

SECTION I

GENERAL ADMINISTRATION

INTRODUCTION

The Older Americans Act (OAA) of 1965, as amended, (Public Law 89-73) provides for “assistance in the development of new or improved programs to help older persons through grants to the states for community planning and services and for training through research, development, or training project grants, and to establish within the Department of Health, Education and Welfare an operating agency to be designated as the Administration on Aging.”

The law further established both a state unit on aging and Area Agencies on Aging. The Barren River Area Development District (BRADD) has been designated as an Area Agency on Aging (AAA) by the Governor of the Commonwealth of Kentucky in accordance with the OAA regulations. Further, in December 2006 the Governor, by Executive Order elevated the Cabinet for Health and Family Services, Division of Aging Services (state unit on aging) to the Department for Aging and Independent Living. As a result, the Area Agency on Aging in the state of Kentucky transitioned to becoming an Area Agency on Aging and Independent Living (AAAIL). As the AAAIL, BRADD is responsible for administering federal and state funded programs for the elderly in the ten (10) counties of Allen, Barren, Butler, Edmonson, Hart, Logan, Metcalfe, Monroe, Simpson, and Warren which compromise the BRADD services area.

The goal of this manual is to assist contractors of OAA, state and other federal funded programs in complying with the terms of contracts with BRADD/AAAIL (BRADD/AAAIL), and the rules, regulations and laws that govern the federal and state funds included in those contracts for the administration of programs therein.

This manual shall also be used to provide information and guidelines for best practice standards for programs and services for older persons and persons with disabilities.

Definitions

- (1) Area Development District means any of the 15 regional planning and development agencies with which the Department for Aging and Independent Living contracts for the local delivery of aging services.

- (2) Area Agency on Aging and Independent Living (AAAIL) means that local agency designated under the provisions of Title III of the Older Americans Act to administer programs and services for a given planning and service area.
- (3) Administration on Community Living (ACL) means that federal agency housed within the Office of the Secretary of Health and Human Services, which is responsible for the administration of grant awards to State Units on Aging under Title III of the Older Americans Act.
- (4) Area Plan means the regional plan submitted by an Area Agency on Aging and Independent Living for the approval of the Department for Aging and Independent Living which releases funds under contract for the delivery of services within the planning and service area.
- (5) Focal Point means that facility designated within each community by the Area Agency on Aging and Independent Living as the local agent for the development of a coordinated community-based delivery system providing a comprehensive array of services.
- (6) Planning and Service Area (PSA) means that multi-county geographical entity in which a given Area Agency on Aging and Independent Living is responsible for the delivery of aging services.
- (7) State Plan represents the formal application of the Department for Aging and Independent Living for federal Title III funds under the Older Americans Act and provides a basis for the expenditure of such funds.

Area Agencies on Aging and Independent Living Advisory Council

BRADD/AAAIL shall establish an advisory council as follows:

- (1) Functions of Council. The area advisory council shall carry out advisory functions, which further the Area Agency's mission of developing and coordinating community-based systems of services for all older persons in the planning and service area. The council shall advise the Agency relative to:
 - (a) Developing and administering the Area Plan;
 - (b) Conducting public hearings;
 - (c) Representing the interest of older persons; and
 - (d) Reviewing and commenting on all community policies, programs, and actions, which affect older persons with the intent of assuring maximum coordination and responsiveness to older persons.
- (2) Composition of Council. The council shall include individuals and representatives of community organizations who will help to enhance the leadership role of the Area Agency in developing community-based systems of services. The advisory council shall be made up of:
 - (a) More than 50 percent older persons, including minority individuals who are participants or who are eligible to participate in programs under the Older Americans Act;
 - (b) Representatives of older persons;
 - (c) Representatives of health care provider organizations, including providers of veterans' health care if providers of veterans' health care are located in the geographical Area Development District;

- (d) Representatives of supportive services providers organizations;
 - (e) Persons with leadership experience in the private and voluntary sectors;
 - (f) Local elected officials; and
 - (g) The general public.
- (3) Review by Advisory Council. The Area Agency on Aging and Independent Living shall submit the Area Plan and amendments for review and comment to the advisory council before transmittal to the Department for Aging and Independent Living for approval.

Advocacy (Area Agencies on Aging and Independent Living)

The BRADD/AAAIL shall serve as the public advocate for the development or enhancement of comprehensive and coordinated community-based systems of services in each community throughout the planning and service area. (Older American's Act Regulations, 45 CFR Part 1321, 13)

Procedure:

BRADD/AAAIL shall:

- (1) Review, monitor, evaluate, and provide necessary comment on Federal, State, and local plans, budgets, regulations, programs, levies, policies, hearings, and actions which affect older persons and persons with disabilities and recommend any changes in these which the BRADD considers appropriate;
- (2) Solicit comments from the public on the needs of older persons and persons with disabilities.
- (3) Represent the interests of older persons to local-level and executive branch officials, public and private agencies, or organizations;
- (4) Consult with and support the Commonwealth's Long-Term Care Ombudsman Program;
- (5) Undertake on a regular basis, activities designed to facilitate the coordination of plans and activities with all other public and private organizations, including units of general purpose local government, with responsibilities affecting older persons in the planning and service area to promote new or expanded benefits and opportunities for older persons;
- (6) Undertake a leadership role in assisting communities throughout the planning and service area to target resources from all appropriate sources to:

- (a) Meet the needs of older persons with greatest economic or social need, (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); and
 - (b) Influence the location of services and specialization in the types of services most needed by the above-referenced group; and
- (7) Prohibit grantees or contractors from employing a means test for services funded from the Area Agency on Aging and Independent Living.

Affirmative Action

The BRADD/AAAIL shall follow the Equal Employment Opportunity, Affirmative Action Procedure Statements and Plans.

Age Verification and Eligibility Determination

BRADD/AAAIL and shall ensure that all service providers verify eligibility of those individuals participating in the Homecare and Title III programs. The BRADD/AAAIL will utilize the "Title III Age Verification and Eligibility" form, except for those individuals utilizing only ombudsman, legal, outreach, and information and referral services.

Procedure:

(1) Prior to the implementation of the service, the BRADD/AAAIL shall review with all Title III and Homecare assessment/case management staff, including subcontractor staff, their procedures for documenting participant age and other eligibility determinants.

(2) Client records shall include the following information:

- a) The participant's age or birth date;
- b) The method of verifying the reported age including one (1) of the following;

- 1. Birth certificate;
- 2. Driver's License;
- 3. School Record;
- 4. Passport;
- 5. U.S. Census Records;
- 6. Employment identification card;
- 7. Military/Veteran identification card;
- 8. Notarized affidavit of birth;
- 9. Wedding or divorce decree; or
- 10. Other- if other is used, the description must be: a. Documented in the State Database (SAMS) via notes section; and b. Maintained in the client's central file;

- (c) The staff involved in the verification process;

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- (d) Other eligibility determinants; and
- (e) Verification of other eligibility determinants

(3) If the required method for verification specified in paragraph (b) 1 through 10 of this subsection is not available, the participant may sign a declaration (agency document). The declaration must also be signed by one (1) witness who knows the participant and who confirms the participants state of his/her age. A hard cop of the declaration shall be maintained int eh client's central file. **Staff may not sign as a witness.**

(4) Verification of eligibility shall be required only once even though the participant may receive services from multiple Title III programs. It is the AAAIL's responsibility to insure age verification is complete on all clients as required and information entered in the state data system and maintained in the client's central file.

(5) Verification of eligibility shall not be required to be updated each fiscal year if the subcontractor maintains the participant's central file or, in the event of a new subcontractor, arrangements are made for the transfer of the verification information.

(6) Participants who receive services from different subcontractors need verify eligibility only once under the following conditions:

a) BRADD/AAAIL is responsible for verifying eligibility. The AAAIL may designate a subcontractor as outlined in the AAAIL and provider contract for verifying eligibility and maintaining and filing the verification information. Should the primary agency no longer be the subcontractor, the AAAIL will be responsible for the maintenance of files which include the original eligibility information;

b) Other subcontractors may contact the AAAIL to confirm that eligibility has been verified. The AAAIL may:

1. Send to the requesting subcontractor a copy of the eligibility verification form (which is filed in the record);

2. Provide the subcontractor access to the client e-records; or

3. May give the information verbally. Verbal confirmation of eligibility shall be documented in the participant's central file, and in the client's e-record. The record shall include:

a. The participant's age or birth date;

b. Identity of staff person in the AAAIL used to verify age;

- c. The subcontractor's staff person who made the contact with the AAAIL;
- d. Other eligibility determinant; and
- e. Verification of other eligibility determinant.

BRADD/AAAIL Procedures for Home Delivered Meal/Community Care Participants Age Verification:

The age verification of home delivered meals and/or community care services will be kept in the client's file and with the Area Agency on Aging and Independent Living.

The BRADD/AAAIL Case Managers provide and collect all information including age verification for services that are provided to home-bound clients in our ten-county district. Age Verification is also completed in the assessment.

As of this date all age verifications pertaining to Title III and Homecare home-bound clients will remain in the client's file located in the BRADD/AAAIL Office.

Service Providers will no longer be required to keep age verification on file at their office for home-bound clients. Only work orders and other pertinent information pertaining to client's care plan and services will be sent to the appropriate service provider.

Senior Center Provider will maintain the age verification in the clients file and in wellsky for congregate meals clients.

BRADD/AAAIL Responsibilities

BRADD/AAAIL (BRADD/AAAIL) shall be the leader relative to all aging issues on behalf of all older persons and those with disabilities in the BRADD service area. The agency shall proactively carry out, under the leadership and direction of the Department for Aging and Independent Living, a wide range of functions related to: advocacy, planning, coordination, interagency linkages, information sharing, brokering, monitoring and evaluation, designed to lead to the development or enhancement of comprehensive and coordinated community-based systems in, or serving, each community in the planning and service area. These systems shall be designed to assist older persons and those with disabilities in leading independent, meaningful and dignified lives in their own homes and communities as long as possible.

A comprehensive and coordinated community-based system shall:

- (1) Have a visible focal point of contact where anyone can go or call for help, information or referral on any aging and disability issue;
- (2) Provide a range of options;
- (3) Assure, that these options are readily accessible to all older persons and those with disabilities; the independent, semi-dependent and totally dependent, no matter what their income;
- (4) Include a commitment of public, private, voluntary and personal resources committed to supporting the system;
- (5) Involve collaborative decision making among public, private, voluntary, religious and fraternal organizations and older people and those with disabilities in the community;
- (6) Offer special help or targeted resources for the most vulnerable older persons and those with disabilities, those in danger of losing their independence;

- (7) Provide effective referral from agency to agency to assure that information or assistance is received no matter: how or where contact is made in the community;
- (8) Evidence sufficient flexibility to respond with appropriate individualized assistance, especially for the vulnerable older person and those with disabilities;
- (9) Have a unique character which is tailored to the specific nature of the community; and
- (10) Be directed by leaders in the community who have the respect, capacity, and authority necessary to convene all interested persons, assess needs, design solutions, track overall success, stimulate change and plan community responses for the present and for the future.
- (11) Have effective information and reporting system.

The resources made available to the AAAIL by the Kentucky Department of Aging and Independent Living shall be used to finance those activities necessary to achieve elements of a community-based system set forth under this standard operation procedure. For the purpose of assuring access to information and services for older persons and those with disabilities, the AAAIL shall work with community leadership in the planning and service are to designate one or more focal points on aging in each community, as appropriate.

BRADD/AAAIL shall:

- (1) Operate an Aging and Disability Resource Center as a single point of entry/contract for community resources, programs, and sources.
- (2) Designate community focal points throughout the region.
- (3) Define "community" as it relates to population served by a given focal point; the definition shall be approved by the Department for Aging and Independent Living and listed in the Area Agency on Aging and Independent Living Area Plan. The community shall not be defined beyond a county.

- (4) Give special consideration to developing and designating multipurpose senior centers as focal points;
- (5) Assure that services financed under the Older Americans Act, in or on behalf of the community will be either based at, linked to, or coordinated with the focal points;
- (6) Assure access from the focal points to services financed under the Older Americans Act;
- (7) Work with or work to assure that community leadership works with other applicable agencies and institutions in the community to achieve maximum comprehensive array of, coordination with or access to other services and opportunities for the elderly and those with disabilities from the focal points; and
- (8) Refrain from engaging in any activity, which is inconsistent with its statutory mission prescribed in the Older Americans Act or policies prescribed by the State under Regulation 45 CFR 1321.11.
- (9) Maintain written policy and procedures to ensure a plan for the continuity of services, in the event that a subcontractor is terminated;
- (10) Ensure service continuity for the protection of the health, safety and welfare of the clients receiving services;
- (11) Ensure the continued operation of services affected by the termination and either perform the responsibilities of the terminated provider or assign responsibilities to another provider;
- (12) Secure all program/client records, facilities under program control, and equipment; and
- (13) Contact DAIL immediately and submit an emergency plan of action to DAIL within 90 days, should a termination of a subcontract be necessary

Organization and Staffing

BRADD/AAAIL shall provide for adequate and qualified staff to perform its functions as prescribed in 45 CFR 1321, or by state regulation.

BRADD/AAAIL shall:

- (1) Function organizationally as prescribed under designation provision of Section 305(b)(5)(C) of the Older Americans Act;
- (2) Have on file for review a staffing plan that identifies the number and types of staff assigned to carry out Area Agency on Aging and Independent Living responsibilities and functions;
- (3) Assign administrative and direct service staff either as required by Federal or state and program staff in proportion to funding allocated to the Area Agency on Aging and Independent Living to administer such program.
- (4) Indicate in the Area Plan staffing patterns and relationships when the Area Agency on Aging and Independent Living is housed under an umbrella "organization;" and
- (5) Respond to corrective action initiatives and general information requests of the Department for Aging and Independent Living when issues arise concerning staffing practices.

BRADD/AAAIL POLICY ON STAFFING DURING STAFF ABSENCES OR VACANCIES**Policy:**

BRADD/AAAIL assures that it will maintain and continue services to consumers during a staff absence and or vacancy.

- If the BRADD/AAA has a short-term vacancy due to staff taking vacation or Sick time, two staff persons will be assigned to cover the caseload in their absence.

- Caseloads will be distributed among other staff that has been cross trained to cover the needed programs.

- If necessary, staff vacancy may be covered by a qualified temporary staff person hired by the Area Agency on Aging and Independent Living.

- Administrative staff including the Deputy Director, Associate Director of Aging and Independent Living, Program Coordinator and Aging Planner will cover staff vacancies if deemed necessary. Administrative Staff have been trained to cover all positions in the instance that a vacancy/absence occurs.

- In all cases all staff will be notified of staff covering the vacancy.

- BRADD/AAAIL will make every effort to ensure that there is no lapse or disruption in services.

Area Agency on Aging and Independent Living Planners Meetings/Trainings

The Area Agency on Aging and Independent Living shall conduct joint meetings and trainings with the Area Agencies on Aging and Independent Living (AAAs). The Department for Aging and Independent Living, as the State Unit on Aging, is mandated to coordinate statewide planning and development of activities and provide technical assistance to each Area Agency on Aging and Independent Living to ensure effective procedures for coordination of programs within the planning and service area. (45 CFR 1321.7 and 1321.13)

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- (1) The Department for Aging and Independent Living shall notify the Area Agencies on Aging and Independent Living in writing in advance of the date(s) the joint meeting(s) will take place.
- (2) The Department for Aging and Independent Living shall solicit input from the Area Agencies on Aging and Independent Living as to the locations, times, topics and concerns to address and discuss at the joint meeting(s).

Sectarian Use of Facility

With respect to the acquisition (in fee simple or by lease for 10 years or more), alteration, or renovation of existing facilities, or the construction of new facilities (Older Americans Act, Section 502(b) (D)), the Department for Aging and Independent Living shall assure that Title III funds are not used for projects involving the construction, operation, or maintenance of any facility used, or any facility to be used, as a place for sectarian religious instruction or worship. The statutory prohibition is similar to other Federal statutes authorizing funds for construction and is designed to ensure that the constitutional prohibition against federal establishment of religion is not violated. The prohibition does not preclude the use of a facility owned by a religious organization for the delivery of services to the elderly.

Confidentiality and Disclosure

Client information obtained the Department, by BRADD/AAAIL, or contractors shall not be disclosed by the provider or agency in a form that identifies the person without the informed consent of the person or legal representative unless the disclosure is required by court order or for program monitoring by authorized Federal, State or local monitoring agencies.

The Department for Aging and Independent Living, BRADD/AAAIL, and the Service Providers shall refer all reports of abuse, neglect, exploitation, or spouse abuse received to Adult Protective Services, Cabinet for Health and Family Services.

The Department for Aging and Independent Living and BRADD/AAAIL and service provider shall not be required to disclose those types of information or documents that are exempt from disclosure by a Federal agency under the Federal Freedom of Information Act, 5 U.S.C. 552. (See Older Americans Act of 1965 as amended P.L. 100-175, Section 307)

The BRADD/AAAIL shall not require a provider of legal assistance to reveal any information that is protected by attorney-client privilege.

Confidentiality of Client Records

Barren River Area Agency on Aging will take reasonable measure to maintain security and confidentiality of protected client records and charts in accordance with current law and regulations.

The physical chart is owned by the AAAIL and the information contained in the record is owned by the client.

Client Case Records/Files shall be located within the offices of the Barren River Area Development District/Area Agency on Aging. All files shall be maintained in a secured location where the office is locked and not accessible to anyone not employed by the Barren River Area Development District. Client Case Records/Files include case note, documentation, signature pages and anything required by contract agency or in regard to the Barren River client and/or consumer.

All files must be stored in a locked file cabinet and may not be kept in personal homes or vehicles.

Access to client information is granted only to employees, subcontractors and the Department of Aging and Independent Living, Cabinet for Health and Family Services involved directly with the provision of care, payment, or health care operations.

The client files are stored in locked file cabinets. The doors to cabinets will be locked at the end of each day as well as the office doors.

Files will be shredded or burned according to the regulations of the grant funding source regulations.

Barren River Area Development will make reasonable efforts to limit protected health/client information to the minimum necessary to accomplish its intended purpose of the use.

The BRADD also follows the State Archives and Records Commission records retention schedule when storing and destroying records.

Client information or records are not released unless client/guardian has requested and or given permission to release the information. A signed a release of information form will be utilized.

**BARREN RIVER AREA DEVELOPMENT DISTRICT/
BARREN RIVER AREA AGENCY ON AGING
CONFIDENTIALITY/SECURITY AGREEMENT**

Name (Please Print)

I understand that I may be allowed access to confidential information and/or records in order that I may perform my specific job duties. I further understand and agree that I am not to disclose confidential information and/or records without the prior consent of the Director of the Barren River Area Agency on Aging and/or the Executive Director of the Barren River Area Development District.

I understand that all computer passwords to access computer data are issued on an individual service provider basis. I further understand that I am solely responsible for all information obtained, through system access, using our agency's unique identification. At no time will I allow use of my password by any other person who has not be designated by the agency to input and access client data.

I understand that accessing or releasing confidential information and/or records, or causing confidential information and/or records to be accessed or released to myself, other individuals, clients, relatives, etc. outside the scope of my assigned job duties would constitute a violation of this agreement and may result in disciplinary action taken against me.

I understand and agree to the statements listed below:

- All records and reports, which directly or indirectly identify a client or former client of BRADD, are confidential.
- A general authorization for the release of medical or other information is not sufficient to authorize the release of tests and other information on the client pertaining to sexually transmitted diseases.
- No test results or information relating to human immunodeficiency virus/AIDS are to be disclosed to unauthorized persons.
- Treatment records of alcohol and drug abuse clients are confidential.
- Court records relating to hospitalization of the mentally ill are confidential.

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- Court records relating to mental retardation admissions are confidential.
- The following types of information relating to Medicaid applicants and recipients are confidential:
 1. Names and addresses
 2. Medical services provided
 3. Social and economic conditions or circumstances
 4. Agency evaluation of personal information
 5. Medical data, including diagnosis and past history of disease or disability
 6. Any information received for verifying income eligibility and amount of medical assistance payments.
 7. Any information received in connection with the identification of legally liable third party resources.

I understand that confidentiality may also protect other types of information, and that if in doubt as to confidentiality, I should not volunteer information before making certain that the information may be disclosed.

By affixing my signature to this document, I acknowledge that I have been apprised of the relevant laws, regulations, and policies concerning access, use, maintenance, and disclosure of confidential information and/or records which shall be made available to me through our agency's contract with the BRADD. I further agree that it is my responsibility to assure the confidentiality of all information that has been issued to me in confidence even after my employment with this agency has ended.

I have read the above and understand my responsibilities.

Signature, Title, Agency

Date

Conflict of Interest

The contractor shall certify that it is not and will not be violating either directly or indirectly any conflict-of-interest statute (KRS 45A.330 - 45A340.990, 164.390, 210.990(1); Title 45 CFR Part 74,) or any other applicable statute or principle by the performance of the contract.

No employee, officer or agent of the subcontractor agency shall participate in selection, or award or administration of a contract supported by Federal or State funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. the employee, officer or agent;
- b. any member of his or her immediate family;
- c. his or her business partner; or
- d. an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The grantee's officer, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, or potential contractors. Other actions of offerors or contractors prohibited include: receipt or solicitation of kickbacks from subcontractor; the obtaining of confidential procurement information not made available to all offerors; improper communication with agency staff, or council members to influence procurement decisions.

BRADD's Human Resource Manager explains and provides BRADD Conflict of Interest Policy with all new staff during on boarding of staff for employment. The Human Resource Manager also provides the BRADD Conflict of Interest Policy to all Board members. The Conflict-of-Interest Statements are updated annually with all Board members. Board members and staff may complete disclosure statements upon request and are updated as needed. The BRADD Executive Committee reviews and approves all Conflicts of Interests disclosures.

**BARREN RIVER AREA DEVELOPMENT DISTRICT
CONFLICT OF INTEREST POLICY**

SECTION 1. PURPOSE:

The Barren River Area Development District (BRADD) was formed under KRS 147A.050 as a special unit of local government. The BRADD, as a public agency, is subject to scrutiny by and accountable to governmental authorities, as well as to members of the public. The interests of the organization must be the first priority in all decisions and actions.

SECTION 2. PERSONS CONCERNED:

This statement is directed not only to directors and officers, but to all employees who can influence the actions of BRADD. For example, this would include all who make purchasing decisions, all persons who might be described as "management personnel," and anyone who has proprietary information concerning BRADD.

SECTION 3. AREAS IN WHICH CONFLICT MAY ARISE:

Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:

- A. Persons and firms supplying goods and services to BRADD.
- B. Persons and firms from whom BRADD leases property and equipment.
- C. Persons and firms with whom BRADD is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
- D. Competing or affinity organizations.
- E. Donors and others supporting BRADD.
- F. Agencies, organizations, and associations which affect the operations of BRADD.
- G. Family members, friends, and other employees.

SECTION 4. NATURE OF CONFLICTING INTEREST:

A conflicting interest may be defined as an interest, direct or indirect, with any persons or firms mentioned in Section 3. Such an interest might arise through:

- A. Owning stock or holding debt or other proprietary interests in any third party dealing with BRADD.
- B. Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third party dealing with BRADD.
- C. Receiving remuneration for services with respect to individual transactions involving BRADD.
- D. Using BRADD's time, personnel, equipment, supplies, or goodwill for other than BRADD-approved activities, programs, and purposes.

- E. Receiving personal gifts or loans from third parties dealing or competing with BRADD. No officer, employee, board director, committee or sub-committee member of the BRADD, shall directly or indirectly through any other person or business, solicit or accept any gift having a fair market value of more than twenty dollars (\$20.00), whether in the form of gratuity, money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence the officer, employee, board or committee member in the performance of his or her public duties.

SECTION 5. INTERPRETATION OF THIS STATEMENT OF POLICY:

It shall be the continuing responsibility of the board, officers, and management employees to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

SECTION 6. DISCLOSURE POLICY AND PROCEDURE:

Transactions with parties with whom a conflicting interest exists may be undertaken only if all of the following are observed:

- A. The conflicting interest is fully disclosed;
- B. The person with the conflict of interest is excluded from the discussion and approval of such transaction;
- C. A competitive bid or comparable valuation exists; and
- D. The Budget and Personnel Committee have determined that the transaction is in the best interest of the organization.

Disclosure in the organization should be made to the Executive Director (or if she or he is the one with the conflict, then to the board chair), who shall bring the matter to the attention of the Budget and Personnel Committee. Disclosure involving directors should be made to the board chair, (or if she or he is the one with the conflict, then to the board vice-chair) who shall bring these matters to the Budget and Personnel Committee.

The Budget and Personnel Committee shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair, and reasonable to BRADD. The decision of the Budget and Personnel Committee on these matters will rest in their sole discretion, and their concern must be the welfare of BRADD and the advancement of its purpose.

This policy shall be reviewed periodically and revised as needed.

Adopted by the Barren River Area Development District Board of Directors:

Chairman

Date

**BARREN RIVER AREA DEVELOPMENT DISTRICT
CONFLICT OF INTEREST DISCLOSURE STATEMENT**

Preliminary note: In order to be more comprehensive, this statement of disclosure/questionnaire also requires you to provide information with respect to certain parties that are related to you. These persons are termed "affiliated persons" and include the following:

- a. your spouse, domestic partner, child, mother, father, brother or sister;
- b. any corporation or organization of which you are a board member, an officer, a partner, participate in management or are employed by, or are, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and
- c. any trust or other estate in which you have a substantial beneficial interest or as to which you serve as a trustee or in a similar capacity.

The information provided on this form shall be available for inspection by member of the Board of Directors and the Executive Director and/or Legal Counsel, but shall otherwise be held in confidence except when, after consultation with the applicable officer, board member or staff, the Board determines that the Agency's best interest would be served by disclosure.

NAME OF EMPLOYEE OR BOARD MEMBER: (Please print)

CAPACITY:

_____ Board of Directors
 _____ Officer (position): _____
 _____ Staff (position): _____

Please respond to the following questions to the best of your knowledge.

1. Please list all corporations, partnerships, associations or other professional organizations of which you are an officer, trustee, partner or employee, and briefly describe your affiliation with such entity.

2. Please list all corporations, partnerships or other entities in which you have material financial interest as defined in the Policy.

3. Are you aware of any other relationships, arrangements, transactions or matters which could create a conflict of interest or the appearance of conflict? If so, please describe.

I HERBY CONFIRM that I have read and understand BRADD's Conflict of Interest Policy and that my responses to the above questions are complete and correct to the best of my information and belief and agree to abide by this policy.

I FURTHER AGREE that if I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with this policy, I will notify the BRADD Executive Director immediately at which time I will file a new Conflict of Interest Disclosure Statement.

Signature _____

Date _____

Denial, Suspension, or Reduction of Services

Policy

If services for a client or participant are denied, suspended, or reduced, one (1) of the following situations shall be present and documented:

1. Funds are no longer available or are reduced;
2. The service level is no longer needed;
3. Prioritization and needs determination indicate the client no longer meets the criteria established for receiving services; or
4. Services may be suspended immediately if the service provider or case manager deems that a worker shall be at imminent risk or danger. The DAIL will be informed of this action immediately.

BRADD/AAAIL shall provide DAIL written notice of actions, other than those listed above in items 1 through 3, which may result in the denial of access to a program to an eligible participant.

Procedure

The following plan shall be utilized by the BRADD/AAAIL when services to eligible persons are denied or suspended.

1. Case managers and/or AAAIL Associate Director will request a written incident report from the service provider agency that is requesting services to be put on hold.
2. Participant services shall not be put on hold by a provider agency until the case manager; agency director and AAAIL Associate Director has determined that provisions of the care plan cannot be met.

3. The BRADD/AAAIL Associate Director will review the case manager's/Independent Care Coordinator's and service provider's written reports which documents the grounds requiring services to be put on hold.
4. The Associate Director/Program Coordinator and case manager will conduct a home visit with the participant to further investigate circumstances and make a final determination.
5. For all programs provided by the BRADD/AAAIL, assistance shall be provided in making appropriate referrals of participants to other agencies as appropriate.
6. In all cases the client shall be informed of his/her rights to file a complaint and be provided with a copy of the BRADD/AAAIL Complaint form. Participants shall be assisted in filing complaint, as needed.

Services Suspended Due to Imminent Danger or Unhealthy or Unsafe Environment

The following plan shall be utilized by the BRADD/AAAIL when services are suspended because of imminent danger or an unhealthy or unsafe environment.

The following items or situations are a threat to the safety of the BRADD/AAAIL Network Staff and service providers:

- Infestation of rodents and insects
 - Structure and surrounding premises are unsafe
 - Vicious animals
 - Contagious diseases
 - Out in the open firearms or lethal weapons that cause the staff to feel threatened
 - Uncontrollable substance abuse
 - Uncontrollable sexual harassment and advances
1. If a service provider or case manager deems that a worker is in imminent danger or is in an unhealthy or unsafe environment, services will be immediately put on hold until the Area Agency on Aging Director can investigate the situation and make final determination.
 2. If deemed necessary case manager; service provider and/or Area Agency on Aging Associate Director will call the appropriate local law enforcement, Department of Social Services, and other appropriate agencies.

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3. The BRADD/AAAIL will refer to and follow the steps; 1 through 6 of the procedures taken in the Denied or Suspended of Services Plan.

Plan for reduction of services because funds are no longer available

The following plan shall be utilized by the BRADD/AAAIL when services are reduced because funds are no longer available, or funds will be diminished before the end of the Fiscal Year if services are not reduced.

1. Participant will be informed by case manager verbally and provided with written notice why services are being reduced.
2. In all cases the client shall be informed of his/her rights to file a complaint and be provided with a copy of the BRADD/AAAIL Complaint form. Participants shall be assisted in filing complaint, as needed.

Plan for conflicts involving mutual respect or the care plan cannot be met

The following plan shall be utilized by the BRADD/AAAIL when conflicts or disagreement occur involving either staff or participants regarding mutual respect or the care plan cannot be met due to the behavior of the staff, participant, and the participant's family members.

The BRADD/AAAIL Associate Director will review all incident reports and documentation concerning the incident. After careful investigation and interviewing all parties involved, the following steps shall be followed if deemed necessary:

1. A verbal warning to the staff or participant for the first conflict;
2. A written warning for a second conflict along with stated conditions if applicable;
3. Suspension;
4. In situations of suspension, a written report which documents the grounds requiring suspension, attempts to resolve the situations and a copy of the written notice that was provided to the

participant stating that he or she has the right to file a grievance under the fair hearing procedures shall be forwarded to the Division of Aging Services.

5. Case manager will assist the participant in making referrals to other agencies for services;
6. Detailed written records shall be maintained.

BRADD/AAAIL, Barren River case managers and service providers will follow all Homecare, and other State and Federal funded programs Policies and Procedures regarding the denial, suspension, and reduction of services to eligible persons.

BRADD/AAAIL Education and Training Responsibilities

Barren River Area Agency on Aging Independent Living shall implement, within budget limitations, education and training programs that respond to the needs of senior citizens, person with disabilities, service providers, and other groups, as needs are identified and funding sources become available. The AAAIL utilized the following methods to this responsibility including the following:

- (1) Conduct annual assessments to informally identify training needs and develop correlating plans;
- (2) Identify and review resources available to meet training needs;
- (3) Develop a comprehensive education and training plan;
- (4) Seek additional resources to implement the plan;
- (5) Effect interagency coordination for the provision of specialized training;
- (6) Facilitate and assist the efforts of higher education in statewide forums of a gerontological orientation;
- (7) Conduct and coordinate specific training on aging programs district-wide;
- (8) Coordinate education programs with private, public, governmental and educational organizations and institutions;
- (9) Conduct training for area advisory councils, including training targeting new council members;
- (10) Specify the training requirements of the service providers;
- (11) May enter into contracts through the Area Development Districts with providers of education and training services which can demonstrate the experience or capacity to provide these services, except that this contract authority shall be effective for any fiscal year only to such extent, or in amounts as are provided in appropriate Acts; and
- (12) Plan and implement staff development initiatives.

Service Provider Education and Training Responsibilities

The Service Provider shall provide education and training in accordance with requirements of the subcontract with Barren River Area Agency on Aging on Independent Living.

Required Training for Contract Compliance for AAAIL/Subcontractor staff

Staff providing services should be adequately trained to fulfill their duties.

Ongoing training should be provided by the AAAIL/Subcontractors to staff providing services und a contract. Topics should be relevant to job duties and population served the numer of hours of training should reflect the type of position (i.e. more training hours for a social worker or case manager).

Documentation of the training shall be available upon request and should indicate the training date, number of hours training topic, the training, and validation by signature or electronic means (i.e. an email certificate or webinar screenshot). AAAIL/Subcontractors shall use the DAIL approved training log to document all training on.

All staff and volunteers shall be trained annually on preventing, identifying, and reporting abuse, neglect, and exploitation for older adults. Training should be provided by individuals or organizations with expertise in working with olde adults and educate in elder justice.

All AAAIL/Subcontractor staff shall attend racial equity and cultural humility training, and organization efforts reflective of individuals residing the region accruing to the most recent census report. Training hsoul be provided by individual or organization with expertise in the field of racial equity and connected to the organization efforts that focus on extern equity issues (e.g. program outcomes) as well as interna equity issues (e.g., a racially equitable workforce).

AAAIL/Subcontractors shall use the DAIL approved training log to document all training on.

Case Managers Training

The BRADD/AAAIL shall provide training for case managers and social services assistants (as applicable) to include:

- (a) Fourteen (14) hours in initial training within six (6) months of hire, and
- (b) Sixteen (16) hours of in-service training annually.

Training topics include but are not limited to Personnel Policies, HIPPA, Confidentiality, Aging Process, communications, CPR/First Aid, Blood Born Pathogens, and Elder Abuse, Neglect and Exploitation.

Annual training topics must be submitted to DAIL staff for approval.

Homemaker Training

Each homemaker shall be provided a training course of a minimum 8 hours coursework and 4 hours shadowing direct service provision. This policy shall apply to homemakers providing services funded through the BRADD/AAAIL. Persons employed as homemakers in programs funded through the Department for Aging and Independent Living on or before July 1, 1988, and working continuously since that date, may be deemed to have met training requirements.

Each homemaker who produces proof of successful completion of Medicaid-approved aide training in a hospital, long-term care facility or home health agency shall be required to complete all units required by this policy, which were not included in the facility or home health curriculum.

Procedure:

- (1) Training may be provided by:
 - (a) A recognized institution of learning such as a vocational school, a community college;
 - (b) An agency charged with the education of the public in health related matters such as the American Red Cross;
 - (c) Or may be provided by the employing agency utilizing a designated coordinator and appropriate professional specialists as instructors
- (2) Instructors shall include a nurse; a social worker; a home economist; nutritionist or dietitian; or homemaker employees.
- (3) The 8 hours of initial course work shall include the following components:
 - (a) Overview of the Aging Population and Needs: Example topics may include but are not limited to the following:
 1. Working with Older Individuals
 2. Role of the Family
 3. Working with Individuals with Disabilities
 4. Death and Dying
 - (b) The Role of the Homemaker: Example topics may include but are not limited to the following:
 1. Personal care services
 2. Medication assistance (to follow SB22 requirements)
 3. Food and Nutrition

4. Maintaining a Clean and Safe Environment
 5. Record Keeping
 6. Client Confidentiality
 7. Communication
- (c) Recognizing and Reporting Abuse, Neglect and Exploitation of Children and Adults
 - (d) Person Centered Planning; and
 - (e) Four (4) hours shadowing experienced homemaker aids in providing direct client service, prior to independent work assignments.
- (4) Homemakers shall be provided a minimum of six (6) hours of in-service training each fiscal year. Topics may include but are not limited to the following:
- (a) Recognizing and Reporting Elder Abuse
 - (b) Cancer, Heart Disease, Diabetes, Stroke
 - (c) Mental Illness
 - (d) Range of Motion Exercises; Assistive Devices
 - (e) Special Diets; Low Sodium, Low Fat, Diabetic, Ulcer
 - (f) Protecting Oneself and Others in Potentially Dangerous Situations
 - (g) Other topics related to job duties
- (5) Records of homemaker training and in-service shall be maintained including:
- (a) Attendance;
 - (b) Number of Hours;
 - (c) Subject (Title of training);
 - (d) Instructor and title;
 - (e) Course Outline;

Results of Test or Return Demonstrations

PCAP Training

If employed, a program coordinator shall complete the following hours of training:

- (1) Within thirty (30) working days of hire:
 - (a) Complete a minimum of sixteen (16) hours orientation program training and
 - (b) Shadow an experienced program coordinator for one (1) or (2) days;
- (2) Within the first six (6) months of employment, complete a minimum of fourteen (14) hours initial program coordination training; and
- (3) Complete follow-up quarterly trainings with the department and contract agency.

SHIP Training

Continuous training is necessary for SHIP coordinators and volunteers in order to keep everyone updated as CMS changes in Medicare and Medicaid occur and to assure accuracy of the information that is given to clients.

Local SHIP coordinators will assure that all counselors (paid or volunteer) receive training and updates as needed. The local coordinator will be responsible for oversight of volunteers including criminal record checks, maintenance of a training log, completing volunteer agreements, updating job descriptions and confidentiality statements, providing training, and keeping the manual for counselors updated on the local level.

The state coordinator will ensure that all counselors receive all SHIP education opportunities via email correspondence or mailed to counselors that do not have computer access.

SHIP counselors are to be trained within thirty-(30) days of their start date. At the completion of the training a volunteer is expected to have received at least eighteen (18) hours of initial training and twelve (12) hours of training on Medicare, Medicare Advantage, Medicare Supplement Insurance, long term care insurance, SSI, QMB, SLMB, QDW1, QI1, Spend-down and counseling.

Mandatory training for SHIP counselors shall include:

- 1.-- Prescription Drug Plans and Medicare Health Plans;
- 2.-- Filing original Medicare and private insurance claims and/or preparing Medicare appeals;
- 3.— Comparing policies and explaining what services each policy provides.
- 4.— Complying with data and performance reporting through SHIP Reporting and Tracking System (STARS).
- 5.— Policy and procedures for basic SHIP administration.
- 6.— Volunteer management.
- 7.— Program integrity and quality assurance.

Kentucky SHIP currently has a statewide certification process. It is mandatory for those counselors to attend the annual fall training or to verify the equivalent training by their local SHIP coordinator. The local coordinators will

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submit the certified counselors name to the state SHIP Director for the development of a statewide listing. Local coordinators will be responsible for ensuring the necessary training requirements are met by each counselor to achieve certified status.

Ombudsman Training

KY Long-Term Care Ombudsman Training

Reference: 910 KAR 1:210 Section 8

The Kentucky Long-term Care Ombudsman shall receive a minimum of thirty six (36) hours of Certification Training including at least the following areas:

- (1) The Older Americans Act of 1965, as amended, and the aging network;
- (2) Characteristics, special needs and problems of the long-term care resident;
- (3) Characteristics of nursing homes including:
 - a. Number of beds;
 - b. Level of care;
 - c. Services; and
 - d. Costs
- (4) The long-term care reimbursement system including:
 - a. Medicaid;
 - b. Medicare;
 - c. SSI and state supplementation
- (5) The regulation of facilities and the enforcement of regulations;
- (6) Complaint investigation and resolution;

(7) Guardianship;

(8) Residents' Rights;

(9) Development of residents' councils;

(10) Recruiting, screening, selecting, training, placing and supporting volunteers; and

(11) Use of public funds

(12) In addition to the minimum training, district ombudsmen shall attend quarterly training meetings as provided

Policy on Eligibility for Congregate and Home Delivered Meals

Eligibility for congregate meals shall be based on the following criteria:

A person aged sixty (60) or older and the spouse of that person;

Volunteers to handicapped persons residing in elderly housing complexes where congregate site is located;

Disabled individuals who reside in non-institutional households with an accompany persons eligible for congregate meals; and

Clients in Adult Day Care, Adult Day Health Care, and Alzheimer's Respite programs.

Eligibility for home-delivered meals shall be based on the following criteria:

A person aged sixty (60) or over and the spouse of that person, if:

Either is, by reason of illness or incapacitating disability, unable to attend a congregate site; and

- a. There is no one in the home able to prepare a nutritious meal on a regular basis or
- A. A non-elderly disabled person who is a member of a non-institutional Household living with an elderly person.

Policy on Eligibility for Homecare Services

1. Based on information documented on the Client's current assessment, the case manager determines that in their professional opinion, the Client is at risk of institutionalization without Homecare services as identified on their Plan of Care. Case managers will base eligibility for Homecare Service utilizing the following criteria.

A. A person, age 60+, whose functional limitations require a sheltered environment, with provision of meals and other social and health-related services, specific to his/her activities of daily living.

1. Impaired in at least two (2) activities of daily living (feeding, getting in/out of bed, dressing, bathing, toileting); or

2. Impaired in at least three (3) IADL's (meal preparation, light housework, heavy housework, laundry, shopping, taking medicine); or

3. Impaired in a combination of one (1) activity of daily living and two (2) instrumental activities of daily living; or,

B. A person, age 60+, with an essentially stable medical condition that requires skilled health services, along with services related to activities of daily living, who would otherwise require an institutional level of care; or,

C. A person, age 60+, currently residing in a personal care, or intermediate care, nursing facility, who can be maintained at home, if appropriate living arrangements and support systems can be established.

2. Case managers will assess the eligibility of clients for Homecare Services every six months.

3. No fees will be assessed for Homecare Home Delivered Meals Services

Policy Statement for Eligibility of Services for Family Caregivers

Eligibility Requirements for family caregivers:

To be eligible for services under the Barren River Family Caregiver Support program a “Family Caregiver”, must be an adult family member or other individual who is providing informal or unpaid in-home services or community care services for a “frail” individual 60 years of age or older. The term “frail” is defined as an older individual who is determined to be functionally impaired in the following areas:

- a. He/she is unable to perform at least two activities of daily living without substantial human assistance, including verbal reminding, physical cueing or supervision.
- b. Due to cognitive or mental impairment the individual requires substantial supervision due to behavior that poses a serious health or safety hazard to the individual or another person.

The statute requires that priority consideration be given to persons with the greatest social and economic needs with particular attention to low-income, minority individuals. Services are to be provided on a temporary and limited basis per the guidelines.

Eligibility requirements for Grandparents or Older Individuals who are Relative Caregivers:

To be eligible for services under the Family Caregiver Support Program a “Grandparent or Older Individual who is a “Relative Caregiver” is defined as a grandparent or step-grandparent of a child or a relative of a child biologically or by marriage, who is 60 years of age or older and meets the following criteria:

- 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
- C. Has a legal relationship to the child, such as legal custody, guardianship, or is raising the child informally.

The statute requires that priority consideration be given to persons with the greatest social and economic needs with particular attention to low-income, minority individuals. Services are to be provided on a temporary and limited basis per the guidelines.

Greatest Economic or Social Need Preference

Preference will be given to providing services to older individuals with greatest economic need and older individuals with greatest social need (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)

Greatest economic means the need resulting from an income level at or below the poverty line. (OAA Section 102(23))

Greatest means the need caused by non-economic factors, which include:

- (1) physical and mental disabilities;
- (2) language barriers; and
- (3) cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, that:
 - (a) restricts the ability of an individual to perform normal daily tasks; or
 - (b) threatens the capacity of the individual to live independently (OAA Section 102 (24))

Area Agency on Aging and Independent Living Responsibilities

The BRADD/AAAIL shall undertake a leadership role in assisting community throughout the ten-county planning and service area to target resources from all appropriate sources to meet the needs of older persons with greatest economic or social need, with particular attention to low-income minority individuals. However, grantees or contractors under this part shall not employ a means test for services funding under this part. (CFR 1321.61) include in their area plan the actions to be implemented to outreach and target seniors to those with greatest economic and greatest social need.

Outreach provided through Barren River Agency on Aging and Independent Living shall place special emphasis on:

- (1) older individuals residing in rural areas;
- (2) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);
- (3) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);
- (4) older individuals with severe disabilities;
- (5) older individuals with limited English proficiency;
- (6) older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and
- (7) Older individuals at risk for institutional placement, including outreach to identify older Indians in the planning and service area, and inform such older Indians of the availability of assistance under the Act. (45 CFR 1321.17 (8))

Service Provider Responsibilities

Each service provider shall specify in writing with the Area Development District how the provider intends to satisfy the needs of low-income minority individuals in the area served. The provider shall provide services to low-income minority individuals at least in proportion to the numbers of low-income minority older persons in the population served by the provider.

BRADD/AAAIL

Information and Assistance Procedures

The Barren River AAAIL will follow these procedures to ensure that all older persons within the planning and service area have access to Information and Assistance services.

1. BRADD ADRC staff and all service providers work cooperatively to provide outreach, and inform such individuals of the availability of services/assistance.
2. BRADD ADRC and AAAIL staff provides outreach through the use of brochures illustrating aging services offered in the area. Brochures are utilized in speaking engagements to organizations, agencies and other groups who may serve as a link to older individuals, minority, elderly, rural and frail elderly and older persons with severe disabilities, Native Americans, older persons with limited English speaking ability and older persons with Alzheimer's or related disorders.
3. BRADD ADRC and AAAIL staff utilizes media opportunities to assist in identifying and targeting these special populations.
4. BRADD ADRC and AAAIL staff and services providers attend health fairs throughout the BRADD, which provides an excellent way to disseminate information about programs to many elderly.
5. BRADD ADRC and AAAIL staff mail out letters annually to inform minority churches and community organizations whose primary consumers of services are low income, minority, disabled, Native Americans and those with Alzheimer's disease about the availability of services, and offer speaking engagements on services and information available to the elderly. During speaking engagements and other outreach initiatives, BRADD/AAAIL staff explains that a part of the Aging Services program is to assist older individuals in applying for benefits. BRADD/AAAIL staff, case managers, and service providers maintain regular contact with many community agencies, churches, organizations, and groups to ensure these special populations are served.
6. Information and assistance is provided to anyone who requests services. The BRADD ADRC utilizes a 1-800 number for taking calls regarding information and assistance.
7. The BRADD ADRC and AAAIL staff distributes magnets, pens and brochures that advertise the BRADD ADRC 1-800 number.

8. BRADD ADRC and AAAIL staff, case managers, and service providers are trained regarding the various resources that are available throughout the BRADD ten counties. Referrals are made to and from the BRADD ADRC on a daily basis.
9. Whenever information and assistance is requested, the BRADD ADRC, and AAAIL staff and service provider staff document on the I and A form the following data if available: such as name, address, income, date of birth, what agency referred the caller, what the individual called about, what agency the staff referred the individual to, time spent on the call and what follow up is necessary.
10. BRADD ADRC and AAAIL staff, case managers and service providers will make referrals by mailing information, provide information over the phone, fax or email and if needed make a home visit. A follow up is conducted whenever needed. All information is collected on the State Prescreening and Assessment Form.

Initiative on Minority Participation Program Procedures

1. All aging contracts will contain assurances that require subcontractors to make special efforts to serve those with greatest economic and social needs, and especially target low income minority elderly
2. Aging staff will monitor service provider's records biannually to ensure outreach efforts are conducted and targeted to minority elderly and agencies who serve a large number of minority elderly clients.
3. All service provider contracts will contain assurances and aging staff will monitor biannually to ensure agency staff gives every consideration when hiring minority staff all service providers will be encouraged to recruit minority volunteers in aging programs as well.
4. All service providers will be monitored monthly to ensure that statistics on the number of minorities receiving services will be maintained
5. All aging contracts will contain assurances and aging staff will monitor biannually to ensure that attempts to serve low income minority individuals at least in the proportion that they represent the total population served in the area.
6. Approval for any new or changed nutrition sites and/or senior citizen will be made with the consideration in mind of the location's effect upon the enhancement of greater participation of minorities.

Limited English Proficient Policy

The Barren River Area Development District Area Agency on Aging will ensure access to services for person with Limited English Speaking Proficient in the following ways. BRADD/AAAIL staff will review and follow BRADD Title VI plan regard LEP.

The Barren River AAA review the number of LEP individuals served or encountered in the eligible service populations.

Case managers are trained to identify those individuals who are LEP.

Clients are assessing to identify LEP individuals. Service needs will be addressed through the use of free interpreters based upon the need for an interpreter.

Additional outside resources for LEP individuals will be assessed as needed.

Written translated of vital documents will be available for populations that comprise 5% or 1,000 whichever is less, of the populations of persons eligible or likely to be affected or encountered.

Aging brochures will be available in Spanish.

Services will be provided in a timely manner without unreasonable delays.

Conflict Resolution to Area Agency on Aging and Independent Living and Subcontractors

The Barren River Area Agency on Aging and Independent has assured the Department for Aging & Independent Living and the Cabinet for Health Services through contractual agreements, that shall comply with the provisions of the Civil Rights Act of 1964, as amended, Section 504, Rehabilitation Act of 1973, as amended, American Disabilities Act of 1990 and with 45 CFR 205.10. The BRADD/AAAIL hereby affirms its compliance and expects its staff to act accordingly. **The BRADD/AAAIL shall not on the basis of race, religion, color, national origin, sex, sexual orientation, gender identity age, or disability:**

1. Deny any individual aid, care, services or other benefits of the AAA, either directly or through contractual or other agreements.
2. Provide any aid, care, services, or other benefits to an individual which is different or is provided in a different manner from that provided to others. (Different procedures will be utilized if deem necessary.)
3. Subject an individual to segregation or separate treatment in any matter related to his receipt of any aid, care, services or other benefits.
4. Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving aid, care, services or other benefits.
5. Treat an individual differently from others in determining whether he satisfies eligibility or other requirements or conditions which individuals shall meet in order to receive aid, care, services or other benefits; and,
6. Deny an individual an opportunity to participate in the program through the provision of services or otherwise afford him an opportunity to do so which is different from that afforded others.

Procedures:

General Administration

The client grievance procedure is an informal process that gives the complainant the opportunity to discuss his/her complaint. The purpose of the process is to clarify the issues; resolve informally those issues which can be resolved.

After receiving the request, the BRADD/AAAIL Case Manager and/or the Associate Director of the BRADD/AAAIL will contact the client to clarify the issues of the complaint within (5) business days. The BRADD/AAAIL Case Manager and/or the Associated Director of the BRADD/AAAIL must meet with the individual in person to negotiate an informal resolution.

Applicant or client who has a grievance should schedule a meeting within (10) working days of the aggrieved action with the BRADD/AAAIL Case Manager and/or the Associate Director of the BRADD/AAAIL to discuss the complaint and possible immediate remedies for resolution without going through the formal grievance procedures.

The client will be informed again by the BRADD/AAAIL Case Manager and/or the Associate Director of the BRADD/AAAIL that all information received will be confidential and information will not be shared with others without the client's consent and written permission to release information.

The Associated Director of BRADD/AAAIL may solicit information from all involved parties in an attempt to resolve the complaint in a manner that is acceptable to the complainant. The solicitation of information may include, but is not limited to, interviews with the complainant, case managers, service providers and review of relevant case materials.

If the applicant or participant is dissatisfied with the informal resolution, a formal written statement will be provided informing him/her of their right to file a formal grievance with the BRADD/AAAIL.

The applicant or participant shall submit his/her request for a formal grievance in writing within ten (10) days of the informal resolution decision regarding the complaint or if a resolution could not be achieved with the informal process.

The complainant or legal guardian shall sign the request and submit it to the BRADD/AAAIL. Upon request, the BRADD/AAAIL and subcontractor staff shall assist individuals in preparation and submission of a complaint. Staff shall not assume responsibility for mailing request.

All complaints shall be in writing or filed on the BRADD/AAAIL Complaint Form and contain:

- a. Specific allegations or complaints against the BRADD/AAAIL or subcontractor agency;
- b. Name of BRADD/AAAIL or subcontractor staff person or persons involved, if known;
- c. Circumstances under which the alleged act occurred; and,
- d. Date and place of alleged act.

Requests shall be filed with BRADD/AAAIL, 177 Graham Avenue, Bowling Green, KY 42101 within ten (10) days after the alleged act or notice of a decision affecting services. If the notice is mailed, the date of the notice shall be the date mailed; otherwise it shall be the date of delivery. In cases where the request is filed after the ten (10) day period, a decision as to acceptance or denial of the complaint for action shall be made by the Executive Director of the Area Development District or a designee named by the Executive Director.

Within five (5) working days of the receipt of the complaint, the BRADD/AAAIL shall notify the complainant of the receipt of the request and the BRADD/AAAIL's policy of attempts at local resolution.

The results of the BRADD/AAAIL or subcontractors efforts to achieve local resolution of the complaint shall be mailed to the Executive Director not more than thirty (30) days. The report shall contain:

- a. Nature of the Complaint (with specific issues);
- b. Date of Resolution;
- c. Persons involved in the complaint;
- d. The results of the resolution;

A copy of the local resolution report which will include a specific statement of any issues not resolved shall be sent to the complainant and involved staff. If the complaint is resolved, the complainant shall sign an acknowledgment to be attached to the report.

All clients will be informed that they have a right to request a Fair Hearing to the Cabinet's Department of Aging and Independent Living if the grievance or complaint is not resolved to the client's satisfaction by the BRADD/AAAIL.

Right to a Fair Hearing

If a client chooses to appeal for a formal state Fair Hearing, the client shall send a copy of the denial letter from the agency as well as written request for a hearing to appeal the matter. This information shall be sent directly to the Commissioner of DAIL, at which time it will be sent to the Cabinet for Health and Family Services Administrative Hearing Branch. A hearing officer will then be assigned to the case and the Fair Hearing process according to KRS Chapter 13B, will begin. Please note that the hearing officer will request documentation from the agency as to how the agency attempted to resolve the issue at the local level and may make the decision to send it back to the agency for an informal resolution.

BRADD/AAAIL Report of Complaint or Concern

Concern/Complaint Reported by _____

Phone Number _____ Address _____

Received by _____ Date _____

May we use your name? _____

How complaint was received: Phone ____ In Person ____ Mail ____ Other ____

Concern or complaint on behalf of _____

Which services were applied for or received? _____

If applicable, when was client referred for services? ____ When assessed? ____

When did services begin? _____

Concern or Complaint: _____

Concern/Complaint received: Service Provider ____ ADD ____ DAIL ____

Actions Taken (Date _____) _____

Resources contacted for investigation and resolution: _____

Date _____ By Whom _____

Complaint Verified: Yes _____ No _____ Other _____

By Whom _____ Date _____

Resolution of concern/complaint _____

By Whom _____ Date _____

Further Action needed _____

Date written reply is required: _____

BARREN RIVER AREA DEVELOPMENT DISTRICT/AAAIL

LOCAL ADMINISTRATIVE REVIEW AND HEARING PROCEDURES

It is the policy of BRADD to provide an opportunity for a local administrative review and hearing to any applicant whose application to provide services under a Barren River Aging Area Plan is denied or whose contract is terminated or not renewed, except as set forth in 45 CFR Part 74, Subpart B 74.13. This policy establishes procedures to provide a full and fair opportunity to resolve any complaints or protests that may arise in contractor selection actions by the Barren River Area Agency on Aging and Independent Living (BRADD/AAAIL) and to create a complete, clear and accurate record for the formation of decisions regarding those selections.

Section I. Definitions

- (1) "AAAIL" means the Area Agency on Aging and Independent Living under the Barren River Area Development District.
- (2) "Administrative Hearing" means any type of formal adjudicatory proceeding conducted by an agency as required or permitted by statute or regulation to adjudicate the legal rights, duties, privileges, or immunities of a named person.
- (3) "Applicant" means a person or entity making application to an area agency to provide services under an approved area plan.
- (4) "Area Plan" means a plan submitted by an area agency on aging and approved by the Executive Director, Department for Aging and Independent Living, which enables the Area Agency to administer activities under the Federal and State funded programs.
- (5) "Burden of Proof" means the duty of going forward, i.e., of producing evidence of a particular matter of fact in issue and the burden of persuasion that a particular matter of fact is true.
- (6) "Days" means calendar days, unless specified.
- (7) "Department" or "DAIL" means the Department for Aging and Independent Living, Kentucky Cabinet for Health and Family Services.

- (8) "Executive Director" means Executive Director of the BRADD.
- (9) "Hearing Officer" means the Chairperson of the Barren River Regional Ethics Board or their designee(s).
- (10) "Local Administrative Review" means the procedure of the BRADD/AAAIL for consultation and review with an applicant or provider.
- (11) "Party" means an area agency, an applicant, or provider who has requested a hearing, the person or entity who submitted the proposals in response to the request for proposal (RFP) and/or request for bid (RFB), and a person or entity that is admitted into the proceedings and designated as participant by the hearing officer.
- (12) "Protest" or "Complaint" means a written objection by an applicant or provider to a proposed award or the award of a contract, or a written objection by a provider to a decision to terminate or not renew its contract to provide services.
- (13) "Provider" means a person or entity that is awarded a contract from BRADD/AAAIL to provide services under an approved area plan.
- (14) "RFP/RFB File" means those documents that are maintained regarding a particular procurement. These documents shall include:
- a. The request for proposal and/or request for bid;
 - b. Advertisements that are published in the newspaper;
 - c. Each proposal received in response to the RFP/RFB;
 - d. All correspondence pertaining to the RFP/RFB;
 - e. The review by the AAAIL;
 - f. Rating or scoring and selection documents;
 - g. Notice of award; and

h. The contract.

(15) "Title III" means Title III of the Older Americans Act of 1965, as amended, and including the implementation of Federal regulations and directives.

Section II. Local Administrative Review and Hearing Procedures

The BRADD/AAAIL shall follow 910 KAR 1:140 Hearing Procedures for Area Agency on Aging Contractor Selection Actions. These procedures shall provide that:

1. Written notice shall be sent by registered or certified mail within seven (7) days of decision made by the BRADD/AAAIL which denies an applicant its request to provide a service or which terminates a provider's contract to provide a service.

The notice shall specify:

- a. The reason for the adverse action;
 - b. That the applicant or provider has the right to file a written complaint. The written complaint shall be mailed to the Executive Director of the BRADD at 177 Graham Avenue, Bowling Green KY 42101 postmarked no later than ten (10) days from receipt of the notice from BRADD/AAAIL. The applicant or provider shall set forth the grounds and their alleged factual basis within the written complaint.
 - c. That failure to file a complaint in a timely manner shall constitute a forfeiture of the opportunity for a hearing.
2. Upon receipt of the written complaint, the BRADD Executive Director shall schedule and conduct an informal meeting with all concerned parties within ten (10) days. It is the intent of this step to resolve, informally, any issues that generated the complaint.
 - a. The informal meeting will provide the protesting applicant or provider an opportunity to review pertinent evidence including any competing proposals or scoring sheets upon which the adverse action was based.
 - b. Copies of this documentation will be made available upon written request and payment of a reasonable fee to BRADD in accordance with the Kentucky Open Records Law.

3. Following the informal meeting, if the complaint is resolved a written statement will be provided by the BRADD and signed by all parties;
4. If the complaint is not resolved, a local administrative review will be requested in writing by the provider within five (5) days of the informal meeting.
5. Upon receipt of the formal written request for a local administrative hearing, the BRADD Executive Director shall contact the Chair of the Barren River Regional Ethics Board who may appoint a Hearing Officer or an impartial hearing committee of up to three (3) individuals. The Barren River Board of Directors has approved and appointed the Chairperson of the Barren River Regional Ethics Board to coordinate formal administrative reviews for all Local Hearing Requests. The local administrative review will be scheduled, conducted, and completed within twenty (20) days of the receipt of the formal written request.
 - a. The local administrative review will be limited to those issues specifically detailed in the formal written request. Only those items will be addressed unless issues have been added, modified, or deleted through written agreement of involved parties.
 - b. This review shall provide the protesting applicant or provider an opportunity to review any pertinent evidence upon which the adverse action was based, including any competing proposals and scoring sheets. The applicant/provider may request consideration of an award, if one has been made, and state in writing to the BRADD/AAAIL the reason why the complaint of protest is filed and the factual circumstances and issues to be considered during the review.
 - c. The local administrative review shall include but not be limited to:
 - i. an opportunity to appear in person;
 - ii. an opportunity to review any pertinent evidence upon which the adverse action was based;
 - iii. an opportunity to be represented by counsel;
 - iv. an opportunity to present witnesses and documentary evidence;
 - v. an opportunity to cross-examine all witnesses.
 - d. The BRADD will maintain the official transcript of the hearing to include all testimony, a copy of Findings of Fact, Conclusions of Law and Final Order, along with any other evidence and exhibits submitted for the record.
 - e. The BRADD/AAAIL shall not proceed further with the solicitation, award or termination involved during the pendency of the local administrative review, except under a contingency plan approved by the Department for Aging and Independent Living.

- f. A request for a state agency review shall not be accepted until all administrative remedies have been exhausted at the local level.
 - g. A written impartial decision will be rendered which sets forth the reasons for the decision, the evidence on which decision is based, and a statement explaining the right to request a state-level hearing.
 - h. BRADD/AAAIL shall promptly respond in writing by certified mail with a return receipt requested to the applicant/provider in regards to the findings and determinations on all issues raised in the complaint or protest within twenty (20) days following the completing of the administrative review. A copy of this decision will be forwarded to DAIL.
6. Notice will be given to the applicant or provider of the right to request a State Administrative hearing with the Kentucky Department for Aging and Independent Living if the complainant is not satisfied with the decision of the Local Administrative Review.
- a. The written request for a hearing by an applicant or provider shall set forth the grounds and their alleged factual basis, and shall be mailed to the Commissioner, Department for Aging and Independent Living, 275 East Main Street, Frankfort, Kentucky 40621, postmarked no later than ten (10) days from receipt of the local administrative review findings and determinations. A copy of the written request shall be mailed to BRADD.
 - b. The BRADD Executive Director shall forward a complete copy of the local administrative review findings, and a complete copy of the request for proposal file relating to the particular procurement in question. These copies shall be provided to the Cabinet's Hearing Officer in the Hearing Branch for inclusion in the record of the case.
 - c. Upon written request and payment of a reasonable fee in accordance with the Kentucky Open Records Law will forward a copy of the local administrative review transcript and other pertinent documents to the applicant or provider.
 - d. The applicant or provider may request in writing a state hearing on one or more of the following grounds:
 - i. There is reason to claim that the award does not comply with the applicable request for proposal;

- ii. There is reason to claim that the local administrative review does not comply with the approved procedures of the BRADD;
- iii. There is reason to claim that denial by the BRADD/AAAIL in whole or in a substantial part of an application to provide services on an action or the part of the BRADD/AAAIL concerning termination or non-renewal of a contract to provide services is:
 - (a) Arbitrary;
 - (b) Capricious;
 - (c) An abuse of discretion;
 - (d) Biased;
 - (e) The result of a conflict of interest;
 - (f) Not based upon substantial evidence; or
 - (g) Does not comply with the terms of the contract or Federal or State law, statute or regulation.
- e. The provider or applicant may submit a written withdrawal of a request for a hearing which shall constitute a waiver of an opportunity for a hearing.

Updated 11/2014

Medication Assistance

Providers other than licensed home health agencies may allow staff to assist participants in medication usage. This policy shall apply to all programs administered by the BRADD/AAAIL. Assistance shall be provided only by staff who have received training in medication assistance, and only to individuals whose care plans include this service.

Procedure:

- (1) The provider agency, through a nurse or social worker, shall assess the individual to determine the presence of sensory or functional impairment, which may indicate problems with taking medication.
- (2) The provider agency, through a nurse or social worker, shall collect information from the client on all medications, (prescriptions and over-the-counter drugs) including the following:
 - (a) Name and dosage of the medication;
 - (b) Purpose of the medication
 - (c) The amount of the medication ordered;
 - (d) Amount to be taken each time and when; and
 - (e) The physician's name
- (3) The supervisor, nurse, or social worker will prepare a list of medications prescribed including the times at which they should be taken.
- (4) If a client is using over-the-counter medications or home remedies, the case manager shall contact the client's physician or pharmacist to secure approval for their continued use.
- (5) The case manager shall set up a schedule to be followed daily. After each medication has been taken, the provider shall check it off. Refer to the schedule and remind the client when medicine is due.
- (6) The provider shall assure that the correct medication is given by checking the prescription label before giving the medicine bottle to the client.
- (7) The provider shall assure that the method of taking the medication is followed. For example, some medicines are taken with juice or milk instead of water. Others are taken before, after, or with a meal.
- (8) The provider shall explain to the client the importance of taking all prescription or over-the-counter medication as directed.

- (9) The provider shall place certain medications such as nitroglycerine tables within the client's reach at all times so that the client can place these tables under the tongue the moment any chest pain occurs.
- (10) The provider shall put away sleep and pain medications after each use. Sleeping pills and other addicting drugs shall be used only as ordered by the doctor.
- (11) The provider shall review the evening medication schedule with the client, being sure the client knows the method and time to take medications when no assistance can be given, leaving the medications within easy reach of the client and encouraging the client to take nighttime doses in a well-lit room.
- (12) If the client has questions about the medications, the provider shall encourage the client to consult his doctor.

BRADD/AAAIL Monitoring, Evaluation and Corrective Action

Assessment and monitoring of the overall effectiveness of service delivered will be measured through the following methods: monitoring service provider's contracts for compliance, client satisfaction surveys, documenting and tracking client complaints.

- BRADD/AAAIL staff has compiled specific monitoring tools for each program. During the monitoring process, information is gathered on all aspects of each program. These monitoring tools are used as a basis for determining compliance with standards and quality of services and to back up the written report submitted to the provider after monitoring is completed.
- Aging staff reviews and updates monitoring tools annually to ensure that they include new regulations and contract requirements.
- Each service provider is monitored at least **annually or more frequently, if needed**. Service units and fiscal accountability is monitored monthly, and a full evaluation of programmatic financial operations is conducted as a routine part of annual monitoring.
- Administrative monitoring will be conducted on-site annually. New and updated information will be reviewed closely, including personnel criminal records checks and training. Providers demonstrating the need for more in-depth review if new or consistent finding are identified will receive a full administrative review on-site more often until critical issues are resolved.

The following procedures are utilized in the monitoring of all services administered by the AAA of service providers in the BRADD.

1. Staff will schedule on site monitoring. The subcontractor is contacted by telephone or email and an appointment is arranged. The subcontractor is notified in writing when monitoring is to begin. Aging staff explains the process to the appropriate personnel and a copy of the monitoring tool is sent.
2. The service provider and staff are monitored and interviewed. Client visits are made when appropriate.
3. The service provider's records (including computer printouts) are reviewed for accountability, accuracy, and completeness of information. The following information will be reviewed on site:
 - Record of services and client participation
 - Record of weekly activities and utilization
 - Method and verification for reporting units
 - Fiscal records to verify payments, match, and program income
 - Participant files
 - Case management records/files, as applicable
 - Correspondence related to services funded by BRADD
 - Participant and staff interviews will be conducted as appropriate

4. Paperwork is completed, and written comments and recommendations are made.
5. The subcontractor is notified in writing of the findings, recommendations within fifteen (15) working days, and a deadline for written reply is requested if appropriate.
6. Once a reply is submitted, it is reviewed, and written acceptance of the corrective action is sent back to the service provider. If the corrective action is not acceptable, then a letter requesting additional information and/or changes is sent to the service provider. This process continues until the corrective action is acceptable.
7. Copies of all records, reports, and correspondence are kept on file. A written summary of the monitoring report is also sent to the Office of Aging Services.
8. Follow-up. Assessment is made of any corrective action taken by the service provider in response to a recommendation by the monitor.
 - Participant/client services are not in any way altered or affected by the monitoring process. Services continue during any corrective action period.
 - The BRADD/AAAIL has a comprehensive computer system that continually provides service data used for monitoring purposes. The following information is available through computer monitoring:
 1. Name of the person providing a service;
 2. Amount of direct service time and/or number of meals provided;
 3. Date(s) of service provision;
 4. Comparison of service provision to care plan;
 5. Comparison of units provided to units billed;
 6. Total number of units provided for each client and services.

- All service providers of the BRADD/AAAIL are required to conduct internal monitoring of their program in addition to the monitoring provided by the BRADD/AAAIL.
- Services are reviewed monthly and quarterly to assure that services are provided in an effective and cost-efficient manner. Use of computer information allows each section to be monitored monthly to assure compliance and to identify problems before they become serious.
- BRADD/AAAIL staff makes routine service visits with homemaker aides during each monitoring. At the time, the clients are interviewed regarding services and case records are reviewed.
- The Associate Director of Aging and Independent Living Services makes visits with each case manager at least yearly.
- Home delivered meal clients are monitored biannually when the nutrition program for the elderly is evaluated.
- Client satisfaction is monitored through home visits and interviews with the participants of the aging programs. The process provides the monitor with the opportunity to assess the service quality, client understands of all aspects of the program, and the appropriateness of services to clients needs.
- AAAIL staff conducts client satisfaction surveys in the following process: Surveys are conducted at least once per year. Clients are surveyed by telephone, mail and personal interviews conducted in the client's homes.
- All service providers are required to conduct client satisfaction surveys. Service providers send copies and results of all client surveys into the BRADD for review.
- AAAIL staff uses this information to monitor the services to ensure that the service providers are providing adequate and sufficient services. The information is used to develop the Barren River Area Aging Plan from year to year.

- Service units and fiscal accountability are monitored on a monthly basis by the AAA staff and a full evaluation of programmatic financial operations is conducted as a routine part of bi-annual monitoring. Each service provider's financial reports are monitored on a monthly basis for full evaluation of the year-to-date units, current monthly units and the percentage of units already utilized. Each service provider is given a copy of this report to review to ensure that the goals and objectives for the current fiscal year are being met and on target.

Corrective Action

- When a service provider is not fulfilling its contract requirements, the BRADD/AAA will take the following corrective action:
 1. The subcontractor is notified in writing and provided with a description of the precise nature of the problem, identification of the corrective action desired, and the time frame in which the action should be taken or the problem should be resolved. The service provider is required to submit a written corrective action plan as specified by BRADD/AAA staff. In cases where the service provider's deficiencies appear to endanger or seriously affect the health or welfare of participants or staff, corrective measures are taken immediately.
 2. Once a reply is submitted, it is reviewed and written acceptance of the corrective action is sent back to the service provider. If the corrective action is not acceptable, then a letter requesting additional information and/or changes is sent to the service provider. This process continues until the corrective action is seen acceptable.
 3. Monitoring and follow-up occur to assure that the action was taken and the problem or deficiency resolved.
 4. Other licensing or regulatory agencies are notified if the problems are within their Jurisdiction.
 - In the event of the service provider continued non-compliance, the following procedures are implemented:
 1. The BRADD/AAAIL notifies the service provider of the continuing problem or deficiency and the action to be taken.
 2. The BRADD/AAAIL advises the Department for Aging and Independent Living of the problem and makes a recommendation for the Office of Aging staff to review.

3. The service provider is advised of the actions that will be taken if non-compliance continues. Actions will be taken if non-compliance continues. Actions may include but are not limited to the following:

- a. Renegotiate of the contract
- b. Employment of financial sanctions
- c. Cancellation of the contract

If resolution is not possible, termination of the contract will be recommended. BRADD will develop a contingency plan prior to the termination of the contract to assure service delivery during any period of corrective action. The contingency plan will be submitted to the department for Aging and Independent Living and will take into consideration options available to assure services are not interrupted.

4. AAAIL staff provides assurance that services will be continued to clients during the correction period.

- Evaluation of all aging programs is an on-going process. The evaluation process targets needs, costs, and services. Needs are monitored and adjustments are made in services where applicable. Services provided and the cost of these services is analyzed monthly. Fixed cost contracts are monitored as per services provided. Cost reimbursement contracts and monthly expenditures are monitored and compared with unit provision. Reports are analyzed and adjustments made when deficiencies are noted.

Waiting List Procedures

Policy:

In the event that funding is not available to meet all the needs of the eligible older adults needing Aging services in the BRADD, a waiting list will be maintained by the Barren River Aging and Disability Resource Center (ADRC) staff.

Procedure:

The BRADD waiting list shall be maintained and reported in WellSKY Computer data system as the referrals are generated. The Barren River ADRC staff taking the call shall complete the DAIL Level 1 Screening and the DAIL – GA 01 priority Screening Tool. Clients will be prioritized by need utilizing the DAIL GA – 01 Priority Screening Tool. The ADRC staff will provide the potential clients of any other services or resources that may be available to them while they await services. Clients will be informed of Private Pay resources as well. Clients will be placed in services as they become available according to their priority rating. After the GA-01 Priority Screening tool is completed the ADRC staff will explain to the client that they have been placed on the waiting list for services. Once funding is available for a service, the individual on the waiting list with the highest priority screening score on the DAIL-GA 01 Priority Screening Tool shall be assessed with in seven (7) calendar days.

PROCEDURES FOR MANDATORY REPORTING OF ABUSE, NEGLECT, AND EXPLOITATION

These procedures will be followed by the Barren River Area Development District Area Agency on Aging and Independent Living staff, case managers, and service providers when there is reasonable cause to suspect that an adult has suffered abuse, neglect, or exploitation.

1. Any aging services staff, case manager, or service provider having “reasonable cause to suspect” that an adult has suffered abuse, neglect, or exploitation shall report or cause reports to be made in accordance with the provisions of the KRS Chapter 209/Protection of Adults. Death of the adult does not relieve one of the responsibilities for reporting the circumstances surrounding the death.
2. A report shall be made immediately to the Community Based Services Department for Protection and Permanency Division Adult Protective Services upon knowledge of the occurrence of suspected abuse, neglect, or exploitation of an adult. Staff will provide the following information in accordance with the KRS Chapter 209/Protection of Adults: Name and address of the adult, or of any other person responsible for his /her care; the age of the adult; the nature and extent of the abuse, neglect, or exploitation, including any evidence of previous abuse, neglect, or exploitation; the identity of the perpetrator, if known; any pertinent information that the person believes might be helpful in establishing the cause of abuse, neglect, or exploitation.
3. Whenever the service provider staff has been informed by a client that abuse, neglect or exploitation has occurred to the client, they are required to call Adult Protective Services and Barren River Aging Services Case manager immediately. The service provider will provide the incident report to the Aging Services manager who will document the incident in the client files. **All procedures should be completed within 24 hours.**
4. Case managers being informed by a client that abuse, neglect or exploitation has occurred are required to follow the same procedures as above. The case manager will call Adult Protective Services, and document all pertinent information in the client file. Once all procedures have been completed, a final follow up with the client involved will be completed.

Policy for Obtaining, Evaluation and Using the Views of Recipients

1. All subcontractors of the BRADD/AAAIL are required to conduct annual client satisfaction surveys (CSS). Each service provider compiles the survey information and sends a copy to the BRADD office to be used for reviewing the input from the clients, monitoring the quality of services and evaluating the effectiveness of the services. In addition, clients or recipients of services may complete a satisfaction survey upon request.

2. The BRADD/AAAIL staff completes face-to-face client satisfaction surveys once annually. The BRADD/AAA conducts the survey at the client's home, senior centers and adult day care centers. The AAA staff asks specific questions concerning the services and the needs of the clients. All of our clients are given the AAA Associate Director's name and phone number to call if they have any questions or concerns.

3. A public hearing is held as requested by the Department for Aging and Independent Living of Aging Services on the Aging Area Plan. Additional public hearings are held as required or as needed.

4. Provider Surveys must be prior approved by BRADD/AAAIL

5. Surveys should be completed by January 30, for the prior 12 months.

6. AAAIL should have all survey results compiled by February 28.

7. Survey summaries are to be submitted to BRADD/AAAIL by March 15.

8. Process must comply with AAAIL contract outcomes.

Quality Assurance Procedures

Policy: Barren River Area Agency on Aging on Independent Living will maintain and manage a comprehensive Quality Assurance System that includes contract monitoring and review.

Procedures:

Desk Reviews:

A review of the following information will be conducted at Barren River Area Agency on Aging on Independent Living prior to the on-site review:

- Timeliness of programmatic and fiscal reports
- Review of quarterly or other required reports
- Amount paid to provider to date
- Record of match
- Correspondence records to address outstanding matters

Program and Fiscal Reviews:

Barren River Area Agency on Aging on Independent Living shall monitor the performance of all contractors. Contractors will monitor the performance of their subcontractors and provide the results to Barren River Area Agency on Aging on Independent Living. Monitoring is designed to assess compliance with the funded contract, policies, and legislation pursuant to all funded services. Administrative monitoring will be conducted on-site two times annually utilizing a long form during the first and second quarters and the short form monitoring during the third and fourth quarters of the fiscal year. New and updated information will be reviewed closely, including personnel criminal records checks and training. Providers demonstrating the need for more in-depth review if new or consistent findings are identified will receive a full administrative review utilizing the long form twice annually until critical issues are resolved.

Staff will schedule on-site monitoring after the first quarter of the fiscal year is complete. In the event the provider and staff cannot determine a mutually agreed-upon monitoring date, Barren River Area Agency on Aging on Independent Living reserves the right to schedule and conduct the review at its convenience. A copy

The following information will be reviewed on-site:

- Record of services and client participation
- Record of weekly activities and utilization
- Method and verification for reporting units
- Coding of staff time to appropriate source of funds
- Fiscal records to verify payments, match, and program income
- Participant files
- Case management records/files, as applicable
- Correspondence related to services funded by Barren River Area Agency on Aging on Independent Living
- Participant and staff interviews will be conducted as appropriate
- Other items as deemed necessary

Corrective Action

A written report of monitoring findings and corrective action needed will be provided to the contactor within fifteen (15) working days of completion of the monitoring review. The report will include General Findings, Corrective Actions (if necessary), and recommendations. Corrective action reports will include steps needed to implement corrective measures and timeline for expected implementation. Barren River Area Agency on Aging on Independent Living may also provide the contractor/provider with best practices or recommendations for improvement. These recommendations would not be considered “corrective action” with mandated implementation, but would offer suggestions for improvements or modifications that could assist the provider or its clients.

Corrective Action is a required implementation of corrective measures to correct or improve a situation or practice by the provider that Barren River Area Agency on Aging on Independent Living identified as unallowable or outside of the scope of the program. If the contractor does not take the necessary corrective action steps to correct the deficiency within a reasonable time period, the AAAIIL Director shall discuss the issue with the provider and

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attempt to reach a satisfactory resolution. If, after discussion the matter remains unresolved, the Barren River Area Agency on Aging on Independent Living Executive Director or designee will be included for resolution. Should all prior attempts at corrective action fail, the Barren River Area Agency on Aging on Independent Living Board or its designees will seek resolution with the contractor.

Barren River Area Agency on Aging on Independent Living may be contacted at any point in this process for technical assistance. Barren River Area Agency on Aging on Independent Living reserves the right to withhold funding until appropriate action has been taken.

The provider shall be advised of actions to be taken if noncompliance continues. Actions include but are not limited to the following: re-negotiation of the contract, financial sanctions or cancellation of the contract. If resolution is not possible, termination of the contract will be recommended. Barren River Area Agency on Aging on Independent Living will develop a contingency plan prior to the termination of the contract to assure service delivery during any period of corrective action. The contingency plan will be submitted to the Department for Aging and Independent Living and will take into consideration options available to assure services are not interrupt.

Corrective Action

The BRADD/AAAIL shall take corrective action when a contractor is not fulfilling its contract.

Contractors shall respond to BRADD/AAAIL' monitoring with submission of and compliance with corrective action plans in accordance with Department for Aging and Independent Living specifications. The Department for Aging and Independent Living shall monitor and follow-up with contractors to assure that required corrective action is taken.

Procedure:

Several courses of action shall be available to the BRADD/AAAIL to assure contract compliance. The actions are presented in ascending order but are not necessarily to be performed in sequence, depending on the seriousness of the problem.

Upon identification of the deficiency, the BRADD/AAAIL shall:

Notify the contractor, describing the precise nature of the problem, identify the corrective action desired and the time frame in which the action should be taken or the problem should be resolved. The contractor shall submit a written corrective action plan as specified by the BRADD/AAAIL. In cases where contractor deficiencies appear to endanger or seriously affect the health or welfare of participants or staff, corrective measures shall be taken immediately;

- (1) Monitor and follow-up, to assure that action was taken and the problem or deficiency resolved. The contractor shall submit documentation to confirm the problem or deficiency was resolved; and
- (2) Notify other licensing or regulatory agencies if the problems are within their jurisdiction.

In the event of the contractor's continued non-compliance, the following procedures shall be implemented:

- (1) The BRADD/AAAIL shall notify the contractor of the continuing problem or deficiency and the action to be taken.
- (2) The Department for Aging and Independent Living shall advise the Secretary of the Cabinet for Health and Family Services of the problem and make a recommendation for Cabinet for Health and Family Services' action.
- (3) The contractor shall be advised of the actions that will be taken if non-compliance continues. Actions include but are not limited to the following:
 - (a) Renegotiation of the contract;
 - (b) Employment of financial sanctions; and
 - (c) Cancellation of the contract

Needs Assessment and Priority Setting

The Older Americans Act required that BRADD/AAAIL evaluate the need for all services, regardless of the source of funding for services. BRADD/AAAIL is responsible for determining the services needs for seniors in our ten county area. BRADD/AAAIL utilizes a variety of tools in determining the need for services and establishing priorities for senior services.

Activities that shall be conducted to evaluate and determine the needs, specific groups within the aging population, and services which shall be addressed or receive top priority include the following:

- (1) Review and analyze the findings of the needs assessment and other surveys and documents that provide information regarding the needs of the elderly;
- (2) Conduct public hearings and compile and analyze data obtained;
- (3) Review and analyze census and other data which reflect the status of the elderly;
- (4) Gather and analyze client data from the Homecare Program and other applicable information systems;
- (5) Analyze program performance reports;
- (6) Analyze financial reports;
- (7) Conduct literature search;

Participant Responsibilities

In order to receive services from any program or service administered by the BRADD/AAAIL, the participant shall agree to receive services, sign an application requesting services, agree to provide information necessary to complete a plan of care, participate in the development of a plan of care, and cooperate with service providers. In any situation where the client is unable to cooperate and make decisions regarding service needs, the family or other caregiver must agree to cooperate on behalf of the client.

The service providers and the participant and family shall treat one another with mutual respect. None of the parties shall subject another to physical abuse, sexual harassment or verbal abuse. None of the parties shall subject another to possible physical harm through a display or handling a weapon, nor endanger another by an animal.

A provider may, upon due notice, suspend the provisions of a service to an otherwise eligible client where the provider, upon consultation with the Area Agency on Aging and Independent Living determines that to provide the service poses a danger to any person. Such suspension may remain in effect until the Area Agency on Aging and Independent Living determines that the danger has been abated or eliminated.

Procedure:

- (1) Each participant shall sign an application for services within 30 days of receiving services.
- (2) The participant shall signify the following voluntarily by signing the application:
 - (a) Verification of income, if questionable (except for Title III, which prohibits a means test);
 - (b) Release of information to specified agencies;
 - (c) Access by the Cabinet and the area development district to the Participant's records for monitoring purposes; and
 - (d) Understanding by the participant of "Participant Responsibilities"
- (3) If the client is unable for physical or mental reasons to consent and has a legal guardian, caregiver, spouse or other proxy, that person must sign the application.

- (4) Should either party feel that an offense has occurred, recourse shall be sought through the mediation, grievance, or complaint procedures established by the provider, the area development district or the Department.
- (5) Participant services are not to be suspended by a provider agency until the case manager, center director or agency director has determined that the provisions of the care plan cannot be met due to the behavior of the participant or family. Services may be suspended if the service provider or case manager deems that a worker will be at imminent risk or danger. The provider agency shall report suspension of services immediately to the Area Agency on Aging and Independent Living who shall investigate the suspension and make a final determination.

(6) In situations of suspension as described in (5) above, a written report that documents the grounds requiring suspension, attempts to resolve the situation, and written notice that the client may file a grievance, shall be forwarded to the area development district or to the BRADD/AAAIL if the area development district provides case management directly.

(7) When conflicts or disagreements occur involving either staff or participants regarding mutual respect, the following steps shall be followed:

- (a) A verbal warning to the staff or participant for the- first conflict;
- (b) A written warning for a second conflict;
- (c) Suspension;
- (d) In situations of suspension as described in (5) above, a written report which documents the grounds requiring suspension, attempts to resolve the situation, and written notice that the client may file a grievance, shall be forwarded to the area development district or to the Department for Aging and Independent Living if the area development district provides case management directly; and
- (e) Detailed written records shall be maintained for the service provider.

Exclusion Policy

The following shall be excluded from Participant Responsibilities:

- (1) Residents and family members who receive services under the Long Term Care Ombudsman Program
- (2) Participants and providers of Intake and Referral, Outreach and Legal Assistance
- (3) Congregate services provided in or arranged by a senior citizens center, nutrition site or other provider. Senior centers, nutrition sites, day care or other congregate programs may develop and display conspicuously a policy of mutual respect as appropriate for the congregate location.

Public Hearings Area Agency Scheduled

BRADD/AAAIL shall conduct a public hearing on Area Plans prior to their submission to the Department for Aging and Independent Living. Amendments to Area Plans determined by the Department to be non-administrative in nature shall also be subject to public hearings.

BRADD/AAAIL shall comply with the following provisions in scheduling public hearings:

- (1) The selected hearing site shall be that most readily accessible to all residents in the planning and service area.
- (2) Notice of the hearing date, time and location shall be advertised in the area media at least ten (10) days prior to the hearing.
- (3) A copy of the Area Plan or amendment shall be available for public review during the 10-working day period prior to the scheduled public hearing and the opportunity for review publicly advertised.
- (4) A verbal presentation on the Plan or amendment shall be given at the public hearing and written summaries of the Plan or amendment made available for distribution. BRADD/AAAIL staff shall be present to respond to questions from the audience, which shall be encouraged.
- (5) BRADD/AAAIL shall elicit from the audience both verbal and written recommendations and extend for a period of up to two (2) weeks the opportunity to submit comments.
- (6) All written suggestions and summaries of verbal comments shall be kept on file by BRADD/AAAIL for the duration of the Plan.

Public Hearings State Agency Scheduled

The BRADD/AAAIL shall, when deemed appropriate, utilize public hearings as one method of obtaining both proactive and reactive community and consumer participation in prioritizing and evaluating activities and projects carried out under the State Plan.

The BRADD/AAAIL shall:

- (1) The State agency will conduct periodic evaluations of, and public hearings on, activities and projects carried out in the State under this title and title VII, including evaluations of the effectiveness of services provided to individuals with greatest economic need, greatest social need, or disabilities **(with particular attention to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)**;
- (2) The State agency will:
 - (a) afford an opportunity for a hearing upon request, in accordance with published procedures, to any area agency on aging submitting a plan under this title, to any provider of (or applicant to provide) services;
 - (b) issue guidelines applicable to grievance procedures required by section 306(a)(10); and
 - (c) afford an opportunity for a public hearing, upon request, by any area agency on aging, by any provider of (or applicant to provide) services, or by any recipient of services under this title regarding any waiver request, including those under section 316
- (3) The State and area agencies on aging, in conducting public hearings on State and area plans, shall solicit the views of older individuals, providers, and other stakeholders on implementation of cost-sharing in the service area or the State.(Section 315 (1))
- (4) Afford an opportunity for a public hearing, upon request, by any area agency on aging, by any provider of (or applicant to provide) services, or by any recipient of services under this title regarding any waiver request, including those under section 316 (Section 307 (5) (c)).

Criminal Records Check for Employees and Volunteers

All applicants for employment or a volunteers providing services through direct client contact shall authorize the BRADD AAAIL or provider agency to conduct a records check through the following:

(a) A criminal record check through the Kentucky Justice Cabinet, Administrative Office of the Courts, or a national criminal record check;

(b) The Central Registry;

(c) The Adult Protective Services Caregiver Misconduct Registry; and

(d) The Nurse Aid Abuse Registry.

(2) An applicant or volunteer with a criminal record may be employed only with the approval of the executive director of the provider agency if the individual has not been found guilty of the following:

(a) A violent crime as defined by KRS 439.3401;

(b) Abuse, neglect, or exploitation of another person, including assault;

(c) Felony theft offense; or

(d) Felony drug offense.

Required Services

The BRADD/AAAIL shall assure that the Area Agency on Aging and Independent Living allots an adequate proportion of its funding under Title III-B, excluding amounts waived or used for administration, for the provision of the following categories of services:

- (1) Services associated with access to services (transportation, outreach, and information and referral);
- (2) In-home services (homemaker, home health aide, visiting and telephone reassurance, chore maintenance, supportive services for families of elderly victims of Alzheimer's disease and related disorders; and
- (3) Legal assistance

The Area Agency on Aging and Independent Living shall specify annually in the Area Plan, as submitted or as amended, in detail the amount of funds expended for each category during the fiscal year most recently concluded.

Before the Area Agency on Aging and Independent Living may request a waiver of the requirement for the three (3) service categories listed above to be funded, the Area Agency on Aging and Independent Living shall conduct a public hearing notifying all interested parties in the area and affording the public an opportunity to testify or comment.

The BRADD/AAAIL, in approving area agency plans under Section 306(a) (2) Area Plans (Older Americans Act), shall waive the requirement described in such clause if the Area Agency on Aging and Independent Living demonstrates to the BRADD/AAAIL that services being furnished in the category in the area are sufficient to meet the need for such services. Before an Area Agency on Aging and Independent Living requests a waiver, the Area Agency on Aging and Independent Living shall conduct a timely public hearing. The Area Agency on Aging and Independent Living shall:

- (1) Notify all interested parties in the area of the public hearing and furnish interested parties an opportunity to testify; and
- (2) Prepare a record of the public hearing conducted and shall furnish the record, with the request for waiver made to the BRADD/AAAIL

Whenever the BRADD/AAAIL proposes to grant a waiver to an Area Agency on Aging and Independent Living:

- (1) The Department shall publish the intention to grant such a waiver together with the justification for the waiver at least thirty (30) days prior to the effective date of the decision to grant the waiver;
- (2) An individual or service provider from the area with respect to which the proposed waiver applies may request a hearing before the State agency on the request for waiver; and
- (3) The Department shall afford such individual or service provider an opportunity for a hearing within the 30-day period prior to the effective date of the decision to grant the waiver.

If the Department grants a waiver of the requirement the following information shall be provided to the Commissioner, Administration on Aging (AoA):

- (1) A report regarding such waiver that details the demonstration made by the Area Agency on Aging and Independent Living to obtain such waiver;
- (2) A copy of the record of the public hearing conducted which indicates the notification of all interested parties and the testimony of such individuals; and
- (3) A copy of the record of any public hearing conducted by the Department for Aging and Independent Living for an individual or service provider from the area to which the waiver applies.

Property and Equipment

BRADD/AAAIL does not normally purchase equipment for service providers. However, in the rare instance this occurs, the following policies apply.

Policy:

Should BRADD/AAAIL determine the need to purchase equipment, a written request shall be submitted or included in the provider's proposal or annual planning information. BRADD/AAAIL is required to request permission from the Cabinet for Health and Family Services for equipment purchases of \$500 or more. Purchases will follow the guidelines established by the Cabinet for Health and Family Services and any other grantor agency from which funds will be utilized to purchase equipment.

Procedures:

1. Property and equipment purchased with Federal, State or local matching funds shall be purchased, used and disposed in compliance with CFR 74 or CFR 92 as applicable.
2. Property and equipment purchased to fulfill the Scope of Services must be pre-approved by BRADD/AAAIL and will remain the property of the Cabinet for Health and Family Services. Property shall be used for the originally authorized purpose as long as needed for that purpose. When no longer needed, approval of the granting agency may be requested to use the property for other purposes. Contact BRADD/AAAIL for procedures regarding disposition of property.
3. When real property is no longer used for the original purpose and is no longer needed, disposition instructions of BRADD/AAAIL shall be followed. The transfer of all items of equipment and/or supplies regardless of value to a new contractor shall be in compliance with Cabinet Program Administration Contract.
4. If equipment originally purchased with BRADD/AAAIL federal and state funded program funds is in need of replacement, to the extent financially possible, BRADD/AAAIL may consider replacement, upon written request from the provider. Equipment located at BRADD/AAAIL for program administration may be exchanged for replacement equipment if budgeted and approved in accordance with Cabinet and BRADD/AAAIL purchasing procedures.

5. When original or replacement equipment is no longer to be used in projects or programs currently or previously sponsored by either state or federal dollars, BRADD/AAAIL shall be contacted prior to any disposal of equipment in order to proceed by the most current Federal or State guidelines.
6. Procedures for managing equipment (including replacement equipment) until transfer, replacement, or disposition takes place shall meet the following:
 - Property records shall be maintained accurately for each item of equipment, the records shall include:
 - (a) A description of any equipment including manufacturer's model number, if any.
 - (b) Identification number, such as the manufacturer's serial number.
 - (c) Identification of the grant under which the recipient acquired the equipment.
 - (d) The information needed to calculate the Federal or State share of the equipment.
 - (e) Acquisition date and unit acquisition cost.
 - (f) Location, use, and condition of the equipment and the date the information was reported.
 - (g) All pertinent information on the ultimate transfer, replacement, or disposition of the equipment.
 - A physical inventory of equipment shall be taken and the results reconciled with the property records at least once every two (2) years to verify the existence, current utilization, and continued need for the equipment. Any differences between quantities determined by the physical inspection and those shown in the accounting records shall be investigated to determine the cause(s) of the differences.
 - A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented.
 - Adequate maintenance procedures shall be implemented to keep the equipment in good condition.
 - Where equipment is to be sold and the Federal or State government is to have a right to part or all of the proceeds, selling procedures shall be such methods as to provide for competition to the extent practicable and result in the highest possible return.

Prohibited Employee Activities

Agencies applying for and receiving funds for any service shall clearly prohibit their staff (including volunteers) from involvement in any of the following activities:

- Direct service employees shall not be accompanied without program authorization in the home of the client. The only exceptions are supervisory or training personnel or BRADD/AAAIL personnel.
- Employees shall not seek or accept personal gifts and/or favors from a client.
- Employees shall not operate a client's personal vehicle.
- Employees shall not borrow money or personal property from a client.
- Employees shall not loan money to a client.
- Employees shall not consume or take client's belongings.
- Employees shall not charge BRADD/AAAIL programs for time spent on political activities.
- Employees shall not be under the influence of intoxicating beverages, drug(s), or chemicals, other than those prescribed for the employee by a licensed physician, while acting on behalf of a BRADD/AAAIL program.
- Employees shall not transport a client using BRADD/AAAIL funds **without program authorization for same.**
- Employees shall not perform financial management for a client including, but not limited to, completing tax returns, transacting banking business, balancing check books, issuing and/or cashing personal checks, acting

under a power of attorney, or selling and/or buying personal and/or real property, **unless specifically funded or approved for the above by BRAAAIL.**

- Employees shall not accept payment for services performed for a client that would normally be provided as a family member (such as receiving payment from a service provider for providing respite services to your parent).
- Employees shall not violate client confidentiality by divulging client-specific information.
- Employees shall not propose and/or participate in any sexual activity with a client.
- Employees shall not take part or have an interest in any award of any client referral or other client transaction if a conflict of interest, real or apparent, exists. A conflict of interest occurs when the employee or their immediate family member has a financial or other interest in any of the competing firms.
- Employees shall not accept cash from a client or on behalf of a client.
- Employees shall not commit theft of prescription drugs from the client.
- Employees shall not administer over the counter medications to be ingested by clients.

With the exception of the Health Models, the following procedures shall not be performed. (Only those Health Models meeting objectives prescribed in 902 KRS 20:066 shall be able to perform the duties listed below.)

- Employees shall not administer oral prescription medications or apply topical prescription medications.
- Employees shall not perform tasks that require sterile technique.
- Employees shall not administer irrigation fluids to intravenous lines, foley catheters or ostomies.

- Employees shall not administer food or fluids via feeding tubes.
- Employees shall not administer enemas.
- Employees shall not engage in the treatment of open wounds for clients.

All employees paid in whole or in part with BRADD/AAAIL funds and volunteers, who, although not paid with BRADD/AAAIL funds, provide service to clients, shall be advised that the above activities are strictly prohibited. Any employee found guilty of any of the above prohibitions or of any criminal offense against the participant shall immediately cease working with any client.

Job Listing and Employment Priority

The contractor shall list all jobs/positions created as a result of the agreement and shall cause all subcontractors to this agreement to list all job employment openings with the local employment office of the Department for Employment Services.

Civil Rights Compliance

Discrimination Prohibited in Service Provision (Because of Race, Religion, Color, National Origin, Sex, Disability, Age, Political Beliefs or Reprisal or Retaliation for prior Civil Rights Activity or other Federal, State, or Local Protected Class)

Discrimination (because of race, religion, color, national origin, sex, sexual orientation, gender identity, age, or disability) is prohibited. During the performance of this Contract, the Contractor agrees as follows:

1. The Contractor will not discriminate against anyone applying for or receiving assistance or services based on race, religion, color, national origin, sex, disability, age, political beliefs or reprisal or retaliation for prior civil rights activity or any other protected class identified in federal, state or local laws. The Contractor agrees to comply with the provisions of the Kentucky Civil Rights Act, the Americans with Disabilities Act of 1990 as Amended (ADA), Section 1557 of the Patient Protection and Affordable Care Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as applicable, and all other applicable federal, state and local regulations relating to prohibiting discrimination.
2. The Contractor will take action to ensure that service applicants and recipients are given services in the same manner, based on eligibility, and are not based on membership in a protected class: denied aid, care, services, or other benefits provided under this Contract; subjected to segregation or different treatment in any matter related to receipt of assistance; restricted in any way in the enjoyment of any advantages or privileges enjoyed by others receiving similar services; given different treatment in determining eligibility; or meeting other requirements or conditions that must be met to receive benefits.
3. The Contractor agrees to post in conspicuous places, available to program or service applicants or recipients, notices setting forth the provisions of this non- discrimination clause.
4. In all program or service solicitations or advertisements placed by or on behalf of the Contractor, the Contractor will state that they will not discriminate against anyone applying for or receiving assistance or services based on race, religion, color, national origin, sex, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity, or any other protected class identified in federal, state, or local laws.
5. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of the said rules, regulations, or orders, this Contract may be cancelled, terminated or suspended in whole or in part, and such other sanctions that may be imposed and remedies invoked as provided in or as otherwise provided by law.

6. In compliance with the prohibition against Disability discrimination and in compliance with the implementing guidance for the Americans with Disabilities Act issued by the Department of Justice, the Contractor agrees to provide, free of charge, appropriate accommodations for applicants or recipients with disabilities, including auxiliary aids and services for persons with disabilities who require alternative means of communication.

7. In compliance with the prohibition against National Origin discrimination and, by extension discrimination based on Limited English Proficiency (LEP), the Contractor agrees to provide meaningful language assistance measures free of charge to program or service applicants or recipients with Limited English Proficiency. The language services shall:

A. Be consistent with the general guidance document issued by the Department of Justice, which sets forth the compliance standards recipients of federal financial assistance must follow to ensure that LEP persons have meaningful access to the program's services and activities;

B. Have a method of identifying LEP individuals; and

C. Provide language assistance measures (e.g., oral interpretation and written translation services; training of staff; note to LEP persons of availability of language access assistance; monitoring compliance, etc.).

Volunteers

The use of volunteers reduces the cost of services. The use of volunteers also strengthens the visibility of the program within the community.

Policy:

Providers are encouraged to recruit, train and utilize volunteers in the provision of services to eligible seniors, caregivers and persons with disabilities.

Procedures:

- Supervision of volunteers is the responsibility of the provider securing the volunteer.

- Adequate liability insurance to cover the organization from any loss or damages resulting from the work of a volunteer shall be secured annually with coverage sufficient to cover reasonable claims that could arise from damages, injuries or loss of property.

- Volunteer time can be utilized to cover provider match requirements through in-kind match. To be allowable, the provider shall record time contributed to the program and the value of hourly time for each volunteer.

- The value of hourly volunteer time shall be determined based on the average cost of a paid employee performing similar functions for the same length of time. Providers are responsible for developing and maintaining policies and procedures describing recruitment, utilization, supervision, and training of volunteers.

- Job descriptions shall be available for all volunteers.

- Volunteers shall be trained in areas relating to job performance and shall have completed a criminal records check following the provisions of KRS 216.793. Training can be accomplished through on the job training, or as provided in a formal, one on one setting. Some program specific volunteers may be required to attend BRADD/AAAIL or DAIL sponsored training.

- BRADD/AAAIL staff shall review volunteer records such as volunteer work logs; confidentiality forms, training logs, criminal background checks and volunteer agreements;

- Criminal background checks shall be completed on all volunteers that volunteer for the AAAIL and service providers

Intra Agency Case Transfers

Policy:

BRADD/AAAIL will provide continuous case management services to clients receiving services through the AAAIL. Appropriate procedures will be followed in the instance that the client receives a new case manager.

Procedure

1. The current case manager or if unavailable, the Homecare Coordinator or new case manager will call the client to inform them of the change.
2. SAMs will be updated to reflect the change in case management.
3. The current case manager will document in the case note the case transfer.
4. The current case manager will continue providing assistance to the client during the transition from one case manager to another.

BRADD/AAAIL Transition Policy

This policy applies to vendors where a transition is made in program service contracts.

The following shall be utilized during the transition phase:

A. Transition Plan

1. **Current contracts must continue services until the end of the contract period, June 30, and/or other special agreements between BRADD/AAAIL and service providers will be made;**
2. New contractor agency will be provided an orientation to the service program and its requirements, including standards, service definitions, financial and program reporting, and standard needs assessment criteria;
3. New agency must provide assurance of sufficient staffing to service the needs of the clients;
4. Current contractor will make available to the new contractor, as required by contract, copies of all appropriate records of all active clients and/or participant data of all transferred clients.
5. New contractor will be responsible for developing and maintaining new files for each transferred client;
6. The current agency must keep a complete case record on all clients in order to comply with Federal and State records retention requirements for a period of five years (if applicable for program).
7. All HIPAA policies pertaining to aging programs must be followed at all times during transition phase.

B. Client Participation in the Transition

The transition of service providers can be very traumatic to the clients. Therefore, BRADD/AAAIL along with the incoming and outgoing provider agencies, will develop and implement a mechanism to assure that the potential for trauma upon clients is reduced.

1. BRADD/AAAIL will send a letter to each client explaining the upcoming changes in the program. The letter will specify a contact person for each client.
2. Joint meetings between the current provider, new provider, AAAIL staff, and clients will be implemented when necessary.
3. Other providers, both formal agencies and informal resources, will be utilized during the transition to adequately assure clients that service are available.

C. Client Confidentiality

1. Client confidentiality must be maintained in accordance with Federal and State legislation and regulations.
2. Release of information on each client will be maintained according to the State Department for Aging and Independent Living Policies and Procedures.
3. Authorization to use/share/request client protected health information on each client will be maintained according to the BRADD/AAAIL and the Department of Aging and Independent Living policies and procedures.

D. Service Provision

1. **The new agency will assure that the provision of essential services will begin on July 1 and for the remainder for the contract period. The development of a transition plan involving the client will assist in a smooth transition. The new agency should become familiar with other direct service providers during this period.**

2. Request for Assistance – Service providers shall be able to request technical assistance from the BRADD/AAAIL at any time during the transition period.

12/2/15

Personnel

The BRADD/AAAIL, as the State Unit on Aging, shall have an adequate number of qualified staff to carry out the functions prescribed in 45 CPR 1321.9 of the Older Americans Act Regulations and all other programs for which the Department has administrative responsibility.

The BRADD/AAAIL is designated to develop and administer the State Plan. The State Plan shall provide that, subject to the requirements of merit employment systems of State and local governments, preference shall be given to individuals age sixty (60) or older for any staff positions (full or part-time) in State and Area Agencies on Aging and Independent Living for which such individuals qualify. (OAA Section 307(a) (11))

The BRADD/AAAIL shall comply with the Kentucky Administrative Regulations governing Personnel.

Client referrals to other appropriate Programs and services

At the point of intake for information, assistance and service needed calls, all aging staff and case managers are trained to direct clients to the appropriate agency(s). The aging staff and case managers coordinate and make referrals to and from the various community agencies in the area to link the client with the appropriate agencies to meet their needs. The aging staff and case managers will work with local home health agencies, hospice programs, public health Department, APS workers, Community Based Service workers, Community Action for programs such as LIHEAP, transportation, weatherization, home repair and other needed services.

The case managers follow up with these client regarding the information and assistance and referrals to make sure the clients get the needed services.

Public Participation

The BRADD/AAAIL shall consider the views of older persons and the general public in developing and administering the State Plan in conformity with 45 CFR 1321.27.

The BRADD/AAAIL shall:

- (1) Utilize methods which may include but are not limited to public hearings, in receiving public and consumer participation in identifying service needs and establishing funding priorities prior to the submission of the State Plan for federal approval;
- (2) When appropriate, advertise the date, time, location and purpose of each public hearing in at least one (1) major newspaper in the planning and service area in and for which the hearing is being held;
- (3) Respond to requests of the Institute for Aging for information and submit for its review and comment proposed plans, budgets, programs, policies and general initiatives;
- (4) Elicit input from appropriate external sources as opportunities present themselves;
- (5) Require Area Agencies on Aging and Independent Living to develop procedures for receiving community and consumer participation in the planning and service delivery process in conformance with 45 CFR 1321.57(c) and 1321.61(b); and
- (6) Review and consider comments received regarding program plans, budgets, policies and general initiatives, and make changes when feasible and in the best interests of those individuals for whom the programs are designed.

BRADD/AAAIL Anti-Bullying Policy:

The BRADD/AAAIL is committed to all services being provided in a safe and civil environment. Barren River Area Agency and Independent Living and its service providers strive to create an atmosphere where all individuals, regardless of circumstance, feel emotionally and physically safe and comfortable. The expected outcome of this policy is to emphasize positive reinforcement, cooperation, nonviolence, appropriate conflict resolution and to protect seniors, employees and volunteers from harassment, intimidation or bullying.

Harassment, intimidation, or bullying means any intentional written, verbal, or physical act, when the act:

- Physically harms a person or damages the person's property;
- Has the effect of substantially interfering with a person's ability to obtain services or perform their job duties.
- Is severe, persistent, or pervasive that it creates an intimidation or threatening environment; or
- Has the effect of substantially disrupting the orderly operation of the facility.

Harassment, intimidation or bullying can take on many forms including: slurs, rumors, jokes, innuendos, demeaning comments, cartoons, prank, gestures, physical attacks, threats, or other written, oral or physical actions.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other agency policies.

Area Agency on Aging and Independent Living Responsibilities

1. Program staff, volunteers, and participants are expected to use self-discipline and to routinely conduct themselves as responsible, mature adults treating each other with mutual respect. Program participants, staff and volunteers will be empathetic and caring towards one another. Barren River maintains a zero-tolerance bullying policy for any instance of intentional bullying or harassment in any form.

- a. Behaviors, activities, and actions that are prohibited:

The Barren River AAAIL considers the following types of behavior to constitute workplace bullying. Please note, this list is not meant to be exhaustive and is only offered by way of example: A person is guilty of bullying and harassment when, with intent to intimidate, harass, annoy, or alarm another person, he or she is:

- Physical pushing, kicking, hitting, or any use of violence;
- Attempts or threats to strike, shove, kick or otherwise subject the person to physical contact;
- In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present;

- Follows a person in or about a public places;
- Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose;
- Damages or commits a theft of the property of another;
- Substantially disrupts the operation of the facility;
- Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another to suffer fear of physical harm, intimidation, humiliation, or embarrassment;
- Verbal name calling, sarcasm, rumors and teasing;
- Blocking off seats for cliques at mealtimes and events;
- Cyber Bullying: including all areas of the internet such as email, chat rooms, and mobile threats by text messaging and calls. Misuse of associated technology, i.e. camera and video.

b. Evaluation through Satisfaction Surveys

- Annual satisfaction surveys will address harassment and bullying to determine if situations have occurred and if so, ensure proper reporting and management of the circumstances surrounding the incident. Reporting is encouraged at any time the behavior is observed.

c. Methods for Enforcement

Bullying and harassment of any kind will not be tolerated. Any instance of bullying/harassment if witnessed or reported will be investigated and documented thoroughly. Disciplinary procedures for bullying/harassment are up to the professional discretion of the AAAIL Director, Senior Center Director or Case Manager. They can include but are not limited to:

- Learning appropriate methods of conflict resolution
- Counseling sessions
- Conferences with the parties involved
- A behavior contract signed by the offender
- Suspension of services
- Expulsion from activities
- Non-admittance to facilities
- Referring to law enforcement when appropriate

2. Procedures of incidents by staff and participants

a. All reported incidents shall be recorded on an incident report form.

b. The report at a minimum must include the specific complaint, the name of the alleged aggressor, staff and victims involved, the circumstances under which the alleged act occurred and the date and place of the alleged attack.

- c. The incident report form shall be kept on file at the senior center but a copy shall be shared via fax or email with Barren River AAAIL.
 - d. All information must be treated as confidential and only discussed with the parties involved.

3. Barren River AAAIL and service providers will be proactive in its approach to bullying/harassment by taking the following steps:
 - a. Staff will have appropriate training to intervene in any immediate instance of bullying that occurs
 - b. Staff will be both supportive and encouraging for their participants and promptly handle any report of bullying.
 - c. If instances of bullying or harassment occur, the proper protocol will be followed promptly in order to rectify the situation quickly and effectively.
 - d. Continual follow up on all reported incidents of bullying/harassment.

4. Barren River AAAIL will hold open discussions with staff and participants when necessary to discuss the issue of bullying and what should be done.

5. Senior Centers should have at least one training/discussion per year on bullying/harassment. The Barren River AAAIL will assist in preparing informational materials and training for the directors to utilize.

6. Methods to assist those being bullied:
 - a. Emphasize the importance of standing up for their rights
 - b. Provide assistance for managing anger.
 - c. Establish boundaries
 - d. Ensure they know who to report future incidents.
 - e. Encourage continued participation in program to ensure they are connected with the community.

7. Methods to address the bully include:
 - a. Discuss issues and explain policy and procedure requirements
 - b. Find ways to assist them to remain involved and establish friendships
 - c. Refer for counseling
 - d. Behavioral contract
 - e. Referral to law enforcement when appropriate.

Client Referral and Intake and Waiting List Procedures

It is the goal of the Barren River AAAIL to meet client needs as expeditiously as possible. The following steps are to ensure that all client referrals that are received by the Barren River ADRC Coordinator or Resource Specialist are handled quickly and that services for eligible clients are not delayed. (See ADRC Policy)

1. Referral Received

Intake form must be completed on the **Kentucky Care Coordination Prescreening and Assessment Form**. If the person referred is determined to be ineligible and should be referred to another program, or community resources, the referral(s) is to be made **immediately**. At intake, as well as initial assessment, the ADRC staff and case manager should consider and inform those being assessed about all programs and benefits of that program including other community resources. ADRC staff and case managers should make every attempt to inform the client about all resources including **Medicaid** as there are many programs which provide support.

2. First Contact

- a. Referrals are given to the appropriate case manager for assessment if there is not a waiting list for services. When the case manager receives a referral, he/she will conduct a detailed telephone screening, which includes again making referrals to all appropriate agencies. Care is taken to assure that clients are given the list of all available service providers. All referrals are to be screened within two (2) working days and a waiting list will be established and prioritized. Only an individual who meets case manager qualifications as defined by Homecare Policy shall perform assessments and reassessments. **The Kentucky Care Coordination Prescreening and Assessment Form will be utilized.**
- b. If a waiting list exists, the staff person will explain this to the person and ask if he or she wishes to be placed on the list to wait for services. The ADRC staff or case manager will conduct a priority rating and the referral will be placed on waiting list.
- d. Case manager or designated staff contacts persons placed on a waiting list per policy. The case manager will update the priority rating and maintain the person's name on the waiting list. Persons placed on the waiting list will be re-contacted to update their information on the waiting list according to the priority rating score and will be informed of other community resources available.
 - Persons receiving a score of 0-50 will be contacted once per year.

- Persons receiving a score of 50 + will be contacted every six (6) months
- Participants may update their priority rating anytime there is a change by calling the Aging and Disability Resource Center coordinator or other appropriate staff.

The name will be kept on the waiting list until a case manager or other appropriate staff can make contact with person, caregiver or emergency contact. If the case manager cannot make, the following procedure will be utilized

Removal of referrals from the waiting list

Contacts will be made by phone to referrals and/or persons on the waiting list requesting services. If the referral person or a contact person such as an emergency contact or family member cannot be reached by phone within twenty working days, the case manager will notify the person by letter which will state that a contact could not be made, and request the person to contact the aging services within thirty days regarding their need for services. The aging services phone number will be made available through this correspondence. If no response is received after thirty days, the case manager will file the correspondence and deem that the person is no longer in need of services.

A case manager will contact the referral to inform he/she that services are available and/or to update the waiting list. If the referral refuses to take the services or no longer needs the service(s), but wants to remain on the waiting list their name will be taken off the list. The case manager will explain that their name will be taken off the waiting list and that they are responsible for contacting the case manager when they decide they are in need of services.

Assessment, Case Management and Reassessment Procedures

Case managers will conduct the following steps when opening eligible clients up for services:

Case Manager will contact client to arrange a home visit to conduct the assessment. **(See Assessment Policy)**

(1)

(2) During home visit Case Manager will complete the following required paperwork:

- Application for services (IA only)
- Certification of Eligibility (CM initial and date and put RA)
- Notification of Eligibility
- Assessment Form (SAMS) – Sign and date each time
- Homecare Plan of Care
- Notice of Privacy Practice and signature form
- Voter Registration Form – VR-01
- Nutritional Risk Assessment (form given in the home)
- Frozen Meal Assessment (if applicable)
- Client Responsibilities and signature form

FORMS LEFT WITH CLIENT

- Quality Assurance
- Notification of Eligibility
- Plan of Care
- Complaint form /Complaint Policy
- Nutritional Risk
- Privacy Act /HIPPA
- Client Responsibilities
- Voter Registration Form – SBE-01 (if applicable)
- Business Card (with your name on it)

(3) Case manager will inform client of the procedures to begin services before leaving the client's home.

(4) Case manager will complete the work order and plan of care and send to service provider(s) one to two days after an assessment is completed.

(5) Case manager will entered all required documentation into SAMS within one week after the assessment has been conducted.

- (6) Case Managers will document time in and out of the client's home to assist with accountability, supervision, and standardization. The time that the Case Managers spend with a client should be recorded as the total amount of time spent. **(See Time In/Out Policy and Partial Hour Units Policy)**
- (7) Client's file and all other documentation should be completed within two week after completing the assessment tool. Circumstances could arise that may not enable a case manager to complete documentation within one week. Examples: Sickness, family matters, training and unusual cases that have caused a great amount of the case manager's time to be spent on a specific area or concern. In these circumstances, the case manager will have two weeks to complete all documentation.
- (8) Service provider(s) is to contact the client within 24-48 hours after receiving the work order and plan of care. Client is informed when services will begin by service provider(s). The case manager shall follow-up within two weeks with the client after the necessary paper work has been sent to the service provider(s) to ensure services have begun. Service agency will send a copy of the start-up date letter to client and case manager.
- (9) There is to be a maximum of 30 days from receiving the referral to the actual date the service is to begin.
- (10) Case managers shall monitor each client monthly, including one (1) home visit with face-to-face contact at least every other month. Phone contact shall occur during any month a home visit does not occur. Each case manager's contact with a client or on behalf of a client shall be documented in the client's case record and in SAMS.
- (11) Case manager shall assessed clients initially and reassessed every six (6) months thereafter by a person who meets case manager qualifications. After each assessment or reassessment, the Homecare Certification of Eligibility, herein incorporated by reference, shall be completed. If the client is ineligible, the case shall be closed with the reason documented in the case record. **(See Reassessment Policy)**
- (12) Services will be put on hold by the Case Manager when a client will not be present to receive services. **(See Policy Maintenance Procedures for Clients on Hold for Services)**
- (13) During the initial assessment, the case manager shall inform the client that services may be terminated or reduced upon a change in client's condition, increase in support system, or if the care plan cannot be followed. **(See Denial, Suspension or Reduction of Services Policy)**

Discrimination (Because of Handicap) Prohibited

The contractor agrees to comply with the provisions of Section 504 of the Rehabilitation Act of 1973, P.L. 93-112, and the Americans with Disabilities Act of 1990, PL-101-336 and applicable federal regulations relating thereto prohibiting discrimination against otherwise qualified handicapped individuals under any program or activity receiving federal financial assistance.

The contractor agrees to comply with the provisions of 900 KAR 1:070, Deaf and Hard of hearing Services, as relates to KRS 12.290, 29 U.S.C. 794, 42 U.S.C. 12101 et seq., Statutory Authority: KRS194.050, KRS 12.290.

Participant Feedback and Satisfaction

Each AAAIL shall assure participants have an opportunity to evaluate the services they receive. Client Satisfaction Surveys (CSS) are required for all programs and must be completed at least annually. Surveys may be implemented through interviews, written surveys, postcard surveys, or focus groups, or a combination of these. The regional process should be outlined in the AAAIL Area Plan and approved by BRADD/AAAIL. The AAAIL should analyze survey results and use the results for a review of quality measures, determine the impact of the services or service outcomes, and for program improvement. Results should also be shared with the AAAIL Aging Advisory Council.

Procedure:

- (1) AAAIL must have a written Policy and Procedure for assuring Client Satisfaction Surveys (CSS)
- (2) Provider CSS must be prior approved by the AAAIL
- (3) Provider Surveys should be completed by January 30, for the prior 12 months.
- (4) AAAIL Surveys should have all CSS results compiled by April 30.
- (5) CSS summaries are to be submitted DAIL by May 30.
- (6) Process must comply with AAAIL contract outcomes.

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Fraud Policy

The Barren River Area Development District (BRADD) is establishing this fraud policy to facilitate the development of controls that will aid in the detection and prevention of fraud against the BRADD. It is the intent of BRADD to promote consistent ethical and organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations, in an effort to prevent fraudulent activity from occurring in all areas, especially financial reporting and maintenance of assets.

This policy applies to any irregularity, or suspected irregularity, involving employees as well as consultants, vendors, sub-contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with BRADD.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to BRADD.

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional, false representation, or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each respective program director will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication or irregularity.

Any irregularity that is detected or suspected must be reported immediately to the BRADD Executive Director, who coordinates all investigations with the BRADD Budget and Personnel Committee.

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to

- Any dishonest or fraudulent act.
- Misappropriation of funds, securities, supplies, or other assets.

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- Impropriety in the handling or reporting of money or financial transactions.
- Profiteering as a result of insider knowledge of company knowledge
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to BRADD. Exception: Gifts less than \$50 in value.
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related irregularity

Irregularities concerning an employee's moral, ethical, or behavioral conduct will be resolved by the Executive Director.

The Executive Director has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Executive Director will issue reports to the Budget and Personnel Committee.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and the Executive Director and Budget and Personnel Committee, as will final decisions on disposition of the case.

The Executive Director and Budget and Personnel Committee will treat all information received confidentially. Any employee who suspects dishonest or fraudulent activity will notify the Executive Director immediately.

Investigation results *will no be disclosed or discussed* with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the BRADD from potential civil liability.

The Executive Director and the Budget and Personnel Committee will have:

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- Free and unrestricted access to all BRADD records and premises, whether owned or rented; and
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of their investigation.

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

An employee who discovers or suspects fraudulent activity **will contact the Executive Director Immediately**. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Executive Director. No information concerning the status of an investigation will be given out. The proper response to any inquiries is, "I am not at liberty to discuss this matter." *Under no circumstances* should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Executive Director.

If an investigation results in a recommendation to terminate the individual, the recommendation will be reviewed for approval by the Budget and Personnel Committee and, if necessary, by outside counsel, before such action is taken.

The Executive Director is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed periodically and revised as needed.

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Information and Assistance Procedures

The Barren River AAA will follow these procedures to ensure that all older persons within the planning and service area have access to Information and Assistance services.

1. BRADD/AAA staff, case managers, and all service providers work cooperatively to provide outreach, and inform such individuals of the availability of services/assistance.
2. AAA staff provides outreach through the use of brochures illustrating aging services offered in the area. Brochures are utilized in speaking engagements to organizations, agencies and other groups who may serve as a link to older individuals, minority, elderly, rural and frail elderly and older person's with severe disabilities, Native Americans, older persons with limited English speaking ability and older persons with Alzheimer's or related disorders.
3. BRADD/AAA staff utilizes media opportunities to assist in identifying and targeting these special populations.
4. AAA staff and services providers attend health fairs throughout the BRADD, which provides an excellent way to disseminate information about programs to many elderly.
5. AAA staff mail out letters annually to inform minority churches and community organizations whose primary consumers of services are low income, minority, disabled, Native Americans and those with Alzheimer's disease about the availability of services, and offer speaking engagements on services and information available to the elderly. During speaking engagements and other outreach initiatives, BRADD/AAA staff explains that a part of the Aging Services program is to assist older individuals in applying for benefits. AAA staff, case managers, and service providers maintain regular contact with many community agencies, churches, organizations, and groups to ensure these special populations are served.
6. Information and assistance is provided to anyone who requests services. The BRADD/AAA utilizes a 1-800 number for taking calls regarding information and assistance.
7. The BRADD/AAA staff distributes magnets, pens and brochures that advertise the BRADD/AAA 1-800 number.
8. BRADD/AAA staff, case managers, and service providers are trained regarding the various resources that are available throughout the BRADD ten counties. Referrals are made to and from the BRADD/AAA on a daily basis.

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9. The BRADD/AAA staff has developed an Information and Assistance Form that is compatible with the SHIP database for aging staff, case management, and service provider staff to utilize.
10. Whenever information and assistance is requested, the BRADD/AAA, case manager, and service provider staff document on the I and A form the following data if available: such as name, address, income, date of birth, what agency referred the caller, what the individual called about, what agency the staff referred the individual to, time spent on the call and what follow up is necessary.
11. BRADD/AAA staff, case managers and service providers will make referrals by mailing information, provide information over the phone, fax or email and if needed make a home visit. A follow up is conducted whenever needed.

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Procedures for Accessing Information and Assistance

The Barren River Area Agency on Aging utilizes the following methods and provides access to senior citizens in the BRADD area.

- 1-800 number is published in the telephone book and the National Associations of Area Agency on Aging Director
- Aging Services Brochures are provided for agencies, groups and individuals through outreach activities.
- Magnets are distributed with the 1-800 number on them
- Information and Assistance posters are available for agencies, groups and individuals and are handed out during outreach activities.
- The 1-800 number are published in the National Eldercare Locator Director.

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Contingency Plan for Emergencies

1. During an emergency, the Barren River Area Agency on Aging will comply with the requirement to provide services during emergencies or when usual care is unavailable.
2. The BRADD/AAAIL maintains a listing of all qualified BRADD/AAAIL administrative and case management staff phone numbers and cell phone numbers who are currently trained to provide Case Management.
3. If an unusual circumstance occurs, the BRADD/AAAIL administrative and case manager's staff will be utilized to provide case management services until the unusual circumstance has subsided.
4. All Aging contracts are required to have policies and procedures regarding contingency plans for emergencies.
5. The local Division of Emergency Management Staff will train all BRADD/AAAIL administrative and case management staff and service provider staff annually.

6. In the event of a natural disaster emergency, the BRADD/AAAIL staff will follow the BRADD/AAAIL's disaster plan procedures. These plan shall include:

A) Maintaining communications between DAIL and ADD staff during the time of a disaster unless telecommunication devices are rendered inoperable.

B) Contacting all homebound clients in the designated disaster area within 48 hours of the initial disaster to ensure health, safety, and welfare. Biweekly contact will occur thereafter until the ADD resumes services for the client. Documentation of each contact shall be entered into SAMS.