

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #5

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OFFICE OF THE SECRETARY OF STATE  
WEST VIRGINIA

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Bureau of Senior Services TITLE NUMBER: 76

CITE AUTHORITY: WV Code § 16-5P

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE X

EXEMPT LEGISLATIVE RULE \_\_\_\_\_  
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES X, NO \_\_\_\_\_

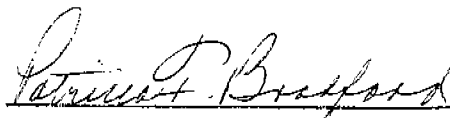
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: West Virginia State Plan for  
Aging Programs

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS October 1, 1998

  
\_\_\_\_\_  
Patricia F. Bradford, Commissioner

\$12.00



STATE OF WEST VIRGINIA  
BUREAU OF SENIOR SERVICES

**Cecil H. Underwood**  
Governor

1900 Kanawha Boulevard East  
Holly Grove—Building 10  
Charleston, West Virginia 25305-0160  
Telephone (304) 558-3317  
FAX (304) 558-0004

**Patricia F. Bradford**  
Commissioner

August 27, 1998

Ms. Judy Cooper, Director  
Administrative Law  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

Dear Ms. Cooper:

Enclosed is the West Virginia State Plan on Aging for Fiscal Years 1999 and 2000. The Plan has undergone a thirty day comment period, and the comments and staff responses have been incorporated.

I am hereby submitting the plan as a final Interpretive Rule and request that the effective date be October 1, 1998. This will correspond with the effective date requested of our federal oversight agency, the Administration on Aging.

Thank you for your assistance with this matter. If you have questions or need additional information, please let me know.

Sincerely,

Patricia F. Bradford  
Commissioner

**TITLE 76  
INTERPRETIVE RULES  
WEST VIRGINIA BUREAU OF SENIOR SERVICES**

**SERIES 3  
WEST VIRGINIA STATE PLAN FOR AGING PROGRAMS**

**§76-3-1. GENERAL.**

1.1. Scope. – The State Plan for Aging Programs includes all assurances and plans to be conducted by the Bureau of Senior Services under the provisions of the Older Americans Act of 1965, as amended. The Bureau of Senior Services is primarily responsible for the coordination of all State activities related to the purposes of the Act. It assumes the major responsibilities of developing and administering a comprehensive and coordinated system of services and activities for providing a positive impact on the lives of elderly people within the service area.

1.2. Authority. – W. Va. Code §16-5P-1et. seq.

1.3. Filing Date. – August 31, 1998

1.4. Effective Date. – October 1, 1998

**§76-3-2. Incorporation By Reference.**

The West Virginia State Plan for Aging Programs is hereby incorporated by reference as an interpretive rule. This document is available from the Secretary of State's Office or the West Virginia Bureau of Senior Services.

**West Virginia**

**State Plan  
on  
Aging**

**1999 - 2000**

**WEST VIRGINIA BUREAU OF SENIOR SERVICES**  
**State Plan for Aging Programs**  
**1999 - 2000**

Table of Contents

	<u>Page</u>
I. Verification of Intent	1
II. Assurance of Compliance	2
III. West Virginia Characteristics	15
IV. Organization/Mission Statement	16
V. Goals and Objectives	18
A. Administration and System Development	
B. Program and Service	
C. Rights and Advocacy	
VI. Financial Plan	23
A. State Funding Formula	
B. Regional Allocation of Funds for FY1994	
C. Estimated State Agency Budget	
VII. Attachments	
A. Designated Planning and Service Area Map	A - 1
B. Organizational Chart	A - 2
West Virginia Bureau of Senior Services	
C. Service Definitions and Program Descriptions	A - 3
D. Elder Demographics	A - 11
E. State Plan Comment Process	A - 18

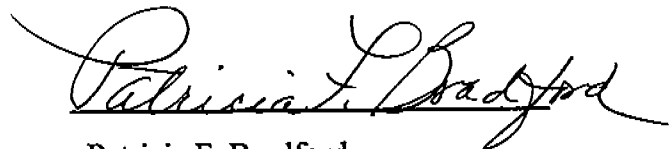
**SECTION I: FY99-FY00 VERIFICATION OF INTENT**

The FY99-00 State Plan for Aging Programs is hereby submitted by the West Virginia Bureau of Senior Services for the period of October 1, 1998 through September 30, 2000. This document includes all assurances and plans to be conducted by the West Virginia Bureau of Senior Services under provisions of the Older Americans Act, as amended, during the period identified. The State Unit on Aging, as identified, has been given the authority to develop and administer the State Plan for Aging Programs in accordance with all requirements of the Act, and is primarily responsible for the coordination of all State activities related to the purposes of the Act. The West Virginia Bureau of Senior Services will assume full authority to develop and administer the State Plan in accordance with all requirements of the Act and related State policies, procedures and regulations. In accepting this authority, the West Virginia Bureau of Senior Services assumes the major responsibilities to develop and administer a comprehensive and coordinated system of services and activities for providing a positive impact on the lives of older people within the service area.

By submitting this State Plan to the United States Administration of Aging for approval, the West Virginia Bureau of Senior Services and its provider agencies agree to comply with all requirements identified in the Older Americans Act.

8-25-98

Date

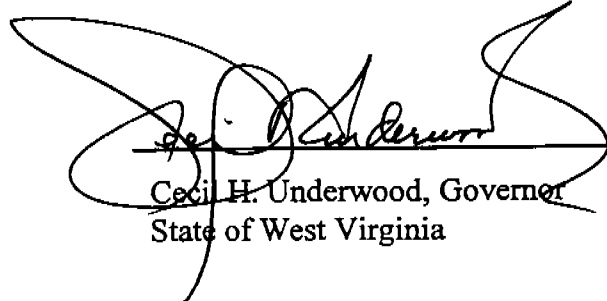


Patricia F. Bradford  
Commissioner

I hereby approve this State Plan for Aging Programs and submit it to the United States Assistant Secretary for Aging for approval.

8/26/98

Date



Cecil H. Underwood, Governor  
State of West Virginia

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## SECTION II: ASSURANCE OF COMPLIANCE

**This section of the FY99 through FY00 State Plan for Aging Programs asserts West Virginia's acceptance of the following federal conditions and assurances which govern use of Older Americans Act funds (Public Law 89-73 as amended on September 30, 1992).**

Sec. 305(a)(2)(B) The State agency shall provide assurances satisfactory to the Assistant Secretary, that it will take into account, in connection with matters of general policy arising in the development and administration of state plans for any fiscal year, the views of recipients of supportive services or nutrition services, or individuals using multipurpose senior centers provided under such plan.

Sec. 305(a)(2)(C) the State agency shall in consultation with area agencies, in accordance with guidelines issued by the Assistant Secretary, and using the best available data, develop and publish for review and comment a formula for distribution within the State of funds received under this title that takes into account (i) the geographical distribution of older individuals in the State; and (ii) the distribution among planning and service areas of older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority older individuals;

Sec. 305(a)(2)(E) The State agency shall provide assurances that preference will be given to providing services to older individuals with the greatest economic and individuals with greatest social need, with particular attention to low-income minority individuals, and include proposed methods of carrying out the preference in the State plan.

Sec. 305(a)(2)(F) The State agency shall provide assurances that it will require use of outreach efforts described in section 307(a)(24).

Sec. 305(a)(2)(G)(i) The State agency will set specific objectives, in consultation with area agencies on aging, for each planning and service area for providing services funded under this title to low-income minority older individuals.

Sec. 305(a)(G)(ii) The State agency will provide an assurance that it will undertake specific program development, advocacy, and outreach efforts focused on the needs of low-income minority older individuals.

Sec. 305(a)(G)(iii) The State agency will provide a description of the efforts described in subparagraph (ii) that will be undertaken by the State agency.

Sec. 306 (a)(5)(A)(i) provide assurances that the area agency on aging will set specific objectives for providing services to older individuals with greatest economic and social need including specific objectives for providing services to low-income minority individuals, and proposed methods of carrying out the preference in the area plan.

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Sec. 306(a)(13) requires area agency to describe [in the area plan] all of the area agency activities, whether funded by public or private funds and assure that the activities conform with the responsibilities of the area agency, laws, regulations and state policy.

Sec. 306(a)(14) requires an assurance that the area agency will: maintain the integrity and public purpose of services; disclose to the Commissioner and State agency the identity of each non-governmental entity with which it has a contract and the nature of the contract; demonstrate that services will be enhanced by the contract; and, on request of the Assistant Secretary or State, disclose all sources and expenditures of funds.

Sec. 306(a)(15) each area agency shall provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title.

Sec. 306(a)(16) each area agency shall provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title.

Sec. 306(a)(17) requires the area agency to assure that projects will reasonably accommodate participants described in Sec. 307(a)(13)(G), that is, persons with particular dietary needs.

Sec. 306(a)(18) requires the area agency to assure, to the maximum extent feasible, coordination between Title III and Title VI services.

Sec. 306(a)(19) requires the area agency to assure that it will pursue activities to increase access to Title III services by Native Americans and to specify the ways in which the area agency intends to implement the activities.

Sec. 307(a)(1) The State plan shall provide, where appropriate, assurances that the State plan will be based upon areas' plans developed by area agencies on aging within the State designated under section 305(a)(2)(A) and that the State will prepare and distribute a uniform format for use by area agencies in developing area plans under section 306.

Sec. 307(a)(2) The plan shall provide that each area agency on aging designated under section 305(a)(2)(A) will develop and submit to the State agency for approval an area plan which complies with the provisions of section 306.

Sec. 307(a)3(A) The plan shall provide that the State agency will evaluate the need for supportive services (including legal assistance and transportation services), nutrition services, and multipurpose senior centers within the State and determine the extent to which existing public or private programs meet such need. To conduct the evaluation, the State agency shall use the procedures implemented under section 202(a)(29).

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Sec. 307(a)(3)(B) The State plan shall provide assurances that the State agency will spend in each fiscal year, for services to older individuals residing in rural areas in the State assisted under this title, an amount equal to not less than 105 percent of the amount expended for such services (including amounts expended under title V and title VII) in fiscal year 1978.

Sec. 307(a)(4) The plan shall provide for the use of such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Assistant Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient administration of the plan, and, where necessary, provide for the reorganization and reassignment of functions to assure such efficient administration.

Sec. 307(a)(5) The plan shall provide that the State agency will afford an opportunity for a hearing upon request to any agency on aging submitting a plan under this title, to any provider of a service under such a plan, or to any applicant to provide a service under such a plan. The State agency shall establish and publish procedures for requesting and conducting such a hearing.

Sec. 307(a)(6) The plan shall provide that the State agency will make such reports, in such form, and containing such information, as the Assistant Secretary may require, and comply with such requirements as the Assistant Secretary may impose to insure the correctness of such reports.

Sec. 307(a)(7)(A) The State plan shall provide assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid to the recipients of a grant or contract.

Sec. 307(a)(7)(B)(i) The State plan shall provide assurances that no individual (appointed or otherwise) involved in the designation of the State agency or an area agency on aging, or in the designation of the head of any subdivision of the State agency or of an area agency on aging, is subject to a conflict of interest prohibited under this Act.

Sec. 307(a)(7)(B)(ii) The State plan provides assurances that no officer, employee, or other representative of the State agency or an area agency on aging is subject to a conflict of interest prohibited under this Act.

Sec. 307(a)(7)(B)(iii) The State plan shall provide assurances that mechanisms are in place to identify and remove conflicts of interest prohibited under this Act.

Sec. 307(a)(7)(C)(i) The State plan shall provide assurances that the State agency and each area agency on aging will maintain the integrity and public purpose of services provided, and service providers, under the State plan in all contractual and commercial relationships.

Sec. 307(a)(7)(C)(ii) The State plan shall provide assurances that the State agency will disclose to the Assistant Secretary the identity of each non-governmental entity with which the State agency or area

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agency on aging has a contract or commercial relationship relating to providing any services to older individuals, and the nature of such contract or such relationship.

Sec. 307(a)(7)(C)(iii) The State plan shall provide assurances that the State agency will demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided under this Act by such agency, has not resulted and will not result from such contract or such relationship.

Sec. 307(a)(7)(C)(iv) The State plan shall provide assurances that the State agency will demonstrate that the quantity or quality of the services to be provided under the State plan will be enhanced as a result of such contract or such relationship.

Sec. 307(a)(7)(C)(v) The State plan shall provide assurances that the State agency will on the request of the Assistant Secretary, for the purpose of monitoring compliance with this Act (including conducting of an audit), disclose all sources and expenditures of funds the State agency and area agency on aging receive or expend to provide services to older individuals.

Sec. 307(a)(8) The plan shall provide that the State agency will conduct periodic evaluations of, and public hearings on, activities and projects carried out under the State plan, including an evaluation of the effectiveness of the State agency in reaching older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals. In conducting such evaluations and public hearings, the State agency shall solicit the views and experiences of entities that are knowledgeable about the needs and concerns of low-income minority older individuals.

Sec. 307(a)(9) The plan shall provide for establishing and maintaining information and assistance services in sufficient numbers to assure that all older individuals in the State who are not furnished adequate information and assistance services under section 306(a)(4) will have reasonably convenient access to such services.

Sec. 307(a)(10) The plan shall provide that no supportive services, nutrition services, or in-home services (as defined in section 342) will be directly provided by the State agency or an area agency on aging, except where, in the judgment of the State agency, provision of such services by the State agency or an area agency on aging is necessary to assure an adequate supply of such services, or where such services are directly related to such State or area agency on aging's administrative functions, or where such services of comparable quality can be provided more economically by such State or area agency on aging.

Sec. 307(a)(11) The plan shall provide that subject to the requirements of merit employment systems of State and local governments - (A) preference shall be given to older individuals; and (B) special consideration shall be given to individuals with formal training in the field of aging (including an educational specialty or emphasis in aging and a training degree or certificate in aging) or equivalent professional experience in the field of aging; for any staff positions (full time or part time) in State and area agencies for which such individuals qualify.

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Sec. 307(a)(12) The State plan shall provide assurances that the State agency will carry out, through the Office of the State Long Term Care Ombudsman, a State Long Term Care Ombudsman program in accordance with section 712 and this title.

Sec. 307(a)(13) The plan shall provide with respect to nutrition services that (A) each project providing nutrition services will be available to older individuals and to their spouses, and may be made available to handicapped or disabled individuals who have not attained 60 years of age but who reside in housing facilities occupied primarily by older individuals at which congregate nutrition services are provided; (B) primary consideration shall be given to the provision of meals in a congregate setting, except that each area agency on aging (i) may award funds made available under this title (other than under section 303(b)(3) to organizations for the provision of home delivered meals to older individuals in accordance with the provisions of subpart 2 of part C, based upon a determination of need made by the recipient of a grant or contract entered into under this title, without requiring that such organizations also provide meals to older individuals in a congregate setting; and (ii) shall, in awarding such funds, select such organizations in a manner which complies with the provisions of sub-paragraph (H); (C)(i) each project will permit recipients of grants or contracts to solicit voluntary contributions for meals furnished in accordance with guidelines established by the Assistant Secretary, taking into consideration the income ranges of eligible individuals in local communities and other sources of income of the recipients of a grant or contract; and (ii) such voluntary contributions will be used to increase the number of meals served by the project involved, to facilitate access to such meals, and to provide other supportive services directly related to nutrition services; (D) in the case of meals served in a congregate setting, a site for such services and for comprehensive supportive services is furnished in as close proximity to the majority of eligible individuals' residences as feasible, with particular attention upon a multipurpose senior center, a school, a church, or other appropriate community facility, preferably within walking distance where possible, and where appropriate, transportation to such site is furnished; (E) each project will establish outreach activities which assure that the maximum number of eligible individuals may have an opportunity to participate; (F) each project will establish and administer the nutrition project with the advice of dietitians (or individuals with comparable expertise) persons competent in the field of service in which the nutrition project is being provided, older individuals who will participate in the program, and of persons who are knowledgeable with regard to the needs of older individuals; (G) each project will provide special menus, where feasible and appropriate to meet the particular dietary needs arising from the health requirements, religious requirements, or ethnic backgrounds of eligible individuals; (H) each area agency on aging will give consideration where feasible, in the furnishing of home delivered meals to the use of organizations which (i) have demonstrated an ability to provide home delivered meals efficiently and reasonably; and (ii) furnish assurances to the area agency on aging that such an organization will maintain efforts to solicit voluntary support and that funds made available under this title to the organization will not be used to supplant funds from non-Federal sources; (I) each area agency on aging shall establish procedures that will allow nutrition project administrators the option to offer a meal, on the same basis as meals are provided to participating older individuals, to individuals providing volunteer services during the meal hours, and to individuals with disabilities who reside at home with and accompany older individuals who are eligible under this Act; (J) each nutrition project shall provide nutrition education on at least a semiannual basis to participants in programs described in part C; (K) each project shall comply with applicable provisions of State or local laws regarding the safe and sanitary handling of food, equipment, and supplies used in the storage, preparation, service, and delivery of meals to an older individual; (L) the State agency will monitor, coordinate, and assist in the planning of nutritional services, with the

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advice of a dietitian or an individual with comparable expertise; and (M) the State agency will (i) develop nonfinancial criteria for eligibility to receive nutrition services under section 336; and (ii) periodically evaluate recipients of such services to determine whether they continue to meet such criteria.

**Sec. 307(a)(14)** The State plan shall, with respect to the acquisition, (in fee simple or by lease for 10 years or more), alteration, or renovation of existing facilities (or the construction of new facilities in any area in which there are no suitable structures available), as determined by the state agency, after full consideration of the recommendations by area agencies on aging, to be a focal point for the delivery of services assisted under this title) to serve as multipurpose senior centers.

**Sec. 307(a)(14)(A)(i)** The State plan shall contain or is supported by reasonable assurances that for not less than 10 years after acquisition, or not less than 20 years after the completion of construction, the facility will be used for the purpose for which it is to be acquired or constructed, unless for unusual circumstances the Assistant Secretary waives the requirement of this division.

**Sec. 307(a)(14)(A)(ii)** The State plan shall contain or is supported by reasonable assurances that sufficient funds will be available to meet the non-Federal share of the cost of acquisition or construction of the facility.

**Sec. 307(a)(14)(A)(iii)** The State plan shall contain or is supported by reasonable assurances that sufficient funds will be available when acquisition or construction is completed, and that the facility will effectively use that facility according to the purpose in which it is being acquired or constructed.

**Sec. 307(a)(14)(A)(iv)** The State plan shall contain or is supported by reasonable assurances that the facility will not be used and is not intended to be used for sectarian instruction or as a place for religious worship.

**Sec. 307(a)(14)(B)** The State plan shall contain or is supported by reasonable assurance that, in the case of purchase or construction, there are no existing facilities in the community suitable for leasing as a multipurpose senior center.

**Sec. 307(a)(14)(D)** The State plan shall contain or is supported by adequate assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on the facility will be paid wages at rates not less than those prevailing for similar work in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (40 U.S.C. 276a--276A-5, commonly known as the Davis-Bacon Act), and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in reorganization plan numbered 14 of the 1950 (15 FR 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

**Sec. 307(a)(14)(E)** The State plan shall contain assurance that the State agency will consult with the Secretary of Housing and Urban Development with respect to the technical adequacy of any proposed alteration or renovation.

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Sec. 307(a)(15)(A)(i) The State plan shall provide that, with respect to legal assistance, that area agencies on aging will enter into contracts with providers of legal assistance which can demonstrate the experience or capacity to deliver legal assistance.

Sec. 307(a)(15)(A)(ii) The State plan shall provide that, with respect to legal assistance, that area agencies on aging will include in any such contract provisions to assure that any recipient of funds under the above division will be subject to specific restrictions and regulations promulgated under the Legal Service Corporation Act (other than restrictions and regulations governing eligibility for legal assistance under such Act and governing membership of local governing boards) as determined appropriate by the Assistant Secretary.

Sec. 307(a)(15)(A)(iii) The State plan shall provide that, with respect to legal assistance, that area agencies on aging will attempt to involve the private bar in legal assistance activities authorized under this title, including groups within the private bar furnishing services to older individuals on a pro bono and reduced fee basis.

Sec. 307(a)(15)(B) The State plan shall provide that no legal assistance will be furnished unless the grantee--administers a program designed to provide legal assistance to older individuals with social or economic need and has agreed, if the grantee is not a Legal Services Corporation project grantee, to coordinate its services with existing Legal Services Corporation projects in the planning and service area in order to concentrate the use of funds provided under this title on individuals with the greatest such need and the area agency on aging makes a finding after assessment, pursuant to standards for service promulgated by the Assistant Secretary, that any grantee selected is the entity best able to provide the particular services.

Sec. 307(a)(15)(D) The State plan shall provide, to the extent practicable, that legal assistance furnished under the plan will be in addition to any legal assistance for older individuals being furnished with funds from sources other than this Act and that reasonable efforts will be made to maintain existing levels of legal assistance for older individuals.

Sec. 307(a)(15)(E) The State plan shall provide that area agencies on aging will give priority to legal assistance related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination.

Sec. 307(a)(16) The State plan shall, for a fiscal year whenever the state desires, provide services in the prevention of abuse of older individuals that any area agency on aging carrying out such services will conduct a program consistent with relevant State law and coordinated with existing State adult protective service activities for public education to identify and prevent abuse of older individuals; receipt of reports of abuse of older individuals, active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance where appropriate and consented to by the parties to be referred, and referral of complaints to law enforcement or public protective service agencies where appropriate.

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Sec. 307(a)(17) The State plan shall provide that the State agency will provide in-service training opportunities for personnel of agencies and programs funded under this Act.

Sec. 307(a)(18) The State plan shall provide that the State agency will assign personnel (one of whom shall be known as a legal assistance developer) to provide State leadership in developing legal assistance programs for older individuals throughout the State.

Sec. 307(a)(19) The State plan shall, with respect to education and training services, provide assurance that area agencies on aging may enter into grants and contracts with providers of education and training services which can demonstrate the experience or capacity to provide such services (except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriation Acts).

Sec. 307(a)(20)(A) The State plan shall provide assurance that if a substantial number of the older individuals residing in any planning and service area in the State are of limited English-speaking ability, then the State will require the area agency on aging for each such planning and service area to utilize, in the delivery of outreach services under section 306(a)(2)(A), the services of workers who are fluent in the language spoken by a predominant number of such older individuals who are of limited English-speaking ability.

Sec. 307(a)(20)(B) The State plan shall provide assurance, if a substantial number of the older individuals residing in any planning and service area in the State are of limited English-speaking ability, that the area agency on aging will designate an individual employed by the area agency on aging, or available to such area agency on aging on a full-time basis, whose responsibilities will include taking such action as may be appropriate to assure that counseling assistance is made available to such older individuals who are of limited English-speaking ability in order to assist such older individuals in participating in programs and receiving assistance under this Act; and providing guidance to individuals engaged in the delivery of supportive services under the area plan involved to enable such individuals to be aware of cultural sensitivities and to take into account effectively linguistic and cultural differences.

Sec. 307(a)(21) The State plan shall provide assurance that the State agency, in carrying out the State Long-Term Care Ombudsman program, under section 307(a)(12), will expend not less than the total amount expended by the agency in fiscal year 1991 in carrying out such a program under this title.

Sec. 307(a)(22) The plan shall specify a minimum percentage of the funds received by each area agency on aging for part B that will be expended, in the absence of the waiver granted under section 306(b)(1), by such area agency on aging to provide each of the categories of services specified in section 306(a)(2).

Sec. 307(a)(23) The plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared (A) identify the number of low-income minority older individuals in the State; and (B) describe the methods used to satisfy the service needs of such minority older individuals.

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**Sec. 307(a)(24)(A)** The State plan shall provide assurance that the State agency will require outreach efforts that will identify individuals eligible for assistance under this Act, with special emphasis on (1) older individuals residing in rural areas; (2) older individuals with greatest economic need (with particular attention to low income minority individuals); (3) older individuals with greatest social need (with particular attention to low-income minority individuals); (4) older individuals with severe disabilities; (5) older individuals with limited English-speaking ability; and (6) older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals).

**Sec. 307(a)(24)(B)** The State plan shall provide assurance that the older individuals referred to in clauses (1) through (6) of subparagraph (A), and the caretakers of such individuals, will be informed of the availability of such assistance.

**Sec. 307(a)(25)** The State plan shall, with respect to the needs of older individuals with severe disabilities, provide assurance that the State will coordinate planning, identification, assessment of needs, and service for older individuals with disabilities with particular attention to individuals with severe disabilities with the State agencies with primary responsibility for individuals with disabilities, including severe disabilities, and develop collaborative programs, where appropriate, to meet the needs of older individuals with disabilities.

**Sec. 307(a)(26)** The State plan shall provide assurance that area agencies will conduct efforts to facilitate the coordination of community-based, long-term care services, pursuant to section 306(a)(6)(I), for older individuals who reside at home and are at risk of institutionalization because of limitations on their ability to function independently; are patients in hospitals and are at risk of prolonged institutionalization; or are patients in long-term care facilities, but who can return to their homes if community-based services are provided to them.

**Sec. 307(a)(27)** The State plan shall, with respect to planning and provision of in-home services under section 341, provide assurance of consultation and coordination with State and local agencies and private nonprofit organizations which administer and provide services relating to health, social services, rehabilitation, and mental health services.

**Sec. 307(a)(28)** The State plan shall provide, that if the State receives funds appropriated under section 303(e), assurances will be given that the State agency and area agencies on aging will expend such funds to carry out part E.

**Sec. 307(a)(29)** The plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared, describe the methods used to satisfy the service needs of older individuals who reside in rural areas.

**Sec. 307(a)(30)** The State plan requires that the State plan include the assurances and descriptions required by Sec. 705(a) [Title VII Vulnerable Elder Rights Protection Activities].

Sec. 307(a)31(A) If 50 percent or more of the area plans in the State provide for an area volunteer services coordinator, as described in section 306(a)(12), the State plan shall provide for a State volunteer services coordinator, who shall (i) encourage area agencies on aging to provide for area volunteer services coordinators; (ii) coordinate the volunteer services offered between the various area agencies on aging; (iii) encourage, organize, and promote the use of older individuals as volunteers to the State; (iv) provide technical assistance, which may include training, to area volunteer services coordinators; and (v) promote the recognition of the contribution made by volunteers to the programs administered under the State plan. (B) If fewer than 50 percent of the area plans in the State provide for an area volunteer services coordinator, the State plan may provide for the State volunteer services coordinator described in subparagraph (A).

Sec. 307(a)(32) The State plan shall provide assurance that special efforts will be made to provide technical assistance to minority providers of services.

Sec. 307(a)(33) The plan (A) shall include the statement and the demonstration required by paragraphs (2) and (4) of section 305(d); and (B) may not be approved unless the Assistant Secretary approves such statement and such demonstration.

Sec. 307(a)(34) The State plan shall provide assurance that the State agency will coordinate programs under this title and title VI, if applicable.

Sec. 307(a)(35) The State plan shall provide assurance that the State agency will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits under this title, if applicable; and specify the ways in which the State agency intends to implement the activities.

Sec. 307(a)(36) If case management services are offered to provide access to supportive services, the plan shall provide that the State agency shall ensure compliance with the requirements specified in section 306(a)(20).

Sec. 307(a)(37) The plan shall identify for each fiscal year, the actual and projected additional costs of providing services under this title, including the cost of providing access to such services, to older individuals residing in rural areas in the State (in accordance with a standard definition of rural area specified by the Assistant Secretary).

Sec. 307(a)(38) The State plan shall provide assurance that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the State or an area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title.

Sec. 307(a)(39) The State plan shall provide assurance that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title.

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Sec. 307(a)(40) The State plan shall provide assurance that if the State receives funds appropriated under section 303(g) the State agency and area agencies on aging will expend such funds to carry out part G.

Sec. 307(a)(41) The State plan shall provide assurance that demonstrable efforts will be made to coordinate services provided under this Act with other State services that benefit older individuals; and to provide multi generational activities, such as opportunities for older individuals to serve as mentors or advisors in child care, youth day care, educational assistance, at-risk youth intervention, juvenile delinquency treatment, and family support programs.

Sec. 307(a)(42) The State plan shall provide assurance that the State will coordinate public services within the State to assist older individuals to obtain transportation services associated with access to services provided under this title, to services under title VI, to comprehensive counseling services, and to legal assistance.

Sec. 307(a)(43) The plan shall provide that the State agency shall issue guidelines applicable to grievance procedures required by section 306(a)(6)(P).

Sec. 307(a)(44) The State plan shall provide assurance that the State has in effect a mechanism to provide for quality in the provision of in-home services under this title.

Sec. 705(a)(1) The State agency shall include in the State plan submitted under section 307 assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will establish programs in accordance with the requirements of this chapter.

Sec. 705(a)(2) The State agency shall include in the State plan submitted under section 307 assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will hold public hearings and use other means, to obtain the views of older individuals, area agencies on aging, recipients of title VI, and other interested persons regarding programs carried out under this chapter.

Sec. 705(a)(4) The State agency shall include in the State plan submitted under section 307 assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out the vulnerable elder rights protection activities described in the chapter.

Sec. 705(a)(5) The State agency shall include in the State plan submitted under section 307 assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will place no restrictions, other than the requirements referred to in clauses (i) through (iv) of section 712(a)(5)(C), on the eligibility of entities for designation as local Ombudsman entities under section 712(a)(5).

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Sec. 705(a)(6)(A) The State agency shall include in the State plan submitted under section 307 assurance that the State, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3, will conduct a program of services consistent with relevant State law and coordinated with existing State adult protective service activities for public education to identify and prevent elder abuse; receipt of reports of elder abuse; active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance if appropriate and if the individuals to be referred consent; and referral of complaints to law enforcement or public protective service agencies if appropriate.

Sec. 705(a)(6)(B) The State agency shall include in the State plan submitted under section 307 assurance that the State, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3, will not permit involuntary or coerced participation in the program of services described in subparagraph (A) by alleged victims, abusers, or their households.

Sec. 705(a)(6)(C) The State agency shall include in the State plan submitted under section 307 assurance that the State, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3, that permit all information gathered in the course of receiving reports and making referrals to remain confidential except if all parties to such complaint consent in writing to the release of such information; if the release of such information is to a law enforcement agency, public protective service agency, licensing or certification agency, ombudsman program, or protection or advocacy system; or upon court order.

Sec. 705(a)(7)(A) The State agency, from funds appropriated under section 702(d) for chapter 5, will make funds available to eligible area agencies on aging to carry out chapter 5 and, in distributing such funds among eligible area agencies, will give priority to area agencies on aging based on the number of older individuals with greatest economic need, and older individuals with greatest social need, residing in their respective planning and service areas; and the inadequacy in such areas of outreach activities and application assistance of the type specified in chapter 5.

Sec. 705(a)(7)(B) The State agency will require, as a condition of eligibility to receive funds to carry out chapter 5, an area agency on aging to submit an application that describes the activities for which such funds are sought; provides for an evaluation of such activities by the area agency on aging; and includes assurances that the area agency on aging will prepare and submit to the State agency a report of the activities conducted with funds provided under this paragraph and the evaluation of such activities.

Sec. 705(a)(7)(C) The State agency will distribute to area agencies on aging the eligibility information received under section 202(a)(20) from the Administration; and information, in written form, explaining the requirements for eligibility to receive medical assistance under title XIX of the Social Security Act (42 U.S.C. 1296 et seq.).

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Sec. 705(a)(7)(D) The State agency will submit to the Assistant Secretary a report on the evaluations required to be submitted under subparagraph (B); and a description of the manner in which the State agency will carry out this title in accordance with the assurances described in paragraphs (1) through (7).

Sec. 705(a)(8) a description of the manner in which the State agency will carry out this title in accordance with the assurances described in paragraphs (1) through (7). (b) PRIVILEGE. --Neither a State, nor a State agency, may require any provider of legal assistance under this subtitle to reveal any information that is protected by the attorney-client privilege.

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## SECTION III: WEST VIRGINIA CHARACTERISTICS

### West Virginia Characteristics

The State of West Virginia has 24,282 square miles with elevations as high as 4,800 feet. Federally recognized as the only State entirely within the Appalachian Region, West Virginia has 1.8 million residents and is the third most rural state in the country.

The State is comprised of fifty-five counties with individual county seats of government. Each county elects a maximum of three commissioners to manage county affairs. Elected state officials include the Governor, Secretary of State, Attorney General, State Treasurer, State Auditor and an Agriculture Commissioner. The State Legislature is comprised of one-hundred Delegates and thirty-four Senators; the Legislature meets during a sixty day session at the beginning of each year. To represent the State on the national level, West Virginia elects two Senators and three Congressman.

Both unique and diverse, the culture and social perceptions of older West Virginians are based on independence, self-sufficiency and preservation of the family homestead. Not surprising, the State maintains the second

highest percent of homeowners in the nation and the highest percentage of homeowners, sixty years of age and older. Regarding older residents, West Virginia maintains the highest median age in the nation at 37.7 years of age, with over twenty-five percent of the population being at least age fifty-five. The 1990 Bureau of Census data shows West Virginia as having 360,519 people, age sixty and older (20%) and 268,897 people age sixty-five and older (15%).

In terms of functional capacity, 30,656 older West Virginians (65+) are limited in their ability to perform major activities. Compounding this high prevalence of chronic care conditions, the State also maintains a high poverty level, with 17% of the adult population living at or below poverty. From a medical perspective, the majority of the state is designated as being both Medically Underserved and a Health Professional Shortage Area. In 1995, the state mortality rate for heart disease was 17% higher than the national average, the cancer rate was 11% higher, pulmonary disease was 31% higher, and diabetes and suicide ran 28% higher than national averages.

## SECTION IV: ORGANIZATION/MISSION STATEMENT

Under the authority of the West Virginia Code, Chapter 16, Article 5N, the West Virginia Bureau of Senior Services is given authority and responsibility as West Virginia's State Unit on Aging.

### **§ 16-5N-1. Creation and composition.**

The purpose of this article is to create a bureau in state government which promotes services to enhance the health, safety and welfare of West Virginia's senior population and serves as the primary agency within state government to provide services to the senior population.

### **§ 16-5N-12. Designated state agency for handling federal programs.**

The bureau shall constitute the designated state agency for handling all programs of the federal government relating to the aging requiring action within the state, which are not the specific responsibility of another state agency under the provisions of federal law or which have not been specifically entrusted to another state agency by the Legislature. The bureau shall be empowered to comply with all regulations and requirements to qualify for federal grants and to administer such federal funds.

### **State Authorized Functions - Article 5N-6 indicates that the Commissioner of the Bureau shall:**

- 1) Conduct and coordinate studies of the problems of the state's older people;
- 2) Encourage and promote the establishment of local programs and services for the aging;
- 3) Conduct programs of public education on the problems of the aging;

4) Review state programs for the aging, and annually make recommendations to the governor and the Legislature;

5) Encourage and assist governmental and private agencies to coordinate efforts on behalf of the aging;

6) Coordinate statewide local and voluntary efforts to serve the aging and develop programs at the local level;

7) Submit an annual report to the governor on the condition, operation and functioning of the bureau.

In broad terms, the Bureau of Senior Services is charged with two primary responsibilities: 1) to represent the state's concern for its older citizens and to advocate on their behalf; and 2) to encourage and aid in the development of services which promote and maintain the economic, social, physical and mental well-being of West Virginia's seniors.

### **Federally Authorized Functions**

**From the perspective of the Federal Older Americans Act of 1965, as amended, the Bureau is the single State Unit on Aging, responsible for developing and administering a State Plan that responds to all requirements of the Act, for allocating and accounting for those federal funds appropriated for aging programs, and for serving as a liaison with the federal Administration on Aging in proposing and commenting upon national policy and regulations affecting older Americans.**

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In conformance with Older Americans Act requirements and to lend direction to the state's extensive network of aging programs, the Bureau of Senior Services requires an annual plan from each of state's four designated area agencies on aging. Each plan specifies the types and levels of service that will be provided to meet the particular needs of the elderly within each of the four planning and services areas, based on both community and area needs assessments. Area plans also emphasize coordination with other public/private resources to avert duplication or overlap in programming.

This also involves the recognition of the strengths of the older population especially in the areas of volunteering which focuses on individuals' needs and senior leadership to improve the social conditions of all older individuals in West Virginia.

### **Mission Statement**

The Bureau of Senior Services establishes a comprehensive integrated array of services which are client-driven, locally based and quality oriented at a reasonable cost to senior citizens. The services packages developed to accomplish this mission will be prioritized first to in-home, community based, long-term care clients to enable them to maintain independence for as long as possible in local settings. Second level priority services are those which are preventive and supportive in nature.

- 1) Senior citizens activities, such as congregating and home meals, transportation, personal care and waiver services are the elements of the first level priorities.
- 2) Legal assistance, abuse prevention, housing assistance and referral are elements of the second level.

Administratively, the priority mission of the Bureau is to closely integrate management practice among its programs with service providers to enhance client placement, service options and quality delivery systems through the following programs: Older Americans Act, Medicaid Waiver and Community Care.

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## SECTION V. GOALS AND OBJECTIVES

**In order to meet the mandates of the Older Americans Act and West Virginia Stat law and to address the needs of older West Virginians, the Bureau of Senior Services has identified three functional areas around which the State Plan goals and objectives are based. Those areas are: Administration and Systems Development, Programs and Services, and Elder Rights and Advocacy.**

- A. ADMINISTRATION AND SYSTEMS DEVELOPMENT GOAL: The Bureau of Senior Services will continue to administer integrated statewide programs in support of a county-based service delivery system.**
1. To work with all levels of the aging network to effectively manage the programs administered by the Bureau.
    - a. Continue participating in the CORE Management process to share information and receive input from all agencies involved in the provision of services administered by the Bureau of Senior Services.
    - b. Educate Bureau staff in regard to the regulations of each program with special emphasis on Congressional changes related to Social Security and Medicare.
    - c. Expand both formal and informal communications with the Governor's Office and State Legislature in regard to the diversity of issues facing older West Virginians.
    - d. Revise the Bureau's Policy and Procedure Manual to more accurately reflect programs and funding sources administered by the agency.
  2. To increase the utilization of electronic communications between the state and provider network.
    - a. Continue support of the Bureau of Senior Services Client Tracking System and investigate potential changes to make the system more compatible with other data base systems.
    - b. Continue to provide technical assistance and support to the provider network in the electronic transfer of programmatic and financial data.
    - c. Develop a Bureau of Senior Services Home Page on the Internet.

3. To administer additional state funding received for senior center construction/renovation.
  - a. Provide technical assistance to aging network providers in the planning and designing of new senior centers and renovations to the current centers.
  - b. Develop funding packages for the construction/renovation projects.
  - c. Monitor the progress of each project and provide technical assistance as needed.

**B. PROGRAMS AND SERVICES GOAL: The Bureau of Senior Services will maintain delivery of services to the state's targeted population groups in the most efficient and cost effective manner possible.**

1. To continue the administration of the Title XIX Community Care (Personal Care) and the Title XIX Aged and Disabled Waiver Program.
  - a. Enhance coordination between Older Americans Act and Title XIX Community Care and Aged and Disabled Waiver Program providers.
  - b. Advocate for the continued improvement and enhancement of services for individuals served under these programs.
  - c. Enhance accountability and program reporting for Title XIX providers.
2. To administer the West Virginia legislative funded program, LIFE (Legislative Initiatives for the Elderly).
  - a. Continue to report to the Legislature the results the LIFE program has on the senior population.
  - b. Advocate to the Legislature for enhancements to LIFE, based on the needs of seniors.
3. To continue the administration of the Title V program.
  - a. Work closely with local community resources and state agencies to ensure that economically disadvantaged seniors age 55+ are provided access to employment and training opportunities.
  - b. Develop performance guidelines requiring the Title V subsponsors to adhere to specific and stringent standards in order to ensure that unsubsidized placement goals are met in a more timely and efficient manner by all local providers.

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4. To continue the administration of the Health Care Financing Administration's Beneficiary Services and Information Grants Program.
    - a. Continue the integration of West Virginia's SHINE program with services provided by the Older Americans Act.
    - b. Train appropriate staff at the state, regional and local level in regard to changes in the Social Security and Medicare programs.
  5. To continue to effectively administer the Foster Grandparent Program.
    - a. Assess the special needs of the children served by the Foster Grandparent Program and collaborate with other agencies to meet those needs.
    - b. Develop performance based measures as directed by the Corporation for National Service.
  6. To expand the Governor's Golden Mountaineer Program.
    - a. Work with the county service providers to increase the number of vendors participating in the program.
    - b. Increase the availability of the Golden Mountaineer card to all seniors.
  7. To increase coordination with special population organizations.
    - a. Expand involvement with the Alzheimer's Association chapters operating in the state.
    - b. Continue providing support to the West Virginia Planning Council for the Developmentally Disabled.
  8. To maintain and support the Bureau's library and resource center.
    - a. Enhance electronic access to resource materials through the use of E-mail and the Internet.
    - b. Increase resource sharing with the West Virginia Library Commission.
    - c. Explore using AARP volunteers to maintain and disseminate information.
    - d. Expand the video section of the Resource Center to better assist providers and advocacy groups.

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9. To continue cooperative efforts with various agencies, organizations and individuals to inform, educate and serve seniors.
- a. Continue to explore emerging needs being created by the growing senior population and research ways to meet those needs.
  - b. Maintain an emphasis on the utilization of volunteers to maximize available program dollars.
  - c. Explore the possibility of non-Older Americans Act funding for educating seniors on the utilization of computers and the Internet.
  - d. Maintain staff support, communications and assistance to the West Virginia Attorney General's Office and AARP representatives on initiatives relating to fraud/consumer protection.
  - e. Continue support of the Bureau's consulting dietitian in efforts to encourage the state's seniors to adopt a more healthy lifestyle.
  - f. Continue involvement with TRIAD and be represented on the TRIAD steering committee to support senior citizens in their effort to combat crime.

C. **ELDER RIGHTS AND ADVOCACY GOAL: The Bureau of Senior Services will continue to advocate for all seniors, and in particular for vulnerable, frail elderly.**

1. To continue implementation of a statewide volunteer ombudsman program.
- a. Expand the recruitment of potential volunteers to work in the ombuds program.
  - b. Continue the ongoing partnership with AARP in targeting their members as potential volunteers in the ombuds program.
  - c. Review methods of measuring the effectiveness of the volunteers.
  - d. Develop a volunteer recognition program for ombuds volunteers.

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2. To enhance coordination between the different agencies responsible for adult protective services, legal services, the ombudsman program and health facilities licensure and certification.
    - a. Update, when necessary, the memorandum of agreement between the agencies.
    - b. Develop and sponsor training that will encourage improved communication and cooperation between various state, regional and local staff.
    - c. Schedule periodic meetings with the policy makers of the involved agencies to share information and to discuss problems and proposed initiatives.
  3. To promote awareness and increase the availability of information relating to guardianship issues.
    - a. Continue to support the statewide Guardianship Task Commission in developing and distributing consumer information on alternatives to guardianship.
    - b. Support legislative reform for public guardianship.
  4. To facilitate awareness of issues relating to elder abuse, neglect and exploitation.
    - a. Further increase public awareness of elder abuse and promote ways that both agencies and the general public can assist in helping prevent abuse.
    - b. Establish the West Virginia Governor's Summit on Aging which will address issues on adult and elder abuse.
  5. To continue the Bureau's role as state and federal legislative advocate for senior citizens.
    - a. Continue to advocate on behalf of seniors before the West Virginia Legislature and Congress.
    - b. Monitor and track proposed changes in state and federal law affecting the senior population; report this information to various senior advocacy groups; and assist those groups in better understanding the legislative process.
    - c. Sponsor the West Virginia Silver Haired Legislature for the purpose of educating seniors in the state legislative process.
    - d. Support the National Silver Haired Congress for the purpose of educating seniors in the federal legislative process.

**SECTION VI: FINANCIAL PLAN**

**A. State Funding Formula**

The West Virginia Bureau of Senior Services allocates Title III-B, C, D, F and Elder Abuse Prevention funds to the Area Agencies on Aging via a formula developed to conform to Older Americans Act requirements. This formula combines factors and weights as listed below, and was implemented in FY 1994.

**Factors**

<u>Factors</u>	<u>Weights</u>
Population aged 60+	.4
Population aged 60+ Low Income	.4
Population aged 60+ Minority	.2
	1.0

Data from the 1990 Census as listed below was used with the Bureau of Social Science Research (BSSR) formula simulation modes (1984) to arrive at the following formula for each region:

<u>Region</u>	<u>Formula</u>
I	.257594
II	.310189
III	.162069
IV	.270148
	1.00000

<u>Region</u>	<u>*Pop60</u>	<u>BPL60</u>	<u>Min60</u>
I	107,341	15,149	2,063
II	112,851	17,263	4,154
III	59,873	10,386	1,460
IV	80,454	13,608	5,603
	360,519	56,406	13,280

\*Pop60 - Population 60+  
 BPL60 - Below Poverty Level 60+  
 Min60 - Minority 60+

**Formula Development and Assumptions**

Funding formula requirements, experience of other states, factors, weights, and demographic materials were reviewed exhaustively for more than a year by a committee consisting of state agency, area agency, and service provider staff. The final factors and weights were recommended by the committee and endorsed by a larger CORE Management Group, also composed of representatives from all levels of the West Virginia aging network.

All three formula factors were selected in response to Older Americans Act directives, which correlate with the need for services. There is acceptable, current, demographic data available for each factor. The weight of .4 was given to the low income factor in recognition of additional needs and requirements to serve those in poverty. The minority factor received the weight of .2 for additional targeting of funds to minority older persons, who are also more likely to have economic needs and will benefit additionally from the low income weighting. Minority persons are also more likely to be in greatest social need, as are low income elderly, and this was recognized in the weights assigned.

The formula, as displayed, is the sum for each region of each factor weight multiplied by one divided by total factor weights, then multiplied by the proportion that region's factor population bears to the state total factor population.

The formula is updated when current, acceptable demographics are available for each factor. This information must be available to the county level — not just on a statewide basis.

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## Formula Application

From the Title III-B allotment to the State, \$127,905 is currently projected to be used for the statewide ombudsman program. In addition, \$70,582 has been set aside for FY99 for a grant to provide legal services statewide. Elder Abuse Prevention funding is allocated by formula; area agencies may delegate administration to the state office for a statewide education initiative.

For state agency administration, \$414,370 has been set aside, allocated from Titles III-B and III-C. No state agency administrative dollars have been budgeted from the other titles for FY1999; however this will be reviewed annually.

The established amount for area agency administration is currently \$148,410 each. This comes from Title III-B, Title III-C and State General Revenue funds to assist with match. This will be reviewed annually.

From Title III-B and State funds, \$40,000 is currently allocated to each planning and service area for each county in the region. This is also subject to review and reconsideration for each funding cycle. The funding formula is applied to the remainder.

The \$40,000 county base assists rural areas, in that a county with a large 60+ population and one with a small 60+ population each receives the \$40,000 base funding.

Other funds authorized by the Older Americans Act that are not allocated by formula include Title V Senior Community Service Employment Program (SCSEP) and USDA cash supplement to the Title III-C meals program. Legislative Initiative for the Elderly (L.I.F.E.), Senior Centers and Programs, and Senior Centers, Maintenance and Repair (all Lottery Proceeds) are not allocated by formula.

## Cost in Rural Areas

West Virginia, according to the latest Census information available, is third highest in the nation in percentage of state population 65+ defined as rural (56%). In eighteen of the fifty-five counties, more than 95% of persons 60+ live in rural areas. In only nine of the counties are less than 50% of older persons classified as rural.

Projections of service costs in rural areas:

FY	Title III- B/D/F	Title III-C
1999	\$2,923,435	\$5,205,856
2000	\$ 2,952,669	\$ 5,257,915

*Note: Cost includes Federal Title III and USDA, State, local match and program income.*

Cost increases are projected for inflation. Assuming funding remains at current levels, a realistic assumption is that total costs will hold relatively constant, and services will be reduced.

**B. Allocation of Funds to Area Agencies and Service Providers for FY 1999**

PLANNING AND SERVICE AREA	TITLE III SERVICE Funds (B, C, D, F, and ELDER ABUSE)	TITLE V	NON-TITLE III FUNDS*	TOTAL FUNDS AWARDED
I	\$ 1,727,026	0	\$ 698,731	\$ 2,425,757
II	\$ 1,808,865	\$ 474,686	\$ 735,150	\$ 3,018,701
III	\$ 1,275,954	\$ 294,555	\$ 515,985	\$ 2,086,494
IV	\$ 1,692,363	\$ 154,454	\$ 686,529	\$ 2,533,346
Other (unclassified)			\$11,462,726	\$11,462,726
<b>Total Allocations</b>	<b>\$ 6,504,208</b>	<b>\$ 923,695</b>	<b>\$14,099,121</b>	<b>\$21,527,024</b>

\*NON-TITLE III FUNDS INCLUDE STATE GENERAL REVENUE OF \$2,489,417. MINIMUM STATE MATCH FOR TITLE III SERVICES IS \$354,149, PLUS \$147,428 CONTRIBUTED BY THE BUREAU FOR AREA AGENCY ADMINISTRATION MATCH.

\*\*OTHER (UNCLASSIFIED) FUNDS INCLUDE USDA, SENIOR CENTER FACILITIES AND SENIOR PROGRAMS (LOTTERY) AND NONMEDICAID COMMUNITY CARE.

**C. Estimated State Agency Budget For FY 1999**

PROGRAMS	FEDERAL TITLE III	STATE FUNDS	TITLE V	OTHER FEDERAL	TOTALS
TITLE III STATE ADMINISTRATION	\$ 414,370				\$ 414,370
LONG TERM CARE OMBUDSMAN PROGRAM:					\$ 0
TITLE IIIB	\$ 127,905				\$ 127,905
NURSING HOME OMBUDSMAN	\$ 35,236				\$ 35,236
LEGAL SERVICES	\$ 70,582				\$ 70,582
OTHER FEDERAL FUNDS					\$ 0
TITLE V SCSEP			\$ 66,483		\$ 66,483
HCFA INFORMATION, COUNSELING, ASST. ACTION: FOSTER GRANDPARENTS PROGRAM				\$ 48,950	\$ 48,950
STATE		\$753,168		\$ 427,751	\$ 427,751
<b>TOTAL</b>	<b>\$ 648,093</b>	<b>\$753,168</b>	<b>\$ 66,483</b>	<b>\$ 476,701</b>	<b>\$1,944,445</b>

NOTE: OTHER THAN FOR STATE AGENCY ADMINISTRATION, TITLE IIIB SUPPORTIVE SERVICES FUNDS ARE USED DIRECTLY BY THE STATE ONLY FOR THE LONG TERM CARE OMBUDSMAN PROGRAM AND THE LEGAL SERVICES PROGRAM, BOTH STATEWIDE. THE LEGAL SERVICES PROGRAM IS ON BEHALF OF THE AREA AGENCIES, AND IS CONTRACTED THROUGH REG 1.

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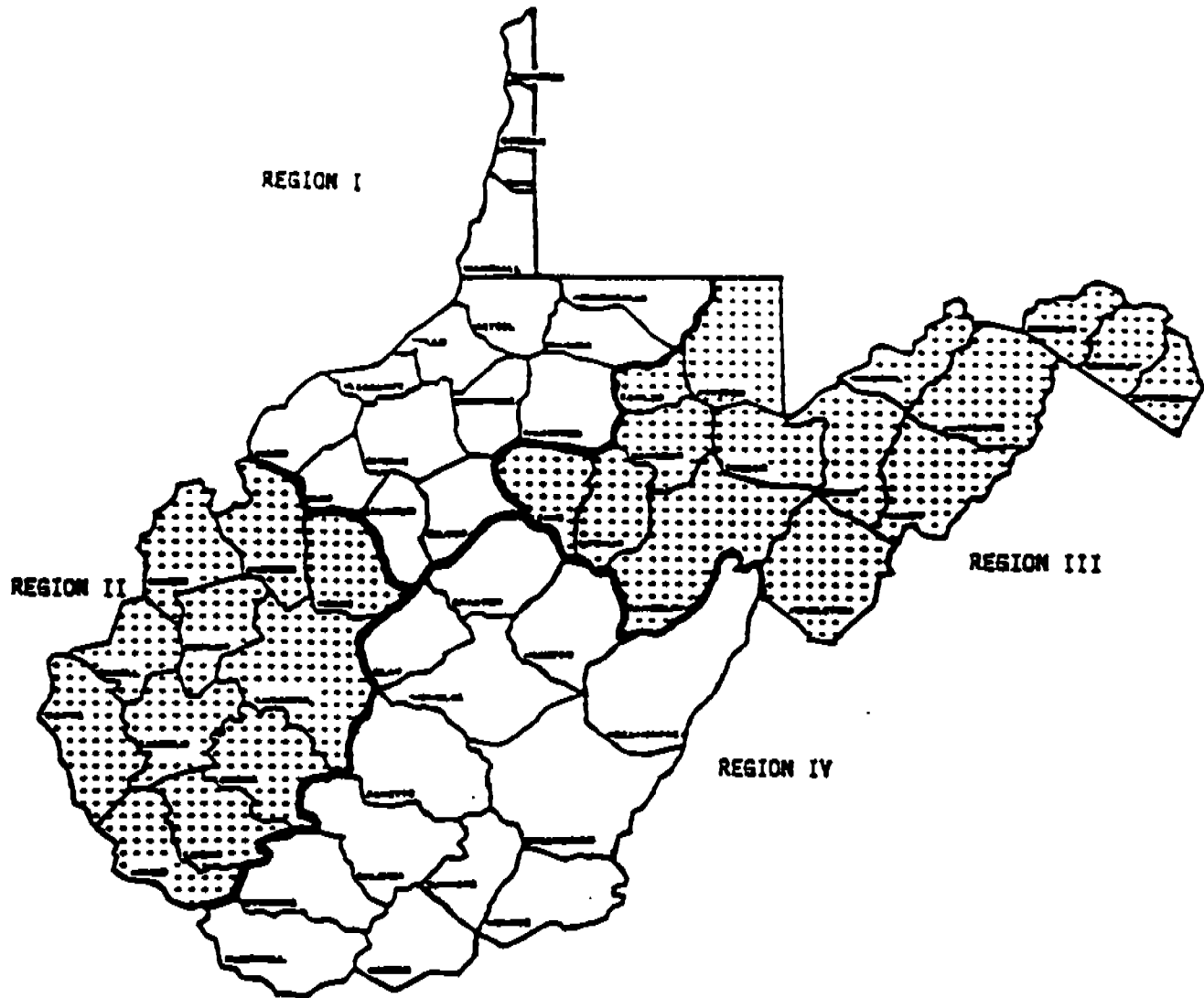
**SUMMARY: SOURCES OF FUNDING (Estimated)**

TITLE III-B	\$ 2,626,680
TITLE III-C	\$ 4,247,893
TITLE III-D	\$ 77,323
TITLE III-F	\$ 127,692
NURSING HOME OMBUDSMAN	\$ 35,236
ELDER ABUSE PREVENTION	\$ 37,477
USDA CASH FOR IIIC MEALS	\$ 1,491,574
TITLE V SCSEP	\$ 990,178
INFO, COUNSELING & ASST	\$ 195,928
FOSTER GRANDPARENTS PRGM	\$ 427,751
STATE GENERAL REVENUE	\$ 3,949,085
STATE LOTTERY	\$ 4,000,000
STATE LOTTERY (SURPLUS, REAPPROP EST)	\$ 5,264,652
	<hr/>
TOTAL	\$23,471,469

# ATTACHMENTS

- A. Planning and Service Areas of West Virginia
- B. Organizational Chart
- C. Criteria Standards & Definitions
  - Program & Criteria Descriptions
  - Service Activity Definitions
- D. Elder Demographics
- E. State Plan Comment Process
  - Public Notification
  - Record of Public Hearings
  - Effect on State Plan

ATTACHMENT A. DESIGNATED PLANNING & SERVICE AREA MAP



**NORTHWESTERN AREA AGENCY ON AGING**

P. O. Box 2086

Wheeling, West Virginia 26003

REGION I (Northwestern West Virginia)

COUNTIES SERVED: Brooke, Calhoun, Doddridge, Gilmer, Hancock, Harrison, Marion, Marshall, Monongalia, Ohio, Pleasants, Ritchie, Tyler, Wetzell, Wirt and Wood.

**WV State College Metro Area Agency on Aging**

P. O. Box 518

Institute, WV 25112-0518

REGION II (Southwestern West Virginia)

COUNTIES SERVED: Boone, Cabell, Jackson, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Roane and Wayne.

**UPPER POTOMAC AREA AGENCY ON AGING**

P. O. Box 869

Petersburg, West Virginia 26847

REGION III (Northeastern West Virginia)

COUNTIES SERVED: Barbour, Berkeley, Grant, Hampshire, Hardy, Jefferson, Lewis, Mineral, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker and Upshur.

**APPALACHIAN AREA AGENCY ON AGING**

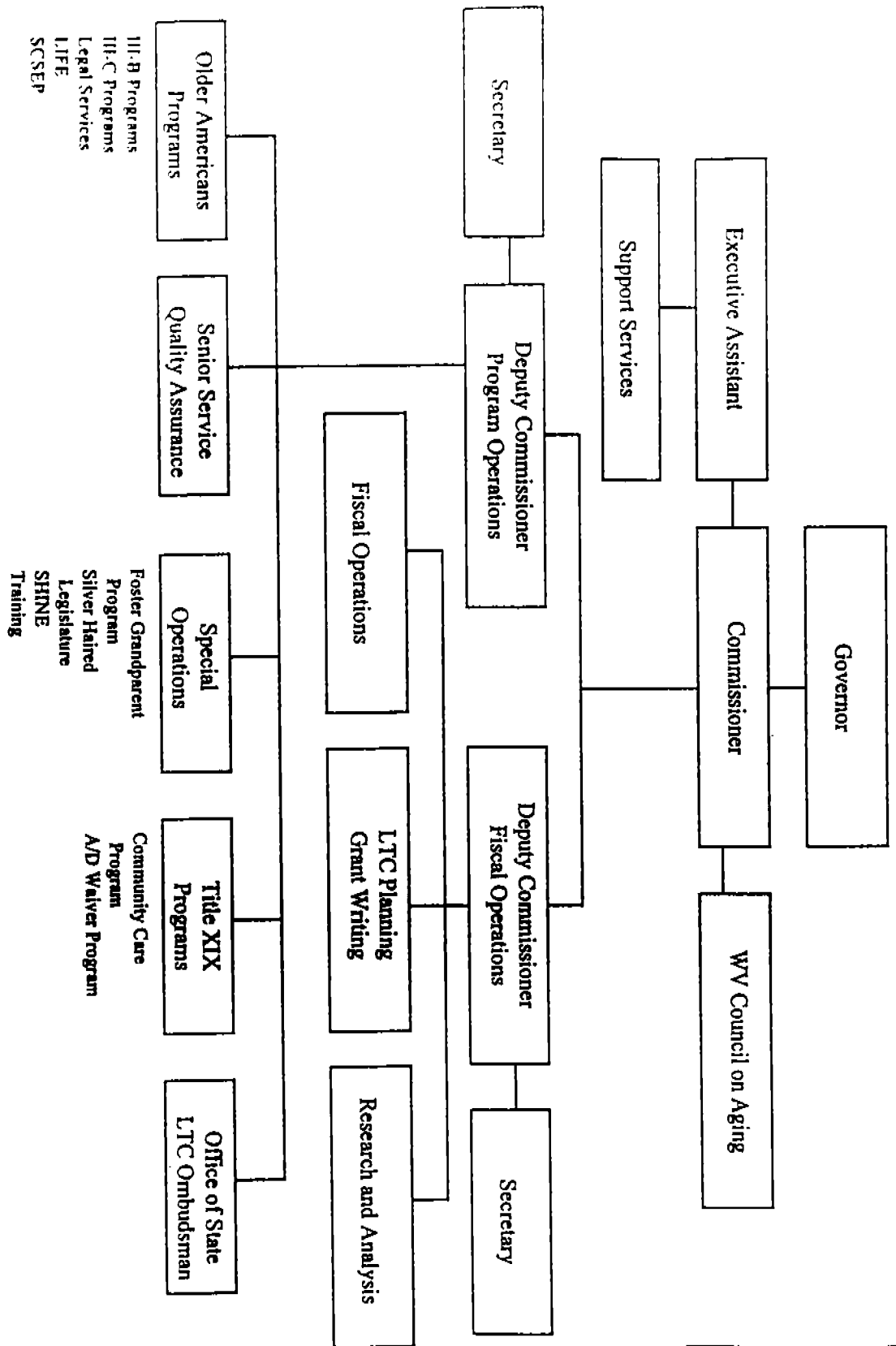
P. O. Box 1432

Princeton, West Virginia 24740

REGION IV (Southeastern West Virginia)

COUNTIES SERVED: Braxton, Clay, Fayette, Greenbrier, McDowell, Mercer, Monroe, Nicholas, Pocahontas, Raleigh, Summers, Webster and Wyoming.

# BUREAU OF SENIOR SERVICES



ATTACHMENT B. ORGANIZATIONAL CHART

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## ATTACHMENT C. - SERVICE DEFINITIONS AND PROGRAM DESCRIPTIONS

### Service Definitions

#### Cluster 1

1. *Adult Day Care* [3101] [S1] (1 Hour) -- Provision of personal care for dependent adults in a supervised, protective, congregate setting. Services offered in conjunction with adult day care typically include social and recreational activities and training.

2. *Case Management* [0601] [S1] (1 Hour) -- A service designed to help older individuals assess their needs and to arrange, coordinate, and monitor an optimum package of services to meet those needs. Includes services and coordination such as (a) comprehensive assessment of the client (including the physical needs); (b) development and implementation of a service plan with the client to mobilize the formal and informal resources and services identified in the assessment to meet the needs of the client, including coordination of the resources and services; (c) coordination and monitoring of formal and informal service delivery, including coordination and monitoring to ensure that services specified in the plan are being provided; and (d) periodic reassessment and revision of the status of the client.

A comprehensive and individual assessment of a client must be completed in order to identify and actively obtain all the services available through any service providers in the community that can meet the individual's needs.

To provide this service, staff specifically trained in the case management approach to service delivery must perform all of the following functions for each client: intake/screening, assessment, care planning, arranging for services, follow-up, monitoring and reassessment.

An integral part of the intake/screening and assessment process must include medical support evaluation provided by a physician or registered nurse.

Nutritional Health Assessment form must be completed and score reported to Client Tracking for each case management client.

3. *Chore* [0301] [S1] (1 Hour) -- To perform household chores such as heavy cleaning (moving furniture, turning mattresses), and yard and walk maintenance, which the client is unable to handle on his own.

This service does not require the services of a trained homemaker or other specialist, nor does it require a care plan.

4. *Home Delivered Meals* [1814] [S1] (1 Meal) -- Provision to an eligible client or other eligible participant at the client's place of residence of a meal that:

(a) complies with the Dietary Guidelines for Americans (published by the Secretaries of the U. S. Department of Health and Human Services and the United States Department of Agriculture) and (b) provides a minimum of one third percent of the daily recommended dietary allowances (RDA, Food and Nutrition Board of the National Academy of Sciences).

Nutritional Health Assessment form must be completed and score reported to Client Tracking for each Home-Delivered Meal recipient. (See HDM Policies and Procedures Manual.)

5. *Homemaker* [1101] [S1] (1 Hour) -- Providing assistance to persons having difficulty with one or more of the following seven instrumental activities of daily living: preparing meals, shopping for personal items, medication management, managing money, using the telephone, doing heavy housework, doing light housework.

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The former services "Housekeeping" and "Shopping" are now included in this definition. "Housekeeping" involves house cleaning, laundry & meal preparation. "Shopping" involves assistance in obtaining food, clothing, medical supplies and household items for seniors confined to their homes/places of residence.

*Homemaker* does not require a care plan. If the senior is capable of going with the provider to obtain needed supplies, *Homemaker* would not be the service provided. *Transportation* or *Assisted Transportation* would be used.

6. *Personal Care* [1901] [S1] (1 Hour) -- Providing personal assistance, stand-by assistance, supervision or cues for persons having difficulties with one or more of the following five activities of daily living: eating, dressing, bathing, toileting, and transferring in and out of bed.

Includes "Respite" care services that offer temporary substitute supports or living arrangements for older persons in order to provide a brief period of relief or rest for family members or other caregivers. If "Respite" is the only facet of this service being provided, a care plan is not required.

#### Cluster 2

7. *Assisted Transportation* [0817] [S1] (1 Trip, one way) --Provision of assistance, including "Escort," to a person who has difficulties (physical or cognitive) using regular vehicular transportation. Transportation provided to each destination is considered a unit.

8. *Congregate Meals* [1714] [S1] (1 Meal)-- Provision to an eligible client or other eligible participant, at a congregate site of a meal that:

(a) complies with the Dietary Guidelines for Americans (published by the Secretaries of the U. S. Department of Health and Human Services and the Department of Agriculture) and

(b) provides a minimum of one third of the daily recommended dietary allowances (RDA, Food and Nutrition Board of the National Academy of Sciences).

Nutritional Health Assessment form must be completed and score reported to Client Tracking for each congregate meal recipient.

9. *Nutrition Counseling* [1710] [X1] (1 Hour) -- Provision of one-on-one advice and guidance to individuals who are at nutritional risk because of their history, current dietary intake, medication use or chronic illnesses. Options and methods for improving their nutritional status must be provided by a registered or licensed dietitian or other health professional functioning within his/her legal scope of practice.

Nutritional Health Assessment form must be completed and score reported to Client Tracking for each Nutrition Counseling client.

#### Cluster 3

10. *Information and Assistance* [2317] [X1] (1 Contact) -- A service for older individuals that (a) provides the individuals with current information on opportunities and services available within their communities, including information relating to assistive technology; (b) assesses the problems and capacities of the individuals; (c) links the individuals to the opportunities available; (d) to the maximum extent practicable, ensures that the individuals receive the services needed, and are aware of the opportunities available, by establishing adequate follow-up procedures. The former service "Referral" is included in this definition

11. *Legal Assistance* [3217] [G6] (1 Hour) -- To provide legal advice and representation by an attorney (including counseling or other appropriate assistance by a paralegal or law student under the supervision of

an attorney, or representation by a non-lawyer where permitted by law) to seniors with economic or social needs. Legal services may include resolution of non-criminal legal matters, protection of legal rights, securing rights and entitlement; tax and financial counseling, advocacy on consumer concerns, referrals to (other) lawyers, income tax preparation, and will clinics.

*12. Nutrition Education* [2614] [G6] (1 Session) -- A service or program to promote better health by providing accurate and culturally sensitive nutrition, physical fitness, or health (as it relates to nutrition) information and instruction to participants and caregivers in a group or individual setting.

Any program offered as *Nutrition Education* must be reviewed/approved by a dietician or individual of comparable expertise. This would minimally include the review of the agenda and training materials. Once approved, the training may be repeated.

*13. Outreach* [0417] [X1] (1 Contact): To seek out and identify inactive (one year or longer) or previously unknown individuals and to encourage them to utilize existing services and benefits. The former service "Client Finding" is included in this definition.

Outreach visits may also be used as a means of clarifying the needs of an already identified client when it is determined assistance cannot be provided by phone or in the office. This service can also be initiated by a telephone contact (i.e., by utilizing a list of potential clients from another agency, but not a referral).

Coordinating Title III services for a new client can be counted as an *Outreach* unit.

If, while performing other responsibilities in the field (i.e., taking LIEAP application), a new client is found and the individual's entire situation and related needs are evaluated, an *Outreach* unit may be counted.

*14. Transportation* [2817] [S1] (1 Trip, one way) -- Provision of a means of transportation for a person who requires help in going from one location to another, using a vehicle. Does not include any other activity. Transportation to each destination is considered a unit.

#### Other Services

*15. Assessment* [0209] [G6] (1 Contact): To provide health care by conducting tests such as blood pressure, hearing, vision, etc. Also includes on-going and regularly scheduled preventive exercise and wellness (physical/mental) programs.

Should an individual be provided several different tests during the same day or within the same announced program (i.e., health fair), this would be counted as only one unit.

*16. Care Training* [1317] [X1] (1 Hour): To provide training for primary caregivers to assist them in the performance of in-home services for dependent seniors. Although this service may (in most instances) be provided to those under the age of 60, the PIF should reflect information regarding the senior for whom the care is provided.

*17. Counseling* [0510] [X1] (1 Hour): To advise and enable the client and/or his family to resolve problems (concrete and/or emotional) or to otherwise relieve temporary stress encountered by them, by using the casework mode of relating to a client (via interview, discussion, etc).

Providers must be trained counselors with a minimum educational background of a Master's degree in social work, clinical psychology, guidance and counseling or a related field.

This service may be performed in a group setting involving those clients with similar problems/ needs.

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18. *Crisis Intervention* [3817] [X1] (1 Hour): To provide linkages between community resources and families or individuals in economic or social crisis.

19. *Discount* [0717] [X1] (1 Card Issued): To provide an identifying card (Golden Mountaineer) that allows a senior age 60 or older to receive a reduction in regular or list price on goods or services. This applies to West Virginia residents only.

20. *Group Meals* [1704] [G6] (1 Meal): A meal that is provided in a group setting (i.e., county picnic) for which PIFs are not completed. See page 16.

21. *Home Care* [3517] [S1] (1 Hour): To strengthen the family and to promote the maximum feasible independence of physically or mentally impaired seniors through the provision of instruction and/or assistance in housekeeping (laundry, food preparation) and personal care.

22. *Home Repair* [2411] [X1] (1 Hour): To improve or maintain the residence of an older person.

This service includes the provision of skilled workmen

and/or materials to improve/maintain a senior's home. Services may include work on safety conditions, adaptations to home to accommodate a disabled senior, weatherization for fuel efficiency and comfort, and installation of security devices and other structural modifications to prevent unlawful entry.

23. *Housing Assistance* [2111] [X1] (1 Hour): To assist a client in obtaining a suitable temporary or permanent place to live.

*Housing Assistance* can be provided to an individual or family unit and can include financial planning, application completion, lease interpretation and assistance with the physical move. This service includes relocation assistance to persons entering or leaving a long-term care facility.

24. *Instruction/Training* [1504] [G6] (1 Contact): To formally or informally present information geared to the interests and concerns of seniors on a planned basis.

*Instruction/Training* sessions can be presented by project personnel or outside resource people. Presentations should be designed to help seniors better cope with their economic, health, environmental and personal needs. Examples of this service include consumer education, health education, pre-retirement education, financial planning, home safety, crime prevention, advocacy and legislative process training (including Senior Days at the Legislature).

Preventicare or other physical fitness sessions that are not ongoing activities should be included in *Instruction/Training*.

If an individual participates in a series of *Instruction/Training* sessions within the same announced program, this would be counted as only one unit.

25. *Letter/Writing/Reading* [1617] [X1] (1 Hour): To read, write, interpret and/or translate business and personal correspondence.

This service is provided upon the request of the senior and in his own place of residence. It may be provided in a senior center if privacy is given and the individual is an ongoing participant at the center.

Assistance in completing forms may be counted under this service if reimbursement is not made for the form completion (i.e., LIEAP).

26. *Material Aid* [1202] [G6] (1 Contact): To provide support in the form of goods or food products, such as the direct distribution of surplus commodities, seeds, garden produce, clothing, smoke detectors, eye glasses, emergency and security devices, etc.

Senior Centers that operate food/medical equipment (assistive technology)/clothing pantries may count these programs under *Material Aid*.

27. *Social Support* [3917] [S1] (1 Hour): To provide educational and counseling-type services to meet a wide range of needs as follows: (a) assisting seniors to recognize and understand health problems and to secure appropriate health services; (b) assisting in the development of home management skills; (c) assisting seniors to obtain and maintain safe and adequate housing; (d) providing transportation to facilitate the delivery of this service.

28. *Telephoning* [2701] [S1] (1 Completed Call): To telephone at least weekly and on a scheduled basis frail seniors in order to provide comfort, help and to determine that they are safe and well.

This service can be provided more than one time per week. Calls made less than one time per week are not to be counted. An average number of units for each participant during the year is 39.

A formalized program that requires the senior to call in to the office may be counted, provided the program is operating on a regular basis at specific times during the day. There must be a follow-up system to determine the well-being of the senior if he/she does not call in.

29. *Visiting* [3001] [S1] (1 visit): To schedule and make weekly visits to frail older persons in their places of residence in order to comfort, help and to determine that they are safe and well.

This service can be provided more than one time per week. Visits made less than one time per week are not to be counted. An average number of units for each participant during the year is 39.

A person receiving this service should not be receiving *Telephoning* service at the same time.

A driver, while delivering home-delivered meals, may report *Visiting* provided the needs of the senior are fully discussed. Dropping off the meal and just asking how the individual is doing is not acceptable.

#### **Community Care**

Community Care services are medically-oriented activities for Medicaid-eligible individuals ordered by a physician and carried out under supervision of a registered nurse. Services include those related to personal hygiene, dressing, feeding, nutrition, environmental support functions and health-related tasks. Refer to the Personal Care manual for details.

30. *Personal Care* [W0305] (½ Hour)

31. *RN Assessment* [W0306] (1/4 Hour)

32. *Transportation* [W1510] (1 Mile)

33. *Trip* [A0120] (1 trip one way)

#### **Non-Medicaid**

Community Care services as above, for individuals who are not Medicaid eligible.

34. *Personal Care* [W0305] (½ Hour)

35. *RN Assessment* [W0306] (1/4 Hour)

#### **Medicaid Waiver**

Homemaker and Case Management services provided through the Medicaid Waiver Program, include managing and provision of in-home services based on a client plan of care to clients who are eligible through the current waiver. Refer to Manual for details.

36. *Homemaker* [W1805] (½ Hour)

37. *Nurse* [W1802] (1 Contact)

38. *Transportation* [W1510] (1 Mile)

39. *Waiver Case Management* [W1800] (1/4 Hour)

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## PROGRAM DESCRIPTORS

1. *Activities of Daily Living* -- An "ADL" is defined as the inability to perform one or more of the following seven activities without personal assistance, stand-by assistance, supervision or cues: Bathing, dressing, eating, walking, transferring in/out of bed, getting places, toileting.

2. *At-Risk, Frail Elderly (A.R.E.)* are those older individuals who are in jeopardy of institutionalization due to a documentable mental or physical impairment, or a combination of both, that results in substantial functional limitations in two or more of the following activities of daily living (ADLs) or instrumental activities of daily living (IADLs).

Instrumental Activities of Daily Living are: cooking, shopping, light housework, business affairs, heavy housework, use of telephone, medication management.

Individuals potentially available to be deinstitutionalized with the availability of adequate support systems who meet the above criteria would also be defined as A.R.E.

Older individuals who are victims of Alzheimer's disease or a related disorder with neurological and/or organic brain dysfunction are classified as A.R.E. individuals for reporting purposes.

Older individuals who have a permanent physical disability that severely limits their independence (i.e., blind or confined to a wheelchair) are classified as A.R.E. individuals for reporting purposes.

3. *Caregivers* are individuals who have the responsibility for the care of an older individual, either voluntarily, by contract, receipt of payment for care, as a result of family relationship, or by court order.

4. *Community Focal Points* are facilities and/or mobile units that are available in a community or neighborhood designated by the Area Agency on Aging for the colocation and coordination of services for older persons.

5. *Congregate Meal (C1) participants* include the following:

persons age 60+;

spouses of participants, regardless of age;

handicapped/disabled individuals who have not attained 60 years of age, but reside in housing facilities primarily occupied by the elderly at which a congregate nutrition program is offered;

individuals with disabilities who reside at the home of eligible participants and accompany them to the congregate site.

Volunteers under the age of 60 working at the nutrition site are eligible for meals, provided the individual is an ongoing volunteer of the program and works a minimum of 24 hours per quarter (3 month period). Volunteers who are 60+ are automatically eligible for a meal.

6. *Congregate Meal Sites* are those facilities and/or locations where congregate meals are served to eligible persons, the cost of which is supported in whole or part by Title III funds.

7. *Emergency meals* are those meals meeting 1/3 RDA that are provided to seniors for use at their homes and can be consumed during emergency situations when regular meals cannot be provided and/or normal food preparation equipment/utilities are not available.

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8. *Greatest Economically Needy (GEN)* criteria is based on figures defined by the U.S. Department of Health and Human Services as income level at or below the poverty line. A means test is not to be used to determine greatest economic need. Refer to the current year poverty guidelines (issued every March).

9. *Greatest Socially Needy (GSN)* are those elderly individuals having non-economic factors that include physical and mental disabilities, language barriers, and cultural or social isolation including that caused by racial or ethnic status, which restrict ability to perform normal daily tasks or threaten capacity to live independently.

An individual would be classified as GSN he is a resident of a long term care facility, has a disability not fully corrected, or needs assistance to leave the home.

OR

An individual would be classified as GSN if any two of the following factors apply: client is a member of a racial or ethnic minority group, is over 75 years of age, lacks a telephone, has a language/illiteracy barrier, lives alone, or lacks means of transportation.

10. *Home Delivered Meals (C2) participants* include the following:

persons 60+ who are homebound by reasons of illness, incapacitating disability, or are otherwise isolated (must meet GSN criteria);

the spouse of an eligible C2 participant, regardless of age or condition, if it is in the best interest of the homebound older person;

individuals with disabilities who reside at the home of persons eligible for this service.

11. Instrumental Activities of Daily Living -- An IADL" is defined as the inability to perform one or more of the following activities without personal assistance, stand-by assistance, supervision or cues: bathing, dressing, eating, walking, transferring in/out of bed, getting places, toileting.

12. *Legislative Initiatives For the Elderly (LIFE)* -- The West Virginia Legislature provides lottery proceeds for direct services for seniors. The *LIFE* funds can be used in support of existing Title III or former Senior Support services and/or provision of new Title III or former Senior Support services, as listed in the Client Tracking Dictionary.

13. *Living Alone* -- A one-person household (using the Census definition of household) where the householder lives by himself in an owned or rented place of residence in a non-institutional setting, including board and care facilities, assisted living units and group homes.

14. *Low Income* -- See # 8. *Greatest Economically Needy*.

15. *Minority Status* -- Minority older persons are confined to the following designations:

African American, Not of Hispanic Origin -- A person having origins in any of the black racial groups of Africa.

Hispanic -- A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native or Native Hawaiian -- A person having origins in any of the original peoples of North America or Hawaii and who maintain cultural identification through tribal affiliation or community recognition.

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Asian or Pacific Islander -- A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes China, Japan, Korea, the Philippine Islands, and Samoa.

Non-Minority -- Any person who is not considered a minority.

16. *Multipurpose Senior Center* is a community facility for the organization and provision of a broad spectrum of services that shall include, but not be limited to, provision of health (including mental health), social, nutritional, educational, and supportive services provided for enhancing the quality of life for older individuals.

Multipurpose senior centers must be open and available to the senior population a minimum of forty hours per week, five days a week. All multipurpose senior centers are identified as community focal points.

17. *New Client* -- If a client has received a service in prior years but also dropped out in a previous year and has now reentered in the current fiscal year, he/she is considered a new client. If a client receives a service during the course of the fiscal year, then drops out but reenters in the same year, he/she is not considered a new client. If a client is receiving a service from one provider and changes to another provider, he/she is not a new client.

18. *Nutritional Health Assessment* is a tool to determine a client's nutritional risk status. It must be completed and score reported to Client Tracking for recipients of Case Management, Nutrition, Counseling, Congregate Meals, and Home-Delivered Meals.

19. *Other Meals* are those which receive USDA reimbursement, but which are not funded with Older Americans Act monies (i.e., LIFE meals). Other meals may not necessarily be provided on the federal fiscal year timelines (October - September).

20. Rural -- any area that is not urban. Urban areas comprise (1) urbanized areas (a central place and its adjacent densely settled territories with a combined minimum population of 50,000) and (2) an incorporated place or a census-designated place with 20,000 or more inhabitants. This is the U. S. Administration on Aging's definition as modified from the U. S. Bureau of the Census. See West Virginia Census Data attachment for listing of all towns/cities in West Virginia and their rural/urban status.

21. *Service Providers* are community, county, or multi-county based agencies operated and developed for providing direct services to an older person that enable the individual to live in his community for as long as possible. Providers operating under this definition provide and coordinate availability of services in the most efficient and effective manner possible.

22. *Volunteers* are those persons working at least 24 hours per quarter in the aging program. These individuals may be reimbursed for out-of-pocket expenses relative to their volunteer work.

Paid staff, regardless of funding source, are not classified as volunteers for reporting purposes. The fact that a volunteer may be reimbursed for miscellaneous expenses does not define him/her as paid staff.

Board and advisory council members of the aging program are not classified as volunteers.

**GENERAL INFORMATION**

Total Population	1,793,447	Total Housing Units	783,287
People per square mile	74	Population 17 & Younger	443,577
Median Family Income	\$ 14,174	Medically Underserved	21 - Yes    11 - No 23 - Partially

**DEMOGRAPHICS RELATING TO OLDER PEOPLE**

Population by age and percent							
Age	Females	% of total over 60+	Males	% of total over 60+	Total by Age & Percent		
55+	256,597	57.56%	189,187	42%	445,784	24.86% of total	
60+	211,025	58.53%	149,494	41%	360,519	20.10% of total	
65+	161,721	60.14%	107,176	40%	268,897	74.59% of 60+	
75+	73,398	64.87%	39,756	35%	118,154	31.89% of 60+	
85+	18,273	71.80%	7,178	28%	25,451	7.06% of 60+	
Age	Minority Population by Age & Percent			Minority Women Age & Percent in Proportion to Male Minority			
55+	15,982			8,900	56%		
60+	13,280	3.68%		7,492	56%		
65+	10,154	3.78%		5,825	57%		
75+	4,584	4.05%		2,791	61%		
85+	1,116	4.38%		737	66%		
WV OLDEST POPULATION				RURAL/URBAN POPULATION		VETERANS	
	Men	Women	Total	Urban	Rural	55+	115,980
95-99	408	1,360	1,768	55+	186,325	60+	94,580
100+	51	253	304	65+	117,862	65+	67,930
				75+	51,110	75+	14,840
				85+	12,142	85+	1,360

**FINANCIAL**

People Living in Poverty							
Age	Poverty by Ethnic Minority		Poverty by Non-Minority		Total People Living in Poverty		Women Alone in Poverty
60+					56,406	15.65%	
65+	2,491	24.53%	40,805	15.72%	43,194	16.06%	10,507
75+	1,211	26.42%	20,284	18.62%	21,438	18.95%	6,912
Poverty by Household Type							
Age	Married Couple	Male Householder (no wife)		Female Householder (no husband)		Individual's Living Alone	
65+	6,514	515		2,801		25,438	
75+	2,704	230		1,172		14,157	

## Financial (Continued)

Yearly household income levels & percents												
Age	Less than \$5,000		\$5,000 - 9,999		\$10,000 - 14,999		\$15,000 - 24,999		\$25,000 - 49,999		\$50,000 or more	
55+	32,978	11%	59,703	31%	48,078	17%	62,835	22%	61,081	21%	23,767	8%
65+	22,292	12%	47,082	26%	35,019	19%	40,778	22%	30,035	16%	8,727	5%
75+	11,965	15%	24,389	31%	15,718	20%	14,588	19%	9,219	12%	2,759	4%
<b>AVERAGED INCOME LEVELS</b>						<b>SSI RECIPIENTS 65+ Eligibility Based on</b>						
60+ \$11,645.56						AGE 8,703						
65+ \$10,763.14						DISABLED 6,880						
75+ \$10,089.36						TOTAL 15,583						

## FUNCTIONAL CAPACITY &amp; DISABILITY

Requires assistance with activities of daily living (ADL)							
Age 55-64 with 3 or more limitations				Age 65+ with 3 or more limitations			
Above Poverty	Below Poverty	Total		Above Poverty	Below Poverty	Total	
5,439	3,253	8,691		18,282	6,004	24,286	
Requires assistance with the following ADL							
Age	Bathing	Dressing	Eating	In/out of Bed	Walking	Traveling	Toileting
60-64	4,031	3,024	641	4,673	8,521	3,115	1,283
65-74	9,968	6,697	1,869	9,500	22,116	8,722	4,049
75+	17,199	10,410	3,168	12,560	29,420	17,991	7,921
Requires assistance with instrumental activities of daily living (IADL)							
Age 55-64 with 3 or more limitations				Age 65+ with 3 or more limitations			
Above Poverty	Below Poverty	Total Impairments		Above Poverty	Below Poverty	Total	
3,475	2,711	6,185		17,605	5,486	23,090	
Requires assistance with the following IADL:							
Age	Cooking	Shopping	Conducting Business	Telephoning	Housework	Chores	
60-64	2,107	3,390	916	1,869	12,186	2,382	
65-74	6,230	9,968	3,426	3,055	28,968	6,697	
75+	13,578	21,612	10,863	9,165	36,436	13,126	

People suffering from Other Mental Disorders							
Age	Alzheimers Disease	Developmentally Disabled	Phobia	Obsessive Behavior	Schizophrenia	Panic Disorder	Manic Depression
50+		8,108					
60+		6,489					
65+	33,086	4,840	23,663	4,302	4,302	2,420	1,613
75+	28,413						
85+	12,013	458					

## EMPLOYMENT AND WORK DISABILITY INFORMATION

WITH - WITHOUT A DISABILITY IN RELATION TO EMPLOYMENT					
Work Status	People With Work Disability 65+			People Without Work Disability 65+	
Employed	2,618	1.0%	15,235	5.7%	
Unemployed	287	0.1%	616	0.2%	
Unable to Work	99,881	37.1%	129,726 (Not in Labor Force) 48.2%		
Able to work	9,524	3.5%			

MOBILITY SELF CARE LIMITATIONS BASED ON WORK CAPACITY - 65+					
65+ Work Disability			65+ No Work Disability		
	Male	Female		Male	Female
Mobility/Self Care Limit	18,562	35,521	Mobility/ Self Care Limit	4,001	7,339
Other Limits	29,114	29,113	Other Limits	52,511	81,726

## EDUCATIONAL LEVELS

Age	Less than 9th Grade	9th-12th No degree	High School G.E.D.	Some College	Bachelor Degree	Grad/Profess Degree
55+	145,289 33%	90,989 20%	125,499 28%	47,995 11%	21,027 5%	15,020 3%
60+	128,516 36%	73,481 20%	93,724 26%	36,669 10%	16,796 5%	11,242 3%
65+	107,426 40%	52,867 20%	62,504 23%	25,795 10%	12,273 5%	7,939 3%

## LIVING ARRANGEMENTS - ENVIRONMENT

LIVING ALONE				MARITAL STATUS			
Age	Men	Women	Total	Never Married	Widowed	Separated	Divorced
55+				21,873	125,165	271,682	27,064
60+	22,254-14.89%	77,320 36.64%	99,574 27.62%	17,799	117,675	238,600	19,459
65+	17,606-16.43%	66,799 41.31%	84,405 31.39%	6,107	103,971	41,978	3,667
75+	8,338- 20.97%	35,834 48.82%	44,172 39.04%				
85+	1,874-10.26%	7,997 43.76%	9,871 38.78%				

65+ LIVING IN INSTITUTIONS/GROUP HOMES			
Institutions	Group Homes	TOTAL	Percent of Total 65+
10,917	293	11,210	4.06%

Type of Housing for people 65+			
	Owner	Renter	Total
Single Home	132,397	12,436	144,833
Two or more units	2,738	17,139	19,877
Mobile home/other	15,125	3,042	18,167

Home Ownership			Sharing Home with Nonfamily Households			
Age	Home Owner	Renter	Age	Men sharing home	Women sharing home	Total
55-64	87,932	15,971	60+	449	356	805
65-74	87,307	16,798	65+	630	650	1,280
75-84	50,107	12,284	75+	298	445	743
85+	11,936	3,535	85+	90	208	298

WV NORTHWESTERN AREA AGENCY ON AGING

REGION COUNTY	PEOPLE 60+	% OF STATE	PEOPLE 60+ POVERTY	% OF 60+	MINORITY PEOPLE 60+	% OF 60+	MINORITY 60+ IN POVERTY	% OF 60+ MINORITY
WV	360,519	20.10%	56,406	15.65%	13,280	3.68%	2,979	25%
REGION I	107,341	20.88%	15,149	14.11%	2,063	1.92%	397	19%
State %		29.77%		26.86%		15.53%		13%
Brooke	5,971	22.12%	785	13.15%	51	0.85%	17	40%
Calhoun	1,649	20.91%	574	34.81%	11	0.67%	7	88%
Doddridge	1,442	20.62%	304	21.08%	4	0.28%	0	0%
Gilmer	1,598	20.84%	474	29.66%	6	0.38%	0	0%
Hancock	7,800	22.14%	675	86.50%	213	2.73%	12	7%
Harrison	16,007	23.07%	2,053	12.83%	425	2.66%	79	37%
Marion	13,663	23.87%	1,727	12.64%	524	3.84%	122	25%
Marshall	7,782	20.83%	998	12.82%	94	1.21%	15	30%
Monongalia	11,068	14.66%	1,330	12.02%	277	2.50%	23	12%
Ohio	12,623	24.81%	1,704	13.50%	286	2.27%	90	28%
Pleasants	1,470	19.48%	226	15.37%	2	0.14%	0	0%
Ritchie	2,272	22.20%	442	19.45%	1	0.04%	0	0%
Tyler	2,007	20.49%	366	18.24%	10	0.50%	4	100%
Wetzel	3,883	20.16%	744	19.16%	14	0.36%	2	13%
Wirt	972	18.72%	247	25.41%	2	0.21%	0	0%
Wood	17,134	19.71%	2,500	14.59%	143	0.83%	26	19%

REGION COUNTY	RURAL PEOPLE 60+	% OF 60+	PEOPLE 65+	% OF STATE	PEOPLE 75+	% OF STATE	65+ LIMITED IN MAJOR ACTIVITIES	65+ UNABLE TO PERFORM ACTIVITIES
WV	205,701	57.06%	268,897	14.99%	113,154	6.31%	30,656	27,158
REGION I	47,692	44.43%	80,836	15.72%	34,746	6.76%	9,216	8,165
State %		23.19%		30.06%		30.71%	30.06%	30.06%
Brooke	2,150	36.00%	4,425	16.39%	1,776	6.58%	504	447
Calhoun	1,649	100.00%	1,243	15.76%	585	7.42%	142	126
Doddridge	1,442	100.00%	1,134	16.21%	475	6.79%	129	115
Gilmer	1,598	100.00%	1,249	16.29%	645	8.41%	142	126
Hancock	2,323	30.00%	5,633	15.99%	2,154	6.11%	642	569
Harrison	8,284	52.00%	12,295	17.72%	5,388	7.77%	1,402	1,242
Marion	7,954	58.00%	10,455	18.26%	4,605	8.04%	1,192	1,056
Marshall	3,015	39.00%	5,689	15.23%	2,246	6.01%	649	575
Monongalia	5,336	48.00%	8,243	10.92%	3,463	4.59%	940	833
Ohio	1,497	12.00%	9,618	18.91%	4,117	8.09%	1,096	971
Pleasants	1,470	100.00%	1,096	14.52%	488	6.47%	125	111
Ritchie	2,272	100.00%	1,773	17.33%	862	8.42%	202	179
Tyler	1,792	89.00%	1,509	15.40%	675	6.89%	172	152
Wetzel	1,993	51.00%	2,856	14.83%	1,313	6.82%	326	288
Wirt	972	100.00%	745	14.35%	331	6.38%	85	75
Wood	3,945	23.00%	12,873	14.81%	5,623	6.47%	1,468	1,300

WV METRO AREA AGENCY ON AGING

REGION COUNTY	PEOPLE 60+	% OF STATE	PEOPLE 60+ POVERTY	% OF 60+	MINORITY PEOPLE 60+	% OF 60+	MINORITY 60+ IN POVERTY	% OF 60+ MINORITY
WV	360,519	20.10%	56,406	15.65%	13,280	3.68%	2,979	25%
REGION II	112,851	19.48%	17,263	15.30%	4,154	3.68%	839	20%
State %		31.30%		30.60%		31.28%		28%
Boone	4,506	17.42%	846	18.77%	51	1.13%	6	11%
Cabell	21,076	21.77%	2,938	13.94%	845	4.01%	162	21%
Jackson	4,800	18.51%	956	19.92%	15	0.31%	0	0%
Kanawha	44,142	21.26%	4,969	11.26%	2,436	5.52%	521	23%
Lincoln	3,631	16.98%	951	26.19%	15	0.41%	0	0%
Logan	7,553	17.55%	1,403	18.58%	451	5.97%	89	28%
Mason	4,830	19.18%	856	17.72%	47	0.97%	12	48%
Mingo	4,947	14.66%	955	19.30%	217	4.39%	38	17%
Putnam	6,526	15.24%	1,058	16.21%	37	0.57%	5	71%
Roane	3,053	20.19%	726	23.78%	14	0.46%	0	0%
Wayne	7,787	18.70%	1,605	30.61%	26	0.33%	6	32%

REGION COUNTY	RURAL PEOPLE 60+	% OF 60+	PEOPLE 65+	% OF STATE	PEOPLE 75+	% OF STATE	65+ LIMITED IN MAJOR ACTIVITIES	65+ UNABLE TO PERFORM ACTIVITIES
WV	205,701	57%	268,897	14.99%	113,154	6.31%	30,656	27,158
REGION II	50,943	45%	83,078	14.34%	34,047	5.88%	9,472	8,392
State %		25%		30.90%		30.09%	30.90%	30.90%
Boone	3,879	86%	3,251	12.57%	1,221	4.72%	371	328
Cabell	4,656	22%	15,847	16.37%	6,862	7.09%	1,807	1,601
Jackson	2,936	61%	3,480	13.42%	1,546	5.96%	397	351
Kanawha	10,490	24%	32,562	15.68%	13,195	6.36%	3,712	3,289
Lincoln	3,631	100%	2,676	12.52%	1,138	5.32%	305	270
Logan	6,945	92%	5,422	12.60%	2,093	4.86%	618	548
Mason	3,622	75%	3,560	14.14%	1,484	5.89%	406	360
Mingo	3,847	78%	3,503	10.38%	1,299	3.85%	399	354
Putnam	3,132	48%	4,715	11.01%	1,883	4.40%	538	476
Roane	3,053	100%	2,344	15.50%	1,051	6.95%	267	237
Wayne	4,752	61%	5,718	13.73%	2,275	5.46%	652	578

WV UPPER POTOMAC AREA AGENCY ON AGING

REGION COUNTY	PEOPLE 60+	% OF STATE	PEOPLE 60+ POVERTY	% OF 60+	MINORITY PEOPLE 60+	% OF 60+	MINORITY 60+ IN POVERTY	% OF 60+ MINORITY
WV	360,519	20.10%	56,406	15.65%	13,280	3.68%	2,979	25%
REGION III	59,873	18.98%	10,386	17.35%	1,460	2.44%	352	24%
State %		16.61%		18.41%		10.99%		12%
Barbour	3,275	20.90%	691	21.10%	57	1.74%	28	100%
Berkeley	9,674	16.33%	1,334	13.79%	391	4.04%	99	31%
Grant	2,026	19.43%	482	23.79%	37	1.83%	19	56%
Hampshire	3,100	18.79%	761	24.55%	29	0.94%	2	13%
Hardy	2,308	21.03%	570	24.70%	47	2.04%	10	19%
Jefferson	5,584	15.54%	733	13.13%	498	8.92%	124	32%
Lewis	3,691	21.43%	684	18.53%	34	0.92%	0	0%
Mineral	5,251	19.67%	755	14.38%	128	2.44%	27	32%
Morgan	2,771	22.85%	400	14.44%	43	1.55%	7	23%
Pendleton	1,844	22.90%	451	24.46%	23	1.25%	6	21%
Preston	5,518	19.00%	1,026	18.59%	38	0.69%	15	71%
Randolph	5,669	20.39%	926	16.33%	55	0.97%	6	100%
Taylor	3,210	21.20%	578	18.01%	38	1.18%	9	28%
Tucker	1,673	21.65%	293	17.51%	7	0.42%	0	0%
Upshur	4,279	18.71%	702	16.41%	35	0.82%	0	0%

REGION COUNTY	RURAL PEOPLE 60+	% OF 60+	PEOPLE 65+	% OF STATE	PEOPLE 75+	% OF STATE	65+ LIMITED IN MAJOR ACTIVITIES	65+ UNABLE TO PERFORM ACTIVITIES
WV	205,701	57%	268,897	14.99%	113,154	6.31%	30,656	27,158
REGION III	45,151	75%	44,834	14.21%	19,031	6.03%	5,112	4,527
State %		22%		16.67%		16.82%	16.68%	16.67%
Barbour	2,565	78%	2,515	16.05%	1,165	7.44%	287	254
Berkeley	6,153	64%	6,971	11.76%	2,679	4.52%	795	704
Grant	2,026	100%	1,545	14.82%	710	6.81%	176	156
Hampshire	3,100	100%	2,261	13.70%	870	5.27%	258	228
Hardy	2,308	100%	1,684	15.34%	693	6.31%	192	170
Jefferson	4,173	75%	4,103	11.42%	1,538	4.28%	468	414
Lewis	2,431	66%	2,839	16.48%	1,297	7.53%	324	287
Mineral	3,154	60%	3,918	14.68%	1,593	5.97%	447	396
Morgan	2,771	100%	2,039	16.81%	802	6.61%	232	206
Pendleton	1,844	100%	1,391	17.27%	652	8.10%	159	140
Preston	4,727	86%	4,073	14.03%	1,746	6.01%	464	411
Randolph	3,741	66%	4,388	15.78%	1,971	7.09%	500	443
Taylor	1,631	51%	2,448	16.16%	1,109	7.32%	279	247
Tucker	1,673	100%	1,293	16.73%	624	8.07%	147	131
Upshur	2,854	67%	3,366	14.72%	1,582	6.92%	384	340

WV APPALACHIAN AREA AGENCY ON AGING

REGION COUNTY	PEOPLE 60+	% OF STATE	PEOPLE 60+ POVERTY	% OF 60+	MINORITY PEOPLE 60+	% OF 60+	MINORITY 60+ IN POVERTY	% OF 60+ MINORITY
WV	360,519	20.10%	56,406	15.65%	13,280	3.68%	2,979	25%
REGION IV	80,454	20.91%	13,608	16.91%	5,603	6.96%	1,391	25%
State %		22.32%		24.13%		42.19%		47%
Braxton	2,892	22.25%	739	25.55%	22	0.76%	9	24%
Clay	1,776	17.79%	558	31.42%	5	0.28%	0	0%
Fayette	10,854	22.64%	1,632	15.04%	897	8.26%	224	23%
Greenbrier	7,784	22.44%	1,399	17.97%	340	4.37%	99	30%
McDowell	7,049	20.01%	1,494	21.19%	1,458	20.68%	419	30%
Mercer	14,250	21.93%	1,972	13.84%	1,066	7.48%	236	25%
Monroe	2,790	22.49%	566	20.29%	62	2.22%	24	41%
Nicholas	5,017	18.74%	857	17.08%	9	0.18%	0	0%
Pocahontas	2,184	24.25%	469	21.47%	43	1.97%	2	11%
Raleigh	15,829	20.61%	1,974	12.47%	1,498	9.46%	327	24%
Summers	3,283	23.11%	676	20.59%	108	3.29%	26	31%
Webster	2,183	20.35%	476	21.80%	10	0.46%	2	100%
Wyoming	4,563	15.74%	796	17.44%	85	1.86%	23	24%

REGION COUNTY	RURAL PEOPLE 60+	% OF 60+	PEOPLE 65+	% OF STATE	PEOPLE 75+	% OF STATE	65+ LIMITED IN MAJOR ACTIVITIES	65+ UNABLE TO PERFORM ACTIVITIES
WV	205,701	57%	268,897	14.99%	113,154	6.31%	30,656	27,158
REGION IV	61,915	77%	60,149	15.63%	25,330	6.58%	6,856	6,074
State %		30%		22.37%		22.39%	22.36%	22.37%
Braxton	2,892	100%	2,227	17.13%	1,016	7.82%	254	225
Clay	1,776	100%	1,282	12.84%	567	5.68%	146	129
Fayette	9,041	83%	8,189	17.08%	3,499	7.30%	934	827
Greenbrier	6,087	78%	5,867	16.91%	2,699	7.78%	669	593
McDowell	6,192	88%	5,207	14.78%	2,056	5.84%	594	526
Mercer	8,297	58%	10,784	16.60%	4,496	6.92%	1,229	1,089
Monroe	2,790	100%	2,100	16.93%	866	6.98%	239	212
Nicholas	3,642	73%	3,730	13.93%	1,552	5.80%	425	377
Pocahontas	2,184	100%	1,698	18.85%	810	8.99%	194	171
Raleigh	10,098	64%	11,757	15.30%	4,851	6.31%	1,340	1,187
Summers	2,170	66%	2,486	17.50%	1,073	7.55%	283	251
Webster	2,183	100%	1,662	15.49%	724	6.75%	189	168
Wyoming	4,563	100%	3,160	10.90%	1,121	3.87%	360	319

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## ATTACHMENT E

### STATE PLAN COMMENT PROCESS

#### Public Notification

The West Virginia Bureau of Senior Services is receiving public comments on the proposed State Plan for Aging Programs for Fiscal Years 1999 - 2000. The State Plan is the basis for funding under the Older Americans Act of 1965, as amended, under authority granted to the Commission on Aging by the Code of West Virginia, Chapter 16, Article 5P.

The State Plan is an interpretive rule of the Code of West Virginia, Chapter 29A, Article 1, Section 2 (c).

Public comments were solicited through advertisement in the following newspapers of general circulation:

The Register-Herald (Beckley)  
Bluefield Daily Telegraph  
Charleston Gazette  
Charleston Daily Mail  
Parkersburg News  
The Dominion Post (Morgantown)  
The Herald-Dispatch (Huntington)  
The Inner-Mountain (Elkins)  
The Intelligencer (Wheeling)  
The Journal (Martinsburg)  
The Mineral Daily News  
Welch Daily News

Comments may be mailed to the West Virginia Bureau of Senior Services, Holly Grove - Building 10, 1900 Kanawha Boulevard, East, Charleston WV 25305-0160, for receipt on or before 4:30 p.m., August 20, 1998.

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## COMMENTS RECEIVED/RESPONSES

Following is a compilation of comments received during the public comment period. Explanations or plan revisions undertaken in response to the comments are noted.

**COMMENT 1:** Older Americans Act Assurance 307(a)3(A) was omitted from the State Plan.

**RESPONSE:** This assurance was inadvertently omitted and is now included in the Plan.

**COMMENT 2:** The State Plan should mandate a fair and equitable distribution of funds from the Area Agencies on Aging to the counties:

**RESPONSE:** The State Unit on Aging is responsible for the development of a funding formula under the State Plan for funds passed from the Bureau to the area agencies on aging. The area agencies are responsible for the implementation of a fair and equitable distribution of funds to the local providers.

**COMMENT 3:** Community Living - Consumer-controlled Personal Assistance Service Provider Agency Services.

Objective: Improve funding, systems, policies, and priorities that promote consumer-controlled personal assistance service options.

- Activities:
1. Collect Provider Agency Service information in West Virginia.
  2. Collaborate with state policy-makers and legislators to encourage use of Medicaid as a funding mechanism for personal assistance services.
  3. Support and/or fund the development of a statewide consumer-controlled provider agency program (similar to the West Virginia Advocates Advisory Council).

**RESPONSE:** This comment relates to activities outside the purview of the State Plan. The Bureau of Senior Services will share this recommendation with the Department of Health and Human Resources/Bureau for Medical Services (the designated state Medicaid agency).

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**COMMENT 4:** System Coordination and Community Education -  
West Virginia Works and Supplemental Security Income (SSI)

Objective: Change West Virginia Department of Health and Human Resources policy that counts SSI as family income which usually makes individuals with disabilities and their families ineligible for cash assistance.

Activities: 1. Survey and interview senior families to gather accurate statistics and information about how this policy has affected senior families and how they are coping.  
2. Collaborate with West Virginia Welfare Reform Coalition to develop a policy/legislation initiative to respond to the needs of the senior families identified through the survey and interviews.

**RESPONSE:** This comment relates to activities outside the purview of the State Plan. The Bureau will share this comment with the West Virginia Department of Health and Human Resources.

**COMMENT 5:** Financial Plan -  
Proposal to continue three-factor formula leaving out the rural factor.

Objective: Develop equitable, standard funding formula applicable to all county provider agencies by utilization of four-factor method as addressed in the Older Americans Act.

I have noted that the State Plan does not include the use of the Rural Factor; however, it does reference specifically that factor in the mission statement and financial funding plan. The Rural Factor is utilized in federal drawdown; therefore, it should be used in the drawdown to provider agencies.

**RESPONSE:** The Rural Factor is addressed through the use of the county base. This base assists rural areas, in that a county with a large 60+ population and one with a small 60+ population each receives the same base funding.

**Honorable Cecil H. Underwood**  
**Governor**  
**State of West Virginia**

**Patricia F. Bradford**  
**Commissioner**  
**West Virginia**  
**Bureau of Senior Services**