

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGING

PART 230
OLDER AMERICANS ACT PROGRAMS

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SUBPART G: CASE MANAGEMENT SERVICES

Section

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AUTHORITY: Implementing the Illinois Act on the Aging [20 ILCS 105] and the Older Americans Act, as amended (42 U.S.C. 3001 et seq.) and authorized by Section 4.01 of the Illinois Act on the Aging [20 ILCS 105/4.01].

SOURCE: Adopted at 5 Ill. Reg. 3722, effective March 31, 1981; amended at 6 Ill. Reg. 7379, effective June 16, 1982; codified at 7 Ill. Reg. 5178; amended at 7 Ill. Reg. 9132, effective July 27, 1983; amended at 8 Ill. Reg. 9330, effective June 15, 1984; amended at 9 Ill. Reg. 5297, effective April 8, 1985; amended at 10 Ill. Reg. 5787, effective March 27, 1986; recodified at 10 Ill. Reg. 7653, effective April 30, 1986; amended at 10 Ill. Reg. 14616, effective August 26, 1986; amended at 11 Ill. Reg. 3856, effective February 17, 1987; amended at 11 Ill. Reg. 7586, effective April 8, 1987; amended at 11 Ill. Reg. 15869, effective October 1, 1987; emergency amendments at 12 Ill. Reg. 12540, effective July 15, 1988, for a maximum of 150 days; emergency expired December 12, 1988; amended at 13 Ill. Reg. 2015, effective February 1, 1989; amended at 13 Ill. Reg. 3054, effective March 1, 1989; amended at 13 Ill. Reg. 20299, effective December 15, 1989; amended at 14 Ill. Reg. 2308, effective January 25, 1990; amended at 15 Ill. Reg. 18642, effective December 13, 1991; amended at 16 Ill. Reg. 15401, effective September 28, 1992; amended at 18 Ill. Reg. 14072, effective September 1, 1994; amended at 21 Ill. Reg. 8894, effective July 1, 1997; amended at 22 Ill. Reg. 3454, effective February 1, 1998; amended at 26 Ill. Reg. 9662, effective July 1, 2002; Subpart E header recodified at 45 Ill. Reg. 10285; amended at 45 Ill. Reg. 10780, effective August 10, 2021; amended at 49 Ill. Reg. _____, effective _____.

SUBPART A: STATE AGENCY

Section 230.5 Definitions

For the purposes of this Part, the following terms have the meanings ascribed in this Section:

"A-95 clearinghouse" means an agency designated in accordance with U.S. Office of Management and Budget (OMB) Circular A-95, Revised, and by an executive order of the Governor of the State of Illinois for the purpose of providing State and local officials with a mechanism through which they can have input into proposed federal and federally assisted programs and projects.

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"Act" means the Older Americans Act of 1965 [42 U.S.C. § 3001 et seq.]

"Administration on Aging" means the agency created by the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) that is responsible for advancing concerns and interests of older people and their caregivers. The Administration on Aging is part of the Department of Health and Human Services and is headed by the Assistant Secretary for Aging.

"Area Agency on Aging, "area agency" or "AAA" means the agency designated pursuant to the Older Americans Act by the Department in a planning and service area to develop and administer the area plan for a comprehensive and coordinated system of services for older persons.

"Area plan" means the document submitted, pursuant to the Older Americans Act, by an Area Agency on Aging to the Department in order to receive federal subgrants or contracts from the Department. The area plan contains all required provisions and commitments that the area agency will administer funded activities in accordance with all applicable federal and State requirements. The area plan also contains a detailed statement of the manner in which the area agency is developing a comprehensive and coordinated system throughout the planning and service area for all services authorized by this Part, which are provided by other entities within the planning and service area.

"Assistant Secretary for Aging" or "Assistant Secretary" means the designated head of the Administration on Aging.

"CFR" means Code of Federal Regulations.

"Comprehensive and coordinated system" means a program of interrelated social and nutrition services designed to meet the needs of older persons in a planning and service area.

"Department" means the Illinois Department on Aging.

"Food boxes" means a container of food that include a mix of fresh, frozen, and/or shelf stable foods along with dietitian-approved recipes utilizing the contained ingredients.

"Grab and go meal" means a prepackaged meal provided at a mutipurpose senior center or another location designated by the Area Agency on Aging that meets Dietary Reference Intakes (DRI) requirements and serves as a complement to the

172 congregate meal program. Grab and go meals can be provided at the discretion of
173 the Area Agency on Aging.

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175 "Greatest economic need" means the need resulting from an income level at or
176 below the poverty threshold established by the Bureau of the Census.

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178 "Greatest social need" means the need caused by noneconomic factors that restrict
179 an individual's ability to perform normal daily tasks or that threaten their capacity
180 to live independently. These factors include physical or mental disability,
181 language barriers, and cultural or social isolation caused by, among other things,
182 racial and ethnic status, sexual orientation, gender identity, gender expression, or
183 HIV status.

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185 "Informed consent" means approval given by an individual, or the legal
186 representative of an individual, for a specific activity after having been apprised
187 relative to the proposed activity, the reason for the activity and the expected
188 outcome of the activity including proposed uses of any derived information and
189 subsequent activities.

190
191 "Means test" means a measurement of available financial resources to a
192 prescribed standard of need to determine eligibility and level of payment to be
193 made for services provided.

194
195 "Multipurpose senior center" means a community or neighborhood facility for the
196 organization and provision of a broad spectrum of services including health,
197 social, nutritional, and educational services and the provision of facilities for
198 recreational and group activities for older persons.

199
200 "Planning and service area" means a geographic area of the State designated
201 pursuant to the Older Americans Act for purposes of planning, development,
202 delivery and overall administration of services under an approved area plan.

203
204 "Service provider" means an entity that is awarded a grant, subgrant, or contract
205 to provide services under the area plan.

206
207 "State Plan" means the document submitted by the State to the Assistant Secretary
208 on Aging in order to receive grants from the State's allotments under Title III of
209 the Older Americans Act. (42 U.S.C. 3001 et seq.)

210
211 "Unit(s) of general purpose local government" means a political subdivision of
212 the State whose authority is general and not limit to only one function or
213 combination of related function or Native American tribal organization.

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(Source: Added at 49 Ill. Reg. _____, effective _____)

Section 230.50 Incorporation By Reference

Materials of an agency of the United States or of a nationally or State recognized organization or association incorporated by reference in this Part do not include any later editions or amendments beyond the date specified.

(Source: Added at 49 Ill. Reg. _____, effective _____)

SUBPART C: SERVICE REQUIREMENTS

Section 230.250 Services

The following requirements shall apply to services provided under this subpart.

a) Multipurpose Senior Centers

- 1) An Area Agency on Aging may award social service funds under this Part to a public or private nonprofit agency for the following purposes:
 - A) Acquiring, altering, leasing, or renovating a facility, including a mobile facility, for use as a multipurpose senior center;
 - B) Constructing a facility, including a mobile facility, for use as a multipurpose senior center;
 - C) The costs of professional and technical personnel required to operate a center.
- 2) In making awards for the purposes specified in this Section, the Area Agency on Aging shall give preference to facilities located in communities with the greatest incidence of older persons with the greatest economic or social need.
- 3) The following health, safety and construction requirements shall apply:
 - A) A recipient of any award for multipurpose senior center activities shall comply with all applicable State and local health, fire, safety, building, zoning and sanitation laws, ordinances or codes.
 - B) The plans and specifications for an award for acquiring, altering, renovating or constructing a multipurpose senior center facility

- 258 must comply with regulations relating to minimum standards of
259 construction, particularly with the requirements of the
260 Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157);
261
- 262 C) The Department shall assure the technical adequacy of any
263 proposed alteration or renovation of a multipurpose senior center.
264 The Department assures technical adequacy by requiring that any
265 alteration or renovation of a multipurpose senior center that affects
266 the load bearing members of the facility is structurally sound and
267 complies with all applicable local or State ordinances, laws, or
268 building codes.
269
- 270 4) A recipient of an award for altering, renovating or constructing a facility
271 to be used as a multipurpose senior center must comply with the
272 requirements of the Davis-Bacon Act (40 U.S.C. 276 (a) et seq.) and other
273 mandatory Federal labor standards.
274
- 275 5) The following special conditions for acquiring by purchase, or
276 constructing a facility shall apply:
277
- 278 A) An Area Agency on Aging shall obtain the approval of the
279 Department before making an award for constructing a facility.
280
- 281 B) The Department may approve the construction of a facility after
282 considering the views of the Area Agency on Aging, relative to
283 subsections 230.250(a)(2), (3) and (4), if it is found that there is no
284 other suitable facility available to be a focal point for service
285 delivery.
286
- 287 C) The Area Agency on Aging may make an award for purchasing or
288 constructing a facility only if there are no suitable facilities for
289 leasing.
290
- 291 6) A facility altered, acquired, renovated, or constructed using funds under
292 this Part, to be used as a multipurpose senior center may not be used and
293 may not be intended to be used for sectarian instruction or as a place for
294 religious worship.
295
- 296 7) The following funding and use requirements shall apply:
297
- 298 A) Sufficient funds must be available to meet the non-Federal share of
299 the award;
300

- 301 B) Sufficient funds must be available to effectively use the facility as
- 302 a multipurpose senior center;
- 303
- 304 C) In a facility that is shared with other age groups, funds received
- 305 under this ~~Part~~rule may support only:
- 306
- 307 i) That part of the facility used by older persons; or
- 308
- 309 ii) A proportionate share of the costs based on the extent of
- 310 use of the facility by older persons; and
- 311
- 312 D) A multipurpose senior center program must be operated in the
- 313 facility.
- 314

315 ~~b) Nutrition Services~~

- 316
- 317 ~~1) The Area Agency on Aging may award nutrition services funds received,~~
- 318 ~~under Title III of the Older Americans Act (42 U.S.C. 3001 et seq.), to~~
- 319 ~~provide meals and other nutrition services, including outreach, and~~
- 320 ~~nutrition education, to older persons. In making these awards the Area~~
- 321 ~~Agency on Aging shall assure that congregate meals are provided and~~
- 322 ~~home-delivered meals are provided based on an assessment of need by the~~
- 323 ~~Area Agency on Aging and nutrition service providers.~~
- 324
- 325 ~~A) The following eligibility requirements shall be applicable to~~
- 326 ~~persons receiving nutrition services:~~
- 327
- 328 ~~i) Congregate nutrition services: A person age 60 or older,~~
- 329 ~~and the spouse of the person regardless of age, are eligible~~
- 330 ~~to participate in congregate nutrition services.~~
- 331
- 332 ~~ii) Home-delivered nutrition services: A person age 60 or~~
- 333 ~~over who is homebound by reason of illness, incapacitating~~
- 334 ~~disability or is otherwise isolated is eligible to receive a~~
- 335 ~~home-delivered meal. The spouse of the older person,~~
- 336 ~~regardless of age or condition, may receive a home-~~
- 337 ~~delivered meal if, according to criteria determined by the~~
- 338 ~~Area Agency on Aging, receipt of the meal is in the best~~
- 339 ~~interest of the homebound older person.~~
- 340
- 341 ~~B) The Area Agency on Aging must assess the level of need for~~
- 342 ~~congregate and home-delivered meals within the planning and~~
- 343 ~~service area.~~

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- 2) ~~The Area Agency on Aging may make awards for congregate and home-delivered nutrition services to a provider that furnishes either or both type(s) of service(s).~~
- A) ~~The Area Agency on Aging shall award funds to a nutrition services provider that:~~
 - i) ~~Was a nutrition project receiving funds under the former Title VII of the Older Americans Act on September 30, 1978. For purposes of this requirement, "nutrition project" means the recipient of a subgrant or contract to provide nutrition services, other than the Area Agency on Aging, which met the requirements for a project specified in the former Title VII of the Older Americans Act and implementing regulations;~~
 - ii) ~~Meets the requirements of this Section; and~~
 - iii) ~~Has carried out its nutrition service activities with demonstrated effectiveness.~~
- B) ~~Except as provided in 45 CFR 74, Subpart M, the Area Agency on Aging shall not discontinue funding to a nutrition project specified in subsection (b)(2)(A)(i) of this Section unless the Department:~~
 - i) ~~Has given the project an opportunity for a hearing, in accordance with Section 230.40 of this Part; and~~
 - ii) ~~Has determined that the project does not meet the requirements of this Section; or has not carried out nutrition services activities with demonstrated effectiveness. The Department shall not set criteria for demonstrated effectiveness that are different from the requirements imposed on projects during the period for which their performance is being measured.~~
- C) ~~Consistent with the requirements of subsection (b)(2)(A) of this Section and, to the extent feasible, the Area Agency on Aging must give preference in making awards for home-delivered meals to public, private nonprofit, and voluntary organizations which:~~
 - i) ~~Have demonstrated an ability to provide home-delivered~~

- 387 meals efficiently and reasonably; and
388
389 ii) ~~Have furnished assurances to maintain efforts to solicit~~
390 ~~voluntary support and not to use funds received under this~~
391 ~~Part to supplant funds from non-Federal sources.~~
392
393 3) ~~Each congregate provider shall:~~
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395 A) ~~Provide hot or other appropriate meals in a congregate setting at~~
396 ~~least once a day, five or more days a week;~~
397
398 B) ~~Locate congregate nutrition services as close as possible and,~~
399 ~~where feasible and appropriate, within walking distance to the~~
400 ~~majority of eligible older persons; and~~
401
402 C) ~~Assess the need for home-delivered meals among participants at its~~
403 ~~congregate sites.~~
404
405 4) ~~Each home-delivered meals provider shall:~~
406
407 A) ~~Assess the need for home-delivered meals among the participants~~
408 ~~for whom it has responsibility;~~
409
410 B) ~~Provide for home-delivered meals at least once a day, five or more~~
411 ~~days a week. Meals may be hot, cold, frozen, dried, canned or~~
412 ~~supplemental foods with a satisfactory storage life;~~
413
414 C) ~~With the consent of the older person, or his or her representative,~~
415 ~~bring to the attention of appropriate officials for follow-up,~~
416 ~~conditions or circumstances which place the older person or the~~
417 ~~household in imminent danger; and~~
418
419 D) ~~Where feasible and appropriate, make arrangements for the~~
420 ~~availability of meals to older persons in weather related~~
421 ~~emergencies.~~
422
423 5) ~~The following food requirements shall apply for all nutrition service~~
424 ~~providers:~~
425
426 A) ~~In purchasing food, and preparing and delivering meals, the~~
427 ~~nutrition services providers must follow appropriate procedures to~~
428 ~~preserve nutritional value and food safety.~~
429

- 430 ~~B) The nutrition services providers must comply with all State and~~
- 431 ~~local health laws and ordinances concerning preparation, handling~~
- 432 ~~and serving food.~~
- 433
- 434 ~~C) The nutrition services provider must provide special menus, where~~
- 435 ~~feasible and appropriate, to meet the particular dietary needs~~
- 436 ~~arising from the health requirements, religious requirements, or~~
- 437 ~~ethnic backgrounds of eligible individuals.~~
- 438
- 439 ~~D) The nutrition services provider must have available for use upon~~
- 440 ~~request appropriate food containers and utensils for blind and~~
- 441 ~~handicapped participants.~~
- 442
- 443 ~~E) Each meal served by the nutrition services provider must contain at~~
- 444 ~~least one-third of the current Recommended Dietary Allowances as~~
- 445 ~~established by the Food and Nutrition Board of the National~~
- 446 ~~Academy of Sciences—National Research Council.~~
- 447
- 448 ~~F) A nutrition services provider shall spend U.S.D.A. food assistance~~
- 449 ~~cash only for buying United States Agriculture commodities and~~
- 450 ~~other food.~~
- 451
- 452 ~~G) The nutrition services providers shall assist participants in taking~~
- 453 ~~advantage of benefits available to them under the food stamp~~
- 454 ~~program. The nutrition services provider must coordinate its~~
- 455 ~~activities with agencies responsible for administering the food~~
- 456 ~~stamp program to facilitate participation of eligible older persons~~
- 457 ~~in the program.~~

458

459 be) Legal AssistanceServices

460

- 461 1) The Area Agency on Aging shall award social services funds under this
- 462 Part for legal assistanceservices to older persons with the greatest
- 463 economic or social needs.
- 464

- 465 A) The purpose of awards under this subsection (b) is to increase the
- 466 availability of legal assistanceservices with a priority on older
- 467 persons with the greatest economic or social need in order to assist
- 468 them to secure their rights, benefits and entitlements, and to assist
- 469 them in achieving the objectives of the Older Americans Act.
- 470 Legal services provided with funds under this Part must be in
- 471 addition to any legal assistanceservices already being provided to
- 472 older persons in the planning and service area.

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- B) "Legal assistance~~services~~" means legal advice and/or representation by an attorney (including, to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the supervision of an attorney), and includes counseling or representation by a non-lawyer where permitted by law, to older persons with economic or social needs.

- 2) A legal assistance~~service~~ provider shall be either:
 - A) An organization that receives funds under the Legal Services Corporation Act (42 U.S.C. 2969); or
 - B) An organization that has a legal services program or the capacity to develop one.

- 3) The Area Agency on Aging shall award funds to one or more~~the~~ legal assistance providers~~service provider(s)~~ that most fully meet~~meet(s)~~ the following standards. The legal services providers shall~~provider(s)~~:
 - A) Have~~Has~~ staff with expertise in specific areas of law affecting older persons in economic or social need;
 - B) Demonstrate~~Demonstrates~~ the capacity to provide effective administrative and judicial representation in the areas of law affecting older persons with social or economic need;
 - C) Demonstrate~~Demonstrates~~ the capacity to provide support to other advocacy efforts;
 - D) Demonstrate~~Demonstrates~~ the capacity to effectively deliver legal assistance~~services~~ to institutionalized, isolated, and homebound individuals;
 - E) Have~~Has~~ offices and/or outreach sites which are convenient and accessible to older persons in the community;
 - F) Demonstrate~~Demonstrates~~ the capacity to provide legal assistance~~services~~ in a cost effective manner; and
 - G) Demonstrates~~Demonstrates~~ the capacity to obtain other resources to provide legal assistance~~services~~ to older persons.

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- 4) Each legal ~~assistance~~services provider shall:
 - A) Make efforts to involve the private bar in legal ~~assistance~~services provided under this Part, including groups within the private bar that furnish legal services to older persons on a pro bono and reduced fee basis;
 - B) Ensure that no attorney of the legal assistance provider engages in any outside practice of law if the director of the legal assistance provider has determined that the practice is inconsistent with the attorney's full time responsibilities;
 - C) Ensure that no attorney engaging in legal assistance activities supported under the Older American Act engages in political activity;
 - ~~D~~E) Ensure that no legal assistance provider, employee, or staff attorney engage in the following prohibited political activity~~while employed under this Part, no employee and no staff attorney of the provider at any time:~~
 - i) Contributing or making available Older Americans Act funds, personnel or equipment to any political party or association or to the campaign of any candidate for public or party office; or for use in advocating or opposing any ballot measure, initiative, or referendum~~Uses official authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office, whether partisan or nonpartisan; and~~
 - ii) Intentionally identifying the Older Americans Act program or legal assistance provider with any partisan or nonpartisan political activity, or with the campaign of any candidate for public or party office~~Directly or indirectly coerces, attempts to coerce, command or advise an employee of any provider to pay, lend, or contribute anything of value to a political party, or committee, organization, agency or person for political purposes;~~
 - iii) ~~Is a candidate for partisan elective public office; or~~
 - iv) ~~Engages in any voter registration activity.~~

- 559 ED) In areas where a significant number of clients do not speak English
560 as their principal language, adopt employment policies that ensure
561 that legal assistance will be provided in the language spoken by
562 those clients;
563
- 564 FE) Adopt a procedure for affording the public appropriate access to
565 the Older Americans Act, regulations and guidelines of 45 CFR
566 Part 1321, the legal assistance provider's written policies,
567 procedures, and guidelines, the names and addresses of the
568 members of the governing body, and other materials that the legal
569 assistance provider determines should be disclosed. The procedure
570 adopted must be approved by the Area Agency on Aging;
571
- 572 GF) Ensure that legal assistance~~services~~ are not provided in fee
573 generating cases, as defined in 45 CFR 1321.93(f)(3)(i)(A),
574 (2020)1609.2, unless adequate representation is unavailable from
575 private attorneys;
576
- 577 HG) Ensure that no funds made available under the Act are used for
578 lobbying activities, including but not limited to any activities
579 intended to influence any decision or activity by any nonjudicial
580 federal, State or local individual or body. Nothing in this section is
581 intended to prohibit an employee from~~employee and no staff~~
582 ~~attorney of the provider shall directly or indirectly engage in~~
583 ~~activities intended to influence the passage or defeat of any~~
584 ~~legislation by the Congress of United States or by any State or~~
585 ~~local legislative body or State proposals by initiative petition~~
586 ~~except where:~~
587
- 588 i) Communicating with a governmental agency for the
589 purpose of obtaining information, clarification, or
590 interpretation of the agency's rules, regulations, practices,
591 or policies;~~Representation by a provider for a client is~~
592 ~~necessary with respect to such client's rights and~~
593 ~~responsibilities (except that no employee shall solicit a~~
594 ~~client in violation of professional responsibilities for the~~
595 ~~purpose of making such representation possible); or~~
596
- 597 ii) Informing a client about a new or proposed statute,
598 executive order, or administrative regulation;~~A~~
599 ~~governmental agency, legislative body, committee or~~
600 ~~member thereof requests the provider to testify, draft or~~
601 ~~review measures or to make representations to such agency;~~

602 ~~body, committee or member, or is considering a measure~~
603 ~~directly affecting the activities of a provider under this Part;~~
604 ~~and~~
605

606 iii) Responding to an individual client's request for advice only
607 with respect to the client's own communications to officials
608 unless otherwise prohibited by the Older Americans Act,
609 title III regulations or other applicable law. This provision
610 does not authorize publication of lobbying materials or
611 training of clients on lobbying techniques or the
612 composition of a communication for the client's use;
613

614 iv) Making direct contact with the area agency for any
615 purpose;
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617 v) Providing a client with administrative representation in
618 adjudicatory or rulemaking proceedings or negotiations,
619 directly affecting that client's legal rights in a particular
620 case, claim or application;
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622 vi) Communicating with an elected official for the sole
623 purpose of bringing a client's legal problem to the attention
624 of that official; or
625

626 vii) Responding to the request of a public official or body for
627 testimony, legal advice or other statements on legislation or
628 other issues related to aging, provided that no such action
629 will be taken without first obtaining the written approval of
630 the responsible area agency.
631

632 H) Ensure that, while providing legal ~~assistance~~services, no employee
633 and no staff attorney of the legal assistance provider engages in or
634 encourages, directs, or coerces others to engage in demonstrations,
635 picketing, boycotts, or strike, except as permitted by law in
636 connection with the employee's own employment situation, or, at
637 any time, engage in or encourage others to engage in~~rioting or civil~~
638 ~~disturbance~~ or any illegal activities or any intentional identification
639 of programs funded under the Older Americans Act or recipient
640 with any political activity~~as defined at 45 CFR 1612.1, 1612.2 and~~
641 ~~1612.3.~~
642

643 5) Each legal ~~assistance~~services provider that is not a Legal Services
644 Corporation grantee shall agree to coordinate its services with Legal

645 Services Corporation grantees in order to concentrate legal
646 ~~assistance services~~ funded under the Older Americans Act on older persons
647 with the greatest economic or social need who are not eligible for services
648 under the Legal Services Corporation Act (42 U.S.C. 2996). In carrying
649 out this requirement, legal ~~assistance services~~ providers shall not use a
650 means test or require older persons to apply first for services through a
651 Legal Services Corporation grantee.

- 652
- 653 6) A legal ~~assistance services~~ provider under this Part may, with the approval
654 of the Area Agency on Aging, set priorities for the categories of cases for
655 which it will provide legal representation in order to concentrate on older
656 persons with the greatest economic or social need. In setting case
657 priorities, a legal ~~assistance services~~ provider may consider the availability
658 of staff resources in determining the extent of legal advice and
659 representation to provide to individual older persons.
660
- 661 7) A legal ~~assistance services~~ provider shall not require an older person to
662 disclose information about income or resources as a condition for
663 providing legal services under this Part. A legal ~~assistance services~~
664 provider may ask about the person's financial circumstances as a part of
665 the process of providing legal advice, counseling and representation, or for
666 the purpose of identifying additional resources and benefits for which an
667 older person may be eligible.
668

669 ~~cd~~) Information and ~~Assistance Referral~~ Services

- 670
- 671 1) The area plan shall provide for information and referral services sufficient
672 to ensure that all older persons within the planning and service area have
673 reasonably convenient access to the service.
674
- 675 A) In areas in which a significant number of older persons do not
676 speak English as their principal language, the information and
677 assistance services ~~service~~ provider shall provide information and
678 referral services in the language spoken by the older person.
679
- 680 B) "Information and assistance services ~~referral service~~" means a
681 system to link people in need of service to appropriate resources.
682
- 683 2) An information and assistance services ~~A provider of information and~~
684 ~~referral services~~ shall:
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- 686 A) Maintain current information with respect to the opportunities and
687 services available to older persons;

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- B) Develop current lists of older persons in need of services and opportunities; and
 - C) Employ a specially trained staff to inform older persons of the opportunities and services which are available and to assist older persons to take advantage of the opportunities and services.
- 3) An information and ~~assistance~~referral services provider may disclose information by name about an older person only with the informed consent of the older person or ~~their~~his or her authorized representative.

de)

Transportation Services

The Area Agency on Aging may enter into transportation agreements with entities ~~that agencies which~~ administer programs under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) and Title XIX of the Social Security Act to meet the common need for transportation of service participants under the separate programs. Transportation programs are the only activities funded under Title III of the Older Americans Act ~~that where~~ the Area Agency on Aging may delegate to another entity~~agency~~ the authority to award or administer those funds.

ef)

Home Health Services

- 1) Home health care services authorized under an approved area plan shall be provided by:
 - A) A Medicare-certified Home Health agency.
 - B) A self-employed registered nurse (RN) who provides services within the scope of a RN's~~his or her~~ practice under the Nurse Practice Act [225 ILCS 65]~~as defined by the Illinois Nursing Act of 1987 (Ill. Rev. Stat., 1989, ch. 111, par. 3501 et seq.)~~.
 - C) A physical therapist licensed in accordance with the Illinois Physical Therapy Act [225 ILCS 90]~~certified by the Council of Medical Education of the American Medical Association and registered by the State of Illinois~~.
 - D) A speech therapist licensed in accordance with the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]~~certified by the American Speech and Hearing Association~~.
 - E) An occupational therapist licensed in accordance with the Illinois

Occupational Therapy Practice Act [225 ILCS 75] ~~registered with the American Occupational Therapy Association.~~

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- 2) Home health services that may be provided are:
 - A) Skilled nursing;
 - B) Home health aide services; ~~aids~~
 - C) Speech therapy;
 - D) Physical therapy; and/or
 - E) Occupational therapy.
- 3) Home health agencies may provide covered services that ~~for which~~ they are certified to provide by Medicare.
- 4) Area agencies providing services shall develop procedures that will insure that double payments will not be made for ~~from~~ the same service, that Title III funds will be used only to increase services, and that rates paid for such services do not exceed the established Medicare rate for the vendor providing the service, nor shall payment be made to supplement payments made through Medicare or Medicaid when the ~~such~~ supplement is in excess of the established Medicare rate.
- ~~5) Payment to self-employed registered nurses providing in-home nursing services is made at the community rate for such services as determined for each case at the time prior approval is given.~~
- ~~6) Payment to independent therapists and community health agencies shall be at the provider's usual and customary charge, not to exceed the maximum established by the Department at \$10 per half-hour clinical visit.~~
- ~~g) Homemaker Services
Homemaker services authorized under an approved area plan shall meet the definitional requirements specified in 89 Ill. Adm. Code 240.410.~~
- f) Chore and Housekeeping Services
Chore and housekeeping services authorized under an approved area plan shall provide assistance to persons having difficulty with one or more instrumental activities of daily living (e.g., household tasks, personal care, or yard work) under the supervision of the client or other responsible person. One unit of service is

774 equal to one hour of chore and housekeeping services. A partial hour may be
775 reported to two decimal places, e.g., 0.25 hours. Service activities may
776 include:~~meet the definitional requirements specified in 89 Ill. Adm. Code~~
777 ~~240.420.~~

- 778 1) Assisting with the uncapping of medication containers and providing
780 water;
- 781 2) Preparing supplies for the monitoring of non-medical personal care tasks
782 such as shaving, hair shampooing and combing, assistance with sponge
783 bath, assisting with tub bath only when clients are able to enter and exit
784 tub themselves, dressing, brushing and cleaning teeth and/or dentures
785 under specific direction of client or responsible individual;
- 786 3) Housekeeping tasks (cleaning, laundry, shopping, simple repairs, meal
787 preparation, seasonal tasks); and
- 788 4) Escorting or arranging for transportation (to medical facilities, errands and
789 shopping, miscellaneous family/individual business).

794 gi) Case Management Services
795 The Department ~~on Aging~~ allows funds to be expended for service entitled "Case
796 Management". Activities directly associated with this service shall be carried out
797 in accordance with applicable provisions of 89 Ill. Adm. Code 220.600 ~~– 675 et~~
798 ~~seq.~~ and 89 Ill. Adm. Code 230 Subpart G ~~once a procurement has been~~
799 ~~conducted pursuant to 89 Ill. Adm. Code 220.610 et seq.~~

801 hj) Other Services
802 Other service components of a comprehensive and coordinated service delivery
803 system that may be funded by an Area Agency on Aging include:
804 1) Services which facilitate access, such as outreach, escort, individual needs
805 assessment and service management;
806 2) Services provided in the community, where permitted by 42 U.S.C.
807 3030d(a) (2020)~~45 CFR 1321.131~~, such as: ~~continuing education, health~~
808 ~~and health screening, program development and coordination activities,~~
809 ~~individual needs assessment and service management, casework,~~
810 ~~counseling and assistance (concerning taxes, financial problems, welfare,~~
811 ~~the use of facilities and services, pre-retirement or second career), day~~
812 ~~care, protective services, nutrition education, services designed for the~~
813 ~~unique needs of the disabled, emergency services including disaster relief~~
814 ~~services, residential repair and renovation, physical fitness and recreation~~

- 817 ~~services, services in helping to obtain adequate housing;~~
818
819 A) continuing education;
820
821 B) health and health screening;
822
823 C) program development and coordination activities;
824
825 D) individual needs assessment and service management;
826
827 E) casework;
828
829 F) counseling and assistance (concerning taxes, financial problems,
830 welfare, the use of facilities and services, pre-retirement or second
831 career);
832
833 G) day care;
834
835 H) protective services;
836
837 D) nutrition education;
838
839 J) services designed for the unique needs of the disabled;
840
841 K) emergency services including disaster relief services;
842
843 L) residential repair and renovation;
844
845 M) physical fitness and recreation services; and
846
847 N) assistance in obtaining adequate housing;
848
849 3) Services provided in the home, such as: ~~preinstitutional evaluations,~~
850 ~~casework, counseling, chore maintenance, visiting, shopping, readers,~~
851 ~~letter writing, telephone reassurance, and nutrition education;~~
852
853 A) preinstitutional evaluations;
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855 B) casework;
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857 C) counseling;
858
859 D) chore maintenance;

- 860
- 861 E) visiting;
- 862
- 863 F) shopping;
- 864
- 865 G) reading printed material;
- 866
- 867 H) letter writing;
- 868
- 869 I) telephone reassurance; and
- 870
- 871 J) nutrition education;
- 872
- 873 4) Services provided to residents of care providing facilities, such as:
874 ~~casework, counseling, placement and relocation assistance, group services,~~
875 ~~complaint and grievance resolution and visiting. Care providing facilities~~
876 ~~include long term care facilities as defined in 45 CFR 1321.43(b),~~
877 ~~emergency shelters, and other congregate living arrangements.~~
- 878
- 879 A) casework;
- 880
- 881 B) counseling;
- 882
- 883 C) placement and relocation assistance;
- 884
- 885 D) group services; and
- 886
- 887 E) complaint and grievance resolution and visiting;
- 888
- 889 5) Care providing facilities include long-term care facilities as defined in the
890 Older Americans Act (42 U.S.C. 3002(35) (2020)), emergency shelters,
891 and other congregate living arrangements.
- 892

893 (Source: Amended at 49 Ill. Reg. _____, effective _____)

894

895 **Section 230.255 Nutrition Services**

- 896
- 897 a) Congregate Meals and Home Delivered Meals are the two types of nutrition
898 services that may be funded by the Department or the AAA under Title III-C of
899 the Older Americans Act (42 U.S.C. 3001 et seq.). All AAAs are required to fund
900 both types of nutrition services. Nutrition services and the units of service are
901 defined and determined by the U.S. Department of Health and Human Services,
902 Administration for Community Living.

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1) Congregate Meals

A) A congregate meal is defined as a meal provided by a qualified nutrition services provider to a qualified individual in a congregate or group setting. The meal is served in a program that is administered by the Department or an AAA and meets all the requirements of the Older Americans Act and State and local laws and ordinances. Meals provided to an individual through means-tested programs may be included.

B) Under the Congregate Meal Program, an AAA may provide grab go meals and/or food boxes as determined by local community needs. Grab and go means and/or food boxes are intended to serve as a complement to the AAAs congregate meal program and cannot exceed 25% of the fund extended by the AAA under Title III part C-1. The Department and the AAAs must request federal and subsequent State approval for the provision of grab and go meals/and or food boxes via the State Plan and area plan submission.

i) Grab and go meals are served in a program that is administered by the Department or an AAA and meets all the requirements of the Older Americans Act, State and local laws and ordinances. Meals provided to an individual through means' tested programs may be included.

ii) Food boxes will be funded using State GRF Home Delivered Meal monies and/or federal funds.

C) Units of Services

i) For congregate meals including grab and go meal, one unit of service is equal to one meal.

ii) For food boxes, the number of ingredients contained in the box per dietitian evaluation and the recipes provided equals the number of meals.

2) Home-Delivered Meals

A) A home-delivered meal is defined as a meal provided to a qualified individual in their place of residence. The meal is served in a

946 program that is administered by the Department or an Area Agency
947 on Aging and meets all the requirements of the Older Americans
948 Act and State and local laws and ordinances. Meals provided to an
949 individual through means-tested programs may be included.

950
951 B) One unit of service is equal to one meal.

952
953 3) Nutrition Counseling

954
955 A) Nutrition counseling is a standardized service as defined by the
956 Academy of Nutrition & Dietetics that provides individualized
957 guidance to individuals who are at nutritional risk because of their
958 health or nutrition history, dietary intake, chronic illness, or
959 medication use, or to their caregivers. Counseling is provided one-
960 on-one by a registered dietitian nutritionist and addresses the
961 options and methods for improving nutrition status with a
962 measurable goal.

963
964 B) One unit of service is equal to one hour of nutrition counseling. A
965 partial hour may be reported to two decimal places, e.g., 0.25
966 hours.

967
968 b) The AAA may award funds to provide nutrition services to older individuals.

969
970 1) The AAA shall assess the level of need for congregate, home-delivered,
971 grab and go meals, and food boxes within the planning and service area.
972 Additionally, the AAA shall assess the diversity of its planning and
973 service area to ensure its contracted providers have the capacity to provide
974 culturally appropriate meals based on the population.

975
976 2) The AAA shall give primary consideration to congregate meal. However,
977 the AAA may award funds to an organization that provides home-
978 delivered meals.

979
980 3) When awarding funds to provide home-delivered meals, consideration
981 shall be given, where feasible, to organizations that have demonstrated an
982 ability to provide home-delivered meals efficiently, have provided
983 assurances of efforts to solicit voluntary support, and will not use funds
984 made available under Title III-C of the Older Americans Act (42 U.S.C.
985 3001 et seq.) to supplant funds from non-federal sources.
986

987 4) When awarding funds, the nutrition services provider shall meet the
988 requirements of this Section and demonstrate it has carried out its nutrition
989 services activities with effectiveness.

990
991 5) Except as provided in 45 C.F.R. 75, Subpart D (2020) and 2 C.F.R. 200,
992 Subpart D (2020), the AAA shall not discontinue funding to a nutrition
993 services provider unless the nutrition services provider has been given an
994 opportunity for an appeal to the AAA and/or Department, in accordance
995 with the provisions in Subpart E of this Title.

996
997 c) Requirements for Participant Eligibility

998
999 1) The following individuals are eligible to participate in a congregate-meal
1000 program:

1001
1002 A) An individual who is age 60 or older; and

1003
1004 B) The spouse, regardless of age, of an individual who is age 60 or
1005 older participating in a congregate-meal program; and

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1007 C) An individual who is not 60 or older, but has a disability as defined
1008 in the Older Americans Act, 42 U.S.C. 3002 (2020) and:

1009
1010 i) resides in a housing facility primarily occupied by the older
1011 individuals at which congregate meals are provided; or

1012
1013 ii) resides at home with an older individual who is eligible to
1014 participate in a congregate meal program.

1015
1016 2) The following individuals are eligible to participate in a home-delivered
1017 meal program:

1018
1019 A) An individual who is age 60 or older. Consideration should be
1020 given to their ability to leave their home unassisted, ability to shop
1021 for and prepare nutritious meals, degree of disability, or other
1022 relevant factors pertaining to their need for the service, including
1023 social and economic need and is homebound by reason of illness,
1024 incapacitating disability, or is otherwise isolated; and

1025
1026 B) The spouse of an individual participating in the home-delivered
1027 meal program, regardless of age or condition, may receive a home-
1028 delivered meal if, according to criteria determined by the Area

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Agency on Aging, receipt of the meal is in the best interest of the frail and/or homebound older individual.

d) Requirements for All Nutrition Services Providers

- 1) A nutrition services provider shall have procedures for obtaining participants' opinions regarding the services they receive and for involving participants in the planning of nutrition services and other programs provided for their benefit.
- 2) A nutrition services provider shall utilize the expertise of a licensed dietitian nutritionist licensed under the Dietitian Nutritionist Practice Act [225 ILCS 30]. A licensed dietitian nutritionist shall certify and sign that each meal meets the State and local requirements and the requirements of the Older Americans Act for congregate and home-delivered meals.
- 3) A nutrition services provider shall have available for use upon request appropriate food containers and utensils for persons with disabilities.
- 4) A nutrition services provider shall assist participants in applying for benefits available to them under the Illinois Link (SNAP) food program. A nutrition services provider shall coordinate its activities with entities responsible for administering the Illinois Link (SNAP) program to facilitate participation of eligible older individuals in the program.
- 5) A nutrition services provider or other entity shall conduct a nutrition screening for each participant on at least an annual basis or sooner if a participant is screened at high nutritional risk.
 - A) The nutrition screening shall be on a form provided by the Department, which shall include the "DETERMINE Your Nutritional Health" questions developed by the Nutrition Screening Initiative.
 - B) If a screening indicates the participant is at high nutritional risk, a nutrition services provider should identify an action to take and document the action taken.
 - C) At minimum, the nutrition services provider or other entity should:
 - i) Inform the participant of the high nutritional risk;

- 1071 ii) Recommend the participant contact a physician or other
1072 appropriate professional; and
1073
1074 iii) Document that these steps were taken by checking the
1075 appropriate box(es) on the registration or intake form.
1076
1077 D) Some other examples of actions to take include, but are not limited
1078 to:
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1080 i) Making a referral or recommendation, based on the need
1081 identified, to meet with a licensed dietitian nutritionist,
1082 physician, or social services professional;
1083
1084 ii) Providing the participant with nutrition education; and/or
1085
1086 iii) Providing a list of appropriate resources that are available
1087 to help reduce the participant's nutritional risk, including
1088 information on the SNAP program.
1089
1090 6) A nutrition services provider shall provide nutrition education on at least a
1091 semiannual basis to participants. If feasible, the Department recommends
1092 that nutrition education be provided quarterly or more frequently.
1093
1094 A) Nutrition education activities are designed to:
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1096 i) Assist older individuals in obtaining the best nutritional
1097 services available within their resources;
1098
1099 ii) Aide older individuals in making sound food choices
1100 consistent with the most recent Dietary Guidelines for
1101 Americans, and in obtaining the best food to meet their
1102 nutritional needs;
1103
1104 iii) Increase awareness of community-sponsored health
1105 programs that encourage and promote sound nutritional
1106 habits and good health;
1107
1108 iv) Assist older individuals, where feasible, in the area of
1109 therapeutic diets as required by health or social condition;
1110 and
1111
1112 v) Provide available medical information approved by health
1113 care professionals, such as informational brochures and

information on how to get vaccines, including vaccines for influenza, pneumonia, and shingles, in the individuals' communities.

B) The Department recommends nutrition services providers coordinate with community resources in the provision of nutrition education services.

e) Requirements for Nutrition Services Providers of Congregate Meals

1) A nutrition services provider shall serve hot or other appropriate meals (e.g., cold meals) in a congregate setting at least once a day, five or more days a week (except in a rural area where such frequency is not feasible, and a lesser frequency is approved by the Department).

2) A nutrition services provider shall locate congregate meal nutrition services as close as possible, where feasible and appropriate, within walking distance of the majority of eligible older persons.

3) A nutrition services provider shall establish outreach activities that assure the maximum number of eligible individuals have an opportunity to participate.

4) A nutrition services provider shall coordinate with other appropriate services in the community.

5) If operated by special interest groups (e.g., churches, social organizations, homes for the elderly, senior housing developments, etc.), a nutrition services provider shall not limit participation to their own membership or otherwise show preferential treatment for such membership.

f) Requirements for Nutrition Services Providers of Home-Delivered Meals

1) A nutrition services provider shall assess the need for home-delivered meals in their assigned geographic area.

2) A nutrition services provider shall deliver home-delivered meals at least once a day, five or more days a week (except in a rural area where such frequency is not feasible, and a lesser frequency is approved by the Department). Home-delivered meals may be hot, cold, frozen, dried, canned or supplemental foods with a satisfactory storage life.

- 1156 3) With the consent of the participant, or their representative, a nutrition
1157 services provider shall bring to the attention of appropriate entities for
1158 follow-up, conditions or circumstances that place the participant or the
1159 household in imminent danger.
1160
1161 4) Where feasible and appropriate, a nutrition services provider shall arrange
1162 for the availability of meals to older persons in weather-related
1163 emergencies.
1164
1165 5) A nutrition services provider or other entity must complete an assessment
1166 of each person requesting home-delivered meals to determine the
1167 individual's need for service.
1168
1169 A) The assessment shall be on a form provided by the Department,
1170 which shall include the "DETERMINE Your Nutritional Health"
1171 questions developed by the Nutrition Screening Initiative.
1172
1173 B) A nutrition services provider shall complete a periodic
1174 reassessment of each participant at least annually or sooner if
1175 circumstances change.
1176
1177 C) A nutrition services provider shall assess all participants receiving
1178 cold and frozen meals to ensure they have the proper equipment
1179 (e.g., freezer, oven, microwave, and refrigerator) and physical and
1180 cognitive skills to store and re-heat the meals.
1181
1182 i) A person eligible to receive home-delivered meals should
1183 not be denied services based on the individual's inability to
1184 safely store and prepare a frozen meal.
1185
1186 ii) In rural areas or when the nutrition services provider only
1187 has the capacity to provide frozen meals, and the individual
1188 is unable to safely store and prepare frozen meals, the
1189 nutrition services provider shall make a referral to the Care
1190 Coordination Unit, Managed Care Organization, or other
1191 community services as appropriate to receive assistance
1192 with meals (e.g., in-home services or adult day services).
1193
1194 g) Requirements for Meals
1195
1196 1) Meals provided through the nutrition program shall comply with the most
1197 recent Dietary Guidelines for Americans and provide each participant a
1198 percentage of the Dietary Reference Intakes (DRI) as established by the

1199 Food and Nutrition Board of the Institute of Medicine of the National
1200 Academy of Sciences.

1201
1202 2) If the participant is offered one meal per day, the meal shall provide a
1203 minimum of 33 $\frac{1}{3}$ % of the DRI.

1204
1205 3) If the participant is offered two meals per day, the meals shall provide a
1206 minimum of 66 $\frac{2}{3}$ % of the DRI.

1207
1208 4) If the participant is offered three meals per day, the meals shall provide
1209 100% of the DRI.

1210
1211 h) Requirements for Meal Planning, Food Purchasing, and Meal Preparation

1212
1213 1) A nutrition services provider shall ensure that menus are approved and
1214 signed by a licensed dietitian nutritionist.

1215
1216 A) Menus may be approved by completing a nutritional analysis or by
1217 using the meal pattern developed by the Dietary Guidelines for
1218 Americans.

1219
1220 B) If a nutritional analysis is used, a copy of the nutrition breakdown
1221 of analysis must be maintained with the menu and the nutritional
1222 analysis menu approval sheet signed by the licensed dietitian
1223 nutritionist.

1224
1225 C) If the meal pattern is used, portion sizes that align with the meal-
1226 pattern menu approval sheet signed by the licensed dietitian
1227 nutritionist shall be documented on the menu.

1228
1229 2) A nutrition services provider shall follow appropriate procedures to
1230 preserve the nutritional value and safety of the food that is purchased,
1231 prepared, and provided to participants.

1232
1233 3) A nutrition services provider shall comply with all State and local health
1234 laws and ordinances concerning preparation, handling, and serving of
1235 food. Site managers shall have certified food safety manager certification.
1236 Food service workers and volunteers shall have food handler training.

1237
1238 4) If feasible, a nutrition services provider shall develop special menus to
1239 meet the particular dietary needs arising from the health requirements,
1240 religious requirements, or ethnic backgrounds of participants. If not
1241 feasible for the nutrition services provider to accommodate a client's

1242 particular dietary needs, the nutrition services provider shall make a
1243 referral to the Care Coordination Unit, Managed Care Organization, or
1244 other community services as appropriate to receive assistance with meals
1245 (e.g., in-home services or adult day services).

1246
1247 5) A nutrition services provider shall keep on file, for at least three years,
1248 menus and the menu-approval sheets signed by the licensed dietitian
1249 nutritionist. Any changes shall be noted in writing.

1250
1251 6) If feasible, a nutrition services provider shall offer more than one meal
1252 option at least once per week, which allows participants choice in meeting
1253 their dietary needs and food preferences.

1254
1255 7) A nutrition services provider shall inquire into the reasons why a
1256 participant is declining menu items or consistently refusing menu items.

1257
1258 8) A nutrition services provider shall assist participants to assure that
1259 adequate nutrition intake is maintained (e.g., providing smaller serving
1260 portions, substitutions when feasible, or serving the participant first).

1261
1262 i) Requirements for Food Service

1263
1264 1) If a nutrition services provider receives a complaint or report of symptoms
1265 of food borne illness, the nutrition services provider shall notify the local
1266 health department immediately to initiate an investigation and notify the
1267 Area Agency on Aging within 24 hours of the start of the investigation.

1268
1269 2) In the event of a reported food borne illness, the Area Agency on Aging
1270 shall notify the Department on Aging within three working days.

1271
1272 3) A nutrition services provider shall train new food service staff in fire and
1273 safety regulations during the orientation, and at a minimum, once a year
1274 thereafter.

1275
1276 4) A nutrition services provider shall conduct in-service food safety training
1277 for all paid food service staff on an annual basis. Staff shall complete
1278 training recommended by the Department.

1279
1280 5) A nutrition services provider shall document in writing the daily
1281 temperature records of hot and cold foods and keep the documentation on
1282 file at the site where the food was prepared. A nutrition services provider
1283 shall make the documentation available for review by a consulting

- 1284 licensed dietitian nutritionist or staff from the Department or Area Agency
1285 on Aging.
- 1286
- 1287 6) For congregate meals, a nutrition services provider shall check and
1288 document the temperature of the food daily at the time the food leaves the
1289 production areas, upon arrival if the food is prepared off site, and at the
1290 time of service.
- 1291
- 1292 7) For home-delivered meals, a nutrition services provider shall check and
1293 document the temperature of the food daily, both at the end of production
1294 and at the time of packaging. At least twice a month, the temperature shall
1295 be checked and documented at the end of the delivery route requiring the
1296 longest delivery time.
- 1297
- 1298 8) A nutrition services provider is prohibited from reusing leftovers from hot,
1299 cold, or frozen home-delivered meals that are unused (e.g., a participant
1300 was not home to receive the meal and it was brought back to the site) as a
1301 future frozen home-delivered meal. Such meals shall be discarded. This
1302 prohibition does not apply to meals that have been kept in a temperature-
1303 controlled environment.
- 1304
- 1305 9) A nutrition services provider shall advise participants receiving home-
1306 delivered meals that hot meals should be consumed immediately after
1307 delivery or ensure that instructions for proper heating, storage, and
1308 handling of meals are given to the participant.
- 1309
- 1310 10) A nutrition services provider shall give instructions to participants when
1311 utilizing frozen meals regarding safe meal storage and preparation. These
1312 instructions shall be provided at the time of the participant's assessment,
1313 reassessment, and periodically as appropriate.
- 1314
- 1315 11) A nutrition services provider shall not leave a meal at a participant's home
1316 when there is no one available to receive the meal. A nutrition services
1317 provider shall have guidelines for home-delivered meal drivers to notify
1318 staff when someone is not home. These guidelines enable the nutrition
1319 services provider to follow up with these participants.
- 1320
- 1321 12) A nutrition services provider shall inspect delivery vehicles weekly. If
1322 necessary, the vehicles shall be cleaned or sanitized (e.g., spilled milk or
1323 food) to ensure that the interiors of the vehicles are clean and maintained
1324 for sanitary purposes.
- 1325
- 1326 j) Requirements for Emergency and Disaster Plans

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- 1) A nutrition services provider shall have written plans that address pandemics, emergencies, and disasters. Such plans may be developed in collaboration with an AAA. Such plans shall provide for three emergency shelf-stable meals to both congregate and home-delivered meal participants.
 - 2) A nutrition services provider shall ensure staff and volunteers are familiar with the plans.
 - 3) The plans shall address the following:
 - A) Medical emergencies;
 - B) Pandemic protocols, including the provision of personal protective equipment;
 - C) Site evacuation in case of a fire or other disaster;
 - D) Inclement weather plans;
 - E) Site closure procedures that include communication processes;
 - F) Alternative sites for providing meals;
 - G) Storage of and coordination with meal providers for providing shelf-stable meals;
 - H) Volunteer resources and contacts; and
 - D) Emergency contacts.
 - 4) Congregate meal participants should be encouraged to keep an emergency supply of food and water at home for circumstances, such as inclement weather or a pandemic, which prevent travel to the congregate site.
 - 5) A nutrition services provider shall have written plans and supplies to ensure home-delivered meal participants receive meals during emergencies, weather-related conditions, pandemics, and natural disasters. These plans may be in collaboration with an AAA. For example, a nutrition services provider may plan for and maintain emergency shelf-stable meal packages, have arrangements with other community resources, or four-wheel drive vehicles.

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- 6) Emergency shelf-stable meals shall be planned for a minimum of three days, (preferably five days). If feasible, meals shall meet the Dietary Guidelines for Americans and provide 1/3 of the Dietary Reference Intakes, and menus shall be approved and signed by a licensed dietitian nutritionist as meeting the Dietary Guidelines for Americans. If feasible, meals shall meet specialized diet requirements.
- 7) Emergency shelf-stable meal packages shall include menus with instructions on how to combine the foods to meet the meal requirements.
- 8) Emergency shelf-stable meal packages shall be labeled with a use by or expiration date.

k) Nutrition Services Incentive Program (NSIP)

- 1) Nutrition services providers are eligible to receive cash assistance from the Administration on Aging in the form of a funding allocation for meals served through NSIP for seniors.
- 2) Allocated funding may be claimed for meals that meet the most recent Dietary Guidelines for Americans, are:
 - A) served to eligible participants;
 - B) served by a nutrition services provider that has received a grant under Title III-C of the Older Americans Act; and
 - C) provided with no set fee charged to the recipients.
- 3) A nutrition services provider shall spend NSIP funds only to purchase food or United States Department of Agriculture approved food commodities.
- 4) NSIP funds shall not be used to off-set program costs or as non-federal matching funds for any other program.

(Source: Added at 49 Ill. Reg. _____, effective _____)