

## Idaho Commission on Aging (ICOA) Technical Guidance

Policy Subject	Policy #
ICOA Technical Guidance <u>Appeals from Denials of Subcontract with AAA</u>	TG.AD.05

**Title: AAA obligation to develop and provide fair hearing procedures for individuals and entities denied subcontracts with the AAA:**

### **REQUIREMENTS:**

IDAPA 15.01.20.042.04; Chapter 4, Section 10.4 of the ICOA Program Manual; and section 11.f, AAA Performance Agreement: Assignment and Subcontracting.

#### IDAPA/Program Manual

AAAs shall develop fair and impartial hearing procedures and must provide the opportunity for a hearing to any individual or entity to which it has denied a subcontract.

#### AAA Performance Agreement

The AAA is responsible, without recourse to the ICOA, for the satisfaction of all contractual and administrative issues arising out of services subcontracted or proposed to be subcontracted pursuant to the Performance Agreement. This includes, but is not limited to, the request, response, evaluation or award of bids, disputes, claims, protests or any other matters related to the subcontract.

### **ICOA COMMENT:**

The AAA provider appeal process should not refer to the ICOA as a final or participating appeal body. There is no right of appeal to the ICOA either from the initial denial of a subcontract or from the final decision of the AAA fair hearing procedure. AAA procedures should clearly describe the appeals process and relevant timeframes in accordance with the governing laws set forth in this technical guidance.