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Lieutenant Governor's Office on Aging
State Waiver Form
Waiver: W-001

By signing the Lieutenant Governor's Office on Aging's (LGOA's) State Waiver Form, the

Appalachian AAA / ACOG
Planning and Service Area

has determined that there is a need within its planning and service area to waive an existing LGOA policy and procedure to better serve the needs of its region.

Older Americans Act (OAA) Section 305(a)(1)(C) authorizes the LGOA to set policies to deliver aging services in South Carolina and states that the LGOA "be primarily responsible for the planning, policy development, administration, coordination, priority setting, and evaluation of all State activities related to the objectives of this Act." The OAA and the South Carolina Code of Laws are the foundation of the aging service delivery system across the State.

In accordance with the OAA, the LGOA has established written policies and procedures to administer aging services and programs in South Carolina. The procedural protocols set by the LGOA to deliver aging services are based on Federal and State Law. However, the LGOA acknowledges that the Planning and Service Area (PSA) could determine that there may be an extenuating circumstance regionally which results in a PSA generating a waiver.

State Waivers, which allow the PSA to operate outside the written policies and procedures of the LGOA, will not be accepted if it is determined that the waiver conflicts with the OAA or South Carolina law. A State Waiver is for up to a one-year period, terminating on June 30th. The LGOA reserves the right to invalidate waivers that amend its policies and procedures at any time.

The PSA and its Executive Director assume all legal responsibility and liability for the procedural and operational practices associated with this waiver, and will be held accountable for any consequences that might result from this waiver being enacted. The multiple parties associated with the State Waiver are required to follow all established LGOA policies and procedures for data collection in order to accurately track and record client data. The PSA will be responsible for fulfilling all other areas of LGOA policies and procedures operations not covered by this waiver.

The LGOA will not reimburse the PSA for unearned funding: Performance outcome requirements set through contractual agreements in the planning and service area are the legal responsibility of the PSA. The PSA is responsible for ensuring that its service providers/contractors earn their funding in accordance to the OAA and LGOA policies and procedures. If it is determined that funding is not being earned, or that data is not being accurately tracked, the PSA will be expected to execute a thorough review of the service provider's/contractor's operations which could result in a thirty (30) day Corrective Action Plan to bring the multiple parties into OAA and LGOA compliance.

PSA Requesting Waiver:	Appalachia
Type of Waiver Requested	Emergency
Date the Waiver is Requested to cover:	June 1 - June 30, 2014

Is this a waiver consideration on behalf of the PSA or the Provider/Contractor?	Both
Name of Provider/Contractor Director if appropriate:	Si Centers of Spartanburg Co./ Sandra Owensby

Name of site for waiver consideration if appropriate:	Spartanburg County
Provider/Contractor contact information if appropriate:	same as above

What type of waiver is being requested? Please specify what action plans and protocol steps the PSA has taken to assist the Service/Provider Contractor to comply with the requirements of the OAA, AoA and LGOA and the duration of the assistance given.

The ACOG/AAA is requesting an emergency procurement waiver for HomeCare Level 1 is Spartanburg County. The current provider has had 3 contractors this fiscal year and is currently not able to provide this service in the county.

Please state what specific challenges the PSA and Service Provider/Contractor encountered and why they were unable to successfully perform the requirements of the PSA, AoA, OAA and LGOA which necessitated the need for this waiver.

Challenges	Reason Unable Perform the Requirement
3 different Homecare Provider subcontractors	- subcontractors not able to fulfill duties

What do you anticipate the positive results or benefits of the waiver will be if granted?

HomeCare clients to get services on a regular basis.

What do you anticipate the negative consequences of not granting the waiver will be?

Clients not receiving services for 1 month.

How will you determine if this waiver will lead to service or programmatic improvements?	Monitoring of provider.

What steps will the PSA take to ensure that the Provider/Contractor adheres to the contracts signed with the PSA to provide services, functions, and activities required for OAA and LGOA funding, in addition to this waiver?

monitoring and client satisfaction.

Additional comments or information needed to support waiver request:
Senior Centers of Spartanburg County has had 3 subcontractors for Home-Care Level 1 in the current fiscal year. There had been several issues and the providers have quit serving the clients. There are 27-31 clients served per month and receive 15.5 hours average per week in services. The ACOG/AAA Board of Directors has chosen ResCare as the new provider of this service beginning July 1, 2014. The ACOG/AAA is requesting this emergency waiver to contract with ResCare for June 2014 so that the clients can receive service.

By signing this document, I certify that the waiver will be implemented as described above in this State Waiver Form.

Planning Service Area Director

5/28/14
Date

Tony Kester
Lieutenant Governor's Office on Aging Director

✓ Approved

____ Not Approved

5-28-14
Date

The waiver form should be sent to:

Gerry Dickinson, Policy Manager
Lieutenant Governor's Office on Aging
1301 Gervais Street, Suite 350
Columbia, South Carolina 29201

All Approved State Waivers will be listed on the LGOA website, per Section 210 of the South Carolina Aging Network's Policies and Procedures Manual regarding State Waivers.