



Connecting Older Adults with Community-based Resources and Options

## REQUIREMENTS FOR RECIPIENTS OF TITLE III OLDER AMERICANS ACT FUNDS<sup>1</sup>

### **General and Administrative Requirements**

- I. Grantees/Contractors must comply with Area Agency financial and program reporting requirements for Title III-B, Title III-C, Title III-D, and Title III-E.
  
- II. The Grantee/Contractor must comply with all laws and/or requirements of federal, state, and local fire, health, safety, and sanitation and other standards prescribed in law or regulations and the Area Agency, including, but not limited to:<sup>2</sup>
  - a. Older Americans Act of 1965, as amended<sup>3</sup> with regulations and program instructions from federal and state authorities under which this grant is given, including all provider service regulations and requirements detailed in Volume 53 No. 169 Federal Register, 33758 - 33759, August 31, 1988.
  - b. Title 45 of the Code of Federal Regulations:
    - i. Procedures of the Departmental Grant Appeals Board (Part 16)
    - ii. Administration of Grants (Part 74, Except Subpart N)
    - iii. Nondiscrimination under Programs Receiving Federal Assistance through the Department of Health and Human Services: Effectuation of Title VI of the Civil Rights Act of 1964 (Part 80)
    - iv. Practice and Procedures for Hearings under Part 80 of this Title (Part 81)
    - v. Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Participation (Section 504 of the Rehabilitation Act of 1973) (Part 84)
    - vi. Nondiscrimination on the Basis of Age (Age Discrimination Act) (Part 91)

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<sup>1</sup> All requirements included in this document are authorized in actual legislative language included in the Older Americans Act (last amended in 2006), the August 31, 1988 Federal Register Rules and Regulations pertaining to Grants for State and Community Programs on Aging for the implementation of this law, and Illinois Department on Aging regulations and assurances. Any further amendments to the law, actions required by other Federal or State laws, court order, and/or administrative/executive directives, including all applicable circulars published by the Office of Management and Budget will be binding on all recipients. AgeOptions has adopted as policy all requirements stated in the Request for Proposal document and will enforce the same during the grant/contract period, except as directed by the Federal and State governments, or Court of Law.

<sup>2</sup> Source includes: [AAA Area Plan Assurances (A)(2)(a); (A)(3)]; [AAA Policies and Procedures Secs 1150(b); 1132(f); 1114(a)]; [45CFR 1321(f)(4)]

<sup>3</sup> The Older Americans Act has been amended a number of times since it first passed in 1965. The latest amendment was in 2006.

- vii. Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (Part 92)
- viii. Intergovernmental Review of Department of Health and Human Services Programs and Activities (Part 100)
- ix. Existing F. Standards for a Merit System of Personnel Administration (Part 900)
- x. Grants for State and Community Programs on Aging, Final Rule (Part 1321)
- c. Title 41 of the Code of Federal Regulations:
  - i. OMB Circulars A-21, A-87, A-102, A-110, A-122, and A-133<sup>4</sup>
- d. Illinois Department on Aging Civil Rights Program

III. Grantee/Contractor must provide the services identified in the application as defined by the Area Agency and in compliance to all Area Agency standards for the delivery of each service.

IV. Grantees/Contractors must inform the Area Agency on any efforts between the programs assisted under Title III and the programs described in Section 203 (b) (1-19)<sup>5</sup>

- a. The Job Training Partnership Act or Title I of the Workforce Investment Act of 1998,
- b. Title II of the Domestic Volunteer Service Act of 1973,
- c. Titles XVI, XVIII, XIX and XX of the Social Security Act,
- d. Sections 231 and 232 of the National Housing Act,
- e. the United States Housing Act of 1937,
- f. Section 202 of the Housing Act of 1959,
- g. Title I of the Housing and Community Development Act of 1974,
- h. Title I of the Higher Education Act of 1965, and the Adult Education Act, and Sections 3, 5, 9 and 16 of the Urban Mass Transportation Act of 1964
- i. the Public Health Service Act, including block grants under title XIX of such Act,
- j. the Low Income Home Energy Assistance Act of 1981,
- k. Part A of the Energy Conservation in Existing Buildings Act of 1976, relating to weatherization assistance for low income persons,
- l. the Community Services Block Grant Act,
- m. Demographic statistics and analysis programs conducted by the Bureau of the Census under title 13, United States Code,
- n. Parts II and III of title 38, US Code,
- o. the Rehabilitation Act of 1973,
- p. the Developmental Disabilities and Bill of Rights Act
- q. the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, established under part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750-3766b)

<sup>4</sup> Source: [Area Plan Assurances (A)(3); IDOA AAA Policies and Procedures Sec 1127 (a)]

<sup>5</sup> Source: [Older Americans Act Sec 203 (b) (1-19); Additional citations can be found in AAA Policies and Procedures Sec 405.6; 405.6(b)(10) ; Older Americans Act Sec 230.150; and 29USC3003 and 3004]

- r. Sections 4 and 5 of the Assistive Technology Act of 1998
- V. Grantees/Contractors must be established public, private not-for-profit, or proprietary organizations and demonstrate commitment or capability to serve older persons. A copy of the grantee's/contractor's charter or articles of incorporation must be on file with AgeOptions.
- VI. The application for funding under Title III-B, Title III-C, Title III-D, Title III-E and Long Term Care Ombudsman, as approved by the issuance of a Notification of Grant Award (NGA) and/or Contract, and Elder Abuse as approved by the issuance of a Contract, is the official work program for this grant. All parts of this work plan (i.e. the budget, projected number of units of service to be provided, etc) as submitted on the application and budget sheets must be adhered to by the grantee/contractor.
- VII. A grantee/contractor may not use Older Americans Act funds to subcontract any of its program responsibilities, with the following exception: Grantees for respite, home repair, or nutrition service may subcontract for a portion of the service, if the grantee can show that a portion of the service is still being provided by the grantee. Any requests for exceptions to the requirements for subcontracting must be specifically identified and justified in the original RFP application.<sup>6</sup>
- VIII. The grantee/contractor must acknowledge funds paid for by whole or in part by federal, state, AgeOptions or match dollars.
  - a. Publications must include the following acknowledgment, placed on the front page with the size of the type not smaller than acknowledgement of any other persons or organizations:

*"Funds (in whole/part) for this publication were provided through an award from AgeOptions through grants from the Illinois Department on Aging and/or Administration on Aging, U.S. Department of Health and Human Services under Title III of the Older Americans Act."*
  - b. The grantee/contractor must display in its offices and service locations (including vehicles) a poster identifying it as a recipient of Older Americans Act funds through AgeOptions throughout the grant period.
- IX. In accordance to the Older Americans Act as amended in 2000, grantees/contractors must assure that they will adhere to the grievance procedure established by AgeOptions for persons dissatisfied with or denied Title III services including provision of information on the older person's request, agency response, availability of services at the time of request and possible presentation in writing or in person to the Area Agency.<sup>7</sup>

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<sup>6</sup> Source: [IDOA AAA Policies and Procedures Sec 1156(a)(4)]

<sup>7</sup> Source: [Older Americans Act Sec 306(a)(10)]

- X. A current list of all governing Board members and a copy of the By-Laws must be on file with the Area Agency.
- XI. Grantees/Contractors must maintain a code or standard of conduct that shall govern the performance of its officers, employees or agents in contracting with and expending Older Americans Act funds. The grantee's/contractor's officers, employees, or agent shall neither solicit nor accept gratuities, favors or anything of monetary value from grantees/contractors or potential grantees/contractors. To the extent permissible under State or local laws, rules or regulations, such standards shall provide for appropriate penalties, sanctions or other disciplinary actions to be applied for violations of such standard either by the officers, employees or agency of the recipient agency or by grantees/contractors or their agents.<sup>8</sup>
- XII. An employee shall not directly or indirectly solicit or accept anything of monetary value, including gifts, gratuities, favors, entertainment or loans from a person who the employee knows, or should know because of the nature of the employee's work:
- a. has, or is seeking to obtain, contractual or other business or financial relations with the employee's principal operating component, or sub-unit thereof, or with a component of the Department with respect to which the employee has official duties;
  - b. conducts operations or activities that are regulated by the employee's principal operating component, or sub-unit thereof or by a component with the Department with respect to which the employee has official duties; or
  - c. has interests that may be substantially affected by the performance or non-performance of the employee's official duties
- XIII. Employees may not designate a person or an organization, including charitable or non-profit organizations, to accept any gift which an employee is prohibited from accepting directly.
- XIV. No employee, officer, or other representative of the Grantee/Contractor is subject to a conflict of interest prohibited under the Older Americans Act and mechanisms must be in place to identify and remove conflicts of interest prohibited under the Older Americans Act.<sup>9</sup>
- XV. In accordance to the Older Americans Act as amended in 2000, grantees/contractors assure that preference in receiving Title III services will not be given to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement Title III.<sup>10</sup>

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<sup>8</sup> Source: [IDOA AAA Policies and Procedures Sec 1152(b)]

<sup>9</sup> Source: [Older Americans Act Sec 307(a)(7)(B)(ii, iii)]

<sup>10</sup> Source: [Older Americans Act Sec 306 (a)(14)]

- XVI. Any grantee/contractor that suspects the abuse, neglect or financial exploitation of an eligible adult may report this suspicion to an agency designated to receive such reports under the Elder Abuse and Neglect Act or to the Department on Aging.

In carrying out their professional duties, the grantee/contractor is considered a mandated reporter if they have reason to believe that an eligible adult, who because of dysfunction is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect or financial exploitation.<sup>11</sup>

- XVII. Grantees/Contractors must adopt and implement the Illinois Department on Aging's policy on non-discrimination, in accordance with the agreement with the Illinois Department on Aging and the Office for Civil Rights, U.S. Department of Health and Human Service. This policy must be submitted with all applications for funds. Notice of non-discriminatory practices must be posted and appear on all pamphlets, and informational material, newsletter and employee handouts. Grantees/ Contractors must provide documentation of compliance to the Area Agency and adhere to the discrimination complaint procedures developed by the Illinois Department on Aging.<sup>12</sup>

- XVIII. Grantees/Contractors must have written policies, procedures, and documentation for the following:<sup>13</sup>
- a. Outreach activities to ensure participation of eligible older persons with special emphasis on the following groups:
    - i. Older persons with the greatest economic need (with particular attention to low income minority older persons),
    - ii. older persons with the greatest social need
    - iii. older persons with severe disabilities
    - iv. older persons with limited English proficiency,
    - v. older persons at risk of institutional placement; and
    - vi. older persons with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caregivers of such individuals); and to inform them about the availability of such assistance.<sup>14</sup>
  - b. Preference in identifying and serving older persons with the greatest economic or social need, with particular attention to low-income older individuals, including low-income minority older persons and older individuals with limited English proficiency.<sup>15</sup>
  - c. Satisfying the service needs of low-income minority individuals in the area served by the Grantee/Contractor and serving low-income

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<sup>11</sup> Source: [IDOA AAA Policies and Procedures Sec 602.12]

<sup>12</sup> Source: [45 CFR 80]

<sup>13</sup> Source: [IDOA AAA Policies and Procedures Sec 602.3(a); Older Americans Act Secs 306 (a)(4)(A)(i) and (a)(4)(B); 1327.17(f)(2)]

<sup>14</sup> Source: [Older Americans Act Sec 306(a)(5)(B)]

<sup>15</sup> Source: [IDOA AAA Policies and Procedures Sec 602.3(a); Older Americans Act Sec 305 (a)(2)(E)]

minority older individuals in at least the same proportion as the population of low-income minority older individuals bears to the population of older individuals of the area served by the grantee/contractor.<sup>16</sup>

- d. Identifying the major languages other than English in the service area and developing a plan for providing service to clients proficient in languages other than English. This plan must include the components outlined in the Policy Guidance on the Title VI Prohibition Against National Origin Discrimination As It Affects Persons With Limited English Proficiency which can be found at [www.lep.gov](http://www.lep.gov)<sup>17</sup>.
- e. Coordination and utilization of the services and resources of other appropriate public and private agencies and organizations<sup>18</sup>. Grantees/Contractors must indicate what special efforts will be taken to coordinate with each other in order to assure appropriate services for individual clients.<sup>19</sup>
- f. Obtaining participants' views on the services they receive. Client surveys, interviews using a structured method to obtain information, complaint reviews, Boards of Directors or Advisory Council with more than 50% of members over the age of 60 are methods to meet this requirement.<sup>20</sup>
- g. Delivery of all services provided, which includes, to the extent feasible, those consistent with self-directed care.
- h. Monitoring and evaluating service delivery.
- i. Emergency/disaster situations, both in the community and in the client's home.<sup>21</sup>
- j. Handling service shortages (e.g. waiting lists).<sup>22</sup>
- k. Assignment to Older Americans Act or private pay programs, as appropriate.<sup>23</sup>
- l. Methods to carry out activities to identify older individuals with greatest economic need who may be eligible to receive, but are not receiving, supplemental security income benefits under Title XVI of the Social Security Act, medical assistance under Title XIX of the Social Security Act, and benefits under the Food Stamp Act of 1977 or benefits under any other applicable program.<sup>24</sup>
- vii. Grantees/Contractors shall establish methods to conduct outreach activities to inform older individuals of the requirements for eligibility to receive such assistance and benefits.<sup>25</sup>

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<sup>16</sup> Source: [Older Americans Act Sec 306(a)(4)(A)(ii)]

<sup>17</sup> Source: [Federal Register Vol 68, No. 153, August 8, 2009, p. 47311]

<sup>18</sup> Source: [Older Americans Act Sec 306(a)(1)]

<sup>19</sup> Source: [IDOA AAA Sec 602.3C]

<sup>20</sup> Source: [Older Americans Act Sec 306(a)(6)(a),(d)]

<sup>21</sup> Source: [IDOA AAA Sec 602.11]

<sup>22</sup> Source: [IDOA AAA Sec 603.4(E)(3)]

<sup>23</sup> Source: [IDOA AAA Sec 1132(A)]

<sup>24</sup> Source: [Older Americans Act Sec 202(a)(20)]

<sup>25</sup> Source: [IDOA AAA Policies and Procedures Sec 602.3(c)]

- viii. Grantees/Contractors shall establish methods to assist older individuals in applying for such assistance and such benefits.<sup>26</sup>
  - m. Providing a program of training for all classes of positions (and volunteers, if applicable).<sup>27</sup>
  - n. Development and following of methods to assure the activities covered by this funding serve only those individuals and groups eligible under the provisions of the applicable statute<sup>28</sup>.
  
- XIX. Grantees/Contractors shall comply with AgeOptions “Policy for Criminal Background Checks” which includes conducting criminal background checks on all staff whose salaries are paid wholly or partially through Area Agency grants/contracts. In addition, volunteers participating in Area Agency funded programs with in-home client contact and/or access to confidential client information including, but not limited to addresses, social security numbers, financial info, etc., are also required to complete a background check.
  
- XX. Grantees/Contractors must have appropriately qualified and trained staff and provide adequate supervision. A copy of the grantee's/contractor's current Personnel Policy and job descriptions must be on file with the Area Agency. All levels of agency staff (including Director) should be evaluated annually.
  
- XXI. The project design for the provision of services will determine the number and type of permanent or consultant staff required by the provider.
  
- XXII. Grantees/Contractors must be willing to include their staff in appropriate Area Agency meetings and training programs.
  
- XXIII. Grantees/Contracts have a legislative mandate to advocate on behalf of older persons who reside in Illinois and to work in cooperation with other state and federal programs to provide for the needs of older disaster victims.<sup>29</sup>
  - a. Grantees/Contractors must have disaster plans, so as to expedite the delivery of necessary services when a disaster occurs. The disaster assistance efforts will complement the existing relief efforts provided by federal, state and voluntary organizations.
  - b. Grantees/Contractors must enter into written coordination agreements and regular, ongoing working relationships with Emergency Services Disaster Agencies (ESDAs), voluntary relief organizations (e.g. American Red Cross and the Salvation Army, etc.) and with local community-based organizations.
  - c. The Grantee's/Contractor's disaster plans will be activated by either the service provider upon notification by AgeOptions and/or local emergency

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<sup>26</sup> Source: [Older Americans Act Sec 202(a)(20)]

<sup>27</sup> Source: [AAA Policies and Procedures Sec 602(b); Area Plan Assurances A(4); Older Americans Act Sec 215(e)(1)(H)]

<sup>28</sup> Source [Older Americans Act Sections 302(9), Section 307(a)(13)(A), & Section 343]

<sup>29</sup> Source: [IDoA Policies and Procedures Sec 602.11]

services disaster officials. Activation of the disaster plan requires an assessment of the need to mobilize service provider resources and personnel, which will be done in coordination with the American Red Cross; state and local emergency services agencies and/or FEMA during a Presidential declared disaster. The assessment will determine the type of action necessary to serve the special needs of disaster victims, particularly our older persons.

- d. Grantees/Contractors will notify AgeOptions of all local emergencies and/or disasters. Grantees/Contractors will be responsible for activating their disaster plan, providing advocacy and outreach services (face-to-face), follow-up and regular monitoring of service providers delivery of disaster related services, with guidance from AgeOptions. The Grantee/Contractor is responsible for contacting project directors with instructions and they in turn will work to carry out their assigned duties, including the mobilization of local volunteers to provide individualized services which are needed.
- e. In all cases, AgeOptions will provide as much flexibility as possible under Title IV and other funding titles under the Older Americans Act to allow for service compliance, continuity and creativity in the delivery of services to older disaster victims for all of the involved Grantees/Contractors (e.g. gap-filling services, etc.).

XXIV. Grantees/Contractors must assure service is available during normal working hours.

XXV. Grantees/Contractors are expected to have access to e-mail within one year of the start of the grant/contract. The Grantees/Contractors are also encouraged to create and maintain an agency website.

XXVI. Grantees/Contractors must have and follow procedures for inventory control.

XXVII. Grantees/contractors must maintain sufficient and appropriate insurance and bond coverage for liability of facilities, vehicles, and staff for all Older Americans Act funded services, and provide proof of coverage to AgeOptions prior to the commencement, and throughout the grant/contract period. The Area Agency must be named as co-insured under the grantees/ contractors insurance once the grantee/contractor receives Title III funds. Grantee/Contractor must provide proof of insurance to AgeOptions. Insurance policies must include but need not be limited to, insurance coverage commonly known as, or similar in kind to:<sup>30</sup>

<b>WORKERS' COMPENSATION</b>	<b>LIMITS</b>
Coverage A – Statutory	Statutory
Coverage B - \$500,000.00	\$500,000.00

<sup>30</sup> Source: [IDOA AAA Policies and Procedures Sec 1134 (c)]

<b>COMPRHENSIVE GENERAL LIABILITY</b>	<b>LIMITS</b>
Combined Single Limit	\$ 1,000,000.00
Aggregate	\$ 2,000,000.00
Contents Insurance	\$ 20,000.00
Comprehensive Automobile	Same limits as general (Hired and Non-Owned) liability
Contractor's Contractual	Same limits as general liability

### **Record Maintenance**

- I. The Grantee must permit AgeOptions, authorized State of Illinois and authorized Federal personnel access to any books, documents, papers or other financial program and/or service records which are pertinent to a grant or contract of federal or state funds for purposes of audit, monitoring, and evaluation. It will be left to the discretion of AgeOptions and/or authorized personnel as to whether such visits will be announced or unannounced.<sup>31</sup>
  
- II. The Grantee/Contractor must retain all records herein required for three (3) years after notification by AgeOptions of the close of the program year and audit acceptance<sup>32</sup>.
  
- III. All time sheets kept by staff and/or volunteers providing Older Americans Act funded services, and/or services provided with state funds granted by the Area Agency, must detail the actual amount of time spent per funded service per payroll period and be signed by the employee.<sup>33</sup>
  
- IV. Grantees/Contractors must maintain accurate and up-to-date documentation of all services for the Area Agency grant/contract or used as match in the grant/contract application. Records shall clearly support and substantiate all units, clients and other information reported to the Area Agency. Minimum documentation to be maintained includes:
  - a. Daily service logs or intake sheets documenting service contacts and units provided to participants.
  - b. A service card or central record for each participant documenting all services and units by participant provided from the start of the Area Agency fiscal year to the end of the Area Agency fiscal year. The participant's record should include his/her name, address, and demographic information, and other information as required by NAPIS, the Illinois Department on Aging, and/ or AgeOptions.

<sup>31</sup> Source: [IDOA AAA Policies and Procedures Sec 1164(a)]

<sup>32</sup> Source: [IDOA AAA Policies and Procedures Sec 1162(a); 1163(a)]

<sup>33</sup> Source: [IDOA AAA Policies and Procedures Sec 1151(I)(5)(a)(4)]

- V. Grantees/contractors must adhere to the National Aging Program Information System (NAPIS) requirements, which are available under separate cover upon request. NAPIS data (client and service information) must be transmitted in the manner prescribed by AgeOptions. Such information shall be used in part to meet the Illinois Department on Aging reporting requirements including those under NAPIS. Grantees/Contracts providing Central Point of Entry (Information & Assistance), Caregiver Resource Center, Chore, Home Delivered Meals, and Congregate Meals must use NapisPak, a web-based client reporting software. More information is available upon request.
  
- VI. AgeOptions requires Grantees/Contractors who provide certain Title III services to purchase a subscription and use the Enhanced Services Program (ESP) web-based program supplied by AgeOptions. Grantees/Contractors will be required to update AgeOptions about changes in the data as they become aware of these changes. Grantees/Contractors must annually review the records in their area and provide updates on these records to AgeOptions. As of January 2009, the subscription rate is \$360 but is subject to change. The services that must use ESP are Central Point of Entry, Housing, Senior Opportunity and Services, Targeting to Culturally and Linguistically Isolated and Caregiver Resource Centers.

### **Fiscal Requirements**

- I. In accordance to the Older Americans Act as amended in 2000, grantees/contractors assure that funds received under Title III will not be used to pay any part of a cost (including administrative cost) incurred to carry out a contract or commercial relationship that is not carried out to implement Title III.<sup>34</sup>
  
- II. Grantees/Contractors must comply with all federal, state, and AgeOptions requirements related to fiscal recordkeeping. Compliance with all cost principles and administrative requirements as defined in one of the following Office of Management and Budget (OMB) Circulars and (if applicable) amended as published in the Federal Register is required:
  - a. Non-Profit Organizations
    - ix. Cost Principles (OMB Circular A-122)
    - x. Administrative (OMB Circular A-110)
  - b. Governmental entities
    - xi. Cost Principles (OMB Circular A-87)
    - xii. Administrative (OMB Circular A-102)
  - c. Educational Institutions
    - xiii. Cost Principles (OMB Circular A-21)
    - xiv. Administrative (OMB Circular A-110)
  
- III. Grantees/Contractors must have sufficient financial resources to provide services for a period of at least 60 days before receipt of Area Agency reimbursement.

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<sup>34</sup> Source: [IDOA AAA Policies and Procedures Sec 1151(c)(2)(a)]

- IV. Grantees/Contractors must maintain sufficient fiscal control and accounting procedures to assure proper disbursement of and accounting for all funds under this grant/contract.<sup>35</sup>
- V. The Grantee's/Contractor's accounting system must have supporting documentation for all expenses of the project, which include (but not limited to): canceled checks for all project costs; receipts; payroll sheets for all personnel providing Older Americans Act funded services and/or services provided with state funds granted by the Area Agency based on actual time spent in each service, allocated and reported on the monthly financial reports; and bank statements and ledgers that adequately represent the financial status of the Older Americans Act funded project and/or project provided with state funds granted by the Area Agency. All such records must be available for inspection by AgeOptions, the Illinois Department on Aging, and/or federal representative(s). Project income must be expended for the purposes contributed related to allowable activities under the contract. All such records must be available for inspection by AgeOptions, the Illinois Department on Aging, and/or federal representative(s).<sup>36</sup>
- VI. Grantees/Contractors must obtain private and other public support for Title III services. Unless otherwise specified, at a minimum, 15% match for Title IIIB; 20% match for Title IIIC; 25% match for IIID; and 15% match for Title IIIE must be identified in the Grantee's/Contractor's budget. The national goal for project income is 20% of the federal award. Applicants may not use Title III funds to replace funds from non-federal sources. Local support toward the application, as measured in actual dollars (local cash) and/or in-kind value, should attempt to increase each year the applicant is funded. The amount of local support identified in the application (in actual dollars or in-kind value) will be evaluated as specified in the rating instrument.<sup>37</sup>
- VII. All contributions, including cash (project income and local cash) and in-kind, shall be accepted as part of the grantee/contractor's matching when such contributions meet all of the following criteria:<sup>38</sup>
- a. Are verifiable from the Grantee/Contractor's records;
  - b. Are not included as contributions for any other federally-assisted project or program;
  - c. Are necessary and reasonable for proper and efficient accomplishment of project or program objectives;
  - d. Are allowable under the applicable cost principles;
  - e. Are provided for in the approved budget; and

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<sup>35</sup> Source: [IDOA AAA Policies and Procedures Sec 1131(a); Older Americans Act 205(e)(1)(H)]

<sup>36</sup> Source: [IDOA AAA Policies and Procedures Sec 1132; 1164(b); 1151(i)(3)(b); 1144.3(a-e); and 1144.2(A)(1)]

<sup>37</sup> Source: [IDOA AAA Policies and Procedures Sec 1143 (g)(2); 1144(2)]

<sup>38</sup> Source: [IDOA AAA Policies and Procedures Sec 1132 and OMB Circular A-110]

- f. Documented in the same manner as Title III funds. In-kind rates should be calculated at the fair market value of the item.
- VIII. Grantees/Contractors are prohibited under Federal law from using funds, staff or equipment purchased with Federal dollars from other sources to match Older Americans Act services. Grantees/Contractors should examine State of Illinois grants prior to using those funds for match because many State of Illinois grants are Federal funds. Exceptions to this rule are Legal Services Corporation Funds, Social Services Block Grant Funds, and Community Development Block Grant Funds, which may be used as match. Matching funds are considered part of the Title III project and are subject to Federal limitations and requirements for use of Federal funds.<sup>39</sup>
- IX. Project Income (client contributions) must be expended based upon the application, with any changes of expenditures to be approved by the Area Agency. Excess project Income must expand services of the provider under this part and supplement (not supplant) funds received under the Older Americans Act. Project Income must be reported to AgeOptions and if receipts exceed the budgeted amount in the last approved NGA, the provider must provide proof to the Area Agency that the additional project income was used to expand services.<sup>40</sup>
- X. (For Contractors only) The Area Agency will perform a special review of costs under the contract to evaluate the accuracy of unit rates and provide a basis for revision of unit reimbursement rates.
- XI. Depreciation is not an allowable expense.
- XII. Grantees and contractors are prohibited from receiving a profit from the grant or contract.<sup>41</sup>
- XIII. (For Grantees only) Federal and State of Illinois General Revenue Fund dollars are earned when costs are incurred and when local cash and in-kind are obtained and reported. Unless notified otherwise by AgeOptions, any Federal and State dollar advances which are not to be used for outstanding obligations as of the last day of the fiscal year must be returned to the Area Agency immediately or subtracted from the September reimbursement request. Any unearned cash as determined in the closeout calculation for the grant year must be returned to AgeOptions no later than 30 days following the receipt of the closeout report, unless notified otherwise by AgeOptions.<sup>42</sup>

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<sup>39</sup> Source: [IDOA AAA Policies and Procedures Secs 1151(I)(4)(a)(5); 1151 (I)(6)(a); 1143(b) and Older Americans Act Sec 301(d)(1)]

<sup>40</sup> Source: [IDOA AAA Policies and Procedures Secs 602.7(a); 1132; 1164(b); 1151(i)(3)(b); 1144.3(a-e); and 1144.2(A)(1)]

<sup>41</sup> Source: [45CFR74.81]

<sup>42</sup> Source: [IDOA AAA Policies and Procedures Sec 1172(a)(1)]

- XIV. In compliance with the Grant Funds Recovery Act (30 ICCS 705/5), any funds not expended or legally obligated by the end of the grant agreement, or during the time limitation to grant fund expenditures set forth in the Notice of Grant Award (NGA), must be returned to AgeOptions within 30 days.
- XV. For items of equipment that have an acquisition cost of \$1,000 or more purchased by the Grantee/Contractor, AgeOptions may reserve the right to require transfer of equipment (including Title) to AgeOptions or an eligible party named by AgeOptions in accordance with 45 CFR 74, Subpart 0.<sup>43</sup>

### **Required Due Dates**

- I. The Grantee/Contractor must submit all financial and program reports on forms provided by (or specifically approved in writing) and in a manner specified by AgeOptions.
- II. (For Grantees) Reimbursement requests must be submitted to the Area Agency by the 10th of the month for costs incurred the previous month.
- III. (For Contractors) Financial reports and invoices for the number of units must be submitted to the AgeOptions by the 10th of the month for service delivered the previous month.
- IV. Failure to submit reports on time may result in withholding of payments until the following month or other appropriate measures as defined in Federal and State guidelines, and/or the Notification of Grant Award/Contract.
- V. Program Reports (Quarterly Service Cost Reports) are due ten days following the end of the quarter.
- VI. Grantees/Contractors must provide an inventory sheet on or before December 10, 2009, with the final report of equipment individually valued at \$1000 or more purchased in full or in part with Title III funds from the previous fiscal year.<sup>44</sup>
- VII. All service outputs, budget, and narrative statements are to be adhered to by the Grantee/Contractor. The approval of any cost change over ten percent (10%) in a budget category (personnel, travel, equipment and supplies, other) or between service category will require a revised budget, a letter requesting the changes, reasons for the request by 30 days before the end of the fiscal year, but are not to be incorporated into the grant without the written approval of the Area Agency. If approved, AgeOptions will issue a revised Notification of Grant Award.

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<sup>43</sup> Source: [45 CFR 74.136]

<sup>44</sup> Source: [IDOA AAA Policies and Procedures Sec 1153(f)(2,6)] Proprietary agencies must vest with the AgeOptions titles for real property, equipment or supplies acquired or made a part of this grant for use in the project.

- VIII. The provider must submit a "Request to Expend Project Income under the Additional Costs Method" by 10 days following the end of the fiscal year. All such records must be available for inspection by AgeOptions, the Illinois Department on Aging, and/or federal representative(s).

### **Program Requirements**

- I. Grantees/Contractors must serve any person age 60 years or older in need of service and in the project area regardless of other eligibility criteria normally in use by the grantee/contractor. Grantees/Contractors may not impose a requirement as to duration of residency or citizenship as a condition of service. Service must be accessible and available to handicapped and limited English speaking older persons. Priority must be given to providing services that will assist and benefit older persons with the greatest social need, economic need, and those at risk for institutional placement.<sup>45</sup>
- II. Units of service must be provided throughout the year or as agreed upon in the grant application. New clients should be provided service and reported on semi-annually or as agreed upon in the grant application.
- III. Grantees/Contractors must adhere to the work plan as proposed in the Request for Proposal and/or Contractor's work plan.
- IV. Clients must be served throughout the entire service area for which funding is being awarded.
- V. In accordance with the Older Americans Act as amended in 2000, Grantees/Contractors assure that a plan promoting the rights of each older person is developed and implemented. These rights include<sup>46</sup>:
  - a. the right to be fully informed, in advance, about any change in service and to participate in planning and changing an in-home service unless the person is judicially adjudged incompetent;
  - b. the right to voice a grievance with respect to such service that is or fails to be so provided without discrimination or reprisal;
  - c. the right to confidentiality of records;
  - d. the right to have the property of such individual treated with respect;
  - e. the right to be fully informed (orally and in writing) in advance of receiving an in-home service under Title III, of such individual's rights and obligations under Title III.
- VI. All information which is identifiable with any specific individual must be kept confidential unless the person concerned gives informed written consent for the

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<sup>45</sup> Source: [Older Americans Act Secs 102(40); 306(a)(4)(A)(i); 302(9), 307(a)(13)(A), & 343]; [AAA Area Plan Assurances (b)(4)]; [45CFR1321.17(f)(2)]

<sup>46</sup> Source: [42USC3030C-1(1)]

information to be released. This applies to both client information and personal records.<sup>47</sup>

- VII. Grantees/Contractors wishing to use computerized narrative documentation must have written procedures that ensure client confidentiality. These procedures must be approved by AgeOptions before instituted. The narrative must contain the name of client, page number, documentation of contact. The client file must contain a printed copy of each page of the case notes, signed and dated as required. Procedures for ensuring confidentiality may include but are not limited to, the use of passwords, or the file being saved on a disk and the disk stored in a locked cabinet.
- VIII. Grantees/Contractors must have written procedures for collecting, handling, counting and depositing contributions for Title III services. Voluntary contributions shall be allowed and may be solicited for all services for which funds are received under this Act if the method of solicitation is non-coercive. Contributions can be encouraged for individuals whose self declared income is at or above 185% of the poverty line. The Grantee/Contractor must:<sup>48</sup>
- a. Give each older person who receives service, written information about the cost of the service.
  - b. Avoid the appearance of pressure to contribute.
  - c. In a non-coercive manner, give each older person an opportunity to contribute to part or all of the cost of the service. This should also be done in writing<sup>49</sup>.
  - d. Protect the privacy of each older person with respect to his/her contribution.
  - e. Have appropriate procedures to safeguard and account for all contributions.
  - f. Use all contributions (also known as Project Income) to expand services and supplement (not supplant) funds received under the Older Americans Act.
  - g. Not deny service to an older person because she/he would not contribute for the service.
  - h. Not use a means test to deny or limit a person's receipt of services.<sup>50</sup>
- IX. Grantees/Contractors, where possible, will enter into arrangements with organizations providing day care services for children or adults, and respite for families; so as to provide opportunities for older persons to aid or assist on a voluntary basis in the delivery of such services to children, adults, and families.<sup>51</sup>

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<sup>47</sup> Source: [IDOA AAA Policies and Procedures Sec 1165]

<sup>48</sup> Source: [IDOA AAA Policies and Procedures Secs 602.7(a)(1-4) and 602.7(c); 45CFR1321.67(f)(3, 5); Older Americans Act Sec 315(b)(3)]

<sup>49</sup> Source: [Older Americans Act Sec 1321.17(f)(5)]

<sup>50</sup> Source [Section 315 (b)(3)]

<sup>51</sup> Source: [Older Americans Act Sec 306(6)(c)(i)]

- X. Grantees/Contractors shall develop and follow methods to assure that older persons are provided with volunteer opportunities. Plans for recruitment, training, supervision and recognition shall be included. Such methods should demonstrate an understanding of the interdependence that exists between generations. Many “younger-older” persons are caregivers to their much older relatives; other “younger-older” persons can be encouraged to provide volunteer services that promote their well being and the well being of those for whom they care. If possible, grantees/contractors will work in coordination with organizations that have experience in providing training, placement and stipends for volunteers or participants in community service settings.<sup>52</sup>
- XI. Grantees/Contractors shall conduct efforts to facilitate the coordination of community based, long-term care services designed to retain individuals in their homes, thereby deferring unnecessary and costly institutionalization, and designed to emphasize the development of client centered case management systems as a component of such services.
- XII. Grantees/Contractors shall establish and follow methods to coordinate the activities of community-based organizations established for the benefit of victims of Alzheimer's disease and the families of such victims.<sup>53</sup>

### **Audit Requirements**

- I. Grantees/Contractors must follow the Area Agency's audit procedures and program audit guidelines, and must comply with all audit requirements imposed by Federal and State authorities under which the grant is given.
- II. Grantees/Contractors must comply with all audit requirements as defined in OMB Circular A-133 (Single Audits of States, Local Governments, and Non-Profit Organizations) and any amendments to these requirements as published in the Federal Register.
- III. Grantees/Contractors that are proprietary entities must comply with requirements concerning audits in 48CFR31, including any amendments.
- IV. Audits must be performed in accordance with:
  - a. The United States General Accounting Office's Standards for Audit of Government Organizations, Programs, Activities and Functions;
  - b. Guidelines for Financial and Compliance Audits of Federal Assistance Programs; and
  - c. Any specific audit instructions issued by the Area Agency.
  - d. Applicants must comply with the Area Agency audit procedures and Program Audit Guidelines

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<sup>52</sup> Source: [Older Americans Act Sec 373(d)]

<sup>53</sup> Source: [Older Americans Act Sec 306(b)(2)(B)]

- V. Audits for agencies expending \$500,000 or more in federal funds, from all sources, shall be conducted in accordance with OMB Circular A-133 and must submit copies of the annual audit report, management letter of representations, and reconciliations to closeout reports within six (6) months after the end of their fiscal year.<sup>54</sup>
- VI. Fiscal reporting requirements, reconciliation and reports from agency auditors for agencies that expend less than \$500,000 in Federal funds, from all sources, during a year will be more limited in scope than the requirements outlined in OMB Circular A-133. Specific components to be included in these year-end reports and reconciliations will be prescribed by the Area Agency.<sup>55</sup>
- VII. Audits, when required, must be conducted annually and must include both a compliance audit and a fiscal audit and may be performed on the basis of the audited entity's fiscal year.
- VIII. If the agency's fiscal year is different from the Area Agency's fiscal year, a reconciliation to the Area Agency's fiscal year will be required. All grantees must complete and submit a reconciliation to their current audit report back to the closeout report for the preceding program year. Closeout report amounts must be in the reconciliation. Alternative amounts are not an option without a clear and complete explanation. All funds received from the Area Agency must be segregated from other sources of funding and clearly labeled.<sup>56</sup>
- IX. A copy of the audit engagement letter is due to AgeOptions within thirty days after the end of the audited entity's fiscal year. A copy of the independent audit covering activities funded all or in part with Title III funds must be provided to the Area Agency within thirty (30) days after completion and acceptance (due date established in the Audit Engagement Agreement) but no later than six (6) months after the end of the fiscal year audited.
- X. (For Contractors) The completed audit must confirm the accuracy of the Area Agency reimbursement rate.

*Updated January 2009*

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<sup>54</sup> Source: [IDOA AAA Policies and Procedures Sec 1173(b)]; [OMB Circular A-133 Subpart B.\_\_\_\_.200(b)]

<sup>55</sup> Source: [OMB Circular A-133 Subpart B .\_\_\_\_.200(d)]

<sup>56</sup> Sources: [IDOA AAA Policies and Procedures Sec 1132 (a, b; 45 CFR 76 Lower Tier Transactions; 2CFR180)