

NEW YORK STATE OFFICE FOR THE AGING

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Andrew M. Cuomo, Governor

Corinda Crossdale, Director

An Equal Opportunity Employer

TECHNICAL ASSISTANCE MEMORANDUM Number 15-TAM-01

Supersedes

Expiration Date

DATE: August 27, 2015

TO: All AAA Directors

SUBJECT: Attachment C (Additional Information)

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PURPOSE: To provide AAA's with additional information on the Attachment C process which is a required component of the Four Year Plan and/or Annual Implementation Plan (AIP) and the mechanism by which the AAAs notify NYSOFA of major changes that occur during the year.

BACKGROUND: AAAs prepare, develop, and submit an Area Plan, with such annual adjustments as may be necessary, to the State agency for review and approval (See Older Americans Act Section 306(a)). NYSOFA has developed a uniform format for such Area Plan, including Attachment C Program Design Modifications (OAA §307(a)(1)(A)). In accordance with federal regulation, AAAs must submit their Plan and amendments for review and comment to their advisory council before they are transmitted to NYSOFA for approval (45 Code of Federal Regulations §1321.57(c)). For modifications to a Plan that has been approved by NYSOFA which would significantly impact older adults, the AAA, following review and comment by the advisory council, must submit the completed Attachment C to NYSOFA for approval. Any proposed program design modifications must be approved by NYSOFA before any expenditure can be obligated for the programs which the AAA proposes to modify.

The *Standard Assurances* included in the Plan, include Standard Assurance #3:

“Changes to this Plan: *The AAA assures that it shall submit for approval to NYSOFA necessary documentation for changes, additions, or deletions to this approved Plan”.*

Beginning with the 2009-10 Plan, AAAs have been required to provide an enhanced Attachment C document with their AIP that includes both a description of the proposed program changes and a certification – from the AAA Director – that the AAA will notify NYSOFA of any program changes as soon as it becomes aware of such changes and that the AAA will submit an Attachment C. In addition, modifications to the Attachment C document must be submitted to NYSOFA throughout the year as warranted by program changes that have a “significant impact” on services.

“Significant Impact”: the criteria for determining Significant Impact includes:

1. The discontinuance of any service, or
2. Major changes in:
 - a. service location;
 - b. access to services;
 - c. service providers;
 - d. types of services being offered;
 - e. the manner in which services are provided;
 - f. service levels (changes of +/- 20% in units or expenditures for any specific service); and,
 - g. changes in administrative operations (e.g. a re-organization, a consolidation).

In an effort to streamline the Attachment C process, and to answer some of the commonly asked questions, this TAM has been produced to provide additional guidance to the AAA network on the specific information that NYSOFA requires in its review of Attachment C submissions. As always, your Aging Services Representative (ASR) is your contact for Attachment C and other program related questions.

Guidance Information:

Please note that pages 37- 39 in the Guide to Completion for the 2015-16 AIP speaks extensively to what events will trigger the need for an AAA to complete an Attachment C. These events are when the AAA is proposing: a) a major change to a program; b) new direct services; or c) new program activities.

“Major changes” refers to changes in the allocation of resources, the clientele to be served, and/or the manner of service delivery.

“New activities” refers to programs and/or operations not previously offered or conducted by the AAA.

“New direct services” refers to the AAA's switch to the direct delivery of a service which previously had been delivered by a subcontractor, or which the AAA now is adding to its direct operations.

The following questions are being provided as a guide when preparing Attachment C documents. While the Attachment C Committee may ask for additional details, these

questions represent the preliminary questions that must be answered/explained within the Attachment C related to the major changes listed. Follow the related links to these documents which are posted on AAARIN as part of this TAM. We anticipate updating this website as needed – AAAs are encouraged to refer to this page prior to the submission of an Attachment C to ensure that the most recent questions have been addressed.

<http://www.aaarin.ofa.state.ny.us/>

- A. Questions related to closing a congregate meal site**
Follow link to questions A <http://www.aaarin.ofa.state.ny.us/>
- B. Questions related to frozen Home Delivered Meals**
Follow link to questions B <http://www.aaarin.ofa.state.ny.us/>
- C. Questions related to Consumer Direction**
Follow link to questions C <http://www.aaarin.ofa.state.ny.us/>
- D. Questions related to a (proposed) restructuring of the AAA
(County Office for the Aging)**
Follow link to questions D <http://www.aaarin.ofa.state.ny.us/>

Questions related to other changes that the AAA might be addressing:

E (1): Examples of changes that are subject to the Attachment C Process are:

1. 20% or greater changes (increases or decreases) in either units or funding for programs: This is probably the most commonly listed item in the Attachment C. AAAs should be able to explain 20% or greater fluctuations in units/funding for their services from one year to the next. ASRs, and now AAAs, are able to run a report on these variances which should be used as a guide in the preparation of the Attachment C.
2. Directly provided service: In the case where the AAA has decided to offer a service directly instead of through a contract for services - the Attachment C must be submitted to provide an explanation of why this decision was made; any potential effects on clients, units and/or services; and, how the service/program will be provided by the AAA directly.
3. Changes to the NYSOFA Standard Definitions: As occurred recently with the changes to the way units of Information & Assistance (I & A) were counted – if the AAA is projecting an increase/decrease of 20% or more in units but this is only due to the change in definition of countable units, the AAA would note in the Attachment C (for example) that this change is due to “NYSOFA revising the

definition of a unit of service for this program and the result will be an increase/decrease of over 20% in the reported units this year”.

E (2): Examples of changes that are not subject to the Attachment C Process are:

1. Introduction of new programs not included in the overall AIP: Programs funded through NYSOFA that are not specifically awarded funds through the AIP, but require a separate application for funding, are not included within the Attachment C process. For example, MIPPA requires an application separate from the AIP and would not be included in Attachment C. Program changes related to an AAA’s MIPPA Grant would still require approval from the appropriate program staff at NYSOFA, but not the Attachment C. Similarly, program changes related to BIP; NY Connects; and Systems Integration are not part of the Attachment C review.
2. Changes to AAA personnel: AAAs are not required to submit Attachment Cs when hiring new AAA personnel unless such changes are part of an agency reorganization or are part of other major changes to the Agency. For example, hiring a new Case Manager or Nutrition Coordinator would not necessitate an Attachment C review. However, hiring staff to take on a new major program may require an Attachment C as the ‘new major program’ will have significant impact on the AAA services as outlined in the Guidance Information on page 2 above.

PROGRAMS AFFECTED:

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| <input checked="" type="checkbox"/> Title III-B | <input checked="" type="checkbox"/> Title III-C-1 | <input checked="" type="checkbox"/> Title III-C-2 | | |
| <input checked="" type="checkbox"/> Title III-D | <input checked="" type="checkbox"/> Title III-E | <input checked="" type="checkbox"/> CSE | <input checked="" type="checkbox"/> SNAP | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> EISEP | <input checked="" type="checkbox"/> NSIP | <input checked="" type="checkbox"/> Title V | <input checked="" type="checkbox"/> HIICAP | <input type="checkbox"/> LTCOP |
- Other: Any other program changes

CONTACT PERSON: ASRs

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