

CHAPTER 12: OTHER AAA CONTRACTED SERVICES

12.1. **TRANSPORTATION.** (IC 67-5008(1)) For operating expenses only

1. **Transportation.** (ICOA)

- A. Available Services. Each AAA, in accordance with Section 306, OAA, shall assure that continuing efforts are made to make transportation services available to older individuals residing within the geographical boundaries of the PSA.
- B. Transportation to Meal Sites. Where appropriate, the AAA shall assure transportation to congregate meal sites is available.

12.2. **IN-HOME SERVICES.** (IC 67-5008(3)) In-home services - For direct provision of case management, homemaker, chore, telephone reassurance, home delivered meals, friendly visiting, shopping assistance, in-home respite and other in-home services to older persons living in noninstitutional circumstances. Fees for specific services shall be based upon a variable schedule, according to rules established by the Idaho commission on aging, based upon ability to pay for such services.

1. **Case Management. See Chapter 8. (Note. Case Management is associated with access to services in OAA (Section 306(a)(2)(A) & IDAPA 15.01.01.012.03.b)**

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

2. **Homemaker.** (IDAPA 15.01.01.012.03.g)

- A. 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.
- B. ICOA: Policy. Homemaker service is designed to provide assistance required to compensate for functional or cognitive limitations. Homemaker services provide assistance to eligible individuals in their own homes, or, based on an Adult Protection referral, in a caregivers home; to restore, enhance, or maintain their capabilities for self-care and independent living. Available family shall be involved in developing a supportive services plan for the client to ensure the formal services provided shall enhance any available informal supports provided. A client or legal representative shall have the right to accept or refuse services at any time. The AAAs may reserve funds to support the expenditure of up to a maximum of ten percent (10%) of their annual Act Homemaker Service funding to support emergency service requests and response to Adult Protection referrals of individuals aged sixty (60) years or older.
- C. Service Eligibility. Individuals are eligible for homemaker services if they meet any of the following requirements:
 - 1. They have been assessed to have ADL deficits, IADL deficits, or both, which prevent them from maintaining a clean and safe home environment.

2. Clients aged sixty (60) years or older, who have been assessed to need homemaker service, may be living in the household of a family member (of any age) who is the primary caregiver.
 3. They are Adult Protection referrals for whom homemaker service is being requested as a component of an SSP to remediate or resolve an adult protection complaint.
 4. They are home health service or hospice clients who may be eligible for emergency homemaker service.
- D. Medicaid HCBS (Home and Community Based Services). When clients are determined by the Department to be eligible for Medicaid HCBS, they are no longer eligible for homemaker services unless the services are determined to be needed on an interim, emergency basis until Medicaid HCBS is initiated.
- E. Purpose of Service.
1. Maintain Independence and Dignity. To secure and maintain in a home environment the independence and dignity of clients who are capable of self-care with appropriate supportive services.
 2. Prevent Institutionalization. To avoid or delay placement into long-term care institutions.
 3. Remedy Harmful Living Arrangements. To promote the health and safety of the client.
 4. Crisis Intervention. To assist the client through a crisis situation, if the homemaker service required meet the client's needs and can be provided within the guidelines set forth in these rules.
- F. Exclusions.
1. Meal Preparation. Homemakers shall not prepare meals for a client if home-delivered meals are available.
 2. Transportation. Homemakers shall not transport a client.
 3. Medical Judgments. Homemakers shall not make medical judgments nor any determinations regarding the application of advance directives.
 4. Bathing and Washing Hair. Providers shall obtain adequate and appropriate insurance coverage prior to assigning their homemakers to assist clients with bathing or washing hair, or both.
- G. Service Priority. Once approved, clients shall be prioritized to receive homemaker services based on their needs, as determined through the completion of the ICOA approved assessment instrument as follows:
1. Highest priority shall be given to clients with the greatest degree of functional or cognitive impairment; then
 2. To clients lacking other formal or informal supports, or both; then
 3. To clients whose homes are in poor condition with respect to those circumstances which the homemaker service can remedy.
- H. Program Intake.
1. If homemaker services are to be provided, the income declaration and Supportive Services Plan shall be completed prior to any work being performed.
 2. If the client is not eligible for services, appropriate referrals shall be made.
3. **Chore** (IDAPA 15.01.01.012.03.c)
- A. Providing assistance to clients who have functional limitations that prohibit them from performing tasks such as routine yard work, sidewalk maintenance, heavy cleaning, or minor household maintenance.

- B. ICOA Policy. Chore service is designed to be provided to individuals who reside in their own homes or who occupy individual rental units. Chore services for those individuals who rent housing shall not provide repairs or maintenance that are the contractual responsibility of the property owner.
 - C. Service Eligibility. Clients qualify to receive chore service if:
 1. They have been assessed to have ADL or IADL deficits which inhibit their ability to maintain their homes or yards;
 2. There are no available formal or informal supports;
 3. Chore service is needed to improve the client's safety at home or to enhance the client's use of existing facilities in the home. These objectives shall be accomplished through one-time or intermittent service to the client.
 - C. Service Priority. Service provision shall be prioritized based on client's degree of functional impairment.
 - D. Program Intake.
 1. If chore services are to be provided, the income declaration and Supportive Service Plan shall be completed prior to any work being performed.
 2. If the client is not eligible for services, appropriate referrals shall be made.
4. **Respite** (IDAPA 15.01.01.012.03.m)
- A. Short-term, intermittent relief provided to caregivers of an ADL or IADL impaired care recipient.
 - B. ICOA Policy. Respite is a Home and Community Based Service designed to encourage and support efforts of caregivers to maintain functionally or cognitively impaired persons at home. Paid respite staff and volunteers provide companionship or personal care services, or both, when needed and appropriate for the care recipient and the caregiver. Respite services may include, but are not limited to, the following:
 1. Meeting emergency needs;
 2. Restoring or maintaining the physical and mental wellbeing of the caregivers; (4-6-05)
 3. Providing socialization for the care recipient.
 - C. Eligibility.
 1. The care recipient shall have physical or cognitive impairments affecting ADL or IADL functioning to the extent twenty-four (24) hour care or supervision is required.
 2. A caregiver sixty (60) years of age or older residing with an eligible care recipient who is under sixty (60) years of age is eligible to receive Respite.
 3. A caregiver under sixty (60) years of age residing with an eligible care recipient aged sixty (60) years or older is eligible to receive Respite.
 - A. Service Limitations. (ICOA)
 1. When personal care services are a part of the SSP, those services shall be provided by trained Respite employees or trained Respite volunteers. (4-6-05)
 2. Services requiring supervision of a registered nurse in accordance with the Nurse Practices Act shall not be performed by respite workers. (3-30-01)
 3. The Respite provider shall provide adequate and appropriate insurance coverage prior to assigning its respite employees or volunteers to assist clients with personal care tasks. (4-6-05)
 - B. Eligibility Determination. Highest priority shall be given to caregivers of care recipients who have the greatest degree of physical or cognitive impairment and who are lacking informal supports other than the regular caregiver. (4-6-05)

- D. National Family Caregiver Support Program (15.01.01.012.03.j)
- Information Services - A service for caregivers that provides the public and individuals with information on resources and services available to the individuals within their communities.
 - Access Assistance. A service that assists caregivers in obtaining access to the services and resources that are available within their communities. To the maximum extent practicable, it ensures that the individuals receive the services needed by establishing adequate follow-up procedures.
 - Counseling. Assist caregivers in making decisions and solving problems relating to their caregiver roles. This includes counseling to individuals, support groups, and caregiver training (of individual caregivers and families).
 - Respite Care. Services which offer temporary, substitute supports or living arrangements for care recipients in order to provide a brief period of relief or rest for caregivers.
 - Supplemental services –Services provided on a limited basis to complement the care provided by caregivers. Examples of supplemental services include, but are not limited to, home modifications, assistive technologies, emergency response systems, and incontinence supplies.
 - OAA Family Caregiver Eligibility Exceptions: (OAA Section 372(a)(2))
 1. (2) GRANDPARENT OR OLDER INDIVIDUAL WHO IS A RELATIVE CAREGIVER.—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. (A) lives with the child;
 - b. (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. (C) has a legal relationship to the child, as such legal custody or guardianship, or is raising the child informally.
 - (b) RULE.—In providing services under this subpart—
 1. (1) for family caregivers who provide care for individuals with Alzheimer’s disease and related disorders with neurological and organic brain dysfunction, the State involved shall give priority to caregivers who provide care for older individuals with such disease or disorder; and
 2. (2) for grandparents or older individuals who are relative caregivers, the State involved shall give priority to caregivers who provide care for children with severe disabilities.
5. **Adult Day Care** (IDAPA 15.01.01.012.03.a)
- A. Personal care for clients in a supervised, protective, and congregate setting during some portion of a day. Services offered in conjunction with adult day care/adult day health typically include social and recreational activities, training, counseling, and services such as rehabilitation, medications assistance and home health aide services for adult day health.
 - B. ICOA Policy. Adult Day Care is designed to meet the needs of eligible participants whose functional or cognitive abilities have deteriorated. It is intended to provide relief for care providing family members. It is a comprehensive program which provides a variety of social

- and other related support services in a protective setting other than the participant's home during any part of a day, but for a duration of less than twenty-four (24) hours.
- C. Eligibility. Individuals eligible for adult day care include:
 - 1. Those who have physical or cognitive disabilities affecting ADL or IADL functioning;
 - 2. Those capable of being transported;
 - 3. Those capable of benefiting from socialization, structured and supervised group-oriented programs; and
 - 4. Those capable of self-care with supervision or cueing.
 - D. Eligibility Determination. Highest priority shall be given to clients with the greatest degree of functional or cognitive impairment and then to clients lacking informal supports other than the regular caregiver.
 - E. Enrollment Agreement. A signed enrollment agreement shall be completed by the provider and the client, or the client's legal representative, and shall include:
 - 1. Scheduled days of attendance;
 - 2. Services and goals of the day care provider;
 - 3. Amount of fees and when due;
 - 4. Transportation agreement, if appropriate;
 - 5. Emergency procedures;
 - 6. Release from liability (for field trips, etc.);
 - 7. Conditions for service termination;
 - 8. A copy of the center's policy; and
 - 9. An SSP.
 - F. Staffing. Staff shall be adequate in number and skills to provide essential services.
 - 1. There shall be at least two (2) responsible persons at the site at all times when clients are in attendance. One (1) shall be a paid staff member.
 - 2. Staff to client ratio shall be increased appropriately if the number of clients in day care increases or if the degree of severity of clients' functional or cognitive impairment increases.
 - 3. Staff persons counted in the staff to client ratio shall be those who spend the major part of their work time in direct service to clients.
 - 4. If the site administrator is responsible for more than one (1) site or has duties not directly related to adult day care, a program manager shall be designated for each site.
 - 5. Volunteers shall be included in the staff ratio only when they conform to the same standards and requirements as paid staff.
 - G. Services. Adult Day Care Programs shall, at a minimum, provide the following services:
 - 1. Assistance with transferring, walking, eating, toileting;
 - 2. Recreation;
 - 3. Nutrition and therapeutic diets; and
 - 4. Exercise.
 - H. National Standards. Adult Day Care Programs shall operate under guidelines established by the ICOA in accordance with national standards developed by the National Council on Aging's National Institute on Adult Day Care.
6. **Outreach.** (IDAPA 15.01.01.012.03.k)
- A. A service which actively seeks out older individuals with greatest social and economic needs with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas.

- B. **ICOA Policy: Identification of Older Persons in Need of Services.** The AAA, in accordance with Section 306 of the OAA, shall assure that outreach efforts focus on identifying those older persons who have the greatest economic or social need, with particular attention to low-income minority elderly, elderly living in rural communities, and severely disabled elderly.
 - 1. **Minimum Requirements.** To determine the effectiveness of outreach services, each AAA shall:
 - a. Annually review program data to determine success in reaching those older individuals having greatest economic or social need, especially low-income minority elderly, elderly living in rural communities, and severely disabled elderly; and
 - b. Require all funded nutrition providers report outreach activities on a quarterly basis.
- 7. **Access Services. (ICOA)**
 - A. Expenditures for Access Services. The AAA shall expend for access services the percentage established in the ICOA state plan.
- 8. **Legal Assistance. (IDAPA 15.01.01.012.03.i)**
 - A. Advice, counseling, or representation by an attorney or by a paralegal under the supervision of an attorney.
 - B. **ICOA Policy: Administrative Requirements.** The AAA shall assure adherence to all administrative requirements as set forth in rule, unless the ICOA grants a waiver.
 - C. **Title III-B Funds.** Under an approved area plan, the AAA shall expend a minimum percentage of Title III-B funds as set forth in the ICOA state plan in Title III-B funds for legal assistance.
 - D. **Contracts.** Through performance-based agreements with local providers, the AAA shall provide legal assistance to older residents of the PSA.
 - 1. The AAA contracts with for-profit providers of legal assistance services shall conform with standards set forth in 45 CFR 1321.71. Prior to being executed, contracts shall be submitted to the ICOA for approval.
 - 2. Contracts for legal assistance services shall be executed for the purpose of providing direct legal assistance and representation to persons aged sixty (60) years or older. The number of service units to be provided must be clearly stated in the contract.
 - 3. Contracts for legal services shall include provision for legal services to clients of the AAA's Ombudsman for the Elderly Program and clients aged sixty (60) years or older of the Adult Protection Program.
 - E. **Idaho Legal Aid Services.** The AAA contracts with Idaho Legal Aid Services, Inc. shall provide the following assurances:
 - 1. Services provided under the contract to individuals sixty (60) years of age or older shall be in addition to legal assistance furnished with funds obtained from other sources.
 - F. **Maintenance of Legal Assistance Records.** The AAAs shall maintain records documenting legal assistance provided within each calendar quarter to individuals aged sixty (60) years or older.
 - G. **Provision of Service.** In accordance with OAA Section 307 (a) and 45 CFR 1321.71, Subparts (a) through (k), each AAA shall assure provision of legal assistance to older individuals residing within the PSA.