



**MULTIGRANT NOTIFICATION OF GRANT AWARD TERMS AND  
CONDITIONS  
FOR FISCAL YEAR 2014 – 2015  
(Revised: June 19, 2014)**

This document supersedes all previous drafts of the Multigrant Notification of Grant Award Terms and Conditions.

The Terms and Conditions herein are based on the established policies of the Lieutenant Governor's Office on Aging (herein, "LGOA") under the Older Americans Act of 1965 (OAA), 42 U.S.C. §§ 3001-3058, as amended in 2006.

**A. PLANNING AND SERVICE AREA (PSA) GENERAL AND ADMINISTRATIVE ASSURANCES**

1. The Planning Service Area (PSA), Area Agency on Aging (AAA)/Aging and Disability Resource Center (ADRC), and the AAAs'/ADRCs' providers/contractors must comply with the policies and procedures set by the Older Americans Act (OAA), the current South Carolina Aging Network's Policies and Procedures Manual, current Notices of Grant Award (NGA) Terms and Conditions, and any Program Instructions (PI) issued by the Lieutenant Governor's Office on Aging (LGOA) and the Administration on Aging (AoA) during the Area Plan period.
2. The LGOA has established the following minimum percentage of Older Americans Act (OAA) Title III-B funds received by each AAA/ADRC that shall be expended for priority service categories:
  - fifteen percent for services associated with access: transportation, outreach, and Information and Referral/Assistance;
  - ten percent for in-home services: homemaker and home health aide, telephone reassurance, and chore maintenance; and
  - four percent for legal assistance.
3. The PSA and AAA/ADRC shall ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, shall include a focus on the needs of low income minority older individuals and older individuals residing in rural areas (OAA 306(a)(4)(C)).
4. The PSA, AAA/ADRC, and its providers/contractors shall comply with all applicable federal, state, and local laws, regulations, and guidelines.

5. The PSA shall have protocols in place to inform clients of any state or federal tax guidelines that clients must adhere to as a result of receiving aging services.
6. The PSA and AAA/ADRC shall have a comprehensive, written policies and procedures manual for complying with all functions prescribed by the OAA, the LGOA, and the South Carolina Aging Network's Policies and Procedures Manual. These written policies and procedures shall be available for inspection upon request and are subject to the South Carolina Freedom of Information Act (FOIA) requirements. The PSA and AAA/ADRC may not adopt the South Carolina Aging Network's Policies and Procedures Manual as a substitute for developing a regional manual, but may use it as a guide for what should be included in the regional manual. A summary of the written policies and procedures should be noted in the Area Plan.
7. The PSA and AAA/ADRC accept the standards and programmatic requirements issued for all services authorized by the Lieutenant Governor's Office on Aging. All providers/contractors and/or vendors of services shall be monitored for compliance with such standards and carry out the standards and requirements in the delivery of each service to be reimbursed with funds awarded under this plan.
8. The PSA and AAA/ADRC shall provide adequate and qualified staff to perform all of the functions prescribed (**CFR 1321.55(b)**).
9. The PSA and AAA/ADRC shall maintain a Regional Aging Advisory Council (RAAC) whose purpose is:
  - a. to advise the AAA/ADRC on all matters related to the development of the Area Plan;
  - b. to advise on the administration of the plan; and
  - c. to advise on operations conducted under the plan.

The RAAC shall have no decision-making authority that is binding on the AAA/ADRC staff or on the AAA/ADRC Executive Board (**OAA 306(a)(6)(D)**).
10. Through its Area Plan, the PSA shall provide the LGOA information on how its RAAC board members are selected, appointed, or elected; the established terms of office; and RAAC by-laws.
11. The PSA and AAA/ADRC Directors shall be expected to be engaged and informed aging advocates who work to promote senior matters and educate the community on issues facing the aging network and their respective regional AAA/ADRC.
12. The PSA Director shall ensure that all contact information for all respective PSA board members provided to the LGOA is accurate and up-to-date and complies with the South Carolina Freedom of Information Act (FOIA).
13. The AAA/ADRC shall use grants made under the Older Americans Act (OAA) to pay part of the cost of the administration of the Area Plan, including preparation of plans, evaluation of activities carried out under such plans,

development of a comprehensive and coordinated system for delivery of services to older adults and caregivers, development and operation of multipurpose senior centers, and the delivery of legal assistance as required under the OAA of 1965, as amended in 2006, and in accordance with the regulations, policies, and procedures established by the LGOA, the Assistant Secretary of the AoA, the Secretary of the U.S. Department of Health and Human Services, and state legislation (OAA 303 (c) (1) and (2) and CFR 1321.11).

14. The AAA/ADRC shall assure through the Area Plan that it has protocols in place to provide technical and programmatic assistance and training opportunities for AAA/ADRC staff and providers/contractors as required by the South Carolina Aging Network's Policies and Procedures Manual.
15. The AAA/ADRC is responsible for designing and implementing a regional training and education plan. This plan should be comprehensive in nature and reflect the training requirements identified by the AAA/ADRC, address the service priorities in the Area Plan, and complement state efforts. The training should address geographical characteristics, demographics, infrastructure, GIS Mapping, and local and community partnering resources. The annual needs assessment is the blueprint necessary to identify the types of trainings necessary in the region. Regional training shall also address all required LGOA client data tracking systems, as well as any other fiscal or programmatic requirements of the LGOA.
16. The AAA/ADRC and providers/contractors shall not means test for any service under Title III. When contributions are accepted, or cost sharing implemented, providers/contractors shall not deny services to any individual who does not contribute to the cost of the service (OAA 315(b)(3) and CFR 1321.61(c)).
17. The AAA/ADRC shall assure that residency or citizenship shall not be imposed as a condition for the provision of services to otherwise qualified older individuals.
18. The AAA/ADRC shall assess the level of need for supportive services including legal assistance, transportation, nutrition services, and multipurpose senior centers within the planning and service area (OAA 306(a)(1)).
19. The AAA/ADRC shall assure that the special needs of older individuals residing in rural areas are taken into consideration and shall describe in the Area Plan how those needs have been met and how funds have been allocated to services to meet those needs (OAA 307(a)(10)).
20. The AAA/ADRC shall utilize Geographic Information System (GIS) mapping in order to determine if Older Americans Act (OAA) targeted client populations are being served in its planning and service area.
21. The AAA/ADRC shall establish effective and efficient procedures for coordination of entities conducting programs under the OAA and entities conducting other federal programs for older individuals at the local level (OAA 306(a)(12)).

22. Where there are significant numbers of older individuals in the PSA who are Native Americans, the AAA/ADRC shall require outreach activities to such individuals and encourage such individuals to access the assistance available under the OAA (OAA 306(a)(6)(G)). (The OAA does not define “significant numbers.” The PSA Director shall define a “significant number” in his/her organization.)
23. The AAA/ADRC shall assure the coordination of planning, identification and assessment of needs, and provision of services for older individuals with disabilities (with particular attention to those with severe disabilities) with agencies that develop or provide services for individuals with disabilities (OAA 306(a)(5)).
24. When seeking a waiver from compliance with any of the minimum expenditures for priority services, the AAA/ADRC shall demonstrate to the LGOA that services furnished for such category within the PSA are sufficient to meet the need for those services and shall conduct a timely public hearing upon request (OAA 306(b)).
25. The AAA/ADRC shall, to the maximum extent practicable, coordinate services under the Area Plan with services that may be provided under Title VI in the planning and service area (OAA 306(a)(11)(B) and (C)).
26. The AAA/ADRC shall ensure that clients receive an initial assessment and then reassess service recipients no less than annually, with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, older individuals residing in rural areas, and eligible individuals, as defined in the Older Americans Act of 1965 (OAA) §518, 42 U.S.C. §3056p, as amended in 2006. Assessments must be recorded on the LGOA Assessment Form. No reimbursements will be made without proper and current assessments.
27. Based on that assessment, the AAA/ADRC shall assure that services delivered with resources under the Area Plan are provided to individuals with the highest priority scores.
28. The LGOA requires that the AAA/ADRC directly provide ombudsman, information and assistance, insurance counseling, and family caregiver services (OAA 307(a)(8)(A)and(C)).
29. The AAA/ADRC shall provide other direct services only with a waiver approved by the LGOA and only when such direct provision is necessary to assure an adequate supply of such services, or where such services are directly related to the AAA’s/ADRC’s administrative functions, or where such services of comparable quality can be provided more economically by the AAA/ADRC (OAA 307(a)(8)(A)and(C)).
30. The AAA/ADRC shall administer the nutrition programs with the advice of a dietitian (or an individual with comparable expertise). Whenever the AAA/ADRC allows providers/contractors to purchase catered meals directly, or

has providers/contractors who prepare meals on site, the AAA/ADRC shall assure that such providers/contractors have agreements with a registered dietitian who provides such advice (OAA 339(G)).

31. The AAA/ADRC shall conduct efforts to facilitate the coordination of community-based, long-term care services, pursuant to section 306(a)(7), for older individuals who:
  - a. reside at home and are at risk of institutionalization because of limitations on their ability to function independently;
  - b. are patients in hospitals and are at risk of prolonged institutionalization; or
  - c. are patients in long-term care facilities, but who can return to their homes if community-based services are provided to them (OAA 307(a)(18)).
32. The Older Americans Act (OAA) stipulates that the AAA/ADRC must have Emergency Preparedness Plans (EPPs) as part of its Area Plans. The LGOA requires the AAA/ADRC to use the authorized LGOA EPP template when developing its plan. The AAA/ADRC must also review and update its plan annually. The plan should incorporate all requirements of the South Carolina Aging Network's Policies and Procedures Manual regarding Emergency Management and Disaster Preparedness. In addition, the AAA/ADRC shall ensure that each of its providers/contractors has a disaster preparedness plan that is reviewed and updated annually.
33. The AAA/ADRC shall coordinate with county emergency management directors in its region to ensure that there is a working relationship between the counties and the AAA/ADRC. In addition, the AAA/ADRC shall keep up-to-date information using the LGOA's Emergency Contact Template for Volunteer Organizations Active in Disasters (VOADs), as well as using the LGOA's Emergency Contact Template. The AAA/ADRC is expected to maintain current and up-to-date emergency contact information for AAA/ADRC staff, directors of providers/contractors, and county emergency management officials in the event of a disaster or emergency, and to submit this information with their Area Plans. The AAA/ADRC will designate staff to be on call throughout the duration of the declared disaster and this staff shall maintain communications with the LGOA Emergency Preparedness Coordinator.
34. The AAA/ADRC must ensure that lists of clients compiled under any programs or services are used solely for the purpose of providing or evaluating services. The AAA/ADRC shall obtain written assurance from providers/contractors stating that they will comply with all LGOA confidentiality requirements, as well as any and all applicable federal and state privacy and confidentiality laws, regulations, and policies. The AAA/ADRC shall provide the LGOA with confidentiality assurances through its Area Plan, annual Area Plan updates, or as changes are made.
35. The AAA/ADRC and its providers/contractors under the grant must have written procedures for protecting the identifying client information against unlawful distribution through any means, physical or electronic. All identifying client data must be protected through limited access to electronic records. Each

employee with access to identifying client information must sign a notice prepared by the grantee specifying the requirement to maintain confidentiality and the penalty for failure to comply.

36. The AAA/ADRC must meet with its provider(s)/contractor(s) to discuss questions, concerns, obstacles, and/or technical assistance required to be successful, either in group or one-on-one sessions.
37. The following constitutes a substantial change in the approved Area Plan and requires an amendment to the Area Plan:
  - a. change or termination of a service contractor;
  - b. reduction in the funding for priority services procured; and/or
  - c. loss or change in the services available in any county in the region.
38. The AAA/ADRC shall implement and comply with the 48 Code of Federal Register (CFR) Section 3.908, implementing Section 828, entitled "Pilot Program for Enhancement of Contractor Employee Whistleblower Protections," of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Pub. L. 112-239, enacted January 2, 2013).

#### **B. PSA and AAA/ADRC TRAINING RESOURCES ASSURANCES**

1. The PSA and AAA/ADRC shall train new providers/contractors, field questions in the region, and provide assistance with challenges of the AIM tracking system by effective trouble-shooting techniques and proactive guidance for resolution. The AAA/ADRC shall be the only entity authorized to make contact with the LGOA SPOC via the AIM Help Desk. The AAA/ADRC shall be responsible for forwarding the information received from the AIM Help Desk to the providers/contractors.
2. The PSA and AAA/ADRC shall ensure that an Advanced Information Manager (AIM) training session is provided and an operation manual is given to each provider/contractor within the first 30 days of a new contract agreement.

#### **C. CLIENT DATA COLLECTION ASSURANCES**

1. The AAA/ADRC and its providers/contractors will utilize the Advanced Information Management (AIM) system to document and track units of services delivered. Reimbursements for service funds will be supported by client data correctly entered into AIM. The AAA/ADRC will assure that service providers/contractors are trained properly and monitored accordingly, and that AIM data is inputted monthly by the 10th day (AIM data must be inputted no later than 11:59 p.m. on the 10<sup>th</sup>).
2. The AAA/ADRC shall ensure that each group dining site uses the LGOA approved LG-94 sign-in sheet and that each client sign his/her name or make a mark on the sign-in sheet daily. In addition, home-delivered meal drivers must sign and date the route sheet at the service delivery area before making daily deliveries. The site manager will also sign and date that route sheet before the driver makes his/her deliveries.

3. The AAA/ADRC shall utilize On-Line Support Assistant (OLSA) to record client contacts. The AAA/ADRC shall accurately input and monitor data and provide training for appropriate AAA/ADRC staff and providers/contractors. All client data will be captured and keyed into OLSA, including SHIP contacts. Any edits needed to be made to a SHIP contact must be made on the SC Access Intake Form if it is a multiple contact on the same day.
4. The AAA/ADRC shall utilize the SMART FACTS Senior Medicare Patrol (SMP) system to input fraud-related insurance data.

**D. FISCAL ASSURANCES**

1. The PSA and AAA/ADRC shall purchase appropriate services, utilizing at least 92 percent of the funds allocated for each service. Failure to comply with the 92 percent minimum will result in the LGOA initiating appropriate action with the underperforming AAA/ADRC, as stipulated in Section 306(f)(1-3) of the Older Americans Act (OAA).
2. The PSA and AAA/ADRC shall provide satisfactory assurance that such fiscal control and accounting procedures shall be adopted as may be necessary to assure proper disbursement of, and accounting for, federal and state funds paid under the Area Plan to the AAA/ADRC, including funds paid to the recipients of grants or contracts (OAA 307(a)(7)(A)).
3. The AAA/ADRC shall assure that funds received under the OAA shall supplement and not supplant any federal, state, or local funds expended to provide services allowable under Title III (OAA 321(d)).
4. Each funding source shall have a distinct client population for the duration of the contract period or until a client's service is terminated. A new client, who is in need of the service and meets the eligibility criteria of that funding source, will be added when such vacancy occurs.
5. The PSA and AAA/ADRC shall include, as part of its Area Plans, a breakdown of the components of the unit cost for each different unit of service and the methodology showing how the unit cost is determined. The cost justification shall include the assessment costs, activities costs, product costs, administrative costs, and any other relevant variable that contributes to the overall rate. (After July 1, 2014, assessment costs will not be included as part of the unit cost.)
6. The AAA/ADRC shall ensure that it has a process in place to verify how the provider's/contractor's unit costs are determined and that the units are being earned.
7. All invoices and financial and program reports must be submitted in the format provided by the LGOA and on the schedule(s) set by the LGOA. Invoices, financial reports, and programmatic reports shall be submitted to the appropriate program manager through the Single Point of Contact (SPOC) as stipulated on the NGA.

8. The AAA/ADRC shall submit a total aging budget, disclose all sources and expenditures of funds that the AAA/ADRC receives or expends to provide services to older individuals, and the cost allocation plan, or approval of the indirect cost rate from the funding agency, used to prepare such budget (OAA 306(a)(13)(E)).
9. The AAA/ADRC shall expend all prior year's funds first before expending any new funds.
10. Planning and Administration funds for Titles III-B, III-C, III-C-2, and III-E must be expended before any program development of III-E service funds are expended for subgrantee staff activities or internal operations.
11. The AAA/ADRC shall assure that any funds received under the Area Plan, or funds contributed toward the non-federal share, shall be used only for activities and services to benefit older individuals and others specifically provided for in Title III of the OAA or in state legislation. This shall not be construed as prohibiting the AAA/ADRC from providing services by using funds from other sources (OAA 301 (d)).
12. The LGOA requires that each AAA/ADRC shall maintain proper records with all necessary supporting documents. Such records must be in a form approved by the LGOA which provides an accurate and expeditious determination of the status of all federal and non-federal funds at any time, including the disposition of funds received and the nature and amount of all expenditures and obligations claimed against OAA and state allotments. The AAA/ADRC shall enter the liability for the local matching funds in the appropriate accounts when payment is requested from the LGOA. The AAA/ADRC shall assure the LGOA that all funds requested for payment shall be for service units and services actually provided and earned by the providers/contractors. The AAA/ADRC shall provide and maintain written assurances through its Area Plans and annual updates to monitor and audit the payment requests for accuracy and integrity purposes.
13. The AAA/ADRC shall consult with relevant service providers/contractors and older individuals to determine the best method for accepting voluntary contributions that comply with the Cost Sharing policies of the LGOA and the OAA, as amended in 2006 (OAA 315(b)(2)).
14. The AAA/ADRC shall assure that any revenue generated from voluntary contributions or cost sharing shall be used to expand the services for which such contributions or co-pays were given (OAA 315(a)and(b)).
15. The voluntary contributions system adopted shall be clearly explained to individuals who use the agency's services. The explanation shall be made both verbally and in writing at the time service delivery is arranged and shall be posted in a conspicuous location accessible to clients within the site. The explanation shall include the voluntary nature of the contribution, confidentiality policies, and how contributions are collected and used. The AAA/ADRC shall ensure that this is included in procurement contracts and each



provider's/contractor's policy shall be included in the AAA's/ADRC's Area Plan annual update.

16. The AAA/ADRC shall assure that the AAA/ADRC and all its providers/contractors meet all matching requirements for funds awarded under the Area Plan.
17. The AAA/ADRC shall assure that any funds received from the State for Cost of Living Adjustment shall be used for personnel costs only.
18. The AAA/ADRC shall submit an independent audit to the Lieutenant Governor's Office on Aging (LGOA), Division of Finance and Accounting, within 90 days after the close of the fiscal year.
19. The AAA/ADRC shall assure that funds received for Nutrition Services Incentive Program (NSIP) shall be used only for the purchase of United States agricultural commodities or commercially prepared meals served in the Title III-C services and that NSIP funds shall be distributed throughout the region based on the percentage of eligible meals served by each provider/contractor (OAA 311(d)(2)).
20. The AAA/ADRC shall not use funds received under the OAA to pay any part of a cost, including an administrative cost, incurred to carry out a contract or commercial relationship that is not carried out to implement the OAA (OAA 306(a)(14)).

#### **E. MONITORING AND COMPLIANCE ASSURANCES**

1. The PSA Director and AAA/ADRC Director shall ensure that providers/contractors are earning their units in accordance with the OAA and LGOA policies.
2. The AAA/ADRC shall assure that no group dining facility is funded unless at least 25 eligible participants attend daily. All group dining sites must serve at least 25 clients per day or request an LGOA State Waiver.
3. The AAA/ADRC shall assure that an OAA III C-2 home-delivered meal shall be delivered to a participant for no less than five days a week unless it is documented that the participant is receiving meal(s) from another source. Furthermore, in addition to federal eligibility requirements, special consideration shall be given to those eligible clients living alone, those in isolated rural areas, and those 75 years of age or older (OAA 336).
4. Each AAA/ADRC shall be provided copies of the group dining site activity calendars from the group dining providers/contractors monthly for approval. The AAA/ADRC shall scan and forward by email copies of approved monthly site activity calendars to the LGOA Single Point of Contact (SPOC) by the close of business on the last business day of the month.

#### **F. PROCUREMENT AND CONTRACTUAL ASSURANCES**

1. Service procurement contracts must incorporate all components of the South Carolina Aging Network's Policies and Procedures Manual. Through the direction of the South Carolina Aging Network's Policies and Procedures Manual, each of the PSA's procurement contracts for aging services shall be based on meeting the unique regional needs of its planning and service area.
2. The PSA and AAA/ADRC shall require all programs funded under the Area Plan to be operated fully in conformance with the LGOA and all applicable federal, state, and local fire, safety, health, and sanitation standards or licensing prescribed by law or regulation (CFR1321.75(a)).
3. In the rare event a sole source procurement contract is needed, the PSA Director must request approval from the LGOA Director prior to signing the contract.
4. The PSA and AAA/ADRC shall contract only with service delivery agencies that shall provide to the AAA/ADRC all program information and reports required by the Lieutenant Governor's Office on Aging. Provision of timely and correct data shall be in a format and contain such information as the LGOA may require the AAA/ADRC to submit (OAA 307(a)(6)).
5. All PSA and AAA/ADRC Requests for Proposal (RFP) shall provide direction, coordination, and planning in the fulfillment of contractual agreements with providers/contractors.
6. All contractual agreements must include a procedure for the resolution of grievances or concerns between the Planning Service Area (PSA), AAA/ADRC, and provider/contractor.
7. When there is grievance between the AAA/ADRC and a provider/contractor, all efforts shall be made by the AAA/ADRC to resolve the issue. Minimal contact should be made at the state level and only after all attempts have failed to resolve the issues locally. The LGOA shall serve only as a source of information to the AAA/ADRC regarding the resolution process. All grievances shall be handled by the AAA/ADRC and provider/contractor unless the grievance includes illegal, immoral, and/or unethical behavior, at which time the LGOA and proper authorities shall be notified. If the AAA/ADRC wants to include the LGOA, or cannot work out the issue, then the LGOA may be contacted to assist with the resolution process through guidance only.
8. In each solicitation for providers/contractors of any service under the OAA, the PSA and AAA/ADRC shall include a requirement that the applicant will:
  - a. specify how the organization intends to satisfy the service needs of low income minority individuals and older individuals residing in rural areas;
  - b. provide services to low income minority individuals in accordance with their need for such services;
  - c. meet specific objectives set by the AAA/ADRC for providing services to low income minority individuals (OAA 306(a)(4)(A)).
9. When making procurements utilizing aging funds, the PSA is required to use its own written Procurement Policy and Procedures Manual.

10. Prior to engaging in a contract, the PSA and AAA/ADRC shall assure through the RFP bid and contract that the provider/contractor has the necessary equipment, technology, software, and trained staff to operate in a professional manner and to execute or administer the duties.
11. An AIM Operational Manual shall be provided at the start of the bid process so that providers/contractors know what is expected in advance if the provider/contractor gets the contract.
12. The PSA and AAA/ADRC shall provide all potential providers/contractors with an overview of the LGOA organization and procurement process before submitting a bid for contract in order that they understand the proper procedures and policies.
13. The AAA/ADRC shall encourage each group dining provider to be a member of the National Council on Aging (NCOA)/National Institute of Senior Centers (NISC) or to operate according to NISC's national standards for senior centers and group dining sites.
14. If the AAA/ADRC finds that a provider/contractor under the Area Plan has failed to comply with the terms of the contract or with federal or state laws, regulations and policies, the AAA/ADRC may withhold that portion of the reimbursement related to that failure to comply. The Regional Aging Advisory Council (RAAC) shall recommend appropriate procedures for consideration by the Governing Board of the AAA/ADRC (OAA 306(e)(1)).
15. In the event that the PSA and AAA/ADRC finds that a provider/contractor has failed to comply with the terms of the contract or is unable to deliver services as contracted, the AAA/ADRC should initiate a 30-day Corrective Action Plan (CAP) to resolve the issue. If the issue cannot be resolved, the AAA/ADRC may determine the provider/contractor high-risk, in accordance with the South Carolina Aging Network's Policies and Procedures Manual.
16. The AAA/ADRC shall afford providers/contractors due process, such as that described for AAAs/ADRCs in OAA Section 306(f)(2)(B) before making a final determination regarding withholding providers'/contractors' reimbursements.
17. Electronic copies of procurement contracts and all amendments thereto shall be provided to the LGOA's Policy and Planning Manager within 30 days of execution, or as amended.
18. The AAA/ADRC agrees to comply with the "Debarment and Suspension" terms and conditions of 45 C.F.R. § 92.35 or 45 C.F.R. § 74.13 as applicable to the AAA/ADRC and/or provider/contractor.
19. The AAA/ADRC shall only purchase services from providers/contractors that will provide the LGOA with all requested data in the format necessary to document the outcome of services purchased.
20. The AAA/ADRC shall assure that a facility used as a multi-purpose senior

center with State Permanent Improvement (PIP) funds, shall continue to be used for the same purpose for not less than 20 years.

21. Prior to authorizing use of OAA or State Permanent Improvement funds for renovation, purchase, or construction, the AAA/ADRC shall require assurance from the grantee that funding is, and shall continue to be, made available for the continued operations of these senior centers (OAA 312).
22. The AAA/ADRC shall assure that group dining service facilities are located in as close proximity to the majority of eligible individuals' residences as feasible. Particular attention shall be given to the use of multipurpose senior centers, churches, or other appropriate community facilities for such group dining service (OAA 339(E)).
23. When possible, the AAA/ADRC shall enter into arrangements and coordinate services with organizations that are community action programs and meet the requirements under Section 675(c)(3) of the Community Services Block Grant Act (42 U.S.C.9904(c)(3)) and (OAA 306(a)(6)(C)).
24. In connection with matters of general policy arising in the development and administration of the Area Plan, the AAA/ADRC shall take into account the views of recipients of services under the Area Plan (OAA 306(a)(6)(A)).
25. The AAA/ADRC shall assure that demonstrable efforts shall be made to coordinate services provided under the OAA with other state services that benefit older individuals and to provide multi-generational activities involving older individuals as mentors to youth and support to families (OAA 306(a)(23)).
26. The AAA/ADRC shall coordinate any mental health services provided with III B funds with the mental health services provided by community health centers and by other public agencies and nonprofit private organizations (OAA 306(a)(6)(F)).
27. The AAA/ADRC shall maintain the integrity and public purpose of services provided, and service contractors, under the OAA, in all contractual and commercial relationships (OAA306(a)(13)(A)).
28. The AAA/ADRC shall demonstrate that a loss or diminution in the quality or quantity of the services provided under the Area Plan has not resulted and shall not result from such contracts or commercial relationships but rather shall be enhanced (OAA 306(a)(13)(C) and (D)).
29. The AAA/ADRC shall not give preference in receiving services under the OAA to particular older individuals as a result of a contract or commercial relationship (OAA 306(a)(15)).
30. The AAA/ADRC shall require nutrition service providers/contractors to reasonably accommodate the particular dietary needs arising from health requirements, religious requirements, or ethnic backgrounds of eligible individuals and require caterers to provide flexibility in designing meals that are appealing to older individuals participating in the program (OAA 339 (A) and (B)).

31. The AAA/ADRC shall enter into contract only with providers/contractors of legal assistance who can:
  - a. demonstrate the experience or capacity to deliver legal assistance;
  - b. assure that any recipient of funding for legal assistance shall be subject to specific restrictions and regulations promulgated under the Legal Services Corporation Act;
  - c. require providers/contractors of legal assistance to give priority to cases related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination; and
  - d. attempt to involve the private bar in legal assistance activities (OAA 307(a)(11)(A) through (E)).
32. The AAA/ADRC shall make special efforts to provide technical assistance to minority providers/contractors of services whether or not they are providers/contractors of the AAA/ADRC (OAA 307(a)(32)).
33. The AAA/ADRC is responsible for on-going contract management; establishing procedures for contract cost containment; reviewing and approving contracts; setting criteria for contract amendments; reviewing and analyzing provider/contractor fiscal and program reports; conducting quality assurance reviews; and reviewing meal vendor performance.
34. The AAA/ADRC shall collaborate with providers/contractors to develop an emergency service delivery plan for group dining and home-delivered meals, transportation, and home care. This emergency service delivery plan must be included in the Area Plan submitted to the LGOA by the AAA/ADRC, as well as included in each contract signed between the AAA/ADRC and an aging service provider/contractor. The emergency plan shall also cover general agency operations during periods of crisis, hazardous weather, emergencies, and unscheduled closings.
35. Each provider/contractor shall submit holiday schedules to its AAA/ADRC for approval and the provider/contractor shall adhere to their approved holiday schedule. The AAA/ADRC shall include its providers'/contractors' holiday schedules in the Area Plan. These scheduled closings shall be part of the contract established between the AAA/ADRC and providers/contractors. Any changes to the scheduled holiday closings must be noted in the Area Plan update.
36. The AAA/ADRC shall afford an opportunity for a public hearing upon request, in accordance with published procedures, to any agency submitting a plan to provide services; issue guidelines applicable to grievance procedures for older individuals who are dissatisfied with or denied services funded under the Area Plan; and afford an opportunity for a public hearing, upon request, by a provider/contractor of (or applicant to provide) services, or by any recipient of services regarding any waiver requested (OAA 307(a)(5) (A) through (C)).

**G. COORDINATION, OUTREACH, AND INFORMATION AND REFERRAL ASSURANCES**

1. Coordination and outreach efforts should be detailed in the Area Plan, with particular emphasis on coordination with entities conducting federal programs as outlined in Section 403 B-9 of the South Carolina Aging Network's Policies and Procedures Manual.
2. The AAA/ADRC shall have a visible focal point of contact where anyone can visit or call for assistance, information, or referrals on any aging and/or adults with disability issue.
3. The AAA/ADRC shall require providers/contractors to use outreach efforts that shall identify individuals eligible for assistance under the OAA, with special emphasis on
  - a. older individuals residing in rural areas;
  - b. older individuals with greatest economic need;
  - c. older individuals with greatest social need;
  - d. older individuals with severe disabilities;
  - e. older individuals with limited English speaking ability;
  - f. older individuals with Alzheimer's disease or related disorders and caregivers; and
  - g. low income minority individuals in each of the above populations (OAA 306(a)(4)(B)).
4. The AAA/ADRC and those with whom they contract must take adequate steps to ensure that persons with limited English language skills receive, free of charge, the language assistance necessary to afford them meaningful and equal access to the benefits and services provided under this grant award.
5. The AAA/ADRC shall provide for the identification of public and private resources in, or serving persons in, the planning and service area as part of their overall outreach and coordination efforts. Local aging partners should be brought into the AAA's/ADRC's planning process in order to better serve the region's older population. The AAA/ADRC shall work to coordinate the programs funded under the Area Plan with such resources to increase older persons' access to quality services. Coordination and outreach efforts should be detailed in the Area Plan, with particular emphasis on coordination with entities conducting federal programs. Where appropriate, the AAA/ADRC shall consider joint funding and programming to better serve older persons.

**H. ASSURANCES REQUIRED BY THE ADMINISTRATION ON AGING (AoA)**

(Taken directly from the Program Instructions for the 2013 State Plan)

These assurances are required by the Administration on Aging (AoA) and the Lieutenant Governor's Office on Aging (LGOA) for the Planning Service Area (PSA) and AAA/ADRC (AAA)/Aging and Disability Resource Center (ADRC) as part of the 2013 State Plan submission. (The assurances below are from the 2013

State Plan Instructions provided by the AoA.) By signing this document, the PSA and AAA/ADRC have assured they shall adhere to these Older Americans Act requirements.

**Section 306(a) of the Older Americans Act (OAA), AREA PLANS**

(2) Each AAA/ADRC shall provide assurances that an adequate proportion, as required under section 307(a)(2), of the amount allotted for part B to the planning and service area shall be expended for the delivery of each of the following categories of services:

(A) services associated with access to services (transportation, health services (including mental health services), outreach, information and assistance (which may include information and assistance to consumers on availability of services under Medicare and how to receive benefits under and participate in publicly supported programs for which the consumer may be eligible), and case management services);

(B) in home services, including supportive services for families of older individuals who are victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction; and

(C) legal assistance; and assurances that the AAA/ADRC shall report annually to the LGOA in detail the amount of funds expended for each such category during the fiscal year most recently concluded.

(4)(A)(i)(I) provide assurances that the AAA/ADRC shall—

(aa) set specific objectives, consistent with state policy, for providing services to older individuals with greatest economic need, older individuals with greatest social need, and older individuals at risk for institutional placement;

(bb) include specific objectives for providing services to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas; and

(II) include proposed methods to achieve the objectives described in items (aa) and (bb) of sub clause (I);

(ii) provide assurances that the AAA/ADRC shall include in each agreement made with a provider/contractor of any service under this title, a requirement that such provider/contractor shall—

(I) specify how the provider/contractor intends to satisfy the service needs of low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in the area served by the provider/contractor;

(II) to the maximum extent feasible, provide services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in accordance with their need for such services; and

(III) meet specific objectives established by the AAA/ADRC for providing services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas within the planning and service area; and

(4)(A)(iii) With respect to the fiscal year preceding the fiscal year for which such plan is prepared, each AAA/ADRC shall

(I) identify the number of low-income minority older individuals and older individuals residing in rural areas in the planning and service area;

(II) describe the methods used to satisfy the service needs of such minority older individuals; and

(III) provide information on the extent to which the AAA/ADRC met the objectives described in clause (a)(4)(A)(i).

(4)(B)(i) Each AAA/ADRC shall provide assurances that the AAA/ADRC shall use outreach efforts that shall identify individuals eligible for assistance under this Act, with special emphasis on

(I) older individuals residing in rural areas;

(II) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(III) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(IV) older individuals with severe disabilities;

(V) older individuals with limited English proficiency;

(VI) older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and

(VII) older individuals at risk for institutional placement; and

(4)(C) Each AAA/ADRC shall provide assurance that the AAA/ADRC shall ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, shall include a focus on the needs of low income minority older individuals and older individuals residing in rural areas.

(5) Each AAA/ADRC shall provide assurances that the AAA/ADRC shall coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities and individuals at risk for institutional placement, with agencies that develop or provide services for individuals with disabilities.

(6)(F) Each AAA/ADRC shall, in coordination with the LGOA and with the state agency responsible for mental health services, increase public awareness of mental health disorders, remove barriers to diagnosis and treatment, and coordinate mental health services (including mental health screenings) provided with funds expended by the AAA/ADRC with mental health services provided by community health centers and by other public agencies and nonprofit private organizations;

(9) Each AAA/ADRC shall provide assurances that the AAA/ADRC, in carrying out the State Long Term Care Ombudsman program under section 307(a)(9), shall expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 2000 in carrying out such a program under this title.



(11) Each AAA/ADRC shall provide information and assurances concerning services to older individuals who are Native Americans (referred to in this paragraph as "older Native Americans"), including:

(A) information concerning whether there is a significant population of older Native Americans in the planning and service area and, if so, an assurance that the AAA/ADRC shall pursue activities, including outreach, to increase access of those older Native Americans to programs and benefits provided under this title;

(B) an assurance that the AAA/ADRC shall, to the maximum extent practicable, coordinate the services the agency provides under this title with services provided under title VI; and

(C) an assurance that the AAA/ADRC shall make services under the Area Plan available, to the same extent as such services are available to older individuals within the planning and service area, to older Native Americans.

(13)(A) Each AAA/ADRC shall provide assurances that the AAA/ADRC shall maintain the integrity and public purpose of services provided, and service providers/contractors, under this title in all contractual and commercial relationships.

(13)(B) Each AAA/ADRC shall provide assurances that the AAA/ADRC shall disclose to the Assistant Secretary and the LGOA

(i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

(ii) the nature of such contract or such relationship.

(13)(C) Each AAA/ADRC shall provide assurances that the AAA/ADRC shall demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not resulted and shall not result from such non-governmental contracts or such commercial relationships.

(13)(D) Each AAA/ADRC shall provide assurances that the AAA/ADRC shall demonstrate that the quantity or quality of the services to be provided under this title by such agency shall be enhanced as a result of such non-governmental contracts or commercial relationships.

(13)(E) Each AAA/ADRC shall provide assurances that the AAA/ADRC will, on the request of the Assistant Secretary or the LGOA, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals.

(14) Each AAA/ADRC shall provide assurances that funds received under this title shall not be used to pay any part of a cost (including an administrative cost) incurred by the AAA/ADRC to carry out a contract or commercial relationship that is not carried out to implement this title.

(15) Each AAA/ADRC shall provide assurances that funds received under this title shall be used-

- (A) to provide benefits and services to older individuals, giving priority to older individuals identified in paragraph (4)(A)(i); and
- (B) in compliance with the assurances specified in paragraph (13) and the limitations specified in section 212.

**The Lieutenant Governor's Office on Aging's (LGOA) Statement**

The Lieutenant Governor's Office on Aging (LGOA) reserves the right to suspend payment and/or take all other necessary actions in the event that the Subrecipient (Planning and Service Area (PSA) and Area Agency on Aging (AAA)/Aging and Disability Resource Center (ADRC)) and its provider/contractors do not abide by all the Terms and Conditions of this Notification of Grant Award (NGA), during the grant period. If needed, the LGOA will conduct a 30-, 60-, or 90-day review to ensure that the Subrecipient and its provider/contractors are in compliance with the Terms and Conditions.

The LGOA reserves the right to modify the Terms and Conditions of this NGA. Subrecipient agrees to abide by the terms of any such revised Terms and Conditions upon receipt of written notice thereof.



**Signature Page for 2014 – 2015 Multigrant Notification of Grant Award (NGA)  
Terms and Conditions  
(Understanding and Acceptance of Terms and Conditions)**

By signing this document the Subrecipient acknowledges reading and understanding the Terms and Conditions, and agrees to all of the Terms and Conditions of this NGA.

\_\_\_\_\_  
Planning Service Area Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Area Agency on Aging/Aging (AAA)/  
Aging and Disability Resource Center  
(ADRC) Directors

\_\_\_\_\_  
Date

Please scan the signed copy and send to the LGOA Single Point of Contact via [PSAHelp@aging.sc.gov](mailto:PSAHelp@aging.sc.gov).