



Older Americans Act - Services *Frequently Asked Questions*

March 20, 2020

The following guidance shall remain in effective until the Executive Order is removed.

The following *Frequently Asked Questions* will be updated continuously and made available for review. Contracted services providers are expected to contact the Area Agency on Agency (AAA) for guidance. Other community-based organizations and service providers are encouraged to contact the AAA for direction in supporting older adults in their regions.

GENERAL QUESTIONS

1. Q: What should I do if I suspect a staff or agency member is at risk for COVID-19?

A: In the event you a staff or agency member displays symptoms of COVID19, it is important to place them in a private room away from others and ask them to wear a face mask. Immediately notify your [Local Health Department](#). They will provide you with guidance.

2. Q: What are reputable sources of COVID-19 information?

A: Reputable, trusted sources of COVID-19 include the following:

- [Centers for Disease Control and Prevention \(CDC\)](#)
- [Administration on Community Living \(ACL\)](#)
- [Centers for Medicare and Medicaid Services](#)
- [Ohio Department of Health \(ODH\)](#)
- [Ohio Department of Aging \(ODA\)](#)

3. Q: Will there be a federal tax extension?

A: The Secretary of the Treasury has determined that any person with a Federal income tax payment due April 15, 2020 is affected by the COVID-19 emergency. For an Affected Taxpayer, the due date for making Federal income tax payment due April 15, 2020, has been postponed to July 15, 2020. For more details, visit [Relief for Taxpayers Affected by Ongoing Coronavirus Disease 2019 Pandemic](#).

Fostering sound public policy, research, and initiatives that benefit older Ohioans.

4. Q: Is there any federal emergency/disaster relief funding available to enhance older adult services?

A: The President declared that COVID-19 warrants an emergency determination under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), and that the emergency exists nationwide. The President stated in the emergency declaration, requests for a declaration of a "major disaster" may be appropriate and encouraged Governors and Tribal Leaders to consider requesting such a declaration.

Should a state request and receive a Major Disaster declaration by the President, this declaration would trigger disaster relief authority in the Older Americans Act (OAA) permitting states to use any portion of the funds made available under any and all sections of OAA for disaster relief for older individuals. In this regard, flexibility is provided for states – without the need for a separate application, transfer request, or request for a waiver -- to use existing allocations already made to them under Title III-B, C-1, C-2, D, and E for disaster relief.

ODA is in communication with state officials to determine if this declaration is in process. Additional details will be shared as they become available.

NUTRITION SERVICES QUESTIONS

5. Q: How can congregate meal providers plan for emergency closings?

A: To prepare for emergency closings, providers must distribute information to consumers on how to stock an emergency food shelf. During this Emergency Order, providers are not required to provide consumers with notice that a congregate meal site has closed.

6. Q: How can home-delivered meal providers plan for emergency closings?

A: To prepare for emergency closings, providers are required to develop and implement written contingency procedures for emergency closings. Providers must distribute information to consumers on how to stock an emergency food shelf or distribute shelf-stable meals to consumers for an emergency food shelf. Additionally, providers should provide timely notification of emergency situations to all consumers.

7. Q: Can a home-delivered meal provider move to periodic delivery of meals?

A: Yes, a provider may elect to suspend daily, hot-meal deliveries and temporarily transition to periodic delivery. Periodic delivery includes delivering meals to cover multiple mealtimes in one meal delivery, include weekly deliveries. Consumers should be notified of with any changes to meal delivery. Period delivery may include refrigerated, frozen, and/or shelf-stable meals.

8. Can congregate meal consumers become a home-delivered meal consumer?

A: Yes, however before enrolling a consumer, the service provider must first verify that the home-delivered meals are eligible for payment under OAA.

During the period of the Emergency Order, abbreviated assessments may be completed via telephone or online format. No direct, in-person observation is required. To determine initial eligibility, abbreviated assessment must include (1) evaluation of consumer's ability to prepare meals and (2) if they lack another meal support service in their home or community. All NAPIS reporting requirements, including poverty reporting information, must be input within 90 days after ODA removes emergency management guidelines.

9. We are receiving a lot of requests for home-delivered meals. Some of these requests are for older adults who may not meet the eligibility requirements. Can the eligibility requirements be suspended?

A: Home-delivered meal enrollment criteria will not be suspended, however as adults over the age of 65 are strongly encouraged to shelter in place, many individuals once "ineligible" may now be eligible at this time. With the Governor's ordered closure of senior centers, adult day services, and congregate meal locations, individuals may now lack a meal support service.

Home-delivered meals are eligible for payment with OAA funds if the consumer is 60 years of age or older and meets the following requirements: unable to prepare his or her own meals, unable to consumer meals at a congregate dining location due to physical or emotional difficulties and lacking another meal support service in the home or community.

10. Q: Are home-delivered meal providers required to obtain consumer signature upon delivery?

A: During the period of the Emergency Order, consumer signature is not required for meal delivery verification. Providers must obtain visual confirmation that meals have been received by the consumer. Meals should not be left at door if consumer is not home.

11. Q: When are providers allowed to distribute emergency meals to program participants for planned emergencies?

A: Programs can determine for themselves the best time to distribute emergency meals. It is generally good practice to have them in the participant's home prior to when service interruptions are anticipated to occur. Program participants should be informed about the use of these meals, and these meals should be consumed within one year or according to expiration dates. All meals should be date labeled.

12. Q: If a congregate nutrition provider has an emergency and they use shelf-stable meals, can those meals be counted as NSIP meals?

A: Yes, in emergency situations only (remember: the purpose of congregate nutrition program includes socialization), these meals can be counted as NSIP (assuming, of course, that the shelf-stable meals are domestically-produced and program participants meet NSIP requirements). A provider cannot, on a routine basis, count shelf-stable meals as NSIP meals. A prudent program administrator would count the meal when it is served.

13. Q: If a nutrition provider wants to send a congregate meal home with a senior, can it be counted as an OAA Title III C-1 meal?

A: Yes, Title III-C1 funds may pay for *occasional* carry-out ("to-go") meals, including meals sent home with consumers to prepare for an anticipated closing of a congregate meal site or necessity due to other emergency management situations, including pandemics.

Title III-C1 (congregate meal) fund may not be used to provide home-delivered meals.

14. Q: Are any accommodations ever made by ACL regarding NSIP funding for disasters?

A: NSIP reimbursement is based on the previous year's meals served, so it is possible that AAAs see a funding decrease as a result of the emergency. If the state reports a decrease greater than 10%, ODA is required to submit a variance explanation. The variance explanation briefly describes the cause for the decrease.

To limit the impact of serving fewer meals, a nutrition provider may deliver shelf-stable, grab and go, frozen, drive through, etc. meals to home-delivered meal program clients to be consumed on those days when service may be disrupted. In the event of an emergency where Title III-C program participants consume their shelf-stable meals, the nutrition provider may deliver additional meals to replenish those consumed during the emergency event. Then the provider may count those replenished meals as NSIP meals (if the meals and the program participants meet NSIP requirements). The shelf-stable, grab and go, frozen, drive through, etc. meals can be counted when they are delivered, as it would not be possible to know when the meals actually are consumed.

15. Q: What alternative methods can be used to provide meals?

A: AAAs should work with their local health department and/or emergency management to determine the best method to provide meals in the event of a closure. Shelf-stable, frozen, grab and go, drive-up, and drive-through meals may be paid for from Title III-C funds if program requirements are met.

Additionally, NSIP funds may be used to pay for these meals if the meals and the program participants meet NSIP requirements. To cover increased demand for home-delivered or any meal that is to be consumed in the home, AAAs may transfer Title III funds.

16. Q: Could current OAA service providers add grocery ordering and delivery to their contracted services?

A: Grocery ordering is a service that assists consumers with the act of grocery shopping, including ordering and delivery. Title III-B (supportive services) funds can be used for this service. Although OAA funds may not be used to purchase actual groceries, other funds, including Senior Community Service or local levy funds may be used.

In agreement with the AAA, current OAA providers may add grocery ordering and delivery to their contract services without re-bidding. If existing contracted-service providers have the capacity and interest to take on this service, it is encouraged.

17. Q: What should nutrition service providers do if home-delivered meal (Title III-C2) consumers on a waiting list? Are congregate meal (Title III-C1) consumers a higher priority?

A: In effort to maintain nutrition access for consumers currently served, congregate meal consumers should be made priority over consumers on the home-delivered meals waitlist. We have the responsibility to continue providing meal services to those individuals currently receiving meals. It is important to keep in mind that not all congregate meal consumers will want to receive home-delivered meals.

18. Q: The personal assessment of home-delivered meal consumers is a barrier to activating immediate meal distribution. Are service providers required to complete the assessment for new consumers?

A: An abbreviated, 2-item assessment must be completed for any new HDM consumers. Abbreviated assessments may be completed via telephone or online format. No direct, in-person observation is required. To determine initial eligibility, abbreviated assessment must include (1) evaluation of consumer's ability to prepare meals and (2) if they lack another meal support service in their home or community. All NAPIS reporting requirements, including poverty reporting information, must be input within 90 days after ODA removes emergency management guidelines.

19. Q: Will the nutrition requirements of provided meals be relaxed?

A: Currently, Title III-C1 (congregate meal) and C2 (home-delivered meals) funded meals must comply with the 2015-2020 Dietary Guidelines for Americans. The provider must provide a meal that satisfies at least one-third of the Dietary Reference Intakes (DRIs). To the extent practical, the provider must ensure meals are adjusted to meet any special dietary needs of consumers. At current time, there does not exist a need to relax nutrition requirements. The current statute does not give ACL the authority to waive the DRIs.

However, due to the declaration of a Public Health Emergency by the Secretary of HHS, ACL will consider the purchase of meals that may or may not meet the DRI requirements under the provision in Part B, Section 321(a)(25) "any other services necessary for the general welfare of older individuals". Therefore, Title III-B may pay for meals that do or do not meet DRI requirements during this Public Health Emergency to ensure access to meals for seniors.

20. Q: Are home-delivered meal volunteers required to obtain a background check before being able to deliver meals?

A: Ohio Administrative Rules do not require OAA-funded home-delivered meal volunteers to obtain a background check prior to meal delivery. During this Emergency Order, meal providers/delivery drivers should not enter the home of the consumer. Consumer signature is not required for meal delivery verification. Providers/delivery drivers must obtain visual confirmation that meals have been received by the consumer. Meals should not be left at door if consumer is not home.

It is important to have partnerships in the community that can offer assistance to deliver meals to consumers. These partnerships may include police or fire departments, teachers and other entities with the capability of delivering meals.

21. Q: Can restaurant-based congregate dining program use Title III-C1 funds to provide “carry-out” meals.

A: Title III-C1 funds may be used for carry-out meals, including meals sent home with consumers to prepare for an anticipated closing of an established, contracted congregate meal site or necessity due to other emergency management situations, including pandemics.

22. Q: Can congregate meal providers distribute frozen meals as “carry-out” meals?

A: Yes, congregate meal providers can distribute frozen meals as “carry-out” meals.

NON-NUTRITION SERVICES QUESTIONS

23. Q: Should we cancel any currently scheduled Evidence-Based Disease Prevention and Health Promotion workshops?

A: It is imperative to take every step possible to reduce risk and follow the guidance distributed daily related to social distancing (www.coronavirus.ohio.gov). It is important to follow your State and local health department recommendations on limiting meetings, gatherings, and workshops. It is likely that in an epidemic, the size of the group will be a factor as well as the susceptibility of the class participants. In the case of COVID-19, older adults and people with chronic illnesses seem to be at higher risk of complications than other groups.

Mass gatherings have been prohibited in the state of Ohio. Mass gatherings are defined as any event or convening that brings together 50 or more persons in a single room or single space at the same time such as an auditorium, stadium, arena, large conference room, meeting hall, theater, or any other confined indoor or outdoor space.

To slow the spread of COVID-19, the Centers for Disease Control and Prevention (CDC) recommend avoiding social gatherings in groups of more than 10 people.

24. Q: Are service providers required to obtain consumer signature upon receipt of service?

A: During the period of the Emergency Order, consumer signature is not required for service delivery verification of the following OAA-funded services: nutrition services (congregate meals and home-delivered meals); grocery shopping assistance; grocery ordering and delivering services; and, transportation. Providers must obtain another form of verification that services were delivered (visual confirmation, delivery driver signature, etc.).

25. Q: If an Adult Day Services (ADS) facility closes, can ADS staff provide services to ADS consumer in-home?

A: ODA has requested a suspension of provider pre-certification reviews for agency providers that want to add additional services. ODA will share additional updates soon.

26. Q: What if the ability of providers to maintain in-home services and transportation is affected?

A: AAAs and service providers should follow local and state health department and emergency management guidance. There may be a shortage of in-home workers due to their own illness, childcare issues, or a concern about serving multiple clients in one day. AAAs and service providers are encouraged to triage consumers and focus on those essential services that are needed to complete activities of daily living. Service providers should focus on clients without informal support. Medical transportation to essential activities, including dialysis and medical treatments should be prioritized. "Group trips" should be minimized whenever possible.

27. Q: What are Priority Level rankings? Are these required?

A: As of 03/10/2020, WellSky offers the capability to assign a disaster priority level to every enrollee. This functionality was added to facilitate the network's ability to prioritize the care needs of individuals potentially impacted by emergency situations, such as loss of electricity, travel barriers due to flooding, provider shortages related to illness, etc.

All individuals enrolled and actively being served in the following Older Americans Act service programs are required to have an assigned disaster priority level: Personal Care, Adult Day Services, Escort - Assisted Transportation, Home Delivered Meals and Care Coordination. For Care Coordination, the Disaster Priority is assigned by the Care Coordinator in WellSky. The Disaster Priority will be assigned by the contracted service provider for the other services listed.

A disaster priority level will need to be assigned to all new Older Americans Act enrollees to the services listed above. If an individual is enrolled in one of the aforementioned services and does not have an assigned disaster priority, the contracted service provider or Care Coordinator at the Area Agency is required to assign a priority level to the individual(s). For all individuals with an assigned disaster priority, the Area Agency on Aging is to review the individual's needs to validate appropriateness of the assigned disaster priority level.

No later than 45 days after the date of the notice (3/13/2020), Older Americans Act contracted service providers providing Personal Care, Adult Day Services, Escorted Transportation and Home Delivered Meals and Older Americans Act Care Coordinators providing Care Coordination at the Area Agencies on Aging are required to review the WellSky record for all individuals enrolled in the aforementioned services and ensure all individuals are assigned a Disaster Priority classification, reflective of their current needs.

Moving forward, disaster priority levels should be assigned to all new individuals, even after the Emergency Order is lifted.

AREA AGENCY ON AGING (AAA) QUESTIONS

28. Can AAAs transfer funds to increase home-delivered meals?

A: AAAs may transfer Title III-B (supportive services) funds to provide nutrition services, including home-delivered meals. If planning to use Title III-B funds for this service, AAAs must continue to allocate a minimum of five percent of Title III-B funds for priority services, that include access services, in-home services, and legal services. AAAs may request a waiver for Title III-B priority service funds, if necessary. AAAs may transfer up to 30 percent in between program under parts B and C.

Additionally, AAAs may transfer up to 40% in between programs under C1 (congregate meal) and C2 (home-delivered meal). AAAs should complete and submit an area plan budget transfer request form to ODA to transfer any Title III funds.

29. Q: We already transferred the maximum from Title III-C1 (congregate meal) to Title III-C2 (home-delivered meal)/Title III-B (supportive services) to Title III-C (nutrition services). Will ODA advocate ACL to remove this transfer cap?

A: In accordance with OAA 308(b)(4)(B), ODA can submit a request to ACL to transfer an additional 10% of funds. This transfer can only be submitted after the State has met the 40% transfer of funds maximum. In reviewing AAA budgets, some AAAs still have available funds they can transfer. Once all AAAs have met the 40% transfer limit, ODA is can submit a waiver requesting an additional 10% transfer of funds.

30. Q: Can the Stafford Act be implemented to provide more flexibility with use of funds.

A: On Friday, March 13, 2020, the President declared that the ongoing pandemic is of sufficient severity and magnitude to warrant an emergency determination under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”), and that the emergency exists nationwide.

In addition, requests for a declaration of a “major disaster” as set forth in section 401(a) of the Stafford Act may be appropriate and encouraged Governors and Tribal Leaders to consider requesting such a declaration.

If a declaration request is approved, the state would be permitted to use any portion of the funds made available under any and all sections of the Act for disaster relief for older adults. In this regard, flexibility is provided for states to use existing allocations already made to them under Title III-B, C-1, C-2, D, and E for disaster relief. This means that a state may use Title III-B, C-1, C-2, D, and/or E funds for any disaster relief activities for older individuals or family caregivers served under the Older Americans Act.

At present time, it is unclear if the State of Ohio has submitted such request. To date, no states have received approval of this declaration. ODA will provide immediate updates if the status of this changes.

31. Q: What other funding can be used to provide nutrition services to consumers?

A: In addition to Title III-C (nutrition services) funding, AAAs and nutrition service providers may explore other funding sources, including Title III-B, Nutrition Services Incentive Program (NSIP), Senior Community Service (SCS), and/or local senior levies, if available.

32. Q: Are competitive bidding requirements removed for procurement of OAA services?

A: Following Ohio Governor DeWine's Executive Order 2020-01D, to suspend purchasing and contracting requirements, competitive bidding requirements have been deferred for purposes related to enabling emergency delivery of services. AAAs may add additional OAA-funded services, including home-delivered meals and personal care services, to existing OAA provider service contracts without the need to re-bid. For normal, routine service delivery, competitive bidding requirements remain.

33. Q: If needed, can AAAs contract with Medicaid Waiver Providers to provide OAA services?

A: AAAs may contract Medicaid Waiver Providers for OAA services. Interested AAAs should reach out to ODA contacts (ADavis@age.ohio.gov and DFagan@age.ohio.gov) to discuss this in more depth. ODA will provide guidance related to the contract, as well as service reporting requirements.

34. Q: Should we be directing providers to offer the following services: chores services, home maintenance, transportation (non-medical), and other supportive services?

A: ODA recommends that service providers continue to prioritize essential services, including meals, personal care, and adult day services. Other non-essential services, including chore, home maintenance, and transportation (non-medical) should be consider non-priority until the Emergency Order has been removed.

35. Q: Do we have permission to provide two-week supply of incontinent supplies where appropriate for OAA consumers?

A: Cash and material aid are allowable under OAA Title III-B. This includes arranging for and providing assistance to participants in the form of commodities, surplus food distribution, emergency cash assistance and vouches. This service should be entered in WellSky as emergency assistance.

If planning to use Title III-B (supportive services) funds for this service, AAAs must continue to allocate a minimum of five percent of Title III-B funds for priority services, that include Access Services, In-Home Services, and Legal Services.

36. Q: Has the COVID-19 pandemic place SFMNP funds on hold?

A: We have not received any communication from USDA regarding adjustments to SFMNP 2020 operations. Notice of grants awards have been signed off by the ODA executive team and will be delivered to AAAs shortly.

37. Q: Can AAAs use State GRF dollars allocated for *Producing Healthy Seniors* (non-traditional SFMNP) to purchase and distribute food during this emergency?

A: AAAs may submit written requests to amend *Producing Healthy Seniors* project plans to utilize funds for food distribution for older adults in needs. Funds should be used to provide fresh produce to low-income older adults.

38. Q: Should we stop accepting SFMNP 2020 participant applications?

A: AAAs and/or SFMNP-contracted partners are encouraged to maintain normal SFMNP operations. Participant applications may be accepted thru the mail or online. ODA will continue to monitor the COVID-19 situation and will provide additional guidance if it impacts SFMNP 2020, including applicant enrollment and coupon distribution. ODA discourages planning mass distribution of applicants and coupons currently. Alternative plans should be made to limit mass gatherings. AAAs and/or SFMNP-contracted partners should continue planning for SFMNP 2020. Individual questions or concerns may be sent to CClutter@age.ohio.gov.

39. Q: Should we cancel SFMNP farmer/market manager training?

A: The agency must ensure that training is conducted prior to the startup of the first SFMNP participation of an individual farmer/market manager. The training must be **interactive** and may be delivered in a variety of methods, including telephone and video conferencing and web-based training modules. Interactive training does not need to be delivered in-person. Individual questions or concerns may be sent to CClutter@age.ohio.gov.

REFERENCES

Administration on Community Living. [FAQs Related to Evidence-Based Health Promotion, Disease Prevention Programs](#) (March 12, 2020).

Administration on Community Living. [Older Americans Disaster Relief](#) (March 16, 2020).

The National Resource Center on Nutrition and Aging. [Frequently Asked Emergency Management Questions for Aging Services Professionals at the State and Local Levels](#).

The National Resource Center on Nutrition and Aging. *Nutrition Services Frequently Asked Emergency Management Questions – Updated to Address Issues Related to COVID-19*. (March 12, 2020).