

Request for Approval to Provide Direct Services

☐ Check box if not requesting approval to provide any direct services.

Identify Service Category: Cash/Material Aid

OAA Title	Approval Requested
IIIB - Supportive Services	X
IIIC-1 - Congregate Meals	
IIIC-2 - Home-Delivered Meals	
IIIE - Family Caregiver Support Program	X
VII - Elder Abuse Prevention Program	
HICAP - Health Insurance Counseling & Advocacy Program	

Request for Approval Justification

	Necessary to Assure an Adequate Supply of Service <u>OR</u>
X	More cost effective if provided by the AAA than if purchased from a comparable service provider.

Check all fiscal year(s) the AAA intends to provide service during this Area Plan cycle.

FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028
X	X	X	X



Request for Approval to Provide Direct Services

Provide: Documentation below that substantiates this request for direct delivery of the above stated service.

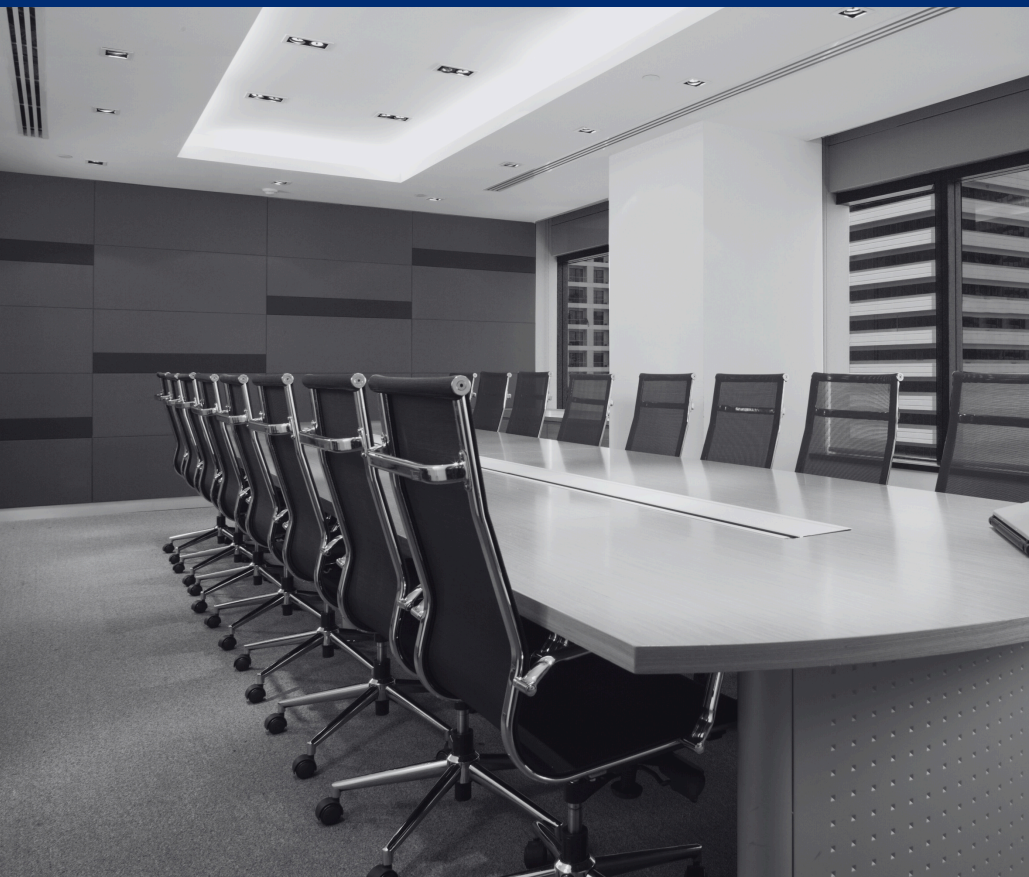
The AAA maintains six (6) Senior Information and Assistance (SIA) offices strategically located to serve the entire county, to distribute information about resources, and provide direct services in both Titles IIIB and IIIE. SIA staff are committed to identifying service gaps, assisting older adults in accessing resources, and following up on the provision of services in a timely manner. SIA performs outreach efforts at senior centers, older adult nutrition sites, mobile home parks, senior apartment complexes, food distribution sites, and health and resource fairs. SIA staff also attend community meetings and events where they make available information about services throughout the AAA.

SIA staff provides cash/material aid services in the distribution of gas and grocery cards on a limited basis. A gas card cannot be counted as a one-way trip (transportation unit of measure) but is more quantifiable as one assistance unit of measure. The county has existing staff, policies, procedures, and practices in place to administer this service in the most efficient and cost-effective manner. Similar programs that successfully offer assistance include Farmers Market coupons, Family Caregiver Supportive Services [food/merchandise gift cards], and Adult Protective Services [tangibles]. Additionally, based on funding availability, SIA staff provide utility assistance for older adults when there is a shut-off notice or where a disconnect has already occurred. This service is not on-going and occurs where extraordinary circumstances exist that are not likely to reoccur. In appropriate cases, SIA partners with other agencies to bundle services. SIA staff always encourages the client to pay part of a bill, and partners include, but are not limited to, the Salvation Army, Community Action Partnership Home Energy Assistance Program, the Senior and Disabled Fund's SAVE program, and other agencies to assist clients.



Aging and Adult Services
Public Guardian

Governing Board Membership



Governing Board Membership

GOVERNING BOARD MEMBERSHIP CCR Article 3, Section 7302(a)(11).

Total Number of Board Members: 5

Name and Title of Officers	Office Term Expires
Col. Paul Cook (Ret.) – First District Supervisor	December 2028
Jesse Armendarez – Second District Supervisor	January 2027
Dawn Rowe – Chair/Third District Supervisor	December 2028
Curt Hagman – Fourth District Supervisor	January 2027
Joe Baca, Jr. – Vice Chair/Fifth District Supervisor	December 2028

Explain any expiring terms – have they been replaced, renewed, or other?

Officers in Districts one, three and five had an office term expirations of December 2, 2024. Officers in all three Districts were re-elected during the first year of the Area Plan.

As Board members approach the end of their term, they have the opportunity to be re-elected for their position at regularly scheduled elections.



Aging and Adult Services
Public Guardian

Advisory Council



Advisory Council

ADVISORY COUNCIL MEMBERSHIP

**Older Americans Act Reauthorization Act of 2020 Section 306(a)(6)(D)
45 CFR, Section 1321.57 CCR Article 3, Section 7302(a)(12).**

Total Council Membership (including vacancies): 21

Number and Percent of Council Members Over Age 60: 16 (69%).

Race/Ethnic Composition	% of PSA Population	% on Advisory Council
White	24.5%	62%
Hispanic	55.9%	20%
Black	9.4%	10%
Asian/Pacific Islander	4.2%	0%
Native American/Alaskan Native	2.2%	0%
Other	3.8%	10%

Names and Titles of Officers	Office Term Expires
Deborah Nattress PhD., Chair	January 8, 2029
Craig Swanson, Vice Chair	N/A
Anniebell Perry, SAC Secretary	December 30, 2025

Names and Titles of Other Members (Appointed members)	Office Term Expires
Billy Rosenberg, First District Appointee	January 8, 2029
First District Appointee	VACANT
Louisa Ollague, Second District Appointee	January 4, 2027
Second District Appointee	VACANT
Deborah Nattress, PhD, Third District Appointee	January 8, 2029
Judith K. Walsh, Third District Appointee	January 8, 2027
Suzanne Yoakum, Fourth District Appointee	January 4, 2027
Keith G. Stroup, Fourth District Appointee	January 4, 2027
Isabel Bryan, Fifth District Appointee	January 8, 2029
Anniebell Perry, Fifth District Appointee	January 6, 2027

Advisory Council

ADVISORY COUNCIL MEMBERSHIP, CONTINUED

**Older Americans Act Reauthorization of 2020 Section 306(a)(6)(D)
45 CFR, Section 1321.57 CCR Article 3, Section 7302(a)(12).**

Names and Titles of Other Members (Appointed Members)	Office Term Expires
Janice Hauser - Member At-Large Appointee	January 12, 2027
Fred Keville - At-Large Appointee	January 12, 2027
Dr. Ben Jauregui - Professional Appointee	January 4, 2027
Professional Appointee	VACANT

Names and Titles of Other Members (Committee Chairs)	Office Term Expires
Gwen Alber, Nutrition Committee Chair	N/A
Craig Swanson, Legislative Committee Chair	N/A
Keith G. Stroup, Intergenerational Committee Chair	January 4, 2027
Dr. Ben Jauregui, Healthy Aging Committee Chair	December 6, 2027
Craig Swanson, Access Committee Chair	N/A
Deborah Nattress PhD, Executive Committee Chair	January 08, 2029
Suzanne Yoakum, Area Plan Sub-Committee Chair	January 4, 2027
Craig Swanson, RCA Subcommittee Chair	N/A

Names and Titles of Other Members (RCA)	Office Term Expires
Craig Swanson, Mountain RCA	N/A
Ahmed A Elhawary, North Desert RCA	N/A
Victor Valley RCA	VACANT
Calra Jarvi, Morongo Basin RCA	N/A
Maricela S. Ferguson, East Valley RCA	N/A
Colorado River RCA	VACANT
Gwen Alber, West Valley RCA	N/A

Advisory Council

ADVISORY COUNCIL MEMBERSHIP, CONTINUED

**Older Americans Act Reauthorization of 2020 Section 306(a)(6)(D)
45 CFR, Section 1321.57 CCR Article 3, Section 7302(a)(12).**

Indicate which member(s) represent each of the “Other Representation” categories listed below.

Category	Yes	No
Representative with a low-income	X	
Representative with a disability	X	
Supportive services provider	X	
Health care provider	X	
Local elected official(s)	X	
Persons with leadership experience in private and voluntary sectors	X	
Optional Category	Yes	No
Family caregiver, including older relative caregiver	X	
Tribal representative		X
LGBTQ+ representation		X
Veteran status	X	
Other		X

Explain any “No” answer(s):

Only those who selected "no" in the optional section of the requested information; not members who opted-in.

Explain what happens when term expires, for example, are the members permitted to remain in their positions until reappointments are secured? Have they been replaced, renewed or other?

Once a term expires, individuals must re-apply to the position. All requests to be considered will be submitted to the Board of Supervisors for consideration and be appointed the position. The position can potentially be renewed based on the decision of the Board of Supervisors on who to appoint to each available vacancy.

Advisory Council

ADVISORY COUNCIL MEMBERSHIP, CONTINUED

Older Americans Act Reauthorization of 2020 Section 306(a)(6)(D)
45 CFR, Section 1321.57 CCR Article 3, Section 7302(a)(12).

Briefly describe the local governing board's process to appoint Advisory Council members:

APPOINTED MEMBERS

Twelve members are appointed by the Board of Supervisors: Two (2) members from each supervisorial district and two (2) members appointed at-large. The term of office of the appointed members shall be coterminous with the appointing supervisor; these shall be four-year terms, expiring the first Monday of December in the appropriate year. The term of office of the at-large members shall be coterminous with the appointing chairman of the board; these shall be two-year terms, expiring at the first Board of Supervisors meeting in January of the appropriate year.

PROFESSIONAL MEMBERS

At the recommendation of the director, of the DAAS - PG, the Board of Supervisors may appoint up to two commissioners having relevant professional experience in fields including, but not limited to, gerontology, social work, education, and banking or financial management. The term of office of the professional members shall be for four years.

REPRESENTATIVE MEMBERS

The chairs of the Regional Council on Aging (RCA) or a designated member shall serve on the commission. In the event one or more of the chairs of the RCA is already a member of the commission, he/she may continue to serve in the position of his/her choice. The RCA shall designate a representative in the event the chair elects to serve on the commission in another position. The term of the office of the chair elects to serve on the commission in another position. The representative members term of office shall be coterminous with the term of office for the chairs of the RCA.



Aging and Adult Services
Public Guardian

Multipurpose Senior Center Acquisition or Construction Compliance Review



Multipurpose Senior Center Acquisition or Construction Compliance Review

**MULTIPURPOSE SENIOR CENTER ACQUISITION
OR CONSTRUCTION COMPLIANCE REVIEW**
CCR Title 22, Article 3, Section 7302(a)(15)
20-year tracking requirement

Tracked Item	Yes	No
Title IIIB funds not used for acquisition or construction		X

Title III Grantee and/or Senior Center (complete the chart below):

Title III Grantee and/or Senior Center	Type Acq/Const	IIIB Funds Awarded	% Total Cost	Recapture Period Begins	Recapture Period Ends	Compliance Verification - State Use Only
Name: Address:						

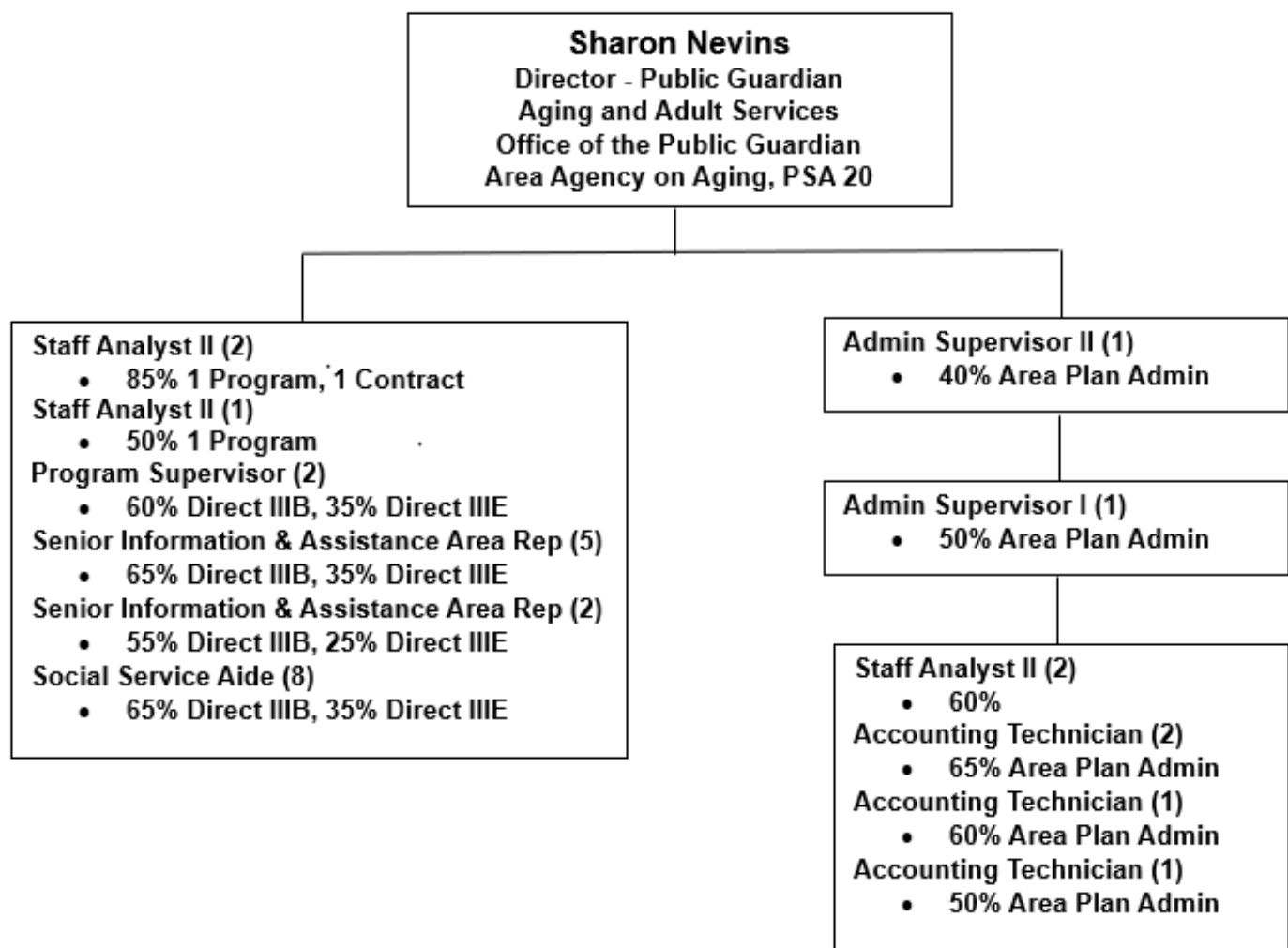
Organization Chart



Organization Chart

SECTION 18. ORGANIZATION CHART

Planning and Service Area (PSA) 20





Aging and Adult Services
Public Guardian

Assurances



Assurances

Pursuant to the Older Americans Act Reauthorization of 2020, (OAA), the Area Agency on Aging assures that it will:

Sec. 306, AREA PLANS

- (A) Each area agency on aging designated under section 305(a)(2)(A) shall, in order to be approved by the State agency, prepare and develop an area plan for a planning and service area for a two-, three-, or four-year period determined by the State agency, with such annual adjustments as may be necessary. Each such plan shall be based upon a uniform format for area plans within the State prepared in accordance with section 307(a)(1). Each such plan shall

(1) provide, through a comprehensive and coordinated system, for supportive services, nutrition services, and, where appropriate, for the establishment, maintenance, modernization, or construction of multipurpose senior centers (including a plan to use the skills and services of older individuals in paid and unpaid work, including multigenerational and older individual to older individual work), within the planning and service area covered by the plan, including determining the extent of need for supportive services, nutrition services, and multipurpose senior centers in such area (taking into consideration, among other things, the number of older individuals with low incomes residing in such area, the number of older individuals who have greatest economic 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) residing in such area, the number of older individuals who have 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) residing in such area, the number of older individuals at risk for institutional placement residing in such area, and the number of older individuals who are Indians residing in such area, and the efforts of voluntary organizations in the community), evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of supportive services, nutrition services, or multipurpose senior centers in such area, for the provision of such services or centers to meet such need;

(2) provide assurances that an adequate proportion, as required under section 307(a)(2), of the amount allotted for part B to the planning and service area will be expended for the delivery of each of the following categories of services—

Assurances

ASSURANCES, CONTINUED

- (A) services associated with access to services (transportation, health services (including mental and behavioral health services), outreach, information and assistance (which may include information and assistance to consumers on availability of services under part B and how to receive benefits under and participate in publicly supported programs for which the consumer may be eligible) and case management services);
- (B) in-home services, including supportive services for families of older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction; and
- (C) legal assistance; and assurances that the area agency on aging will report annually to the State agency in detail the amount of funds expended for each such category during the fiscal year most recently concluded;

(3) (A) designate, where feasible, a focal point for comprehensive service delivery in each community, giving special consideration to designating multipurpose senior centers (including multipurpose senior centers operated by organizations referred to in paragraph (6)(C)) as such focal point; and

- (B) specify, in grants, contracts, and agreements implementing the plan, the identity of each focal point so designated;

(4) (A)(i)(I) provide assurances that the area agency on aging will—

- (aa) set specific objectives, consistent with State policy, for providing services to older individuals with greatest economic need, older individuals with greatest social need, and older individuals at risk for institutional placement;
- (bb) include specific objectives for providing services to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas; and
- (II) include proposed methods to achieve the objectives described in items (aa) and (bb) of sub-clause (I);
- (ii) provide assurances that the area agency on aging will include in each agreement made with a provider of any service under this title, a requirement that such provider will—
 - (I) specify how the provider intends to satisfy the service needs of low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in the area served by the provider;

Assurances

ASSURANCES, CONTINUED

- (II) to the maximum extent feasible, provide services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in accordance with their need for such services; and
- (III) meet specific objectives established by the area agency on aging, for providing services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas within the planning and service area; and
- (iii) with respect to the fiscal year preceding the fiscal year for which such plan is prepared —
 - (I) identify the number of low-income minority older individuals in the planning and service area;
 - (II) describe the methods used to satisfy the service needs of such minority older individuals; and
 - (III) provide information on the extent to which the area agency on aging met the objectives described in clause (i).
- (B) provide assurances that the area agency on aging will use outreach efforts that will—
 - (i) identify individuals eligible for assistance under this Act, with special emphasis on—
 - (I) older individuals residing in rural areas;
 - (II) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);
 - (III) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);
 - (IV) older individuals with severe disabilities;
 - (V) older individuals with limited English proficiency;
 - (VI) older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and
 - (VII) older individuals at risk for institutional placement, specifically including survivors of the Holocaust; and
 - (ii) inform the older individuals referred to in sub-clauses (I) through (VII) of clause (i), and the caretakers of such individuals, of the availability of such assistance; and

Assurances

ASSURANCES, CONTINUED

- (C) contain an assurance that the area agency on aging will ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, will include a focus on the needs of low-income minority older individuals and older individuals residing in rural areas.

(5) provide assurances that the area agency on aging will coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities, and individuals at risk for institutional placement, with agencies that develop or provide services for individuals with disabilities;

(6) provide that the area agency on aging will—

- (A) take into account in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan;
- (B) serve as the advocate and focal point for older individuals within the community by (in cooperation with agencies, organizations, and individuals participating in activities under the plan) monitoring, evaluating, and commenting upon all policies, programs, hearings, levies, and community actions which will affect older individuals;
- (C)(i) where possible, enter into arrangements with organizations providing day care services for children, assistance to older individuals caring for relatives who are children, and respite for families, so as to provide opportunities for older individuals to aid or assist on a voluntary basis in the delivery of such services to children, adults, and families;
 - (ii) if possible regarding the provision of services under this title, enter into arrangements and coordinate with organizations that have a proven record of providing services to older individuals, that—
 - (I) were officially designated as community action agencies or community action programs under section 210 of the Economic Opportunity Act of 1964 (42U.S.C. 2790) for fiscal year 1981, and did not lose the designation as a result of failure to comply with such Act; or
 - (II) came into existence during fiscal year 1982 as direct successors in interest to such community action agencies or community action programs; and that meet the requirements under section 676B of the Community Services Block Grant Act; and

Assurances

ASSURANCES, CONTINUED

- (iii) make use of trained volunteers in providing direct services delivered to older individuals and individuals with disabilities needing such services and, if possible, work in coordination with organizations that have experience in providing training, placement, and stipends for volunteers or participants (such as organizations carrying out Federal service programs administered by the Corporation for National and Community Service), in community service settings;
- (D) establish an advisory council consisting of older individuals (including minority individuals and older individuals residing in rural areas) who are participants or who are eligible to participate in programs assisted under this Act, family caregivers of such individuals, representatives of older individuals, service providers, representatives of the business community, local elected officials, providers of veterans' health care (if appropriate), and the general public, to advise continuously the area agency on aging on all matters relating to the development of the area plan, the administration of the plan and operations conducted under the plan;
- (E) establish effective and efficient procedures for coordination of—
 - (i) entities conducting programs that receive assistance under this Act within the planning and service area served by the agency; and
 - (ii) entities conducting other Federal programs for older individuals at the local level, with particular emphasis on entities conducting programs described in section 203(b), within the area;
- (F) in coordination with the State agency and with the State agency responsible for mental and behavioral health services, increase public awareness of mental health disorders, remove barriers to diagnosis and treatment, and coordinate mental and behavioral health services (including mental health screenings) provided with funds expended by the area agency on aging with mental and behavioral health services provided by community health centers and by other public agencies and nonprofit private organizations;
- (G) if there is a significant population of older individuals who are Indians in the planning and service area of the area agency on aging, the area agency on aging shall conduct outreach activities to identify such individuals in such area and shall inform such individuals of the availability of assistance under this Act;
- (H) in coordination with the State agency and with the State agency responsible for elder abuse prevention services, increase public awareness of elder abuse, neglect, and exploitation, and remove barriers to education, prevention, investigation, and treatment of elder abuse, neglect, and exploitation, as appropriate; and

Assurances

ASSURANCES, CONTINUED

- (I) to the extent feasible, coordinate with the State agency to disseminate information about the State assistive technology entity and access to assistive technology options for serving older individuals;

(7) provide that the area agency on aging shall, consistent with this section, facilitate the areawide development and implementation of a comprehensive, coordinated system for providing long-term care in home and community-based settings, in a manner responsive to the needs and preferences of older individuals and their family caregivers, by—

- (A) collaborating, coordinating activities, and consulting with other local public and private agencies and organizations responsible for administering programs, benefits, and services related to providing long-term care;
- (B) conducting analyses and making recommendations with respect to strategies for modifying the local system of long-term care to better—
 - (i) respond to the needs and preferences of older individuals and family caregivers;
 - (ii) facilitate the provision, by service providers, of long-term care in home and community-based settings; and
 - (iii) target services to older individuals at risk for institutional placement, to permit such individuals to remain in home and community-based settings;
- (C) implementing, through the agency or service providers, evidence-based programs to assist older individuals and their family caregivers in learning about and making behavioral changes intended to reduce the risk of injury, disease, and disability among older individuals; and
- (D) providing for the availability and distribution (through public education campaigns, Aging and Disability Resource Centers, the area agency on aging itself, and other appropriate means) of information relating to—
 - (i) the need to plan in advance for long-term care; and
 - (ii) the full range of available public and private long-term care (including integrated long-term care) programs, options, service providers, and resources;

(8) provide that case management services provided under this title through the area agency on aging will—

- (A) not duplicate case management services provided through other Federal and State programs;

Assurances

ASSURANCES, CONTINUED

- (B) be coordinated with services described in subparagraph (A); and
- (C) be provided by a public agency or a nonprofit private agency that—
 - (i) gives each older individual seeking services under this title a list of agencies that provide similar services within the jurisdiction of the area agency on aging;
 - (ii) gives each individual described in clause (i) a statement specifying that the individual has a right to make an independent choice of service providers and documents receipt by such individual of such statement;
 - (iii) has case managers acting as agents for the individuals receiving the services and not as promoters for the agency providing such services; or
 - (iv) is located in a rural area and obtains a waiver of the requirements described in clauses (i) through (iii);

(9) (A) provide assurances that the area agency on aging, in carrying out the State Long-Term Care Ombudsman program under section 307(a)(9), will expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 2019 in carrying out such a program under this title;

- (B) funds made available to the area agency on aging pursuant to section 712 shall be used to supplement and not supplant other Federal, State, and local funds expended to support activities described in section 712;

(10) provide a grievance procedure for older individuals who are dissatisfied with or denied services under this title;

(11) provide information and assurances concerning services to older individuals who are Native Americans (referred to in this paragraph as "older Native Americans"), including—

- (A) information concerning whether there is a significant population of older Native Americans in the planning and service area and if so, an assurance that the area agency on aging will pursue activities, including outreach, to increase access of those older Native Americans to programs and benefits provided under this title;
- (B) an assurance that the area agency on aging will, to the maximum extent practicable, coordinate the services the agency provides under this title with services provided under title VI; and
- (C) an assurance that the area agency on aging will make services under the area plan available, to the same extent as such services are available to older individuals within the planning and service area, to older Native Americans;

Assurances

ASSURANCES, CONTINUED

(12) provide that the area agency on aging will establish procedures for coordination of services with entities conducting other Federal or federally assisted programs for older individuals at the local level, with particular emphasis on entities conducting programs described in section 203(b) within the planning and service area.

(13) provide assurances that the area agency on aging will—

- (A) maintain the integrity and public purpose of services provided, and service providers, under this title in all contractual and commercial relationships;
- (B) disclose to the Assistant Secretary and the State agency—
 - (i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and
 - (ii) the nature of such contract or such relationship;
- (C) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not resulted and will not result from such contract or such relationship;
- (D) demonstrate that the quantity or quality of the services to be provided under this title by such agency will be enhanced as a result of such contract or such relationship; and
- (E) on the request of the Assistant Secretary or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals;

(14) provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title;

(15) provide assurances that funds received under this title will be used—

- (A) to provide benefits and services to older individuals, giving priority to older individuals identified in paragraph (4)(A)(i); and

Assurances

ASSURANCES, CONTINUED

- (B) in compliance with the assurances specified in paragraph (13) and the limitations specified in section 212;

(16) provide, to the extent feasible, for the furnishing of services under this Act, consistent with self-directed care;

(17) include information detailing how the area agency on aging will coordinate activities, and develop long-range emergency preparedness plans, with local and State emergency response agencies, relief organizations, local and State governments, and any other institutions that have responsibility for disaster relief service delivery;

(18) provide assurances that the area agency on aging will collect data to determine—

- (A) the services that are needed by older individuals whose needs were the focus of all centers funded under title IV in fiscal year 2019; and
- (B) the effectiveness of the programs, policies, and services provided by such area agency on aging in assisting such individuals; and

(19) provide assurances that the area agency on aging will use outreach efforts that will identify individuals eligible for assistance under this Act, with special emphasis on those individuals whose needs were the focus of all centers funded under title IV in fiscal year 2019.

- (b)(1) An area agency on aging may include in the area plan an assessment of how prepared the area agency on aging and service providers in the planning and service area are for any anticipated change in the number of older individuals during the 10-year period following the fiscal year for which the plan is submitted.
- (2) Such assessment may include—
- (A) the projected change in the number of older individuals in the planning and service area;
- (B) an analysis of how such change may affect such individuals, including individuals with low incomes, individuals with greatest economic need, minority older individuals, older individuals residing in rural areas, and older individuals with limited English proficiency;
- (C) an analysis of how the programs, policies, and services provided by such area agency can be improved, and how resource levels can be adjusted to meet the needs of the changing population of older individuals in the planning and service area; and

Assurances

ASSURANCES, CONTINUED

- (D) an analysis of how the change in the number of individuals age 85 and older in the planning and service area is expected to affect the need for supportive services.
 - (3) An area agency on aging, in cooperation with government officials, State agencies, tribal organizations, or local entities, may make recommendations to government officials in the planning and service area and the State, on actions determined by the area agency to build the capacity in the planning and service area to meet the needs of older individuals for—
 - (A) health and human services;
 - (B) land use;
 - (C) housing;
 - (D) transportation;
 - (E) public safety;
 - (F) workforce and economic development;
 - (G) recreation;
 - (H) education;
 - (I) civic engagement;
 - (J) emergency preparedness;
 - (K) protection from elder abuse, neglect, and exploitation;
 - (L) assistive technology devices and services; and
 - (M) any other service as determined by such agency.
 - (c) Each State, in approving area agency on aging plan under this section, shall waive the requirement described in paragraph (2) of subsection (a) for any category of services described in such paragraph if the area agency on aging demonstrates to the State agency that services being furnished for such category in the area are sufficient to meet the need for such services in such area and had conducted a timely public hearing upon request.
 - (d)(1) Subject to regulations prescribed by the Assistant Secretary, an area agency on aging designated under section 305(a)(2)(A) or, in areas of a State where no such agency has been designated, the State agency, may enter into agreement with agencies administering programs under the Rehabilitation Act of 1973, and

Assurances

ASSURANCES, CONTINUED

- titles XIX and XX of the Social Security Act for the purpose of developing and implementing plans for meeting the common need for transportation services of individuals receiving benefits under such Acts and older individuals participating in programs authorized by this title.
 - (2) In accordance with an agreement entered into under paragraph (1), funds appropriated under this title may be used to purchase transportation services for older individuals and may be pooled with funds made available for the provision of transportation services under the Rehabilitation Act of 1973, and titles XIX and XX of the Social Security Act.
- (e) An area agency on aging may not require any provider of legal assistance under this title to reveal any information that is protected by the attorney-client privilege.
- (f)(1) If the head of a State agency finds that an area agency on aging has failed to comply with Federal or State laws, including the area plan requirements of this section, regulations, or policies, the State may withhold a portion of the funds to the area agency on aging available under this title.
 - (2)(A) The head of a State agency shall not make a final determination withholding funds under paragraph (1) without first affording the area agency on aging due process in accordance with procedures established by the State agency.
 - (B) At a minimum, such procedures shall include procedures for—
 - (i) providing notice of an action to withhold funds;
 - (ii) providing documentation of the need for such action; and
 - (iii) at the request of the area agency on aging, conducting a public hearing concerning the action.
 - (3)(A) If a State agency withholds the funds, the State agency may use the funds withheld to directly administer programs under this title in the planning and service area served by the area agency on aging for a period not to exceed 180 days, except as provided in subparagraph (B).
 - (B) If the State agency determines that the area agency on aging has not taken corrective action, or if the State agency does not approve the corrective action, during the 180-day period described

Assurances

ASSURANCES, CONTINUED

- in subparagraph (A), the State agency may extend the period for not more than 90 days.
- (g) Nothing in this Act shall restrict an area agency on aging from providing services not provided or authorized by this Act, including through—
 - (1) contracts with health care payers;
 - (2) consumer private pay programs; or
 - (3) other arrangements with entities or individuals that increase the availability of home and community-based services and supports.