

10A NCAC 06K .0204 ELIGIBILITY FOR SERVICE

(a) Congregate Nutrition Program.

(1) Target Population.

- (A)** Congregate nutrition services shall be available to persons 60 years of age and older and their spouses, regardless of age. Spouses under the age of 60 are eligible for services when the person 60 and over is receiving nutrition services.
- (B)** Area Agencies on Aging shall establish written procedures that will also allow congregate nutrition programs the option to offer a meal, on the same basis as meals are provided to persons 60 years of age and older, to individuals providing volunteer services during the meal hours and to individuals with handicaps or disabilities who have not attained 60 years of age but who reside with an eligible older adult or reside in housing facilities occupied primarily by the elderly at which congregate nutrition services are provided. Disability status shall be verified by reviewing a notice of disability benefit award. Nutrition service providers shall maintain a current copy of the notice of benefit award for each person served.

(2) Service Priority. Priority shall be given to serving:

- (A)** Individuals who have been abused, neglected, or exploited as substantiated by the county department of social services and for whom the service is needed as part of the adult protective services plan;
- (B)** Individuals who are at risk of abuse, neglect, or exploitation because of a decline in mental or physical functioning;
- (C)** Individuals who are health impaired and who are in need of nutritional supports, or those older persons whose independent living arrangements do not provide facilities adequate for meal preparation.

(3) Ineligible Persons.

- (A)** Eligibility for the service is restricted to those persons whose dietary needs can be met by the meals available through the program as outlined in Rule .0203 of this Section.
- (B)** Persons residing in long term care facilities and persons enrolled in a care-providing program or a facility, including an adult day care or adult day health care program in which a meal is provided, are not eligible. Persons who meet eligibility criteria who are enrolled in care providing programs including adult day care or adult day health care programs are eligible to receive congregate meals on the days they do not participate in such programs.

(b) Home Delivered Meals.

(1) Target Population.

- (A)** Home delivered meals shall be available to persons 60 years of age and older who are physically or mentally unable to obtain food or prepare meals, who have no responsible person who is able and willing to perform this service, and who are unable to participate in the congregate nutrition program because of physical or mental impairment. The spouse of an eligible older person is also eligible to receive a home delivered meal if one or the other is homebound by reason of illness or incapacitating disability.
- (B)** Area Agencies on Aging shall establish procedures that will allow home delivered meals programs the option to offer a meal, on the same basis as meals are provided to persons 60 years of age and older, to individuals providing volunteer services during the meal hours and to individuals with disabilities who reside at home with an eligible older adult. Disability status shall be verified by reviewing a notice of disability benefit award.
- (C)** Where a family caregiver is caring for an eligible homebound older person, the family caregiver is also eligible to receive a meal.

(2) Service Priority. Priority shall be given to serving:

- (A)** Individuals who have been abused, neglected, or exploited as substantiated by the county department of social services and for whom the service is needed as part of the adult protective service plan;
- (B)** Individuals who are at risk of abuse, neglect, or exploitation because of a decline in mental or physical functioning;
- (C)** Individuals who do not have a caregiver or another responsible party available to assist with care; and

- (D) Individuals who experience impairment in performance of activities of daily living (ADL) and instrumental activities of daily living (IADL) as defined in 10A NCAC 05G .0301.
- (3) Ineligible Persons. Eligibility for the service is restricted to those persons whose dietary needs can be met by home delivered meals available through the program as outlined in Rule .0203 of this Section. Persons residing in long term care facilities and persons enrolled in a care-providing program or a facility, including an adult day care or adult day health care program in which a meal is provided, are not eligible. Persons who meet eligibility criteria who are enrolled in care providing programs or adult day care or adult day health care programs are eligible to receive home delivered meals on the days they do not participate in such programs.

*History Note: Authority G.S. 143B-181.1(c);
Eff. November 1, 1993;
Amended Eff. July 1, 2003;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*