IDAPA 15 – OFFICE OF THE GOVERNOR

IDAHO COMMISSION ON AGING

15.01.01 – Rules Governing Senior Services and Older Americans Act Programs

Who does this rule apply to?
Area Agency on Aging (AAA), ICOA contractors and providers, and AAA contractors and providers.

What is the purpose of this rule?
The rule describes the requirements for aging services funded under the Idaho Senior Services Act and the Older Americans Act.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

State Government and State Affairs -
Commission on Aging:
- Section 67-5003, Idaho Code – Power and Duties of Commission

Who do I contact for more information on this rule?

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15.01.01 – RULES GOVERNING SENIOR SERVICES AND OLDER AMERICANS ACT PROGRAMS

000. LEGAL AUTHORITY.
Under authority of Section 67-5003, Idaho Code, the Idaho Commission on Aging adopts the following rules. (3-31-22)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 15.01.01, "Rules Governing Senior Services and Older Americans Act Programs." (3-31-22)

02. Scope. These rules constitute minimum requirements for aging services funded under authority of Sections 67-5005 through 5008, Idaho Code, and the Older Americans Act as Amended and include a list of common terms and definitions related to Idaho's aging programs. (3-31-22)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Act. The Idaho Senior Services Act. Programs and services established in Sections 67-5001 through 67-5011, Idaho Code. (3-31-22)

02. Aging Network. The ICOA, the AAAs, Focal Points and other providers of direct service to older individuals. (3-31-22)

03. Area Agency on Aging (AAA). Separate organizational unit within a unit of general purpose local government or public or private non-profit agency or organization agency that functions only for purposes of serving as the area agency on aging that plans, develops, and implements services for older persons within a specified geographic area. (3-31-22)

04. Assessment. An instrument utilizing uniform criteria to assess eligibility. (3-31-22)

05. Caregiver. An adult family member or another individual, who is an "informal" provider of in-home and community care to an older individual. "Informal" means that the care is not provided as part of a public or private formal service program. (3-31-22)

06. Client. Person who has met service eligibility requirements addressed in this chapter. (3-31-22)

07. Cost Sharing Payment. An established payment required from individuals receiving services under this chapter. The cost sharing payment varies by regulation and according to client's current annual household or individual income. (3-31-22)

08. Department. Idaho Department of Health and Welfare. (3-31-22)

09. Focal Point. A facility established to encourage the maximum collocation and coordination of services for older individuals. (3-31-22)

10. Formal Supports. Services provided to clients by a formally organized entity, including, but not limited to, Medicaid HCBS. (3-31-22)

11. Household. For sliding fee purposes, a "household" includes a client and any other person permanently resident in the same dwelling who share accommodations and expenses with the client. (3-31-22)

12. ICOA. Idaho Commission on Aging. (3-31-22)

13. ICOA Program Manual. Operational guidance for services and programs. (3-31-22)

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14. Impairment in Activities of Daily Living (ADL). The inability to perform one or more of the following six activities of daily living without personal assistance, stand-by assistance, supervision or cues: eating, dressing, bathing, toileting, transferring in and out of bed/chair, and walking. (3-31-22)

15. Impairment in Instrumental Activities of Daily Living (IADL). The inability to perform one or more of the following eight instrumental activities of daily living without personal assistance, or stand-by assistance, supervision or cues: preparing meals, shopping for personal items, medication management, managing money, using telephone, doing heavy housework, doing light housework, and transportation ability (transportation ability refers to the individual's ability to make use of available transportation without assistance). (3-31-22)

16. Informal Supports. Supports provided by church, family, friends, and neighbors, usually at no cost to the client. (3-31-22)

17. Medicaid HCBS. Services approved under the Medicaid Waiver for the aged and disabled. (3-31-22)

18. Older Americans Act (OAA). Federal law which authorizes funding to states to provide home and community-based services for older persons. (3-31-22)

19. Program. The Idaho Senior Services and Older Americans Act programs as administered by the ICOA. (3-31-22)

20. Program Regulations. Applicable Federal statutes and regulations, the act, and these rules. (3-31-22)

21. Provider. An AAA or a person or entity capable of providing services to clients under a formal contractual arrangement including duly authorized agents and employees. (3-31-22)

22. Services. Long-term services and supports that assist clients to remain in their home and community including but not limited to: Transportation, congregate meals, in-home services, adult day care and information and assistance. (3-31-22)

011. DEMONSTRATION PROJECTS.

The Administrator has authority to operate demonstration projects under the authority of section 67-5010, Idaho Code, which may be exempt from these rules at the Administers discretion. (3-31-22)

012. PROGRAM PURPOSE.

The Idaho Senior Services Act and Older Americans Act Services are designed to provide older individuals with the assistance they need to compensate for functional or cognitive limitations with the goal of living safe, dignified, and healthy lives within the community of their choice. (3-31-22)

013. PROGRAM POLICY.

01. ICOA Program Manual. The manual is developed, modified, and updated with input from the appropriate stakeholder groups and approved by the Administrator. At the Administrator's discretion, the manual may be modified to adhere to state or federal law or regulations. (3-31-22)

02. Contracts. The ICOA may contract with Providers to deliver home and community-based services in accordance with the regulations. (3-31-22)

03. Home and Community Based Services. Services may include: (3-31-22)

a. Adult Day Care. Personal care for clients in a supervised, protective, and congregate setting during some portion of a day. Services offered in conjunction with adult day care/adult day health typically include social and recreational activities, training, counseling, and services such as rehabilitation, medications assistance and home health aide services for adult day health. (3-31-22)

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b. Case Management. Case management is a service provided to clients, at the direction of the individual or a family member of the individual, to assess the needs of the person and to arrange, coordinate, and monitor an optimum package of services to meet those needs. Activities of case management include: comprehensive assessment of the individual; development and implementation of a service plan with the individual to mobilize formal and informal resources and services; coordination and monitoring of formal and informal service delivery; and periodic reassessment. (3-31-22)

c. Chore Services. Providing assistance to clients who have functional limitations that prohibit them from performing tasks such as routine yard work, sidewalk maintenance, heavy cleaning, or minor household maintenance. (3-31-22)

d. Congregate Meals. A meal provided to an eligible individual in a congregate or group setting. The meal served must meet program requirements. (3-31-22)

e. Health Promotion and Disease Prevention. Services that include health screenings and assessments; organized physical fitness activities; evidence-based health promotion programs; medication management; home injury control services; and/or information, education, and prevention strategies for chronic disease and other health conditions that would reduce the length or quality of life of the person sixty (60) or older. (3-31-22)

f. Home-Delivered Meals. Meals delivered to clients in private homes. (3-31-22)

g. Homemaker Service. Assistance with housekeeping, meal planning and preparation, essential shopping and personal errands, banking and bill paying, medication management, and, with restrictions, bathing and washing hair. (3-31-22)

h. Information and Assistance Services. Provides current information about services available within the community, conducts intake and assessment, determines the appropriate available service, and makes a referral and to the extent practicable, establishes adequate follow-up procedures. (3-31-22)

i. Legal Assistance. Advice, counseling, or representation by an attorney or by a paralegal under the supervision of an attorney. (3-31-22)

j. National Family Caregiver Program. (3-31-22)

i. Counseling. Assist caregivers in making decisions and solving problems relating to their caregiver roles. This includes counseling to individuals, support groups, and caregiver training (of individual caregivers and families). (3-31-22)

ii. Respite Care. Services which offer temporary, substitute supports or living arrangements for care recipients in order to provide a brief period of relief or rest for caregivers. (3-31-22)

iii. Supplemental services. Services provided on a limited basis to complement the care provided by caregivers. Examples of supplemental services include, but are not limited to, home modifications, assistive technologies, emergency response systems, and incontinence supplies. (3-31-22)

iv. Information Services. A service for caregivers that provides the public and individuals with information on resources and services available to the individuals within their communities. (3-31-22)

v. Access Assistance. A service that assists caregivers in obtaining access to the services and resources that are available within their communities. To the maximum extent practicable, it ensures that the individuals receive the services needed by establishing adequate follow-up procedures. (3-31-22)

k. Outreach Services. A service which actively seeks out older individuals with greatest social and economic needs with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas. (3-31-22)

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l. Transportation Services. Services designed to transport clients to and from community facilities/ resources for the purposes of applying for and receiving services, reducing isolation, or otherwise promoting independence. (3-31-22)

m. Respite. Short-term, intermittent relief provided to caregivers of an ADL or IADL impaired care recipient. (3-31-22)

014. PROGRAM ELIGIBILITY.
Individuals are eligible for specific Services as established by the Older Americans Act and Idaho Senior Services Act. (3-31-22)

015. SERVICE PRIORITY.
Highest priority is given to clients in immediate jeopardy then those with the greatest degree of ADL or IADL deficits and who are lacking formal and informal supports other than a caregiver. Caregiver services are prioritized by the Administrator in accordance with the Program Regulations. (3-31-22)

016. SERVICE LIMITATIONS.

01. Cost Sharing Payments. Payments are required based on the sliding fee scale established by the Administrator in accordance with the Program Regulations. (3-31-22)

02. Service. Eligibility, denial, or termination are determined through the applicable ICOA Assessment. (3-31-22)

03. Medicaid HCBS. Clients or individuals determined by the Department to be eligible for Medicaid or Medicaid HCBS, are not eligible for Services unless the Services are determined by the Provider to be needed on an interim, emergency basis until Medicaid or Medicaid HCBS is initiated. (3-31-22)

017. -- 999. (RESERVED)

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