

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 15-4.080 Withdrawal of Designation. The department is amending sections (1), (2), (3) and (4).

PURPOSE: This amendment updates terminology and makes grammatical updates.

*PURPOSE: This rule identifies the circumstances under which the division may withdraw designation of an area agency **on aging**, notify the assistant secretary of the action and provide for continuity of services.*

(1) The division may withdraw an area agency[’s] **on aging**’s designation if—

(A) The area agency **on aging** does not comply with requirements of the federal and state laws or rules;

(B) State or federal funds are not being expended for the purposes for which they were intended; [and] or

(C) [Elderly persons] **Older adults** are not receiving appropriate services within available resources.

(2) Withdrawal of designation of an area agency **on aging** shall not occur without consultation with the director of the [A]area agency on [A]aging and the area agency **on aging** board and an opportunity has been granted for a formal hearing and review by the governor.

(3) Should the division withdraw designation of an area agency **on aging**, the division will notify the [a]Assistant [s]Secretary in writing of its action, provide a plan for the continuity of services in the affected planning and service area (PSA) and designate a new area agency **on aging** in the PSA in a timely manner.

(4) If necessary to ensure a continuity of services in a PSA, the division, for a period of up to one hundred eighty (180) calendar days, may perform the responsibilities of the area agency **on aging** or assign the responsibility of the area agency **on aging** to another agency in the PSA. The division may request an extension of an additional one hundred eighty (180) days from the [a]Assistant [s]Secretary if the need for the extension can be demonstrated.

*AUTHORITY: section [660.050] 192.2000, RSMo [Supp. 1999]2016. * This rule was previously filed as 13 CSR 15-6.050 and 13 CSR 15-4.080. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Aug. 28, 2000, effective March 30, 2001. Moved to 19 CSR 15-4.080, effective Aug. 28, 2001.*

**Original authority: 660.050, RSMo 1984, 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 the Missouri Department of Health and Senior 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.*