

2900		<u>Service Contributions</u>	
2901	Overview		
	2901.1	This chapter provides an outline of the Division of Aging and Adult Services operational principles and procedures for service contributions for services provided under the Older Americans Act. This policy chapter is subject to change as additional information and/or regulations are received from the U.S. Department of Health and Human Services, Administration on Aging.	
	2901.2	Recipients of Older Americans Act services are to be provided the opportunity to voluntarily contribute to the cost of services. In addition, the Older Americans Act Amendments of 2006 permit States to implement cost sharing for certain services.	
	2901.3	<p>Guiding principles for the NMHCBS include:</p> <ol style="list-style-type: none"> 1. Contributions from clients help support and expand the NMHCBS. Cost sharing shall be required for adult day care, attendant care, housekeeping, personal care, and respite services. The Area Agencies on Aging are encouraged to implement cost sharing for all permitted services. 2. All clients, regardless of income, and their caregivers shall be provided the opportunity to make voluntary contributions for all services on a regular basis. 3. Each Area Agency on Aging shall maintain policies on voluntary contributions and cost sharing. 	

2900		Service Contributions	
2903	Authority and Statutory Requirement		
	2902	The information in this section is authorized and governed by the following statutes and regulations:	
	A	Reference: Older Americans Act of 1965, as Amended in 2006, P.L. 109-365, §315; http://www.aoa.gov/AoARoot/AoA_Programs/OAA/oa_full.asp	

2900		Service Contributions	
Requirements for Area Agencies on Aging			
2903	2903.1		Each Area Agency on Aging shall have a policy on service contributions and submit to the Division for review. The policy shall include a statement of which services will be cost shared, why these services were selected for cost-sharing, and for which services cost-sharing is not permitted. When implementing service contributions, the Area Agency on Aging, or entity that such agency has contracted with, shall ensure the following service standards are met:
		A	Provide each client the opportunity to make service contributions as permitted by the Older Americans Act. Area Agency on Aging policy shall clearly distinguish requirements and procedures for cost sharing and voluntary contributions. <ul style="list-style-type: none"> 1. Cost sharing shall be required for adult day care, attendant care, homemaker/housekeeping, personal care, and respite.
		B	Develop protocols for soliciting service contributions, collecting contributions, and tracking.
		C	Implement training of staff involved in the soliciting of contributions on the requirements of the Older Americans Act, Division policy and Area Agency on Aging policy as well as non-coercive methods of solicitation.
		D	Widely distribute written material in languages reflecting the reading abilities of older individuals that describe the criteria for cost sharing and/or voluntary contributions, any fee schedules, and the mandate described in sections 2904.1.D. and 2905.1.D. below. (was 2903.5.G)
		E	Ensure that distribution of material specified in section 2903.1.D. is documented in each client file.
	2903.2		Area Agencies on Aging may request a waiver from implementing cost sharing for all or selected services identified in 2901.3 and utilizing the process identified in the Division of Aging and Adult Services Policy Chapter 2100 – Area Plan on Aging.

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2904	Operational Procedures for Voluntary Contributions		
	2904.1	When implementing voluntary contributions, the Area Agency on Aging, or entity that such agency has contracted with, shall ensure the following standards are met:	
		A	Voluntary contributions may be solicited for all services funded by the Older Americans Act.
		B	The best method for accepting voluntary contributions is determined through consultation with relevant entities within the Planning and Service Area.
		C	Each individual is provided with an opportunity to voluntarily contribute to the cost of the service. Voluntary contributions are permitted for all clients, regardless of income, and are encouraged for individuals whose self-declared income is at or above 185 percent of the Federal Poverty Level (FPL), at contribution levels based on the actual cost of services.
		D	Solicitations are conducted in a method that is non-coercive. Each individual is clearly informed that there is no obligation to contribute and that the contribution is purely voluntary.
		E	The privacy and confidentiality of each individual is protected with respect to the individual's contribution or lack of contribution.
		F	Appropriate procedures are established to safeguard and account for all contributions.
		G	All collected contributions are used to expand the service(s) for which the contributions were given.
	2904.2	Area Agencies on Aging, or the entity that such agencies have contracted with, may develop suggested contribution schedules for services rendered; however, an individual's assets may not be utilized as a basis for contributing. The fee schedule provided for cost-sharing may be used for determining suggested voluntary contributions (see 2905.3).	
2904.3	Contributions received shall be recorded in the Division of Aging and Adult Services information management system.		

2900**Service Contributions****Operational Procedures for Cost Sharing**

2905	2905.1		When implementing cost sharing, the Area Agency on Aging, or entity that such agency has contracted with, shall ensure the following standards are met:
		A	Cost sharing may be implemented for services funded by the Older Americans Act, with the exception of the following services: <ol style="list-style-type: none"> 1. Information and assistance, outreach, benefits counseling, or case management services. 2. Ombudsman, elder abuse prevention, legal assistance or other consumer protection services. 3. Congregate and home delivered meals. 4. Any services delivered through tribal organizations.
		B	The eligibility of individuals to cost share is determined solely by a confidential declaration of income and with no requirement for verification Assets, savings, or other property owned by an individual are not considered in determining whether cost sharing is permitted.
		C	Cost sharing is prohibited for individuals whose income is at or below 100 percent of the Federal Poverty Level (FPL).
		D	Any services for which funds are received under the Older Americans Act are not denied for an older individual due to the income of such individual or the individual's failure to make a cost sharing payment.
		E	The privacy and confidentiality of each individual is protected with respect to the declaration or non-declaration of individual income and to any share of costs paid or unpaid by an individual.
		F	Appropriate procedures are established to safeguard and account for all cost-share payments.
		G	All collected cost share payments are used to expand the service for which the contributions were given.
	2905.2		The sliding fee schedule specified in 2905.3 shall be used to assess fees. The scale is based on the individual's income and the cost of delivering services. The Area Agency on Aging may adjust total income to take into account the expense of medical/dental services not covered by Medicaid, Medicare or other insurance, medical insurance premiums, and other out-of-pocket health costs if clearly identified in the policy of such agency.
	2905.3		At least once a year, or when the Area Agency on Aging becomes aware of a change in a client's income, the Area Agency on Aging shall review the client's income.
2905.4		A signed agreement, readily understood by the client, shall be required unless payment is collected at the time of service delivery. A copy of the fee scale shall be attached and must include the statement "Services will not be denied to a participant if unable to pay."	

2905.5	Clients should be given a statement of the cost of services they receive, the fees for which they are responsible and instructions on how to pay. The statement shall include the statement "Services will not be denied to a participant if unable to pay."																
2905.6	A reasonable effort shall be made to collect fees from clients or others who may choose to pay on the client's behalf.																
2905.7	Cost-sharing payments received shall be recorded in the Division of Aging and Adult Services information management system.																
2905.3	<p style="text-align: center;"><u>Sliding Fee Scale</u></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th data-bbox="407 638 943 743">Suggested fee as percentage of Cost of Service</th> <th data-bbox="943 638 1419 743">Income as percentage of Poverty Level</th> </tr> </thead> <tbody> <tr> <td data-bbox="407 743 943 812">0%</td> <td data-bbox="943 743 1419 812">100 - 149%</td> </tr> <tr> <td data-bbox="407 812 943 882">10%</td> <td data-bbox="943 812 1419 882">150 - 199%</td> </tr> <tr> <td data-bbox="407 882 943 951">15%</td> <td data-bbox="943 882 1419 951">200 - 249%</td> </tr> <tr> <td data-bbox="407 951 943 1020">25%</td> <td data-bbox="943 951 1419 1020">250 - 299%</td> </tr> <tr> <td data-bbox="407 1020 943 1089">50%</td> <td data-bbox="943 1020 1419 1089">300 - 349%</td> </tr> <tr> <td data-bbox="407 1089 943 1159">75%</td> <td data-bbox="943 1089 1419 1159">350 - 399%</td> </tr> <tr> <td data-bbox="407 1159 943 1226">100%</td> <td data-bbox="943 1159 1419 1226">400% +</td> </tr> </tbody> </table>	Suggested fee as percentage of Cost of Service	Income as percentage of Poverty Level	0%	100 - 149%	10%	150 - 199%	15%	200 - 249%	25%	250 - 299%	50%	300 - 349%	75%	350 - 399%	100%	400% +
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