

SUBCHAPTER 05G - HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS

SECTION .0100 - ALLOCATION OF BLOCK GRANT FUNDS

10A NCAC 05G .0101 ALLOCATION/BLOCK GRANT FUNDING/AREA AGENCIES ON AGING

The Division of Aging shall annually allocate Block Grant funding to Area Agencies on Aging as specified in Subchapter 22C Rule .0404 of this Chapter and Chapter 1095, Section 4, 1988 Session Laws.

History Note: Authority G.S. 143B-181.1(a)(11); 143B-181.1(c); 42 U.S.C. 3000 et seq;
Eff. August 3, 1992;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.

SECTION .0200 - BASIS FOR GRANTING BLOCK GRANT FUNDS TO COUNTIES

10A NCAC 05G .0201 DEFINITIONS

(a) "County Block Grant Advisory Committee" means a committee, appointed annually by the Board of County Commissioners, that represents a broad range of aging interest in the county. The committee serves to build local consensus for the County Funding Plan and to function as a resource for the County Lead Agency for Planning and Coordination by obtaining input from service provider interests, and older consumers and their families. A representative of the Area Agency on Aging shall be appointed to the committee when the Area Agency on Aging is not designated as the County Lead Agency for Planning and Coordination, as specified in 10A NCAC 05G .0201(c).

(b) "County Funding Plan" means the format developed by the Division of Aging in which counties identify the County Lead Agency for Planning and Coordination, service providers, services, and budgetary data for the provision of Home and Community Care Block Grant for Older Adults services in the county during the State Fiscal Year.

(c) "County Lead Agency for Planning and Coordination" means a public or private non-private agency or office which is designated annually by the Board of County Commissioners for the purpose of developing the County Funding Plan for the provision of services through the Block Grant. County Funding Plan development responsibilities include directing the work of the County Block Grant Advisory Committee, facilitating a public hearing for the County Funding Plan prior to submission to the Chairman of the Board of Commissioners, and ensuring that the approved County Funding Plan meets all requirements as specified by the Division of Aging prior to submission for approval to the Area Agency on Aging.

History Note: Authority G.S. 143B-181.1(a)(11); 143B-181.1(c);
Eff. August 3, 1992;

Amended Eff. May 1, 1995;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.

10A NCAC 05G .0202 COUNTY FUNDING PLANS

(a) The County Lead Agency for Planning and Coordination shall provide the County Budget Officer with a preliminary County Funding Plan which, at a minimum, specifies Home and Community Care Block Grant for Older Adults services, funding levels, and required local matching amounts by April 30 of each year.

(b) Area Agencies on Aging shall grant Home and Community Care Block Grant for Older Adults funding to Counties on the basis of the recommended County Funding Plan that has been submitted by the Chairman of the Board of Commissioners. Area Agencies on Aging shall receive the County Funding Plan and upon approval shall grant funding to County on the basis of the Plan. Area Agency on Aging approval shall be based on the following criteria:

- (1) Allocated minimum budget amounts have been met or agree with minimum budget amounts negotiated by the Area Agency on Aging or authorized by the Division of Aging.
- (2) The total county Block Grant allocation is utilized and not exceeded.
- (3) Funding Plan documents are accurate and complete, including signatures and dates.

(c) The County Funding Plan, as approved by the Area Agency on Aging, shall be wholly a part of the Grant Agreement between the County and the Area Agency on Aging for the provision of aging services through the Home and Community Care Block Grant for Older Adults.

History Note: Authority G.S. 143B-181.1(a)(11); 143B-181.1(c);
Eff. August 3, 1992;

Amended Eff. May 1, 1995;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.

10A NCAC 05G .0203 PUBLIC HEARING FOR COUNTY FUNDING PLAN

- (a) With the participation of the County Block Grant Advisory Committee, the County Lead Agency for Planning and Coordination shall hold a public hearing on the proposed County Funding Plan prior to approval by the Chairman of the County Board of Commissioners.
- (b) The hearing shall be publicized in a manner that encourages public participation and comments received at the hearing will be given consideration in finalizing the County Funding Plan.
- (c) Minutes of the public hearing shall be provided with the County Funding Plan.
- (d) The public hearing shall be conducted prior to June 30 of each year.

History Note: Authority G.S. 143B-181.1(a)(11); 143B-181.1(c);
Eff. August 3, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.

SECTION .0300 - PRIORITY FOR THE RECEIPT OF BLOCK GRANT SERVICES

10A NCAC 05G .0301 DEFINITIONS

As used in this Subchapter, the following terms shall have the meaning specified:

- (1) "Activities of daily living" means functions which include: eating; dressing; bathing; toileting; bowel and bladder control; transfers; ambulation; and communication; such as speaking; writing; signing and communication devices.
- (2) "Abuse" means:
 - (a) The willful: infliction of injury; unreasonable confinement; or intimidation; or
 - (b) Punishment with resulting harm, pain, or mental anguish; or
 - (c) Deprivation by a caregiver of goods or services which are necessary to avoid physical harm, mental anguish, or mental illness.
- (3) "Exploitation" means the commission of a crime by a caretaker by using the resources of an older adult for monetary or personal benefit, profit, or gain.
- (4) "Instrumental activities of daily living" means functions which include: meal preparation, medication intake, cleaning, money management, laundering, reading, shopping and going to necessary activities.
- (5) "Neglect" means the failure to provide for oneself the goods or services which are necessary to avoid physical harm, mental anguish, or mental illness or the failure of a caretaker to provide such goods or services.
- (6) "Older adult" means an individual 60 years of age or older.

History Note: Authority G.S. 143B-181.1;
Eff. September 1, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.

10A NCAC 05G .0302 CLIENT PRIORITIES FOR RECEIPT OF SERVICES

- (a) Once service providers have determined that individuals meet eligibility criteria for a given Home and Community Care Block Grant for Older Adults service, individuals shall be served in the following priority order:
 - (1) Older adults for whom the need for Adult Protective Services has been substantiated by the local department of social services and the service is needed as part of the adult protective service plan.
 - (2) Older adults who are at risk of abuse, neglect, or exploitation.
 - (3) Older adults with three or more impairments in activities of daily living (ADL's), or instrumental activities of daily living (IADL's), who are at risk of institutionalization substitute care.
 - (4) Older adults with three or more ADL or IADL impairments.
 - (5) Older adults with no more than two ADL or IADL impairments.
 - (6) Well older adults.
- (b) Service providers must establish a process to screen prospective clients for the purpose of determining priority for receipt of service(s) in accordance with the criteria specified in 10A NCAC 05G .0302(a).
- (c) Agencies providing Home and Community Care Block Grant services will address targeting preferences specified in the Older Americans Act as a part of outreach activities to older adults.

History Note: Authority G.S. 143B-181.1;

Eff. August 3, 1992;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.