

**Sec. 17b-423-3. Community services policy manual-general application and procedures and policies**

**(a) Purpose of Section**

This Section sets forth the general policies and procedures governing the application process for obtaining Title III-B and C funds and the general policies which affect program grantees.

**(b) Award of Older American Act Funds Administered by the Department**

**(1) Eligible Organizations**

The Department may award Older Americans Act funds to an eligible public or private nonprofit agency, organization, institution, political subdivision of the State or an official Indian tribal organization.

**(2) Conditions of Awarding Title III Fund**

The Department shall award Title III funds in a designated planning and service area only to an Area Agency on Aging to develop and administer an area plan on aging. No Title III funds shall be awarded directly by the Department to any other agency within a PSA when a designated Area Agency on Aging exists, unless the Area Agency on Aging has been temporarily suspended from administering Older Americans Act programs. The designated Area Agency on Aging shall carry out, directly or through contractual or other arrangements, a program pursuant to an approved area plan within the PSA.

**(c) Responsibilities of recipients of Award Under Title III of the Older Americans Act**

The Department requires recipients of award under Title III of the Older Americans Act to carry out the policies and procedures set forth in this manual, in the Older Americans Act and in the appropriate Federal regulations. Recipients of award are responsible for familiarizing themselves with the contents of this Manual and referenced documents.

**(d) Procedures for Application for Support**

**(1) General**

All proposals for support through Older Americans Act or other Department administered funds shall be submitted to the Department on a format prescribed by the Department. The specific procedures applicable to each type of funding are located in the following sections of this Manual.

(A) Title III-B funds-Section 17b-423-4.

(B) Title III-C funds-Section 17b-423-5.

(C) Title III-D funds-Section 17b-423-6.

(D) Title III-F funds-section 17b-423-7

(2) Part of Area Plan Process

**(e) Department Review of Applications**

**(1) General**

Applications for funding shall be reviewed according to the procedures established in this manual. As necessary, additional information may be provided through General Letters, Series Memorandums or in other written formats.

**(2) Notification of Award Process**

The Department has established procedures to assure that all recipients of award are notified of the approval of projects in writing on a standard notification of grant award form

(NOA) or other suitable award document.

(3) Award Conditions

All applications shall be approved as submitted unless the Department modifies and/or places additional conditions on the award. All approved projects shall receive a written notice of award which explains the specifics of the approved award.

(4) Operation of the Project Awarded

The recipient of the award shall operate the project in accordance with the approved application and the NOA documentation.

(f) **General Policies**

This subsection provides information on policies and procedures which uniformly impact on all Title III grantees.

(1) Applicable Laws and Regulations for Title III Older Americans Act Funds

Grantees receiving funds under the Title III Older Americans Act are subject to the following laws and regulations:

- (A) All provisions of the Older Americans Act, as amended to date;
- (B) Federal Regulations issued pursuant to the Older Americans Act;
- (C) The policies and procedures specified in the Manual;
- (D) Title 45 of the Code of Federal Regulation: Parts 74 (except subpart 80, 81, 84, and 90);

(E) Other applicable state and/or Federal regulations.

(2) Administration

The Department has been vested with the authority to carry out all functions and responsibilities prescribed for State Agencies on Aging under the Older Americans Act, Federal Regulations and Connecticut State Statutes and regulation of Connecticut State Agencies. Whenever the Department executes grants or contracts with local or Area Agencies on Aging to provide an aging service or program, it has the responsibility for assuring that such agencies or organizations are adhering to this Manual and other policies and procedures which might be developed. The Department requires all grantees to establish acceptable methods for administering Older Americans Act programs. The Department periodically monitors, assesses and evaluates the administrative systems being utilized by grantees in order to assure that they meet minimal standards of operations.

(3) Title VI of the Civil Rights Act

(A) General

All funds under the Older Americans Act shall be administered in compliance with Title VI of the Civil Rights Act of 1964, the Regulations (45 CFR Part 80) issued pursuant thereto, a Statement of Compliance Form 441 signed by each grantee and the contractors and subcontractors providing services directly to participants, and the methods of administration established by the Department in accordance with the requirements of the State Plan.

(B) Non Discrimination Policy

The Department requires that each recipient of award make no distinction because of race, color, sex, physical or mental disability, sexual orientation, marital status, age, ancestry, religion or national origin in providing to individuals any services of other benefits under projects financed in whole or in part with Older Americans Act funds.

(4) Affirmative Action

(A) Requirement as Condition of Award

The Department requires that all Older Americans Act grantees have acceptable affirmative action plans as a condition for approval of grant awards.

(B) Compliance with Title V Regulations

Any Area Agency on Aging which is a public agency shall have an affirmative action program which complies with the requirements of section 900.607 of Title V of the Code of Federal Regulations, Part 900, Subpart F, "Standards for a Merit System of Personnel Administration."

(C) Contractor/Subcontractor Compliance Statement

Older Americans Act project grantees shall, as a minimum, obtain a statement of assurance from contractors and subcontractors that they will comply with equal employment opportunity principles. Such assurance shall commit contractors and subcontractors to providing equal opportunities in carrying out activities funded under the Older Americans Act.

(i) The statement of assurance shall be on file with the award document.

(ii) Project grantees shall monitor contractors' and subcontractors' compliance with the equal employment opportunity requirements.

(5) Confidentiality and Disclosure

(A) Confidentiality

(i) Area Agencies on Aging and service providers shall develop and maintain procedures to ensure that no information about an older person, or obtained from an older person by a service provider or an Area Agency on Aging, is disclosed by the provider or the Area Agency on Aging, in a form that identifies the person without the informed consent of the person or his or her legal representative, unless disclosure is required by court order, 45 CFR 74.24, or for program monitoring by authorized Federal, State, or local monitoring agencies.

(ii) The Department requires that lists of older persons compiled under information and referral services be used solely for the purpose of providing services, and only with the informed consent of each individual on the list.

(iii) Area Agencies on Aging shall not require any provider of legal assistance under Title III to reveal any information protected by the attorney-client privilege.

(B) Department Non-Denial of Services Policy

The Department and its grantees shall ensure that no older person is denied services because such person refuses to provide informed consent to release personal information.

(C) Maintenance of Grantee Reports and Records

Any grantee or contractor which provides information and referral services shall maintain its records and reports in a manner consistent with the standards of confidentiality of the Department, as noted in this Manual and as modified from time to time.

(D) Disclosure

(i) Subject to the confidentiality requirement in subparagraph (A) of subdivision (5) of this subsection, the Department shall make available at reasonable times and places to all interested parties the written policies under which it administers Older American Act programs and other information and documents developed or received by the Department in carrying out its responsibilities under the Act.

(ii) The Department requires Area Agencies on Aging and their contractors and subcontractors to apply the standards in 1. above to their operations.

(iii) The Department and its grantee/contractors are not required to disclose those types of information or documents that are exempt from disclosure under applicable Freedom of Information laws.

(6) Program Access Requirements

(A) Policy for Facilities Acquired with Older Americans Act and Department Funds

When Older Americans Act or other Department administered funds are used to acquire the use of a facility which involves access by older persons, the facility shall meet the provisions of Section 504 of The Rehabilitation Act of 1973 if the acquisition of the facility occurs after October 1, 1980.

(B) Policy for Facilities Acquired Prior to October 1, 1980

Facilities acquired for use before October 1, 1980 should meet the requirement in (A) where feasible.

(7) General Program Reporting Requirements

All recipients of grants from the Department shall submit such reports to the Department as are required or set forth in the Grant.

(8) Management Information System (MIS) Requirements

Area Agencies on Aging and all grantees and contractors under Title III are required to participate in the Statewide automated Management Information System (MIS), in accordance with the Department's requirements, unless a written waiver is received and approved from the Department.

When Performance-Based Contracting is used, Area Agencies on Aging shall reimburse contractors based on current MIS statistics, unless it is determined by the Department that the service cannot be accurately measured by the MIS.

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