

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 15—Division of Senior and Disability Services**  
**Chapter 4—Older Americans Act**

**PROPOSED AMENDMENT**

**19 CSR 15-4.010 Definition of Terms.** The department is amending the definitions of terms.

*PURPOSE: The amendment updates definitions of existing terms and defines new terms.*

*[(1) Any definitions described in 13 CSR 15-7.005 are applicable to 13 CSR 15-4 as well as the terms defined in this rule.]*

**(1) Access services—A category of services which facilitates access to and utilization of other services. Access services may include, but not limited to, transportation, outreach, case management, and information and assistance.**

**(2) Act—The Older Americans Act of 1965, as amended [through December 31, 1992].**

**(3) Acquiring—Obtaining ownership of an existing facility in fee simple or by a lease of ten (10) or more years for use as a multipurpose senior center.**

**(4) Administration for Community Living (ACL)—An agency of the U.S. Department of Health and Human Services (HHS). ACL is structured to provide general policy coordination while retaining unique programmatic operations specific to the needs of each population it serves.**

*[(4)]* **(5) Administration on Aging (AOA)—An agency within the Administration for Community Living of [The federal agency within] the U.S. Department of Health and Human Services, [which is] charged with [the responsibility of] administering provisions of the Older Americans Act of 1965, as amended [the provisions of the Act], with the exception of the Senior Community Service Employment Program (SCSEP).**

*[(5)]* **(6) Administrative action—Any action or decision made by an owner, employee or agent of a long-term care (LTC) facility, or by an area agency on aging or the division, which affects the provision of services to service recipients.**

*[(6)]* **(7) Adequate proportion—An amount of supportive services funds determined by the state agency to be sufficient to meet the need for a given priority service in a particular planning and service area.**

*[(7)]* **(8) Adult day care—[A program designed to provide care and supervision to meet the needs of functionally impaired adults for periods of less than twenty-four (24) hours but more than two (2) hours per day in a place other than the adult's own home.] As defined in 19 CSR 30-90.010.**

**(9) Adult(s) with disabilities—Any individual who has a mental or physical impairment that substantially limits one or more of their major life activities; has a record of such impairment; or is regarded as having such an impairment.**

*[(8)]* **(10) Advisory council—A council [of older individuals (including minority individuals), representatives of older individuals and local elected officials who shall advise the Area Agency on Aging on matters pertaining to development and administration of the area plan and on operations**

*conducted under the plan.]* consisting of older adults (including minority individuals and older adults residing in rural areas) who are participants or who are eligible to participate in programs administered under the Older Americans Act, family caregivers of such individuals, representatives of older adults, 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.

*[(9)]* (11) Advocacy—The act of speaking or writing in support of older *[persons]* adults and/or *[programs for]* issues concerning older *[persons]* adults.

(12) Aging and Disability Resource Center—An entity, network, or consortium established by a State as part of the State system of long-term care, to provide a coordinated and integrated system for older adults and adults with disabilities, and the caregivers of older adults and adults with disabilities, that provides—

(A) comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care services, and Federal or State programs that provide long-term care services and supports through home and community-based service programs;

(B) person-centered counseling to assist individuals in assessing their existing or anticipated long-term care needs and goals, and developing and implementing a person-centered plan for long-term care that is designed to meet the individual's specific needs, goals, and circumstances;

(C) access for individuals to the range of publicly-supported long-term care services and supports for which the individuals may be eligible, including home and community-based service options, by serving as a convenient point of entry for such programs and supports; and

(D) in cooperation with area agencies on aging, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), and other community-based entities, information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.

*[(10)]*(13) Altering or renovating—Making modifications to an existing facility which are necessary for its effective use as a multipurpose senior center, including restoration, repair, expansion and all related physical improvements.

*[(11)]*(14) Area Agency on Aging (AAA)—The agency designated by the division in a planning and service area to develop and administer a plan and administer available funds for a comprehensive and coordinated system of services for *[the elderly]* older adults and *[persons]* adults with disabilities who require similar services.

*[(12)]*(15) Area Agency on Aging governing body—The policy-making board or oversight body which directs the actions of the AAA under local, state and federal laws and regulations.

*[(13)]*(16) Area plan—The document submitted by an area agency on aging to the division for approval in order to receive subgrants or contracts.

*[(14)]*(17) Assessment—The mechanism for determining needs and eligibility for programs and services.

[(15)](18) Assistant [s]Secretary—The [a]Assistant [s]Secretary **for Aging** of the U.S. Department of Health and Human Services.

(19) **Case management**—A service which ensures that individuals with chronic or acute care needs are assessed and provided with a comprehensive and coordinated service program designed to meet those assessed needs.

(20) **Caterer**—A restaurant, hospital, school or commercial organization which prepares meals under contract.

(21) **CBSA (Core Based Statistical Area)**—Consists of one or more counties with at least one urban core of at least 10,000 population, plus adjacent counties that are socioeconomically tied to the urban core by commuting.

[(16)](22) **Collocation of services**—Coordination and scheduling representatives of providers and other agencies and organizations to assure that, in addition to a center's usual services, all available services benefiting [the elderly] **older adults** are accessible and convenient for recipients [at the community focal point].

[(17)](23) **Confidentiality**—Procedures which assure the anonymity of the individual service recipient.

(24) **Congregate nutrition services**—The provision of nutrition services to older adults in a congregate or group setting.

(25) **Contributions**—Money or food stamps (for meals only) given voluntarily and confidentially toward the cost of a service received.

[(18)](26) **Construction**—The building of a new multipurpose senior center including the costs of land, acquisition and architectural engineering fees.

[(19)](27) **Continuum of care**—A full range of economic, physical, psychological and social support programs and services necessary to maintain or restore [elderly persons] **older adults** to optimal functioning.

[(20)](28) **Department**—Missouri Department of [Social] **Health and Senior Services**.

[(21)] *Direct service*—Any activity performed to provide services directly to an individual older person by the staff of a service provider or an area agency.]

[(22)](29) **Disaster preparedness plan**—A regional or statewide plan to organize local efforts to assist [the elderly] **older adults and adults with disabilities** in the event of a disaster situation which affects large numbers of people.

[(23)](30) **Division**—The Division of [Aging] **Senior and Disability Services** within the Department of [Social] **Health and Senior Services**, the designated state unit on aging.

[(24)](31) **Education and training services**—Supportive services designed to broaden the knowledge and skills of older [persons] **adults**, their caregivers, advocates, and the professionals serving them to cope more effectively with their economic, health and personal needs.

[(25)](32) **Focal point**—A facility established to encourage the maximum collocation and coordination of services for older [individuals] **adults**.

[(26)](33) Greatest economic need—The need resulting from an income level at or below the poverty line.

[(27)](34) Greatest social need—The need caused by non-economic factors, including *[physical and mental disabilities,]* **disability**; language barriers;[,] and cultural, social, or geographic isolation, including isolation caused by racial or ethnic status, which restrict the ability of an individual to perform normal daily tasks and/or threatens the capacity of the individual to live independently.

[(28)](35) Health screening services— Services in which the service recipient’s general health is reviewed, health education is provided, simple tests are provided or referral is made if indicated.

**(36) Highest Level Evidence-Based Program—A program that meets the following criteria: demonstrated through evaluation to be effective for improving the health and well-being or reducing disease, disability and/or injury among older adults; proven effective with older adult population, using experimental or quasi-experimental design; research results published in a peer-review journal; fully translated in one or more community site(s); and includes developed dissemination products that are available to the public.**

**(37) Home-delivered nutrition services—Nutrition services delivered to eligible recipients in their homes.**

[(29)](38) Indirect costs—Those costs allocated to *[AAA]* **area agency on aging** grant awards based on a rate approved by the organization’s cognizant federal agency.

[(30)](39) Information and assistance *[source]*—A *[location where any public or private agency or organization]* **service for older adults that—**

(A) *[Maintains]* **Provides** current information *[with respect to the]* **on** opportunities and services available to older *[individuals]* **adults within their communities;**

(B) **Assesses the problems and capabilities of the older adults;** *[Employs, where feasible, a specially trained staff to assess the needs and capacities of older individuals, to inform older individuals of the opportunities and services which are available and to assist those individuals with economic or social needs; and]*

(C) **Links older adults to the opportunities and services that are available;** *[Utilizes, where feasible, electronic and/or computer database information sources in the provision of information and assistance services.]*

(D) **Ensures that older adults receive the services needed, and are aware of the opportunities available to the older adult, by establishing follow-up procedures; and**

(E) **Serves older adults with greatest social need, economic need, and those at risk for institutional placement.**

[(31)](40) Legal assistance—Legal advice and representation **provided** by an attorney **to older adults and adults with disabilities with economic and social needs. Legal Assistance includes** *[(including,] to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the supervision of an attorney[)].* Legal assistance includes]; **and** counseling or representation by a nonlawyer where permitted by law *[but does not include community education].*

[(32)](41) Local government—A political subdivision of the state, whose authority is general and not limited to only one (1) function or combination of related functions.

[(33)] *Local match—See match.]*

[(34)](42) Long-*[t]*Term *[c]*Care (LTC) facility—*[Any facility] [a]* As defined in section *[198.006.] 192.2300*, RSMo.

[(35)](43) Match—The equivalent cash value of third-party in-kind contributions or **non-federal** cash resources representing that portion of the costs of a grant-supported project or program not **fully** borne by the federal or state government.

[(36) *Medicaid—Financial assistance for medical services provided under section 208.151, RSMo, in accordance with Title XIX, Public Law 89-97, 1965 amendments to the Social Security Act (42 U.S.C. 301).]*

[(37)](44) Monitoring—The review and evaluation of all *[AAA]* **area agency on aging** activities by the division or **designee**, or of contractor activities by the *[AAA]* **area agency on aging**.

**(45) Multipurpose senior center—A community or neighborhood facility for the organization and provision of a broad spectrum of services which shall include, but not be limited to, provision of health, including mental health, social, nutrition and educational services, and the provision of facilities for recreational activities for older adults.**

[(38)](46) Net cost—The total allowable costs, less grant-related income, for the purpose of meeting match requirements.

[(39)](47) *[Not-for-profit]* **Nonprofit**—An agency, institution or organization which is owned and operated by one (1) or more corporations or associations with no part of the net earnings benefiting any private shareholder or individual.

**(48) Nutrition services—Provision of congregate or home-delivered meals, or both.**

**(49) Older adult—A person sixty (60) years of age or older.**

[(40)](50) Ombudsman—An individual assigned by the division, *[or]* the area agency **on aging**, or **the area agency on aging's contractors** to investigate and resolve complaints made by or on behalf of older *[individuals]* **adults** who are residents of LTC facilities relating to administrative action which may adversely affect the health, safety, welfare and rights of these residents.

**(51) Outreach— Intervention with individuals initiated by an agency or organization for the purpose of identifying potential clients (or their care givers) and encouraging their use of existing services and benefits.**

[(41) *Person(s) with disabilities—Anyone who has a mental or physical impairment which substantially limits one or more of their major life activities; or has a record of such impairment; or is regarded as having such an impairment.]*

[(42)](52) Planning and service area (PSA)—A geographic area of the state that is designated by the division for purposes of planning, developing, delivering, monitoring and administering services to older *[persons]* **adults and adults with disabilities**.

[(43)](53) Policy—A principle established by a government, organization or an individual that guides decision-making and actions.

[(44)](54) Preprint—The division's *[format]* **instruction** for development and submission of the area agency **on aging** plan or plan amendment.

[(45)](55) Priority services—Those service categories of access, in-home and legal assistance.

[(46)] Procedure—*The established sequence of actions to be followed to accomplish a task or implement a policy.*

[(47)](56) Program—Any service funded under the approved area plan.

[(48)](57) Program costs—Costs incurred by the area agency **on aging** in managing and delivering a service.

[(49)](58) Program evaluation—The review and determination of program effectiveness in meeting recipient needs.

[(50)](59) Program monitoring—The review and determination of progress in meeting program objectives.

[(51)](60) Protective services—Services provided by the division in response to the need for protection from harm or neglect to *[elderly persons]* **older adults** and *[persons]* **adults** with disabilities under sections [660.250—660.295] **192.2400—192.2505**, RSMo.

[(52)](61) Public hearing—An open hearing which provides an opportunity for older *[persons]* **adults**, the general public, officials of general purpose, local government and other interested parties to comment *[on a proposal]*.

[(53)] *Public match—See match.*

[(54)](62) Regional office—U.S. Department of Health and Human Services, Administration *[on Aging (AoA)]* **for Community Living (ACL)** office located in Kansas City, Missouri.

[(55)](63) Renovating—See altering.

[(56)](64) Request for proposal (RFP)—A formal invitation to prospective contractors to submit bids for procurement of a defined set of activities, services or goods.

[(57)](65) Request for qualifications (RFQ)—A type of RFP which is a formal invitation to prospective providers to submit information suitable for determining eligibility as a qualified provider.

[(58)](66) Rural areas—*[Any town or city with a population of twenty thousand (20,000) or less.]* **An area that encompasses all population, housing, and territory not included within an urban area as defined by the United States Census Bureau.**

[(59)] *SMSA (standard metropolitan statistical area)—One (1) or more central counties with an urbanized area of at least fifty thousand (50,000) population.*

[(60)] *SSBG—Social Services Block Grant.*

**(67) Senior center—A facility providing nutrition services and a variety of supportive services to older adults.**

**(68) Service provider—Any entity which contracts with the Department of Health and Senior Services or an area agency on aging to provide services directly to older adults.**

**(69) Service recipient—An eligible individual who receives one (1) or more services.**

[(61)](70) Staff hour—An hour of staff time spent on any activity related to the service identified.

[(62)](71) Standards—The minimum requirements to be met for the operation of programs and the delivery of services.

[(63)](72) State plan—The document containing the division's priorities, goals, policy statements and objectives for enabling older *[persons]* **adults** to fulfill their potential for independent functioning.

[(64)](73) Structural change—Any change to the loadbearing members of a building.

**(74) Supportive services—The set of services described in Section 321a and Section 373b of the Older Americans Act.**

**(75) Supportive service center—A facility providing only activities and supportive services, but no nutrition services.**

[(65)](76) Target population—**Older** *[Individuals]* **adults** aged sixty (60) or over, with the greatest social and economic need, *[especially]* **including** low income minority **adults and adults residing in rural areas.**

[(66)](77) Technical assistance—Specific guidance and expertise provided by the division staff to the area agency **on aging** or by the area agency **on aging** staff to the service provider staff.

**(78) Time/Temperature control for safety food—A food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation per the FDA.**

[(67)](79) Transportation service—A vehicular service which facilitates access to other services.

[(68)](80) Third-party in-kind contributions—Property or services which benefit grant-supported projects or programs and which, under the grant or subgrant, are contributed by nonfederal third parties without charge to the grantee, the subgrantee or a cost-type contractor.

[(69)](81) Unit of general purpose local government—See local government.

[(70)](82) Urban*[ized]* areas—*[An incorporated place and adjacent densely settled surrounding area that together have a minimum population of fifty thousand (50,000).]* **Urbanized areas of fifty thousand (50,000) or more people; or urban clusters of at least two thousand-five hundred (2,500) and less than fifty thousand (50,000) people.**

[(71)] *USDA—United States Department of Agriculture.]*

**(83) Volunteer—A person, other than staff or Senior Community Service Employment Program (SCSEP) enrollees, who contributes personal service.**

[(72)](84) Waiver—The granting of a deviation from portions of service standards, prohibition of direct service delivery or any other state regulation.

*AUTHORITY: section [660.050] 192.2000, RSMo [Supp. 1999] 2016.\* This rule was previously filed as 13 CSR 15-6.005 and 13 CSR 15-4.010. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Feb. 17, 1988, effective June 15, 1988. Amended: Filed June 3, 1991,*

*effective Oct. 31, 1991. Amended: Filed Nov. 14, 1991, effective March 9, 1992. Amended: Filed Aug. 28, 2000, effective March 30, 2001. Moved to 19 CSR 15-4.010, effective Aug. 28, 2001.*

*\*Original authority: 660.050, RSMo1984, amended 1988, 1992, 1993, 1994, 1995.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Health and Senior Services, Division of Senior and Disability of Services, Melanie Highland, Division Director, PO Box 570, Jefferson City, MO 65102-0570, Telephone: (573) 526-3626, or Email: DSDSDirectorsOffice@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*