

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 15-4.070 Designation of Area Agencies on Aging. The department is amending sections (1), (2), (3) and (4).

PURPOSE: This amendment updates references to state and federal legal authority and area agencies on aging.

PURPOSE: This rule describes the process used to designate an Area [a]Agency on [a]Aging, what types of agencies may be eligible and the criteria used by the division for designation.

(1) No more than one (1) area agency **on aging** will be designated within a planning and service area (PSA). If the division withdraws designation of one (1) of the existing area agencies **on aging** in accordance with section [660.050.4] **192.2000.3**, RSMo prior to designating a new area agency **on aging**, the division shall—

(B) Determine through an on-site assessment that the potential area agency **on aging** has the capacity to perform all of the required functions.

(2) Any one (1) of the following types of agencies may be designated as an area agency **on aging** for a PSA:

(3) Whenever a new Area Agency on Aging is designated after the date of enactment of the Older Americans Act [amendments of 1984] **of 1965, as amended**, the division will give the right of first refusal to a unit of general purpose local government if—

(4) The division considers applicants eligible for designation as an area agency **on aging** that meet the following criteria:

(B) If the applicant has responsibilities beyond programs for [the elderly] **older adults**, it shall agree to create a single organizational unit with delegated authority whose principal function shall be the effective development and implementation of an area plan;

(C) The applicant has demonstrated the capacity to assess the needs of [the elderly] **older adults** and to plan, administer, monitor and evaluate services for the entire PSA, **including underrepresented groups**. The applicant shall be able to work effectively with all public and private social, economic, [ethnic,] **cultural**, political and geographic elements of the PSA it seeks to serve;

(D) The applicant has documented support of local governments and any local aging councils. The applicant, if a private [not-for-profit] **nonprofit** agency, has documented that it is incorporated by the Missouri [s]Secretary of [s]State and maintains a current certificate of good standing; and

(E) The applicant, if a private [not-for-profit] **nonprofit** agency, has documented that it has applied to the Internal Revenue Service and received the appropriate tax status designation.

*AUTHORITY: section [660.050] 192.2000, RSMo [1986]2016. * This rule was previously filed as 13 CSR 15-6.045 and 13 CSR 15-4.070. Original rule filed Jan. 6, 1986, effective April 30, 1986. Moved to 19 CSR 15-4.070, effective Aug. 28, 2001.*

**Original authority: 660.050, RSMo 1984, amended 1988.*

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 the Missouri Department of Health and Senior Services, Division of Senior and Disability Services, Melanie Highland, Division Director, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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.*