportunities to serve as mentors or advisors in child care, youth day care, educational assistance, at-risk youth intervention, juvenile delinquency treatment and family support programs.

Sec. 307(a)(42) BEAS will coordinate public services to assist older people to get transportation associated with access to Title III services, to Title VI services, to comprehensive counseling and to legal assistance.

Sec. 307(a)(43) BEAS shall issue guidelines applicable to grievance procedures required by section 306(a)(6)(P), which requires that AAAs establish procedures for older people who are dissatisfied with or denied services under Title III.

Sec. 307(a)(44) BEAS assures that it has in effect a mechanism to provide quality in the provision of in-home services under this title.

Section 705--Title VII

Sec. 705(a)(1) BEAS assures establishment of programs in accordance with the Act.

Sec. 705(a)(2) BEAS will obtain the views of older people, AAAs, Title VI grantees, and other interested persons and entities through public hearings and other means.

Sec. 705(a)(3) BEAS will identify and prioritize statewide activities ensuring older people have access to, and assistance in securing and maintaining, benefits and rights.

Sec. 705(a)(4) BEAS assures these funds will not supplant any funds expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out the vulnerable elder rights protection activities described in the chapter.

Sec. 705(a)(5) BEAS assures that no restrictions, other than the requirements referred to in section 712(a)(5)(C), on the eligibility for designation as local Ombudsman entities under section 712(a)(5).

Sec. 705(a)(6)(A) BEAS assures that, with respect to programs for the prevention of Elder abuse, neglect, and exploitation under chapter 3 of this title, consistent with State law, will be coordinated with existing APS activities for:

- (i) public education to identify and prevent elder abuse;
- (ii) receipt of reports of elder abuse;
- (iii) active participation of older individuals through outreach, conferences, and referral of individuals to other agencies or sources of assistance; and
- (iv) referral of complaints to law enforcement or public protective services.

Sec. 705(a)(6)(B,C) BEAS will not permit involuntary or coerced participation. All information is confidential except:

- (i) if all parties consent in writing to the release of information;
- (ii) if the information is released 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.

Sec. 705(a)(7)(A) BEAS will make outreach, counseling, and assistance funds available to AAAs, giving priority to AAAs based on the number of older individuals with greatest economic and social needs and on the inadequacy of such activities in such areas.

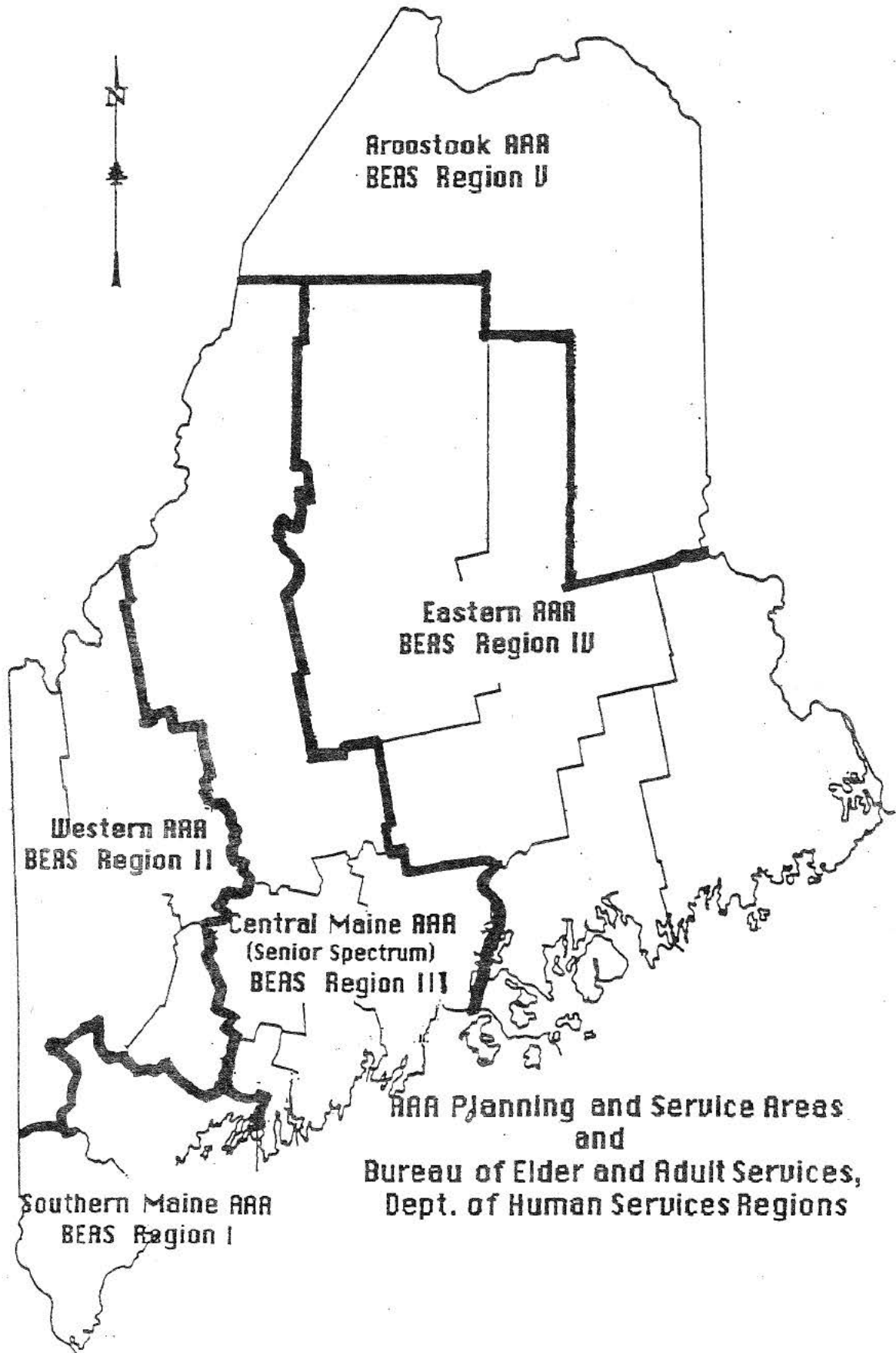
Sec. 705(a)(7)(B) BEAS will require AAAs, as a condition for receiving funds to carry out chapter 5, to submit an application that--

- (i) describes the activities for which funds are sought;
- (ii) provides for an evaluation by the AAAs of such activities; and
- (iii) includes assurances that the AAA will submit to BEAS a report of the activities conducted and also an evaluation of them.

Sec. 705(a)(7)(C,D) BEAS assures that it will distribute to the AAAs the eligibility information received from the Administration under section 202(a)(20) and information, in written form, explaining the requirements for eligibility to receive Medicaid. BEAS will submit to the Commissioner a report on the evaluations required under subparagraph (B) above.

Sec. 705(a)(8) BEAS will submit to the Commissioner a description of how BEAS will carry out this title in accordance with paragraphs (1) through (7) above.

Sec. 705(b) Neither the State nor a State agency may require any provider of legal assistance under this subtitle to reveal any information that is protected by the attorney-client privilege. (42USC3058d)



**AAA Planning and Service Areas
and
Bureau of Elder and Adult Services,
Dept. of Human Services Regions**

ANTI-DISCRIMINATION NOTICE

In accordance with Title VI of the Civil Rights Act of 1964, as amended by the Civil Rights Restoration Act of 1991 (42 U.S.C. § 1981, 2000e et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), the Age Discrimination Act of 1975, as amended (42 U.S.C. §6101 et seq.), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), and Title IX of the Education Amendments of 1972, the Maine Department of Human Services does not discriminate on the basis of sex, race, color, national origin, disability or age in admission or access to treatment or employment in its programs and activities.

Ann Twombly, Affirmative Action Officer, has been designated to coordinate our efforts to comply with the U.S. Department of Health and Human Services regulations (45 C.F.R. Parts 80, 84 and 91) and the U.S. Department of Education (34 C.F.R. Part 106) implementing these Federal laws. Inquiries concerning the application of these regulations and our grievance procedures for resolution of complaints alleging discrimination may be referred to Ann Twombly at 221 State Street, Augusta, Maine 04333. Telephone number: (207) 287-3488 (Voice) or 1-800-332-1003 (TDD), or to the Assistant Secretary of the Office of Civil Rights, Washington, D.C.

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