

DEPARTMENT OF AGING

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**PROGRAM MEMO**

TO: AREA AGENCY ON AGING DIRECTORS	NO.: PM 09- 20(P)
SUBJECT: Funding Elimination and Transition of Community-Based Services Program (CBSP) Funds Part II	DATE ISSUED: September 17, 2009
REVISED	EXPIRES: June 30, 2010
REFERENCES: Welfare and Institutions Code Section 9540-9547, PM 09-18(P), California Department of Aging Standard Agreement, PM 02-26, Older Americans Act	SUPERSEDES:
PROGRAMS AFFECTED: <input type="checkbox"/> All <input type="checkbox"/> Title III-B <input type="checkbox"/> Title III-C1/C2 <input type="checkbox"/> Title III-D <input type="checkbox"/> Title III-E <input type="checkbox"/> Title V <input checked="" type="checkbox"/> CBSP <input type="checkbox"/> MSSP <input type="checkbox"/> Title VII <input type="checkbox"/> ADHC <input type="checkbox"/> Other: _____	
REASON FOR PROGRAM MEMO: <input checked="" type="checkbox"/> Change in Law or Regulation <input type="checkbox"/> Response to Inquiry <input type="checkbox"/> Other Specify: _____	
INQUIRIES SHOULD BE DIRECTED TO: Elliot Hochberg, Policy Manager Team A, (916) 419-7556 or Don Braeger, Policy Manager Team B, (916) 419-7557	

This Program Memo provides information about the State-funded Community-Based Services State-Funded Programs (CBSP): Linkages, Alzheimer's Day Care Resource Center (ADCRC), Brown Bag (BB), Senior Companion, and Respite Purchase of Service (RPOS).

The amended State Budget for 2009-10 Fiscal Year (FY) eliminated the equivalent of nine months of funding for these CBSP programs. All funding for these programs is eliminated for FY 2010-11. However, the statutory authority for each of the programs was not eliminated. Therefore, an Area Agency on Aging (AAA) may elect to continue the operation of any of these programs using different funding sources and/or local and private funding.

For current year (2009-10), AAAs may choose to spend their remaining three-months of General Fund by September 30, 2009, or they may choose to continue operating CBSPs beyond that date and spread these funds over any portion of the FY by spending at a decreased rate. All General Funds must be expended by June 30, 2010.

Discontinuation of Service after September 30, 2009

If an AAA elects to discontinue State-funded CBSP by September 30, 2009, the AAA shall do the following:

1. Notify clients of the discontinuation of services.
2. Ensure that clients are referred to alternative services, where applicable.
3. Ensure that clients are evaluated to assure appropriate placement, where applicable.
4. Conduct full inventory of State equipment and formulate a plan to dispose of, transfer or return to the State all equipments purchased during the entire operation of the contract. Please refer to Program Memorandum (PM) 09-18P for further information.
5. Retain records per the Area Plan Standard Agreement Contract, Exhibit D, Article VI and PM 09-18P. Service providers may choose to turn the records over to the AAA or retain the records as long as they adhere to the provisions of the Area Plan Standard Agreement and PM.

Service Continuation after September 30, 2009 Using State Funds

AAAs that elect to continue the provision of CBSP services using State funds must comply with all applicable statutes, regulations, manuals, and program memos. The CDA will continue to monitor these programs for the duration of the FY.

Service Continuation after September 30, 2009 Using Older Americans Act (OAA) funding

If an AAA elects to continue the provision any CBSP-like services using OAA funds, the AAA shall do the following:

1. Comply with contract terms and conditions in accordance with OAA requirements.
2. Comply with CDA monitoring requirements in accordance with OAA standards and the Area Plan Contract.

Service Continuation after September 30, 2009 Without Federal or State Funding

If an AAA elects to continue to fund any CBSP using non-federal or state sources, this program:

- Is not subject to CBSP State statutes, regulations, manuals, and program memos.
- Will not be monitored by CDA.
- Must comply with the provisions of the sources of funding that will be used.
- Must inform clients that the program is no longer receiving State funds and the program is not subject to the requirements outlined in the State statute, regulations, manual, and program memos. (*This is especially important if the provider continues to use the same name as when it was State-funded.*)
- Must maintain separate records from those maintained for the State/Federal program.

Notification about the Status of CBSP Services

CDA requests that each AAA inform CDA about its plans to continue or discontinue its ADCRC, BB, Linkages, RPOS, and Senior Companion programs. Please provide this information to Kathleen Hendrickson at (916) 928-2291 or khendrickson@aging.ca.gov by October 15, 2009.

Frequently Asked Questions

Question: Can a non State-funded CBSP continue to use the CBSP titles?

Answer: Yes. The program titles Linkages, Alzheimer's Day Care Resource Center, Brown Bag, Senior Companion, and Respite Purchase of Service are not under copyright to CDA and can be used for non State-funded programs.

Question: Can State funds be re-directed between State-funded programs?

Answer: Yes. State funds can be redirected between State-funded programs. For details see PM 02-26 "CBSP Redirection Policy" and contact your CDA Fiscal Team analyst for information.

Question: Are Linkages Programs no longer funded with State funds eligible for the Handicap Parking Fine Revenue?

Answer: Under Welfare and Institutions Code Section 9545 (d)(1), Linkages programs may be eligible to receive the additional penalties assessed on the local handicap parking fine, as determined by the County where the Linkages program is located. If an AAA applies for and receives Handicap Parking Fine revenue for its Linkages Program, its Linkages Program must follow statutes, regulations, manuals, and program memos that apply to the Linkages Program. AAAs will continue to be responsible for monitoring Linkages Program providers for compliance with applicable standards and requirements per the Area Plan Standard Agreement Contract, Exhibit A, Article II.

If you want more information as to whether your County assesses additional penalties on the local handicap parking fine or how the funds are distributed, please consult your legal counsel.

Question: Is a non State-funded Linkages Program eligible for Targeted Case Management (TCM) funds?

Answer: The Department contacted the California Department Health Care Services (DHCS) Targeted Case Management (TCM) Unit for clarification. The Linkages Program can receive TCM reimbursements for the cost of providing TCM if 1) the Linkages Program is associated with a county or other local public entity contracted to the county for the provision of TCM and 2) the county/other local public entity funds a case management program that serves clients eligible for the Medi-Cal TCM Aging and Adult Services/Linkages Program.

The county may contract with a private or other local public entity for the provision of TCM. If the contract is with a private entity, the county must provide the public funds necessary for the expenditure. If the contract is with another local public entity, that local public entity may either use Local Governmental Agency (LGA) funds or their own. Either the LGA or the other local public entity may further subcontract with private TCM providers. The TCM Provider Manual

defines those eligible for TCM Medi-Cal Aging and Adult Services/Linkages as Medi-Cal eligible persons who are 18 years and older, in frail health, and in need of assistance to access services in order to keep them from becoming institutionalized.

At the present time DHCS does not have guidance for Linkages Programs that are not associated with a county or local public entity. Please contact your LGA coordinator for more information.

Question: If an AAA elects to provide services using CBSP and/or OAA funds are they subject to audit by CDA?

Answer: Yes.

A handwritten signature in blue ink that reads "Lynn Daucher". The signature is written in a cursive style and is contained within a light gray rectangular box.

Lynn Daucher
Director