

**NEW YORK STATE OFFICE FOR THE AGING  
RESPITE PROGRAM  
POLICY MEMORANDUM ON RESPITE ACTIVITIES**

The legislative intent of the New York State Respite program is to provide relief to caregivers from the demands of daily care of an older adult, to allow caregivers an opportunity to maintain a normal routine and to deter requests for long term institutional placement.

The New York State Elder Law, Article II, Title I §208 contains the specific requirements of the Respite Program administered by the New York State Office for the Aging (NYSOFA). As stated in the legislation, respite is defined as:

"the provision of infrequent and temporary substitute care or supervision of frail or disabled adults on behalf of and in the absence of the caregiver, for the purpose of providing caregivers with relief from the stress of caregiving and to help them maintain a normal routine."

Under the NYSOFA Respite program, respite cannot exceed 100 days of care per year per person and priority is given to those aged 60 and above. Caregivers and older adults may contribute to the cost of the services; however, if fees are charged based on income, such fees must be determined based on senior income only.

Respite may be provided by any service or combination of services that will achieve respite (such as friendly visiting, a personal emergency response system, various levels of in-home care, adult day care, temporary institutional care, etc.) It may be provided by individuals and varying kinds of public, private, corporate and non-profit providers. Flexible and innovative uses of resources are encouraged.

The program workplan section of the application submitted by an organization constitutes a plan of service and must identify the service providers, their qualifications, and a plan for coordination of these services. The contractor is responsible for ensuring the quality of respite services to be provided, including those services provided by subcontractors. There must be adequate screening, training, and monitoring of persons providing direct respite care.

Starting in SFY 2006-07 the NYS Legislature increased funding by \$250,000 to provide extended hours of respite services in the evening (after 5:00 pm), on weekends, and on an emergency basis.

In accordance with this legislation, these state respite funds are to be used for:

1. Service Costs – The costs directly related to the provision of the respite service, including such things as: staff providing the actual service (e.g., home care worker, companion), their supervisors and related costs (e.g., training, travel); the setting of care, if applicable (e.g. social adult day, temporary overnight institutional care); equipment (e.g., personal emergency response system) and staff performing information and assistance and/or case management functions and related costs.

2. Non-Service Costs – The costs that are necessary to support the organization and provide the respite service such as staff and related costs to administer and monitor the program; and program evaluation costs. Respite funds can also fund the specific respite-related services of a coordinating agency that, while not a direct provider of respite, works innovatively with and/or combines services of other agencies to create or expand respite services in a given area.

The following are specific examples of fundable Respite activities:

1. Respite care for an eligible adult for up to 100 days per year, whatever the mix of respite services may be, and including supervision and monitoring of the care;
2. Case management services to an adult applicant for respite including screening, assessment and arranging for/coordinating the respite services of an eligible person;
3. Provision of supportive services directly related to respite such as working with organizations (including bi-lingual and minority organizations) to train respite volunteers and identifying and promoting the use of available local resources to expand respite programs. An example would be the establishment of a community service program in a local high school or church group to have students or members donate a few hours periodically to respite activities, redesigning or expanding a respite-service facility to serve more older adults. These types of activities must be supported with evidence that they will be or have been successful in creating/expanding respite services;
4. Monitoring the provision of respite services to assess the need for them in the community and their cost effectiveness and ability to keep older adults in their homes, including reporting to NYSOFA about these findings;
5. Organizational costs that indirectly support or provide respite services, insofar as these costs relate to respite services, such as a prorated share of the salary of the director, respite program manager, and/or other appropriate personnel. The amounts or percentages of these salaries charged to the Respite program must be fully supported by time allocation records, such as detailed time records or a documented time and effort study;
6. Conferences and seminars held within New York State concerning specific respite issues attended by respite program staff;
7. Outreach costs specifically targeted towards caregivers where the grantee can demonstrate to NYSOFA that respite services are underutilized due to a lack of knowledge about or access (e.g., language barriers) to the Respite program;
8. Provision of caregiver support services (e.g., caregiver information, education, training, support-group services);
9. Provision of Social Adult Day Services by a program that meets the NYSOFA Regulations for Social Day Care (Title 9, section 6654.20);

10. Data Security Requirements (to be added)

11. Reporting Requirements (to be added)

If you have questions concerning the use of State Respite funds, please contact Erin Purcell at (518) 474-5478 or at [erin.purcell@ofa.state.ny.us](mailto:erin.purcell@ofa.state.ny.us).