

CHAPTER 2: DEFINITIONS

2.1. SOURCE OF DEFINITIONS.

1. Older Americans Act (OAA) 45 CFR Parts 1321 & 1327b (**OAA Reauthorization Act of 2016**)
2. Idaho Code (IC), Title 67, Chapter 50 and Title 39, Chapter 53
3. Idaho Administrative Procedures Act (IDAPA) (15)
4. National Aging Program Information Systems (NAPIS)
5. ICOA Definition (ICOA)

2.2. DEFINITIONS.

1. **Abuse.** (OAA Section 102(a)(1)) means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm.
2. **Access Assistance.** (NAPIS) (1 contact) 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. [Note: Information and assistance to caregivers is an access service, i.e., a service that:
 - (A) Provides individuals with information on services available within the communities;
 - (B) Links individuals to the services and opportunities that are available within the communities;
 - (C) To the maximum extent practicable, establishes adequate follow-up procedures. Internet web site “hits” are to be counted only if information is requested and supplied.]
3. **Access.** (IDAPA Ombudsman 15.01.03.010.01) Right to enter long-term care facility upon notification of person in charge.
4. **Access Services.** (ICOA) Transportation, Outreach, Information and Assistance and Case Management.
5. **Act.** (IDAPA) 15.01.01.009.01: The Idaho Senior Services Act. Programs and services established in Sections 67-5001 through 67-5011, Idaho Code.
6. **Activities of Daily Living (ADL).** (ICOA) Bathing, dressing, toileting, transferring, eating, walking.
7. **Adult child with a disability.** (OAA Section 102(a)(3)) means a child who—
 - A. Is 18 years of age or older;
 - B. Is financially dependent on an older individual who is a parent of the child; and
 - C. Has a disability.
8. **Adult Day Care/Adult Day Health.** (NAPIS) (1 Hour) Personal care for dependent elders 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.

9. **Adult Day Care.** (IC 67-5006(5)) (ICOA) a structured day program which provides individually planned care, supervision, social interaction and supportive services for frail older persons in a protective setting, and provides relief and support for caregivers.
10. **Adult Protective Services.** (IDAPA 15.01.02.010.01) Statutory protections safeguarding vulnerable adults through investigations of reports alleging abuse, neglect, self-neglect or exploitation, and arrangements for the provision of emergency or supportive services necessary to reduce or eliminate risk of harm.
11. **Adult Protective Services.** (OAA Section 102(a)(3)) (OAA Reauthorization Act of 2016) such services provided to adults as the Secretary may specify and includes services such as:
 - A. receiving reports of adult abuse, neglect, or exploitation;
 - B. investigating the reports described in subparagraph (A);
 - C. case planning, monitoring, evaluation, and other casework and services; and
 - D. providing, arranging for, or facilitating the provision of medical, social service, economic, legal, housing, law enforcement, or other protective, emergency, or support services.
12. **AP Supervisor.** (ICOA) AAA employee responsible for overseeing the provision of AP services. The Supervisor's duties include:
 - A. the direct supervision of AP staff,
 - B. case assignments,
 - C. the monitoring of caseloads and documentation,
 - D. and the maintenance of cooperative relationships with other agencies, organizations or groups serving vulnerable "at risk" populations.
 - E. The employee shall be a social worker licensed to practice in Idaho.
13. **AP Worker.** (ICOA) AAA employee providing AP services. The worker's duties include:
 - A. the investigation of AP reports,
 - B. client risk assessment,
 - C. and the development of plans for protective actions, supportive services and/or law enforcement referral.
 - D. The employee shall be any one (1) of the following:
 1. A social worker licensed to practice in Idaho; or
 2. An individual with a Bachelor of Arts (BA) or Bachelor of Science (BS) in a human services field or equivalent and at least two (2) years' experience in direct service delivery to vulnerable adults; or
 3. An individual with an Associate of Arts (AA) or Associate of Science (AS) degree and at least two (2) years' experience in law enforcement.
14. **Advance Directive.** (ICOA) A Living Will or Durable Power of Attorney for Healthcare executed under the Natural Death Act, Section 39-4501, Idaho Code.
15. **Affected Parties.** (IDAPA Ombudsman 15.01.03.010.02) Long-term care facilities, state or county departments or agencies, or others against whom a complaint has been lodged.
16. **Agency Executive/Management Staff.** (NAPIS) Personnel such as SUA director, deputy directors, directors of key divisions and other positions which provide overall leadership and direction for the state or area agency on aging.

17. **Aging and Disability Resource Center.** (IC 67-5006(8)) Aging and disability resource center" means an entity established by a state as part of the state system of long-term care, to provide a coordinated system for providing:
- A. Comprehensive information on the full range of available public and private long-term care programs, options, service providers and resources within a community, including information on the availability of integrated long-term care;
 - B. Personal counseling to assist individuals in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care designed to meet their specific needs and circumstances; and
 - C. Consumers' access to the range of publicly supported long-term care programs for which consumers may be eligible, by serving as a convenient point of entry for such programs.
18. **Aging and Disability Resource Center.** (OAA Section 102(a)(4) (OAA Reauthorization Act of 2016) means an entity, network, or consortium established by a State as part of the State system of long-term care, to provide a coordinated and integrated system for older individuals and individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), and the caregivers of older individuals and individuals with disabilities, that provides--
- A. comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care services, and Federal or State programs.
 - B. person-centered counseling to assist individuals in assessing their existing or anticipated long-term care needs and goals, and developing and implementing a person-centered plan for long-term care that is consistent with the desires of such an individual and designed to meet the individual's specific needs, goals, and circumstances;
 - C. access for individuals to the full range of publicly-supported long-term care services and supports for which the individuals may be eligible, including home and community-based service options, by serving as a convenient point of entry for such programs and supports; and
 - D. in cooperation with area agencies on aging, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C.796f et seq.), and other community-based entities, information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.";
19. **Aging Network.** (15.01.01.009.02): The ICOA, the AAAs, Focal Points and other providers of direct service to older individuals.
20. **Aging Network.** (OAA Section 102(a)(5)) the network of—
- A. State agencies, area agencies on aging, title VI grantees, and the Administration; and
 - B. organizations that—
 - 1. are providers of direct services to older individuals; or
 - 2. are institutions of higher education; and
 - 3. receive funding under this Act.
21. **Aging Network.** (ICOA) The ICOA, the AAAs, and other providers.

22. Area Agency on Aging (AAA). 15.01.01.009.03: Separate organizational unit within a unit of general purpose local government or public or private non-profit agency or organization agency which 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.
23. **Area Agency on Aging.** (OAA Section 102(a)(6)) an area agency on aging designated under section 305(a)(2)(A) or a State agency performing the functions of an area agency on aging under section 305(b)(5).
24. **Area I.** (ICOA) Planning and service area made up of: Benewah, Boundary, Bonner, Kootenai, and Shoshone counties.
25. **Area II.** (ICOA) Planning and service area made up of: Clearwater, Idaho, Latah, Lewis, and Nez Perce counties.
26. **Area III.** (ICOA & IDAPA Ombudsman IDAPA 15.01.03.010.03) Planning and service area made up of: Canyon, Valley, Boise, Gem, Elmore, Washington, Ada, Adams, Payette, and Owyhee counties.
27. **Area IV.** (ICOA) Planning and service area made up of: Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka, and Twin Falls counties.
28. **Area V.** (ICOA) Planning and service area made up of: Bannock, Bear Lake, Bingham, Caribou, Franklin, Oneida, and Power counties.
29. **Area VI.** (ICOA) Planning and service area made up of: Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, and Teton counties.
30. **Area Plan.** (ICOA & IDAPA 15.01.20.010.01) Plan describing aging programs and services which an AAA is required to submit to the Idaho Commission on Aging, in accordance with the OAA, in order to receive OAA funding.
31. **Assessment.** (IDAPA 15.01.01.009.04): **An instrument utilizing uniform criteria to assess eligibility.**
32. **Assistive device (includes assistive technology).** (OAA Section 102(a)(8)(B)) assistive technology, assistive technology device, and assistive technology service' have the meanings given such terms in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).
33. **Assisted Transportation.** (NAPIS - 1 Way Trip) Assistance and transportation, including escort, to a person who has difficulties (physical or cognitive) using regular vehicular transportation.
34. **At Risk for Institutional Placement.** (OAA Section 102(a)(9)) with respect to an older individual, that such individual is unable to perform at least 2 activities of daily living without substantial assistance (including verbal reminding, physical cuing, or supervision) and is determined by the State involved to be in need of placement in a long-term care facility.
35. **Board and Care Facility.** (OAA Section 102(a)(10)) an institution regulated by a State pursuant to section 1616(e) of the Social Security Act (42 U.S.C. 1382e(e)).
36. **Caregiver.** (OAA Section 102(a)(18)(B)) means an individual who has the responsibility for the care of an older individual, either voluntarily, by contract, by receipt of payment for care, or as a result of the operation of law and means a family member or other individual who provides (on behalf of such individual or of a public or private agency, organization, or institution) compensated or uncompensated care to an older individual.

37. **Caregiver.** (IDAPA 15.01.01.009.05 & NAPIS) 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.
38. **Caretaker.** (IC 39-5302(2)) means any individual or institution that is responsible by relationship, contract, or court order to provide food, shelter or clothing, medical or other life-sustaining necessities to a vulnerable adult.
39. **Case Manager.** (ICOA) A licensed social worker, licensed professional nurse (RN), or Certified Case Manager, or an individual with a BA or BS in a human services field or equivalent and at least one (1) year experience in service delivery to the service population. (3-30-01)
40. **Case Management.** (NAPIS - 1 Hour) Assistance either in the form of access or care coordination in circumstances where the older person is experiencing diminished functioning capacities, personal conditions or other characteristics which require the provision of services by formal service providers or family caregivers. Activities of case management include such practices as:
- (A) Assessing needs,
 - (B) Developing care plans,
 - (C) Authorizing and coordinating services among providers, and
 - (D) Providing follow-up and reassessment, as required.
41. **Case Management.** (ICOA) Case management is a service provided to older individuals and disabled adults, 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.
- A. Activities of case management include:
- i. comprehensive assessment of the individual;
 - ii. development and implementation of a service plan with the individual to mobilize formal and informal resources and services;
 - iii. coordination and monitoring of formal and informal service delivery;
 - iv. and periodic reassessment.
42. **Case Management Services.** (IC 67-5006(9) & OAA Section 102(a)(11))
- A. A service provided to an older individual, at the direction of the older individual or a family member of the individual—
- 1. By an individual who is trained or experienced in the case management skills that are required to deliver the services and coordination described in subparagraph (2); and
 - 2. To assess the needs, and to arrange, coordinate, and monitor an optimum package of services to meet the needs, of the older individual; and
- B. Includes services and coordination such as—
- 1. Comprehensive assessment of the older individual (including the physical, psychological, and social needs of the individual);
 - 2. Development and implementation of a service plan with the older individual to mobilize the formal and informal resources and services identified in the assessment to meet the needs of the older individual, including coordination of the resources and services—
 - a. With any other plans that exist for various formal services, such as hospital discharge plans; and
 - b. With the information and assistance services provided under this Act;

3. Coordination and monitoring of formal and informal service delivery, including coordination and monitoring to ensure that services specified in the plan are being provided;
 4. Periodic reassessment and revision of the status of the older individual with—
 - a. The older individual; or
 - b. If necessary, a primary caregiver or family member of the older individual
 5. In accordance with the wishes of the older individual, advocacy on behalf of the older individual for needed services or resources.
43. **Case Management Supervisor.** (ICOA) An individual who has at least a BA or BS degree and is a licensed social worker, psychologist or licensed professional nurse (registered nurse/RN) with at least two (2) years' experience in service delivery to the service population.
 44. **Cash and Counseling.** (NAPIS - People Served, Title III Expenditures, Total Expenditures) This covers the range of services provided or paid for through allowance, vouchers, or cash which are provided to the client so that the client can obtain the supportive services which are needed. Since service units could be so diverse they would not provide meaningful results they are not included.
 45. **Certified Case Manager.** (ICOA) A Case Manager who has met the requirements for certification as established by the National Academy of Care/Case Managers or other professional association recognized by the Idaho Commission on Aging. (5-3-03)
 46. **Child.** (NAPIS) An individual who is not more than 18 years of age or an individual 19 – 59 years of age who has a severe disability. The term relates to a grandparent or other older relative who is a caregiver of a child.
 47. **Child.** (OAA Section 372(a)(1)) means an individual who is not more than 18 years of age or who is an individual with a disability.
 48. **Chore.** (NAPIS - 1 Hour) Assistance such as heavy housework, yard work or sidewalk maintenance for a person.
 49. **Chore Services.** (ICOA) Providing assistance with routine yard work, sidewalk maintenance, heavy cleaning, or minor household maintenance to persons who have functional limitations that prohibit them from performing these tasks. (5-3-03)
 50. **Civic Engagement.** (OAA Section 102(a)(12)) an individual or collective action designed to address a public concern or an unmet human, educational, health care, environmental, or public safety need.
 51. **Client.** (IDAPA 15.01.01.009.06) Person who has met service eligibility requirements addressed in this chapter.
 52. **Cognitive Impairment.** (ICOA) A disability or condition due to mental impairment.
 53. **Commission.** (IC 39-5302(3)) means the Idaho Commission on Aging (ICOA), established pursuant to [chapter 50, title 67](#), Idaho Code.
 54. **Complainant.** (IDAPA Ombudsman 15.01.03.010.04) The substate ombudsman or any individual or organization who registers a complaint with the substate ombudsman.
 55. **Complaints.** (IDAPA Ombudsman 15.01.03.010.06) Allegations made by or on behalf of eligible clients, whether living in long-term care facilities or in the community.
 56. **Comprehensive and coordinated system.** (OAA Section 302(1)) means a system for providing all necessary supportive services, including nutrition services, in a manner designed to

- A. Facilitate accessibility to, and utilization of, all supportive services and nutrition services provided within the geographic area served by such system by any public or private agency or organization;
 - B. Develop and make the most efficient use of supportive services and nutrition services in meeting the needs of older individuals;
 - C. Use available resources efficiently and with a minimum of duplication; and
 - D. Encourage and assist public and private entities that have unrealized potential for meeting the service needs of older individuals to assist the older individuals on a voluntary basis.
57. **Congregate Meals.** (IC 67-5006(3)) meals prepared and served in a congregate setting which provide older persons with assistance in maintaining a well-balanced diet, including diet counseling and nutrition education.
58. **Congregate Meals.** (ICOA) Meals that meet the requirements of the OAA, as amended, served in a group setting.
59. **Congregate Meals.** (NAPIS - 1 Meal) A meal provided to a qualified individual in a congregate or group setting. The meal as served meets all of the requirements of the Older Americans Act and State/Local laws. Meals provided to individuals through means-tested programs such as Medicaid Title XIX waiver meals or other programs such as state-funded means-tested programs are excluded from the NSIP meals figure.
60. **Contract.** (IDAPA 15.01.20.010.02) A legally binding, written agreement between two (2) or more parties which outlines the terms and provisions to which both parties agree.
61. **Contractor.** (IC 39-5302(4)) means an Area Agency on Aging (AAA) and its duly authorized agents and employees providing adult protection services pursuant to a contract with the commission in accordance with section 67-5011 Idaho Code. The commission designates area agencies on aging pursuant to 42 U.S.C.A. 3025(a)(2)(A) and may establish by rule when duties or obligations under this chapter may be fulfilled by an area agency on aging.
62. **Cost Sharing Payment.** (IDAPA 15.01.01.009.07) 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.
63. **Counseling.** (NAPIS - 1 session per participant) Counseling to caregivers to assist them 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).
64. **Department.** (IDAPA 15.01.01.009.08 & IC 39-5302) Idaho Department of Health and Welfare.
65. **Designation.** (IDAPA Ombudsman 15.01.03.010.07) Process by which the Office approves the location of substate ombudsman programs within AAAs and delegates to such programs the authority to carry out the purposes of the program.
66. **Direct Costs.** (ICOA) Costs incurred from the provision of direct services. These costs include, but are not limited to, salaries, fringe benefits, travel, equipment, and supplies directly involved in the provision of services. Salaries of program coordinators and first line supervisors are considered direct costs.
67. **Disability.** (OAA Section 102(a)(13)) (except when such term is used in the phrase "severe disability", "developmental disability- "physical or mental disability", "physical and mental disabilities", or "physical disabilities") a disability attributable to mental or physical impairment, or

a combination of mental and physical impairments, that results in substantial functional limitations in 1 or more of the following areas of major life activity:

- A. Self-care,
- B. Receptive and expressive language,
- C. Learning,
- D. Mobility,
- E. Self-direction,
- F. Capacity for independent living,
- G. Economic self-sufficiency,
- H. Cognitive functioning, and
- I. Emotional adjustment.

68. Disease Prevention and Health Promotion Services. (OAA Section 102(a)(14))

- A. Health risk assessments;
- B. Routine health screening, which may include hypertension, glaucoma, cholesterol, cancer, vision, hearing, diabetes, bone density, oral health and nutrition screening;
- C. Nutritional counseling and educational services for individuals and their primary caregivers;
- D. Evidence-based health promotion programs, including programs related to the prevention and mitigation of the effects of chronic disease (including osteoporosis, hypertension, obesity, diabetes, and cardiovascular disease), alcohol and substance abuse reduction, smoking cessation, weight loss and control, stress management, falls prevention, physical activity and improved nutrition;
- E. Programs regarding physical fitness, group exercise, and music therapy, art therapy, and dance-movement therapy, including programs for multigenerational participation that are provided by—
 - 1. an institution of higher education;
 - 2. a local educational agency, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801); or
 - 3. a community-based organization;
- F. Home injury control services, including screening of high-risk home environments and provision of educational programs on injury prevention (including fall and fracture prevention) in the home environment;
- G. Screening for the prevention of depression, coordination of community mental and behavioral health services, provision of educational activities, and referral to psychiatric and psychological services;
- H. Educational programs on the availability, benefits, and appropriate use of preventive health services covered under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);
- I. Medication management screening and education to prevent incorrect medication and adverse drug reactions;
- J. Information concerning diagnosis, prevention, treatment, and rehabilitation concerning age-related diseases and chronic disabling conditions, including osteoporosis, cardiovascular diseases, diabetes, and Alzheimer’s disease and related disorders with neurological and organic brain dysfunction;
- K. Gerontological counseling; and
- L. Counseling regarding social services and follow up health services based on any of the services described in subparagraphs (A) through (K). The term shall not include services for which payment may be made under titles XVIII and XIX of the Social Security Act.

69. **Education and Training Service.** (OAA Section 302(2)) means a supportive service designed to assist older individuals to better cope with their economic, health, and personal needs through services such as consumer education, continuing education, health education, pre-retirement education, financial planning, and other education and training services which will advance the objectives of this Act.
70. **Elder Abuse.** (OAA Section 102(a)(15)) abuse of an older individual.
71. **Elder Abuse, Neglect and Exploitation.** (OAA Section 102(a)(16)) abuse, neglect, and exploitation, of an older individual.
72. **Elder Justice.** (OAA Section 102(a)(17))
- A. From a societal perspective, efforts to—
 - i. Prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and
 - ii. Protect older individuals with diminished capacity while maximizing their autonomy; and
 - B. From an individual perspective, the recognition of an older individual's rights, including the right to be free of abuse, neglect, and exploitation.; and
73. **Elder Rights.** (OAA Section 761(1)) means a right of an older individual.
74. **Elderly Client.** (NAPIS) An eligible (60 years of age or older or who is less than 60 and has a diagnosis of early onset dementia) elderly individual who receives OAA services.
75. **Eligible Clients.** (ICOA) Residents of the state of Idaho who are sixty (60) years or older.
76. **Eligibility Entity.** (OAA Section 422(a)(1))
- A. Means a nonprofit health or social service organization, a community-based nonprofit organization, an area agency on aging or other local government agency, a tribal organization, or another entity that—
 1. The Assistant Secretary determines to be appropriate to carry out a project under this part; and
 2. Demonstrates a record of, and experience in, providing or administering group and individual health and social services for older individuals; and
 - B. Does not include an entity providing housing under the congregate housing services program carried out under section 802 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8011) or the multifamily service coordinator program carried out under section 202(g) of the Housing Act of 1959 (12 U.S.C. 1701q(g)).
77. **Emergency.** (IC 39-5302(6)) means an exigent circumstance in which a vulnerable adult's health and safety is placed in imminent danger. Imminent danger is when death or severe bodily injury could reasonably be expected to occur without intervention.
78. **Exploitation and financial exploitation.** (OAA Section 102(a)(18)(a))
- A. The fraudulent or otherwise illegal, unauthorized, or improper act or process of an individual, including a caregiver or fiduciary, that uses the resources of an older individual for monetary or personal benefit, profit, or gain, or that results in depriving an older individual of rightful access to, or use of, benefits, resources, belongings, or assets.
 - B. In subparagraph (1), the term 'caregiver' means an individual who has the responsibility for the care of an older individual, either voluntarily, by contract, by receipt of payment for care, or as a result of the operation of law and means a family member or other individual who provides (on behalf of such individual or of a public or private agency, organization, or institution) compensated or uncompensated care to an older individual.

79. **Exploitation and Financial Exploitation.** (IC 39-5302(7)) means an action which may include, but is not limited to, the unjust or improper use of a vulnerable adult's financial power of attorney, funds, property, or resources by another person for profit or advantage.
80. **Family Caregiver.** (OAA Section 302(3)) means an adult family member, or another individual, who is an informal provider of in-home and community care to an older individual or to an individual with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.
81. **Family Violence.** (OAA Section 102(a)(19)) same meaning given the term in the Family Violence Prevention and Services Act (42 U.S.C. 10408).
82. **Fiscal Effectiveness.** (ICOA) A financial record of the cost of all formal services provided to insure that maintenance of an individual at home is more cost effective than placement of that individual in an institutional long-term care setting.
83. **Fiduciary.** (OAA Section 102(a)(20))
- A. Person or entity with the legal responsibility –
 1. to make decisions on behalf of and for the benefit of another person; and
 2. to act in good faith and with fairness; and
 - B. Includes a trustee, a guardian, a conservator, an executor, an agent under a financial power of attorney or health care power of attorney, or a representative payee.
84. **Focal Point.** (OAA Section 102(a)(21)) and (15.01.01.009.09) a facility established to encourage the maximum collocation and coordination of services for older individuals.
85. **Formal Services.** (ICOA) Services provided to clients by a formally organized entity, including, but not limited to, Medicaid HCBS.
86. **Formal Supports.** (IDAPA 15.01.01.009.10) Services provided to clients by a formally organized entity, including, but not limited to, Medicaid HCBS.
87. **Frail.** (OAA Section 102(a)(22))
- A. With respect to an older individual in a State, that the older individual is determined to be functionally impaired because the individual—
 1. is unable to perform at least two activities of daily living without substantial human assistance, including verbal reminding, physical cueing, or supervision; or
 2. at the option of the State, is unable to perform at least three such activities without such assistance; or
 - B. Due to a cognitive or other mental impairment, requires substantial supervision because the individual behaves in a manner that poses a serious health or safety hazard to the individual or to another individual.
88. **Functional Impairment.** (ICOA) A condition that limits an individual's ability to perform ADLs and IADLs.
89. **Grandparent or other older relative caregiver of a child.** (NAPIS) A grandparent, step grandparent or other relative of a child by blood or marriage, who is 55 years of age or older and
- (A) Lives with the child;
 - (B) Is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregiver of the child; and
 - (C) Has a legal relationship to the child, as such legal custody or guardianship, or is raising the child informally.
90. **Grandparent or Older Individual Who is a Relative Caregiver.** (OAA Section 372(2)) The term "grandparent or older individual who is a relative caregiver" means a grandparent or step-

grandparent of a child, or a relative of a child by blood, marriage, or adoption who is 55 years of age or older and—

- A. Lives with the child;
 - B. Is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregiver of the child; and
 - C. Has a legal relationship to the child, as such legal custody or guardianship, or is raising the child informally.
91. **Greatest Economic Need.** (OAA Section 102(a)(23)) the need resulting from an income level at or below the poverty line.
92. **Greatest Social Need.** (OAA Section 102(a)(24)) the need caused by non-economic factors, which include—
- A. Physical and mental disabilities;
 - B. Language barriers; and
 - C. Cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, that—
 1. restricts the ability of an individual to perform normal daily tasks; or
 2. threatens the capacity of the individual to live independently.
93. **Health Promotions.** (NAPIS) Services which 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 60 or older. Since service units could be so diverse they would not provide meaningful results they are not included.
94. **High Nutritional Risk Person.** (ICOA & Federal Survey) An individual who scores six (6) or higher on the DETERMINE Your Nutritional Risk checklist published by the Nutrition Screening Initiative.
95. **Hispanic-serving institutions.** (OAA Section 102(a)(25))Section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a) defines the term as an institution of higher education that –
- A. Is an eligible institution;
 - B. At the time of application, has an enrollment of undergraduate full-time equivalent students that is at least 25 percent Hispanic students; and
 - C. Provides assurances that not less than 50 percent of the institution’s Hispanic students are low-income individuals, which assurances –
 1. May employ statistical extrapolation using appropriate data from the Bureau of the Census or other appropriate Federal or State sources; and
 2. The Secretary shall consider as meeting the requirements of this subparagraph, unless the Secretary determines, based on a preponderance of the evidence, that the assurances do not meet the requirements.
96. **Home-Delivered Meals.** (ICOA) Meals delivered to eligible clients in private homes. These meals shall meet the requirements of the OAA.
97. **Home-Delivered Meals.** (NAPIS - 1 Meal) A meal provided to a qualified individual in his/her place of residence. The meal is served in a program administered by SUAs and/or AAAs and meets all of the requirements of the Older Americans Act and State/Local laws. Meals provided to individuals through means-tested programs such as Medicaid Title XIX waiver meals or other programs such as

state-funded means-tested programs are excluded from the NSIP meals figure. Certain Title III-E funded home delivered meals may also be included – see the definition of NSIP meals below.

98. **Homemaker.** (NAPIS - 1 Hour) Assistance such as preparing meals, shopping for personal items, managing money, using the telephone or doing light housework.
99. **Homemaker.** (ICOA) A person who has successfully completed a basic prescribed training, who, under the supervision of a provider, supplies homemaker services.
100. **Homemaker Service.** (ICOA) 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.
101. **Household.** (IDAPA 15.01.01.009.11) For sliding fee purposes, a “household” includes a client and any other permanent resident in the same dwelling who share accommodations and expenses with the client.
102. **ICOA.** (IDAPA 15.01.01.009.12) Idaho Commission on Aging (ICOA).
103. **ICOA Program Manual.** (IDAPA 15.01.01.009.13) Operational guidance for services and programs.
104. **Immediate family.** (OAA 1327.1 Ombudsman Definitions) pertaining to conflicts of interest as used in section 712 of the Act, means a member of the household or a relative with whom there is a close personal or significant financial relationship.”
Additional Information: Limited to “conflict of interest” context (not regarding services to residents and their families)
105. **Impairments in Activities of Daily Living (ADL).** (IDAPA 15.01.01.009.14 & NAPIS) 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.
106. **Impairment in Instrumental Activities of Daily Living (IADL).** (IDAPA 15.01.01.009.15 & NAPIS) 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).
107. **In-home Services.** (OAA Section 102(a)(30)) Includes—
 - A. Services of homemakers and home health aides;
 - B. Visiting and telephone reassurance;
 - C. Chore maintenance;
 - D. In-home respite care for families, and adult day care as a respite service for families;
 - E. Minor modification of homes that is necessary to facilitate the ability of older individuals to remain at home and that is not available under another program (other than a program carried out under this Act);
 - F. Personal care services; and
 - G. Other in-home services as defined—
 1. by the State agency in the State plan submitted in accordance with section 307; and
 2. by the area agency on aging in the area plan submitted in accordance with section 306.
108. **In-home Services.** (IC 67-5006(2)) Provide care for older persons in their own homes and help them maintain, strengthen, and safeguard their personal functioning in their own homes. These

services shall include, but not be limited to case management, homemakers, chores, telephone reassurance, home delivered meals, friendly visiting and shopping assistance, and in-home respite care.

109. **Indian.** (OAA Section 102(a)(26)) Means a person who is a member of an Indian tribe.
110. **Indian Tribe.** (OAA Section 102(a)(27)) Means any tribe, band, nation, or other organized group or community of Indians (including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (Public Law 92–203; 85 Stat. 688) which (A) is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or (B) is located on, or in proximity to, a Federal or State reservation or rancheria.
111. **Information Services.** (NAPIS - 1 activity) A service for caregivers that provides the public and individuals with information on resources and services available to the individuals within their communities. [Note: service units for information services are for activities directed to large audiences of current or potential caregivers such as disseminating publications, conducting media campaigns, and other similar activities.]
112. **Information and Assistance.** (NAPIS - 1 contact) A service that:
- A. Provides individuals with information on services available within the communities;
 - B. Links individuals to the services and opportunities that are available within the communities;
 - C. To the maximum extent practicable, establishes adequate follow-up procedures. Internet web site “hits” are to be counted only if information is requested and supplied.
 - D. Note. The service units for information and assistance and for outreach are individual, one-on-one contacts between a service provider and an elderly client or caregiver. An activity that involves contact with multiple current or potential clients or caregivers (e.g., publications, publicity campaigns, and other mass media activities) should not be counted as a unit of service. Such services might be termed public information and reported on the public information category. They may also be reported in “Section II.E.-Utilization and Expenditures Profiles, Other Services Profile.
113. **Information and Assistance Service.** (IC 67-5006(6) & OAA Section 102(a)(28)) Means a service for older individuals that—
- A. Provides the individuals with current information on opportunities and services available to the individuals within their communities, including information relating to assistive technology;
 - B. Assesses the problems and capacities of the individuals;
 - C. Links the individuals to the opportunities and services that are available;
 - D. To the maximum extent practicable, ensures that the individuals receive the services needed by the individuals, and are aware of the opportunities available to the individuals, by establishing adequate follow-up procedures; and
 - E. Serves the entire community of older individuals, particularly—
 - 1. Older individuals with greatest social need;
 - 2. Older individuals with greatest economic need; and
 - 3. Older individuals at risk for institutional placement.
114. **Information and Assistance (I&A)** (ICOA) Information and Assistance Services initiated by an older person or their representative that:
- A. Provides current information about services available within the community, including information about assistive technology;
 - B. Assesses the problem, determines the appropriate available service, and makes the referral;

- C. To the maximum extent practicable, by establishing adequate follow-up procedures, ensures that the client receives the needed service and is made aware of other available services.
115. **Information and Referral.** (IC 67-5006(7) & OAA Section 102(a)(29)) includes information relating to assistive technology.
116. **Informal Supports.** (IDAPA 15.01.01.009.16) Supports provided by church, family, friends, and neighbors, usually at no cost to the client.
117. **Institution of Higher Education.** (OAA Section 102(a)(31)) has the meaning given the term in section 101 of the Higher Education Act of 1965.
118. **Instrumental Activities of Daily Living (IADL).** (ICOA) Meal preparation, money management, transportation, shopping, using the telephone, medication management, heavy housework, light housework.
119. **Integrated Long-term Care.** (OAA Section 102(a)(32))
- A. Means items and services that consist of –
 - 1. With respect to long-term care –
 - a. Long-term care items or services provided under a State plan for medical assistance under the Medicaid program established under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), including nursing facility services, home and community-based services, personal care services, and case management services provided under the plan; and
 - b. Any other supports, items, or services that are available under any federally funded long-term care program; and
 - 2. with respect to other health care, items and services covered under –
 - a. The Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);
 - b. The State plan for medical assistance under the Medicaid program;
or
 - c. Any other federally funded health care program; and
 - B. Includes items or services described in subparagraph (A) that are provided under a public or private managed care plan or through any other service provider.
120. **Legal Assistance.** (OAA Section 102(a)(33))
- A. Means legal advice and representation provided by an attorney to older individuals with economic or social needs; and
 - B. Includes—
 - 1. To the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and
 - 2. Counseling or representation by a nonlawyer where permitted by law.
121. **Legal Assistance.** (ICOA) Advice, counseling, or representation by an attorney or by a paralegal under the supervision of an attorney.
122. **Legal Assistance Development.** (NAPIS) Activities carried out by the state “Legal Assistance Developer” that are designed to coordinate and enhance state and local legal services and elder rights programs.

123. **Legal Representative.** (IDAPA 15.01.02.010.02) A person with documented legal authority to act on behalf of another individual.
124. **Legal Representative.** (ICOA) A person who carries a Power of Attorney or who is appointed Guardian or Conservator with legal authority to speak for a client.
125. **Living alone.** (NAPIS) A one-person household (using the Census definition of household) where the householder lives by his or herself in an owned or rented place of residence in a non-institutional setting, including board and care facilities, assisted living units and group homes.
126. **Long-Term Care.** (OAA Section 102(a)(34)) means any service, care, or item (including an assistive device), including a disease prevention and health promotion service, an in-home service, and a case management service –
- A. Intended to assist individuals in coping with, and to the extent practicable compensate for, a functional impairment in carrying out activities of daily living;
 - B. Furnished at home, in a community care setting (including a small community care setting as defined in subsection (g)(1), and a large community care setting as defined in subsection (h)(1), of section 1929 of the Social Security Act (42 U.S.C. 1396t)), or in a long-term care facility; and
 - C. Not furnished to prevent, diagnose, treat, or cure a medical disease or condition.
127. **Long-Term Care Facility.** (OAA Section 102(a)(35)) means—
- A. Any skilled nursing facility, as defined in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a));
 - B. Any nursing facility, as defined in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a));
 - C. For purposes of sections OAA 307(a)(12) and 712, a board and care facility; and
 - D. Any other adult care home, including an assisted living facility, similar to a facility or institution described in subparagraphs (1) through (3).
128. **Long-Term Care Facility.** (IDAPA Ombudsman 15.01.03.010.10) Skilled nursing facilities as defined in IDAPA 16.03.02, Subsection 002.33, “Rules and Minimum Standards for Skilled Nursing and Intermediate Care Facilities,” and residential care facilities as defined in IDAPA 16.03.22, “Rules for Licensed Residential and Assisted Living Facilities in Idaho.”
129. **Meal Site.** (ICOA) A facility or location where eligible persons (and spouses) assemble for a meal, either site prepared or catered.
130. **Medicaid HCBS.** (IDAPA 15.01.01.009.17) Services approved under the Medicaid Waiver for the aged and disabled.
131. **Minority Provider.** (NAPIS) A provider of services to clients which meets any one of the following criteria:
- A. A not for profit organization with a controlling board comprised at least 51% of individuals in the racial and ethnic categories listed below.
 - B. A private business concern that is at least 51 percent owned by individuals in the racial and ethnic categories listed below.
 - C. A publicly owned business having at least 51 percent of its stock owned by one or more individuals and having its management and daily business controlled by one or more individuals in the racial and ethnic categories listed below. The applicable racial and ethnic categories include: American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, or Hispanic.
132. **Multipurpose Senior Center.** (OAA Section 102(a)(36)) Means a community facility for the organization and provision of a broad spectrum of services, which shall include provision of health

(including mental health), social, nutritional, and educational services and the provision of facilities for recreational activities for older individuals.

133. **National Aging Program Information System.** (NAPIS & ICOA) Standardized nationwide reporting system that tracks:

- A. Service levels by individual service, identifies client characteristics, State and AAA staffing profiles, and identifies major program accomplishments; and
- B. Complaints received against long term care facilities and family members or complaints related to rights, benefits and entitlements.

134. **Native American.** (OAA Section 102(a)(37)) Means—

- A. An Indian as defined in paragraph (5); and
- B. A Native Hawaiian, as defined in section 625.

135. **Naturally Occurring Retirement Community.** (OAA Section 422(a)(2)) Means a community with a concentrated population of older individuals, which may include a residential building, a housing complex, an area (including a rural area) of single-family residences, or a neighborhood composed of age-integrated housing—

- A. Where—
 - 1. 40 percent of the heads of households are older individuals; or
 - 2. A critical mass of older individuals exists, based on local factors that, taken in total, allow an organization to achieve efficiencies in the provision of health and social services to older individuals living in the community; and
- B. That is not an institutional care or assisted living setting.

136. **Neglect.** (OAA Section 102(a)(38)) Means-

- A. The failure of a caregiver (as defined in paragraph (27) or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an older individual; or
- B. self-neglect.

137. **Neglect.** (IC 39-5302(8)) Means failure of a caretaker to provide food, clothing, shelter or medical care reasonably necessary to sustain the life and health of a vulnerable adult, or the failure of a vulnerable adult to provide those services for himself.

138. **NSIP Meals.** (NAPIS - 1 meal) A Nutrition Services Incentive Program (NSIP) Meal is a meal served in compliance with all the requirements of the OAA, which means at a minimum that:

- (A) It has been served to a participant who is eligible under the OAA and has NOT been means-tested for participation;
- (B) It is compliant with the nutrition requirements;
- (C) It is served by an eligible agency; and
- (D) It is served to an individual who has an opportunity to contribute. Meal counts include all OAA eligible meals including those served to persons under age 60 where authorized by the OAA. NSIP Meals also include home delivered meals provided as Supplemental Services under the National Family Caregiver Support Program (Title III-E) to persons aged 60 and over who are either care recipients (as well as their spouses of any age) or caregivers.

139. **Non-Institutional.** (ICOA) Living arrangements which do not provide medical oversight or organized supervision of residents' activities of daily living. Non-institutional residences include:

- A. Congregate housing units,
- B. Board and room facilities,

- C. Private residential houses,
- D. Apartments,
- E. Condominiums,
- F. Duplexes and multiplexes,
- G. Hotel/ motel rooms, and
- H. Group homes in which residents are typically unrelated to individuals.

Non-institutional does not include:

- A. skilled nursing homes,
- B. residential care facilities,
- C. homes providing adult foster care,
- D. hospitals,
- E. or residential schools/hospitals for the severely developmentally disabled or the chronically mentally ill.

140. **Non-Jurisdictional Complaints.** (IDAPA Ombudsman 15.01.03.010.08) Complaints made by or on behalf of residents of long-term care facilities who are under the age of sixty (60) or complaints concerning persons outside the statutory jurisdiction of an ombudsman.

141. **Nonprofit.** (OAA Section 102(a)(39)) As applied to any agency, institution, or organization means an agency, institution, or organization which is, or is owned and operated by, one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

142. **Nutrition Counseling.** (NAPIS - 1 session per participant) Individualized guidance to individuals who are at nutritional risk because of their health or nutrition history, dietary intake, chronic illnesses, or medications use, or to caregivers. Counseling is provided one-on-one by a registered dietician, and addresses the options and methods for improving nutrition status.

143. **Nutrition Education.** (NAPIS - 1 session per participant) A program to promote better health by providing accurate and culturally sensitive nutrition, physical fitness, or health (as it relates to nutrition) information and instruction to participants, caregivers, or participants and caregivers in a group or individual setting overseen by a dietician or individual of comparable expertise.

144. **Office.** (OAA 712(a)(2)) For purposes of Long-Term Care Ombudsman only, "Office" is defined as: the individual described in section 712(a)(2) Ombudsman – the Office shall be headed by an individual, to be known as the State Long Term Care Ombudsman, who shall be selected from among individuals with expertise and experience in the fields of long term care and advocacy.

145. **Office.** (IDAPA Ombudsman 15.01.03.010.09) Office of the State Ombudsman for the Elderly pursuant to Title 67, Chapter 50, Idaho Code, Section 67-5009.

***Need to check to see if there needs to be changes to IDAPA**

Office of the State Long-Term Care Ombudsman (OAA 1327.1 Ombudsman Definitions): as used in sections 711 and 712 of the Act, means the organizational unit in a State or territory which is headed by a State Long-Term Care Ombudsman."

Additional information:

- Clarifies that the "Office" is the unit headed by the Ombudsman (as opposed to the SUA or other host agency).
- Significance: the OAA indicates a number of determinations are to be made by the "Office."

- In a State with a decentralized structure, “Office” refers to the State-level unit (i.e. State Ombudsman and his/her direct reports), as opposed to “Ombudsman program,” which includes the State Office as well as local Ombudsman entities.
146. **Older Americans Act.** (ICOA & IDAPA 15.01.01.009.18) Federal law which authorizes funding to states to provide home and community-based services for older persons.
 147. **Older Individual.** (OAA Section 102(a)(40)) means an individual who is 60 years of age or older.
 148. **Older Persons.** (IC 67-5006(4)) individuals sixty (60) years of age or older.
 149. **Ombudsman.** (ICOA) An individual or program providing a mechanism to receive, investigate, and resolve complaints made by, or on behalf of, residents of long-term care facilities.
 150. **Other Paid Professional Staff.** (NAPIS) Personnel who are considered professional staff who are not responsible for overall agency management or direction setting but carry out key responsibilities or tasks associated with the state or area agency the following areas:
 - A. **Planning**—Includes such responsibilities as needs assessment, plan development, budgeting/resource analysis, inventory, standards development and policy analysis.
 - B. **Development**—Includes such responsibilities as public education, resource development, training and education, research and development and legislative activities.
 - C. **Administration**—Includes such responsibilities as bidding, contract negotiation, reporting, reimbursement, accounting, auditing, monitoring, and quality assurance.
 - D. **Access/Care Coordination**—Includes such responsibilities as outreach, screening, assessment, case management, information and referral.
 - E. **Clerical/Support Staff**—All paid personnel who provide support to the management and professional staff.
 151. **Outreach Service.** (ICOA) A service which actively seeks out older persons, identifies their service needs, and provides them with information and assistance to link them with appropriate services.
 152. **Outreach.** (NAPIS- 1 contact) Intervention with individuals initiated by an agency or organization for the purpose of identifying potential clients (or their care givers) and encouraging their use of existing services and benefits. The service units for information and assistance and for outreach are individual, one-on-one contacts between a service provider and an elderly client or caregiver. An activity that involves contact with multiple current or potential clients or caregivers (e.g., publications, publicity campaigns, and other mass media activities) should not be counted as a unit of service. Such services might be termed public information and reported on the public information category. They may also be reported in “Section II.E. – Utilization and Expenditures Profiles, Other Services Profile.
 153. **Pension and Other Retirement Benefits.** (OAA Section 215(a)(1)) means private, civil service, and other public pensions and retirement benefits, including benefits provided under—
 - A. The Social Security program under title II of the Social Security Act (42 U.S.C. 401 et seq.);
 - B. The railroad retirement program under the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);
 - C. The government retirement benefits programs under the Civil Service Retirement System set forth in chapter 83 of title 5, United States Code, the Federal Employees Retirement System set forth in chapter 84 of title 5, United States Code, or other Federal retirement systems; or
 - D. Employee pension benefit plans as defined in section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2)).
 154. **Personal Care.** (NAPIS - 1 Hour) Personal assistance, stand-by assistance, supervision or cues.
 155. **Physical Harm.** (OAA Section 102(a)(41)) means bodily injury, impairment, or disease.

156. **Planning and Service Area (PSA)**. (ICOA) ICOA designated geographical area within Idaho for which an AAA is responsible.
157. **Planning and Service Area**. (OAA Section 102(a)(42)) means an area designated by a State agency under section 305(a)(1)(E), including a single planning and service area described in section 305(b)(5)(A).
158. **Poverty Line**. (OAA Section 102(a)(43)) means the official poverty line (as defined by the Office of Management and Budget, and adjusted by the Secretary in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).
159. **Poverty**. (NAPIS) Persons considered to be in poverty are those whose income is below the official poverty guideline (as defined each year by the Office of Management and Budget, and adjusted by the Secretary, DHHS) in accordance with subsection 673 (2) of the Community Services Block Grant Act (42 U.S.C. 9902 (2)). The annual HHS Poverty Guidelines provide dollar thresholds representing poverty levels for households of various sizes.
160. **Program**. (IDAPA 15.01.01.009.19) The Idaho Senior Services and Older Americans Act programs as administered by the ICOA.
161. **Program Regulations**. (IDAPA 15.01.01.009.20) Applicable Federal statutes and regulations, the act, and these rules.
162. **Protective Action Plan (PAP)**. (IDAPA 15.01.02.010.03) An individual plan addressing the remedial, social, legal, medical, educational, mental health or other services available to reduce or eliminate the risk of harm to a vulnerable adult.
163. **Provider**. (IDAPA 15.01.01.009.21) An AAA or a person or entity capable of providing services to clients under a formal contractual arrangement including duly authorized agents and employees.
164. **Provider**. (IDAPA 15.01.02.010.04) An Area Agency on Aging or a person or entity capable of providing APS under a formal contractual arrangement including duly authorized agents and employees.
Provider. (NAPIS) An organization or person which provides services to clients under a formal contractual arrangement with an AAA or SUA.
165. **Race/Ethnicity Status**. (NAPIS) The following reflects the requirements of the Office of Management and Budget (OMB) for obtaining information from individuals regarding race and ethnicity. It constitutes what OMB classifies as the “two-question format.” When questions on race and ethnicity are administered, respondents are to be asked about their ethnicity and race as two separate questions. Respondents should ideally be given the opportunity for self-identification, and are to be allowed to designate all categories that apply to them. Consistent with OMB requirements, the following are the race and ethnicity categories to be used for information collection purposes:
- A. Ethnicity:
 - 1. Hispanic or Latino
 - 2. Not Hispanic or Latino
 - B. Race:
 - 1. American Indian or Alaskan Native
 - 2. Asian
 - 3. Black or African American
 - 4. Native Hawaiian or Other Pacific Islander
 - 5. White

166. **Registered Client.** (NAPIS) A registered client is an individual who received at least one unit of the following specified services within the reported fiscal year. The services include:

- (A) Congregate meals,
- (B) Nutrition counseling,
- (C) Assisted transportation,
- (D) Personal care,
- (E) Homemaker,
- (F) Chore,
- (G) Home delivered meals,
- (H) Adult day care/health, or
- (I) Case management
- (J) Services for Caregivers- Case Management and Respite

167. **Representatives of the Office of State Long-Term Care Ombudsman** (OAA 1327.1 Ombudsman Definitions) as used in sections 711 and 712 of the Act, means the employees or volunteers designated by the Ombudsman to fulfill the duties set forth in §1327.19(a), whether personnel supervision is provided by the Ombudsman or his or her designees or by an agency hosting a local Ombudsman entity designated by the Ombudsman pursuant to section 712(a)(5) of the Act.”

Additional information:

- Clarifies the relationship between the Ombudsman and the staff and volunteers who are designated by the Ombudsman to carry out the duties of the Office.
- Uses the OAA term “representatives of the Office” to describe designated staff and/or volunteers who perform LTC Ombudsman program duties, as opposed to common use of the term “ombudsman” to describe these individuals.

168. **Representative Payee.** (OAA Section 102(a)(44)) means a person who is appointed by a governmental entity to receive, on behalf of an older individual who is unable to manage funds by reason of a physical or mental incapacity, any funds owed to such individual by such entity.

169. **Resident.** (OAA Section 711(6)) The term “resident” means an older individual who resides in a long-term care facility.

170. **Resident.** (IDAPA Ombudsman 15.01.03.010.11) Resident as defined in IDAPA 16.03.22, “Rules for Licensed Residential and Assisted Living Facilities in Idaho.”

171. **Resident representative:** (OAA 1327.1 Ombudsman Definitions): means any of the following:

- an individual chosen by the resident to act on behalf of the resident in order to support the resident in decision-making; access medical, social or other personal information of the resident; manage financial matters; or receive notifications;
- a person authorized by State or Federal law (including but not limited to agents under power of attorney, representative payees, and other fiduciaries) to act on behalf of the resident in order to support the resident in decision-making; access medical, social or other personal information of the resident; manage financial matters; or receive notifications;
- legal representative, as used in section 712 of the Act; or
- the court-appointed guardian or conservator of a resident.

Additional information:

- Uses a resident-centered term
- Provides consistency lacking in the OAA

172. **Respite.** (ICOA) Short-term, intermittent relief provided to caregivers (individuals or families) of a functionally-impaired relative or custodial charge.
173. **Respite Care.** (NAPIS - 1 hour) 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. Respite Care includes:
- A. In-home respite (personal care, homemaker, and other in-home respite);
 - B. Respite provided by attendance of the care recipient at a senior center or other nonresidential program;
 - C. Institutional respite provided by placing the care recipient in an institutional setting such as a nursing home for a short period of time as a respite service to the caregiver; and (for grandparents caring for children) summer camps. If the specific service units purchased via a direct payment (cash or voucher) can be tracked or estimated, report those service unit hours. If not, a unit of service in a direct payment is one payment.
174. **Rural.** (ICOA) Communities having a population of fewer than twenty thousand (20,000) persons.
175. **Rural.** (NAPIS) A rural area is: any area that is not defined as urban. Urban areas comprise (1) urbanized areas (a central place and its adjacent densely settled territories with a combined minimum population of 50,000) and (2) an incorporated place or a census designated place with 20,000 or more inhabitants.
176. **Rural Provider.** (NAPIS) Providers of services to clients who live in rural areas. Rural providers are not necessarily providers of services only to rural clients. They may also be providers of services to clients in urban areas. [See definition of rural].
177. **Secretary.** (OAA Section 102(a)(45)) means the Secretary of Health and Human Services, except that for purposes of title V such term means the Secretary of Labor.
178. **Self-directed Care.** (OAA Section 102(a)(46)) means an approach to providing services (including programs, benefits, supports, and technology) under this Act intended to assist an individual with activities of daily living, in which –
- A. Such services (including the amount, duration, scope, provider, and location of such services) are planned, budgeted, and purchased under the direction and control of such individual;
 - B. Such individual is provided with such information and assistance as are necessary and appropriate to enable such individual to make informed decisions about the individual’s care options;
 - C. The needs, capabilities, and preferences of such individual with respect to such services, and such individual’s ability to direct and control the individual’s receipt of such services, are assessed by the area agency on aging (or other agency designated by the area agency on aging) involved;
 - D. Based on the assessment made under subparagraph (3), the area agency on aging (or other agency designated by the area agency on aging) develops together with such individual and the individual’s family, caregiver (as defined in paragraph (27)), or legal representative –
 1. A plan of services for such individual that specifies which services such individual will be responsible for directing;
 2. A determination of the role of family members (and others whose participation is sought by such individual) in providing services under such plan; and
 3. A budget for such services; and
 4. The area agency on aging or State agency provides for oversight of such individual’s self-directed receipt of services, including steps to ensure the quality of services provided and the appropriate use of funds under this Act.

179. **Self-neglect.** (OAA Section 102(a)(47)) means an adult's inability, due to physical or mental impairment or diminished capacity, to perform essential self-care tasks including –
- A. Obtaining essential food, clothing, shelter, and medical care;
 - B. Obtaining goods and services necessary to maintain physical health, mental health, or general safety; or
 - C. Managing one's own financial affairs.
180. **Serious Injury or Serious Imposition of Rights.** (ICOA) A situation of substantiated abuse or neglect involving serious mental or physical injury, or exploitation.
181. **Serious Physical Injury.** (ICOA) Includes, but is not limited to:
- A. Severe skin bruising;
 - B. Burns;
 - C. Bone fractures;
 - D. Decubitus ulcers;
 - E. Internal injuries;
 - F. Lacerations;
 - G. Malnutrition resulting in serious medical consequences;
 - H. Subdural hematoma; or i. Soft tissue swelling.
182. **Severe Disability.** (OAA Section 102(a)(48)) means a severe, chronic disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that—
- A. Is likely to continue indefinitely; and
 - B. Results in substantial functional limitation in 3 or more of the major life activities specified in subparagraphs.
183. **Services.** (IDAPA 15.01.01.009.22) 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.
184. **Service Delivery.** (NAPIS) Includes those activities associated with the direct provision of a service that meets the needs of an individual older person and/or caregiver.
185. **Sexual Assault.** (OAA Section 102(a)(49)) has the meaning given the term in section 2003 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).
186. **Shopping Assistance.** (ICOA) Accompaniment and provision of assistance to an elderly individual for the purpose of purchasing food, medicine and other necessities for an elderly individual who is disabled or homebound.
187. **Sliding Fee Scale.** (ICOA) A fee scale ranging from zero percent (0%) to one hundred percent (100%) of the cost of services. Cost of services shall be based on the contractor's or provider's actual unit costs. A client's percentage (payment) shall be determined by ranking the client's annual household income against the federally determined poverty guidelines for that year.
188. **State Long-Term Care Ombudsman, or Ombudsman:** (OAA 1327.1 Ombudsman Definitions): as used in sections 711 and 712 of the Act, means the individual who heads the Office and is responsible to personally, or through representatives of the Office, fulfill the functions, responsibilities and duties set forth in §§1327.13 and 1327.19 of this rule." Additional information:

- For consistency with the OAA, Rule uses the term “Ombudsman” to specifically refer to one individual: the State LTC Ombudsman.
- Rule does not use following terms: “local ombudsman” or “volunteer ombudsman.”
- Many States and other stakeholders commonly use the word “ombudsman” to describe staff and volunteers at every level of the program. This Rule does not require a change in the usage of those terms.

189. **State Long-Term Care Ombudsman, Ombudsman program, or program:** (OAA 1327.1 Ombudsman Definitions) as used in sections 711 and 712 of the Act, means the program through which the functions and duties of the Office are carried out, consisting of the Ombudsman, the Office headed by the Ombudsman, and the representatives of the Office.
Additional information:
- Clarifies the use of the term “Ombudsman program” to incorporate all levels of the program, including representatives of the Office and, where applicable, local Ombudsman entities.
190. **State System of Long-term Care.** (OAA Section 102(a)(52)) Means the Federal, State, and local programs and activities administered by a State that provide, support, or facilitate access to long-term care for individuals in such State.
191. **Substate Ombudsman.** (IDAPA Ombudsman 15.01.03.010.12) An individual associated with a designated local Ombudsman for the Elderly Program, who performs the duties of ombudsman.
192. **Supplemental Services.** (NAPIS - 1 hour) 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.
193. **Supportive Service.** (OAA Section 102(a)(53)) means a service described in section 321(a).
194. **Supportive Service.** (IC 39-5302(9)) means non-investigatory remedial, social, legal, health, educational, mental health and referral services provided to a vulnerable adult.
195. **Supportive Service Plan (SSP).** (ICOA) An individual support plan outlining an array of services or the components of an individual service required to maintain a client at home or to reduce risks and meet the care needs of a vulnerable adult.
196. **Supportive Services Technician.** (ICOA) AAA employee working under the supervision of a licensed social worker or case manager assisting with investigation of Adult Protection reports, completion of the ICOA approved assessment instrument for services of clients of ICOA funded in-home services, or development and initiation of SSPs. The employee shall have a High School diploma and at least two (2) years’ experience delivering services to the elderly or at-risk populations.
197. **Transportation.** (IC 67-5006(1)) services designed to transport older persons to and from community facilities and resources for the purpose of applying for and receiving services, reducing isolation, or otherwise promoting independent living, but not including a direct subsidy for an overall transit system or a general reduced fare program for a public or private transit system.
198. **Transportation Services.** (ICOA) Services designed to transport eligible clients to and from community facilities/resources for the purposes of applying for and receiving services, reducing isolation, or otherwise promoting independence.

199. **Unit of General Purpose Local Government.** (OAA Section 302(4)) means—

1. A political subdivision of the State whose authority is general and not limited to only one function or combination of related functions; or
2. An Indian tribal organization.

200. **USDA One Hundred Percent (100%) Cash-in-Lieu Community Program.** (ICOA) Federal program in which the participating AAA receives one hundred percent (100%) cash reimbursement in lieu of commodities.

201. **Volunteer.** (NAPIS) An uncompensated individual who provides services or support on behalf of older individuals.

202. **Vulnerable adult.** (IC 39-5302(10)) means a person eighteen (18) years of age or older who is unable to protect himself from abuse, neglect or exploitation due to physical or mental impairment which affects the person's judgment or behavior to the extent that he lacks sufficient understanding or capacity to make or communicate or implement decisions regarding his person.

203. **Vulnerable Elder Rights Protection Activity.** (OAA Section 761(2)) means an activity funded under subtitle A. (42 U.S.C. 3058bb)

204. **Willful interference** (OAA 1327.1 Ombudsman Definitions) means actions or inactions taken by an individual in an attempt to intentionally prevent, interfere with, or attempt to impede the Ombudsman from performing any of the functions or responsibilities set forth in §1327.13, or the Ombudsman or a representative of the Office from performing any of the duties set forth in §1327.19.”

Additional information:

- Responds to comments indicating a need for a definition in order to clarify and support the requirement in the OAA that the Office and its representatives are free from interference in the course of performing required functions.

- The Rule also contains new provisions regarding interference, retaliation, and reprisals at §1327.15(i).