



**Aging and Disability Resource Center of Door County
ADVISORY BOARD - NOTICE OF PUBLIC MEETING**

Monday, June 18th, 2018 - 3:00 P.M.
ADRC of Door County @ The Community Center
916 N. 14th Avenue, Sturgeon Bay, WI 54235

AGENDA

- 1. Call to Order at 3:00 p.m.**
- 2. Establish Quorum**
- 3. Review and Approve Agenda**
- 4. Review and Approve Minutes from the 5/21/2018 Meeting**
- 5. Public Comment**
- 6. Committee Response**

- 7. Old Business**
 - Operations Update
 - Staffing Update
 - Scope of Services Review
 - Three Year Aging Plan Update

- 8. New Business**
 - Review and Approve Complaint and Appeal Policy
 - Unmet Needs
 - Meeting Code

- 9. Items to be placed on a future agenda**

- 10. Confirm Next Meeting Date and Time**
 - The next meeting is tentatively scheduled as a joint meeting with Human Services Board, ADRC Advisory Committee and Nutritional Advisory Council for July 16th, 2018 at 3:00 p.m.

- 11. Adjourn**

In compliance with the Americans with Disabilities Act, any person needing assistance to participate in this meeting should contact the Office of the County Clerk at (920) 746-2200. Notification 72 hours prior to a meeting will enable the County to make reasonable arrangements to ensure accessibility to that meeting.

Deviation from the printed order may occur.

Posted:

ADRC Advisory Board - Minutes

Monday, May 21, 2018 at 03:00 p.m.

The Community Center, 916 N. 14th Ave., Sturgeon Bay, WI

THESE MINUTES HAVE NOT BEEN REVIEWED AND APPROVED BY THIS BOARD AND ARE SUBJECT TO REVIEW AND REVISION BY THE BOARD AT THEIR NEXT REGULARLY SCHEDULED MEETING.

Business Meeting

1. Call to Order

The meeting was called to order at 3:00 p.m. by Helen Bacon. Members present were: Helen Bacon, Christine Andersen, Mike Green, Judy Larson, Lucille Kirkegaard, Carol Moellenberndt, and Tom Krueck.. Absent were; Tami Leist and Melissa Wolfe. Other persons present were Jake Erickson, Jenny Fitzgerald, and Joe Krebsbach. Barb Snow took minutes.

2. Establish a Quorum

- A quorum was established and the meeting continued.

3. Adoption of Agenda

- A motion was made by Mike Green, and seconded by Christine Andersen to adopt the agenda. The motion was carried unanimously.

4. Approve Minutes from 04/23/2018 Meeting

- A motion was made by Carol Moellenberndt to approve the minutes and was seconded by Mike Green. The motion was carried unanimously.

5. Public Comment – None

6. Committee Response - None

7. Old Business

• Operations Update.

- The nutrition program has grown at our meal sites. Meals and participant comparison from 2017 to 2018 are: Jan 2017 we had 976 participants and Jan 2018 we had 1101 participants which is a 13% increase. Feb 2017 we had 1262 participants and in Feb 2018 we had 1648 participants with a 31% increase. March 2017 we had 1434 participants and in March 2018 we had 1916 participants with a 34% increase. In April 2017 we had 1240 participants and in April 2018 we had 1708 participants with a 38% increase. Home Delivered Meals are down a little. In Feb 2017, we had 1284 Home Delivered Meals and in Feb 2018 we had 1251 Home Delivered Meals. In March 2017 we had 1510 Home Delivered Meals and March 2018 we had 1461 Home Delivered Meals. April 2017 we had 1314 Home Delivered Meals and in April 2018 we had 1347 Home Delivered Meals up 3%. Frozen meals have also seen an increase. In March we have made 234 scan cards and in April we made 213 Cards. We have also had one day where we served 60 meals more than we have ever served totaling 220 people served in one meal setting. One of the questions asked was how sustainable is the meal program with the increase in participants compared to the staffing we have. Jake explained that in the beginning it was tough, however, we do have a new Limited Term Employee (LTE) Robyn that helps in the kitchen from 10:30 am to 2:00 pm as well as a Senior Aide who can work up to 20 hours a week as well as volunteers to help. Joe and Jake have started budget talks for 2019, these talks have included the addition of kitchen staff to support the increase in participation.

• Staffing Update.

- Anna Zahorik our Information and Assistance Specialist has accepted a job at the Brown County ADRC and will be leaving us May 30th. Joe explained to process to the board on how they go about refilling the position. Jake noted it could be around November of this year before the new I&A Specialist is ready to start working with consumers directly.

8. **New Business**

- **Board Orientation.** Jake reviewed the Board Orientation Guide that is in the ADRC Binder with the ADRC Advisory Board. He went over Complaints and Grievances stating that if you hear any to please bring them to Jake or Jenny. Jake also went over Analyzing and Raising Awareness about Unmet Needs. Jake stated that the board should work together by keeping their eyes and ears open to the community and identifying challenges in the community at large and from the other communities for unmet needs.
 - **Review and Approve Confidentiality Policy.** Jake reviewed the ADRC's Confidentiality Policy with the board. He explained that the board should be aware of who they are talking to and what information they are sharing out in the public. A motion was made by Tom Krueck to approve the Confidentiality Policy and seconded by Mike Green. The motion carried unanimously. Each board member signed and turned in their Confidentiality Agreement.
 - **Three Year Aging Plan – Update.** The timeline for the Three Year Aging Plan is as follows: The Draft is due July 20th, the Final is due November 2nd. We will have a joint NAC/ADRC on July 16th at 3:00 pm to discuss the plan. The September 11th meeting at 1:30 pm will have the following three groups present for a joint meeting: the Human Services Board, NAC Advisory Committee and the ADRC Advisory Board. The purpose for the combined meeting is to hold a public hearing where the Three Year Aging Plan is presented to the public. We can include public feedback gathered from other community wide initiatives. For example, we can utilize the results and feedback the Door County Community Foundation received from their Growing Older in Door County initiative. Tom discussed the survey and how he will use the survey to create the questions for the board to conduct their information sessions.
 - **Unmet Needs.** – Tabled for next meeting.
 - **Meeting Code – 464**
9. **Confirm Next Meeting Date and Time** The next meeting of the ADRC Advisory Board will be held on Monday, June 18th, 2018 at 3:00 p.m. at the ADRC.
10. **Adjourn.** A motion to adjourn was made by Judy Larson and seconded by Mike Green. The motion was carried unanimously. Meeting was adjourned at 5:15 p.m.

Recorded by Barb Snow

Public Hearing 1

County or Tribe:	Date of Hearing:
Location:	Number of Attendees:
Summary of Comments:	
How was draft plan altered as a result?	

Public Hearing 2

County or Tribe:	Date of Hearing:
Location:	Number of Attendees:
Summary of Comments:	
How was draft plan altered as a result?	

Public Hearing 3

County or Tribe:	Date of Hearing:
Location:	Number of Attendees:
Summary of Comments:	
How was draft plan altered as a result?	

Public Hearing 4

County or Tribe:	Date of Hearing:
Location:	Number of Attendees:
Summary of Comments:	
How was draft plan altered as a result?	

Public Input Report

Complete one worksheet for each separate method of public input used. i.e. 12 interviews conducted can be compiled on one sheet.

Your County or Tribe:	Your Name and Email:
Type of Public Input: <input type="checkbox"/> Community Forum or Listening Session <input type="checkbox"/> Focus Group Discussions <input type="checkbox"/> Structured Interviews (with individuals) <input type="checkbox"/> Paper or Internet Survey <input type="checkbox"/> Other (please describe): _____	
Date/s of Event or Effort:	
Number of Participants or Respondents:	
Key Issues Discussed:	
Key Takeaways/Findings:	
Any Planned Response?	

**County Plan on Aging
2019-2021
Template and Self-Assessment Form**

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**Yellow Highlight indicates sections required for annual assessment*

2. Executive Summary

3. Organization and Structure of the Aging Unit
3-A Mission Statement and Description of the Aging Unit

3. Organization and Structure of the Aging Unit
3-B Organizational Chart of the Aging Unit

Provide an organizational chart, which clearly depicts the place of the aging unit, the policy-making body, and (where applicable) the advisory committee, in relation to the county government. (Not-for-profit aging units will not include their relationships to county government in the organization chart.)

**3. Organization and Structure of the County Aging Unit
3-C Aging Unit Coordination with ADRCs**

3. Organization and Structure of the County Aging Unit 3-D Statutory Requirements for the Structure of the Aging Unit
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Chapter 46.82 of the Wisconsin Statutes sets certain legal requirements for aging units.

Organization: The law permits one of three options. Which of the following permissible options has the county chosen?	Check One
1. An agency of county/tribal government with the primary purpose of administering programs for older individuals of the county/tribe.	
2. A unit, within a county/tribal department with the primary purpose of administering programs for older individuals of the county/tribe.	
3. A private nonprofit corporation, as defined in s. 181.0103 (17).	
Organization of the Commission on Aging: The law permits one of three options. Which of the following permissible options has the county chosen?	Check One
1. For an aging unit that is described in (1) or (2) above, organized as a committee of the county board of supervisors/tribal council, composed of supervisors and, advised by an advisory committee, appointed by the county board/tribal council. Older individuals shall constitute at least 50% of the membership of the advisory committee and individuals who are elected to any office may not constitute 50% or more of the membership of the advisory committee.	
2. For an aging unit that is described in (1) or (2) above, composed of individuals of recognized ability and demonstrated interest in services for older individuals. Older individuals shall constitute at least 50% of the membership of this commission and individuals who are elected to any office may not constitute 50% or more of the membership of this commission.	
3. For an aging unit that is described in (3) above, the board of directors of the private, nonprofit corporation. Older individuals shall constitute at least 50% of the membership of this commission and individuals who are elected to any office may not constitute 50% or more of the membership of this commission.	
Full-Time Aging Director: The law requires that the aging unit have a full-time director as described below. Does the county have a full-time aging director as required by law?	Yes/ No

**3. Organization and Structure of the Aging Unit
3-E Membership of the Policy-Making Body**

The commission is the policy making entity for aging services and an aging advisory committee is not the commission. Chapter 46.82 of the Wisconsin Statutes sets certain legal requirements for aging units.

“Members of a county/tribal commission on aging shall serve for terms of 3 years, so arranged that, as nearly as practicable, the terms of one-third of the members shall expire each year, and no member may serve more than 2 consecutive 3-year terms.” In the case of county board/tribal council members, the requirement is 3 consecutive 2-year terms.

Official Name of the County Aging Unit’s Policy-Making Body (list below)			
Name	Age 60 and Older	Elected Official	Year First Term Began
Chairperson:			

**3. Organization and Structure of the County Aging Unit
3-F Membership of the Advisory Committee**

If the aging unit has an advisory committee, listed below are the members of the advisory committee. *An aging advisory committee is required if the commission (policy making body) does not follow the Elders Act requirements for elected officials, older adults and terms or if the commission (i.e. policy-making body) is a committee of the county board.*

Chapter 46.82 of the Wisconsin Statutes requires that the membership of the aging advisory committee (where applicable) must consist of at least 50% older people, and individuals who are elected to office may not constitute 50% or more of the membership.

Official Name of the County Aging Unit’s Advisory Committee (list below)			
Name	Age 60 and Older	Elected Official	Year First Term Began
Chairperson:			

For assessment only – Please update the Commission on Aging and Aging Advisory membership and answer questions below.

<i>Please answer "Y" or "N"</i>	2019	2020	2021	Describe
Has the organization of the <i>Aging Unit</i> changed this past year?				
Has the organization of the <i>Commission on Aging</i> changed this past year?				
Does the aging unit have a full-time aging director?				
Is the membership of the Commission on Aging in Compliance?				

3. Organization and Structure of the County Aging Unit 3-G Staff of the Aging Unit

Listed below are the people employed by the County Aging Unit. Include additional pages as needed.

Name: Job Title: Telephone Number/email Address:
Brief Description of Duties:
Name: Job Title: Telephone Number/email Address:
Brief Description of Duties:
Name: Job Title: Telephone Number/email Address:
Brief Description of Duties:
Name: Job Title: Telephone Number/email Address/email Address:
Brief Description of Duties:
Name: Job Title: Telephone Number/email Address:
Brief Description of Duties:

4. Context

5. Public Involvement in the Development of the County Aging Plan

Please use the [Public Input Report form](#) to explain how you gathered information and ideas from the public prior to developing your plan. Attach completed forms to the plan.

Before submitting the final plan to the Area Agency on Aging (AAA), the aging unit must conduct one or more public hearings on the draft plan. Please use the [Public Hearing Report form](#) to document your public hearings and attach forms to the plan.

6. Goals for the Plan Period

Progress notes to be completed during self-assessment process.

Aging Unit Plan Goals <i>(write at least one goal per focus area per year - add extra boxes as needed – put curser to the left of the box and click the + sign)</i>	Progress Notes <i>(briefly summarize only those activities completed as of Dec. of each year)</i>	check if completed		
		2019	2020	2021
Focus Area 6-A. Advocacy Related Activities				
Focus Area 6-B. The Elder Nutrition Program				
Focus Area 6-C. Services in Support of Caregivers				
Focus Area 6-D. Services to People with Dementia				
Focus Area 6-E. Healthy Aging				

Focus Area 6-F. Local Priorities				

For Assessment Only

Part IV: Progress on the Aging Unit Plan for Serving Older People – National Family Caregiver Support Program (NFCSP)

This section is not required for tribal aging units.

Minimum Service Requirements: *The minimum service requirements of NFCSP must be provided by the aging unit or contracted with another agency. Please indicate who provides these services.*

Service	Aging Unit (X)	Other Agency (please list)
Information to caregivers about available services		
Assistance to caregivers in gaining access to the services		
Individual counseling, support groups, and training to caregivers		
Respite care		
Supplemental services (e.g., transportation, assistive devices, home modifications, adaptive aids, emergency response systems, supplies, etc.)		

Caregiver Coordination: *To ensure coordination of caregiver services in the county, the aging unit shall convene or be a member of a local family-caregiver coalition or coordinating committee with other local providers who currently provide support services to family caregivers.*

<p>Does the aging unit belong to a local caregiver coalition?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Name of Coalition: _____</p> <p>If YES, please provide a brief update on coalition activities conducted each year.</p> <p>If NO, please explain plan for compliance.</p>	<p>2019 Activities:</p>
	<p>2020 Activities:</p>
	<p>2021 Activities:</p>

7. Coordination Between Titles III and VI

If the county includes part or all of a federally recognized tribe or is home to a significant population of tribal members, describe how the County and Tribal aging units will work together to coordinate and ensure the provision of services to tribal elders. Provide a narrative describing collaboration efforts and goals for each year of the plan.

Progress notes to be completed during self-assessment process.

Provide goals for each year of the plan.	Progress Notes	2019	2020	2021

9. Compliance with Federal and State Laws and Regulations

On behalf of the county, we certify

(Give the full name of the county aging unit)

has reviewed the appendix to the county plan entitled Assurances of Compliance with Federal and State Laws and Regulations for 2016-2018. We assure that the activities identified in this plan will be carried out to the best of the ability of the tribe in compliance with the federal and state laws and regulations listed in the Assurances of Compliance with Federal and State Laws and Regulations for 2016-2018.

Signature and Title of the Chairperson of the Commission on Aging	Date
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Signature and Title of the Authorized County Board Representative	Date
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10. Assurances

The applicant certifies compliance with the following regulations:

1. Legal Authority of the Applicant

- The applicant must possess legal authority to apply for the grant.
- A resolution, motion or similar action must be duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein.
- This resolution, motion or similar action must direct and authorize the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. Outreach, Training, Coordination, & Public Information

- The applicant must assure that outreach activities are conducted to ensure the participation of eligible older persons in all funded services as required by the Bureau of Aging and Disability Resources designated area agency on aging.
- The applicant must assure that each service provider trains and uses elderly persons and other volunteers and paid personnel as required by the Bureau of Aging and Disability Resources designated area agency on aging.
- The applicant must assure that each service provider coordinates with other service providers, including senior centers and the nutrition program, in the planning and service area as required by the Bureau of Aging and Disability Resources designated area agency on aging.
- The applicant must assure that public information activities are conducted to ensure the participation of eligible older persons in all funded services as required by the Bureau of Aging and Disability Resources designated area agency on aging.

3. Preference for Older People with Greatest Social and Economic Need

The applicant must assure that all service providers follow priorities set by the Bureau of Aging and Disability Resources designated area agency on aging for serving older people with greatest social and economic need.

4. Advisory Role to Service Providers of Older Persons

The applicant must assure that each service provider utilizes procedures for obtaining the views of participants about the services they receive.

5. Contributions for Services

- The applicant shall assure that agencies providing services supported with Older Americans Act and state aging funds shall give older adults a free and voluntary

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opportunity to contribute to the costs of services consistent with the Older Americans Act regulations.

- Each older recipient shall determine what he/she is able to contribute toward the cost of the service. No older adult shall be denied a service because he/she will not or cannot contribute to the cost of such service.
- The applicant shall provide that the methods of receiving contributions from individuals by the agencies providing services under the county/tribal plan shall be handled in a manner that assures the confidentiality of the individual's contributions.
- The applicant must assure that each service provider establishes appropriate procedures to safeguard and account for all contributions.
- The applicant must assure that each service provider considers and reports the contributions made by older people as program income. All program income must be used to expand the size or scope of the funded program that generated the income. Nutrition service providers must use all contributions to expand the nutrition services. Program income must be spent within the contract period that it is generated.

6. Confidentiality

- The applicant shall ensure that no information about, or obtained from an individual and in possession of an agency providing services to such individual under the county/tribal or area plan, shall be disclosed in a form identifiable with the individual, unless the individual provides his/her written informed consent to such disclosure.
- Lists of older adults compiled in establishing and maintaining information and referral sources shall be used solely for the purpose of providing social services and only with the informed consent of each person on the list.
- In order that the privacy of each participant in aging programs is in no way abridged, the confidentiality of all participant data gathered and maintained by the State Agency, the Area Agency, the county or tribal aging agency, and any other agency, organization, or individual providing services under the State, area, county, or tribal plan, shall be safeguarded by specific policies.
- Each participant from whom personal information is obtained shall be made aware of his or her rights to:
 - (a) Have full access to any information about one's self which is being kept on file;
 - (b) Be informed about the uses made of the information about him or her, including the identity of all persons and agencies involved and any known consequences for providing such data; and,
 - (c) Be able to contest the accuracy, completeness, pertinence, and necessity of information being retained about one's self and be assured that such information, when incorrect, will be corrected or amended on request.

- All information gathered and maintained on participants under the area, county or tribal plan shall be accurate, complete, and timely and shall be legitimately necessary for determining an individual's need and/or eligibility for services and other benefits.
- No information about, or obtained from, an individual participant shall be disclosed in any form identifiable with the individual to any person outside the agency or program involved without the informed consent of the participant or his/her legal representative, except:
 - (a) By court order; or,
 - (b) When securing client-requested services, benefits, or rights.
- The lists of older persons receiving services under any programs funded through the State Agency shall be used solely for the purpose of providing said services, and can only be released with the informed consent of each individual on the list.
- All paid and volunteer staff members providing services or conducting other activities under the area plan shall be informed of and agree to:
 - (a) Their responsibility to maintain the confidentiality of any client-related information learned through the execution of their duties. Such information shall not be discussed except in a professional setting as required for the delivery of service or the conduct of other essential activities under the area plan; and,
 - (b) All policies and procedures adopted by the State and Area Agency to safeguard confidentiality of participant information, including those delineated in these rules.
- Appropriate precautions shall be taken to protect the safety of all files, microfiche, computer tapes and records in any location which contain sensitive information on individuals receiving services under the State or area plan. This includes but is not limited to assuring registration forms containing personal information are stored in a secure, locked drawer when not in use.

7. Records and Reports

- The applicant shall keep records and make reports in such form and requiring such information as may be required by the Bureau of Aging and Disability Resources and in accordance with guidelines issued solely by the Bureau of Aging and Disability Resources and the Administration on Aging.
- The applicant shall maintain accounts and documents which will enable an accurate review to be made at any time of the status of all funds which it has been granted by the Bureau of Aging and Disability Resources through its designated area agency on aging. This includes both the disposition of all monies received and the nature of all charges claimed against such funds.

8. Licensure and Standards Requirements

- The applicant shall assure that where state or local public jurisdiction requires licensure for the provision of services, agencies providing services under the county/tribal or area plan shall be licensed or shall meet the requirements for licensure.
- The applicant is cognizant of and must agree to operate the program fully in conformance with all applicable state and local standards, including the fire, health, safety and sanitation standards, prescribed in law or regulation.

9. Civil Rights

- The applicant shall comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with that act, no person shall on the basis of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity under this plan.
- All grants, sub-grants, contracts or other agents receiving funds under this plan are subject to compliance with the regulation stated in 9 above.
- The applicant shall develop and continue to maintain written procedures which specify how the agency will conduct the activities under its plan to assure compliance with Title VI of the Civil Rights Act.
- The applicant shall comply with Title VI of the Civil Rights Act (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the service funded by the grant.
- All recipients of funds through the county/tribal or area plan shall operate each program or activity so that, when viewed in its entirety, the program or activity is accessible to and usable by handicapped adults as required in the Architectural Barriers Act of 1968.

10. Uniform Relocation Assistance and Real Property Acquisition Act of 1970

The applicant shall comply with requirements of the provisions of the Uniform Relocation and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of federal and federally assisted programs.

11. Political Activity of Employees

The applicant shall comply with the provisions of the Hatch Act (5 U.S.C. Sections 7321-7326), which limit the political activity of employees who work in federally funded programs. [Information about the Hatch Act is available from the U.S. Office of Special Counsel at <http://www.osc.gov/>]

12. Fair Labor Standards Act

The applicant shall comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (Title 29, United States Code, Section 201-219), as they apply to hospital and educational institution employees of state and local governments.

13. Private Gain

The applicant shall establish safeguards to prohibit employees from using their positions for a purpose that is or appears to be motivated by a desire for private gain for themselves or others (particularly those with whom they have family, business or other ties).

14. Assessment and Examination of Records

- The applicant shall give the Federal agencies, State agencies and the Bureau of Aging and Disability Resources authorized Area Agencies on Aging access to and the right to examine all records, books, papers or documents related to the grant.
- The applicant must agree to cooperate and assist in any efforts undertaken by the grantor agency, or the Administration on aging, to evaluate the effectiveness, feasibility, and costs of the project.
- The applicant must agree to conduct regular on-site assessments of each service provider receiving funds through a contract with the applicant under the county or tribal plan.

15. Maintenance of Non-Federal Funding

- The applicant assures that the aging unit, and each service provider, shall not use Older Americans Act or state aging funds to supplant other federal, state or local funds.
- The applicant must assure that each service provider must continue or initiate efforts to obtain funds from private sources and other public organizations for each service funded under the county or tribal plan.

16. Regulations of Grantor Agency

The applicant shall comply with all requirements imposed by the Department of Health and Family Services, Division of Supportive Living, Bureau of Aging and Disability Resources concerning special requirements of federal and state law, program and fiscal requirements, and other administrative requirements.

17. Older Americans Act

The applicant shall comply with all requirements of the Older Americans Act (PL 89-73).
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18. Federal Regulations

The applicant shall comply with all federal regulations (45 CFR 1321) governing Older Americans Act funds and programs.

19. Wisconsin Elders Act

The aging unit must comply with the provisions of the Wisconsin Elders Act.

Wisconsin Statutes Chapter 46.82 Aging unit.

“Aging unit” means an aging unit director and necessary personnel, directed by a county or tribal commission on aging and organized as one of the following:

- (1) An agency of county or tribal government with the primary purpose of administering programs of services for older individuals of the county or tribe.
- (2) A unit, within a county department under s. 46.215, 46.22
- (3) or 46.23, with the primary purpose of administering programs of and services for older individuals of the county
- (4) A private corporation that is organized under ch. 181 and
- (5) that is a nonprofit corporation, as defined in s. 181.0103 (17).

Aging Unit; Creation. A county board of supervisors of a county, the county boards of supervisors of 2 or more contiguous counties or an elected tribal governing body of a federally recognized American Indian tribe or band in this state may choose to administer, at the county or tribal level, programs for older individuals that are funded under 42 USC 3001 to 3057n, 42 USC 5001 and 42 USC 5011 (b). If this is done, the county board or boards of supervisors or tribal governing body shall establish by resolution a county or tribal aging unit to provide the services required under this section. If a county board of supervisors or a tribal governing body chooses, or the county boards of supervisors of 2 or more contiguous counties choose, not to administer the programs for older individuals, the department shall direct the area agency on aging that serves the relevant area to contract with a private, nonprofit corporation to provide for the county, tribe or counties the services required under this section.

Aging Unit; Powers and Duties. In accordance with state statutes, rules promulgated by the department and relevant provisions of 42 USC 3001 to 3057n and as directed by the county or tribal commission on aging, an aging unit:

(a) **Duties.** Shall do all of the following:

1. Work to ensure that all older individuals, regardless of income, have access to information, services and opportunities available through the county or tribal aging unit and have the opportunity to contribute to the cost of services and that the services and

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resources of the county or tribal aging unit are designed to reach those in greatest social and economic need.

2. Plan for, receive and administer federal, state and county, city, town or village funds allocated under the state and area plan on aging to the county or tribal aging unit and any gifts, grants or payments received by the county or tribal aging unit, for the purposes for which allocated or made.
3. Provide a visible and accessible point of contact for individuals to obtain accurate and comprehensive information about public and private resources available in the community which can meet the needs of older individuals.
4. As specified under s. 46.81, provide older individuals with services of benefit specialists or appropriate referrals for assistance.
5. Organize and administer congregate programs, which shall include a nutrition program and may include one or more senior centers or adult day care or respite care programs, that enable older individuals and their families to secure a variety of services, including nutrition, daytime care, educational or volunteer opportunities, job skills preparation and information on health promotion, consumer affairs and civic participation.
6. Work to secure a countywide or tribal transportation system that makes community programs and opportunities accessible to, and meets the basic needs of, older individuals.
7. Work to ensure that programs and services for older individuals are available to homebound, disabled and non-English speaking persons, and to racial, ethnic and religious minorities.
8. Identify and publicize gaps in services needed by older individuals and provide leadership in developing services and programs, including recruitment and training of volunteers, that address those needs.
9. Work cooperatively with other organizations to enable their services to function effectively for older individuals.
10. Actively incorporate and promote the participation of older individuals in the preparation of a county or tribal comprehensive plan for aging resources that identifies needs, goals, activities and county or tribal resources for older individuals.
11. Provide information to the public about the aging experience and about resources for and within the aging population.
12. Assist in representing needs, views and concerns of older individuals in local decision making and assist older individuals in expressing their views to elected officials and providers of services.
13. If designated under s. 46.27 (3) (b) 6., administer the long-term support community options program.
14. If the department is so requested by the county board of supervisors, administer the pilot projects for home and community-based long-term support services under s. 46.271.
15. If designated under s. 46.90 (2), administer the elder abuse reporting system under s. 46.90.
16. If designated under s. 46.87 (3) (c), administer the Alzheimer's disease family and caregiver support program under s. 46.87.

17. If designated by the county or in accordance with a contract with the department, operate the specialized transportation assistance program for a county under s. 85.21.
18. Advocate on behalf of older individuals to assist in enabling them to meet their basic needs.
19. If an aging unit under sub. (1) (a) 1. or 2. and if authorized under s. 46.283 (1) (a) 1., apply to the department to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate the resource center.
20. If an aging unit under sub. (1) (a) 1. or 2. and if authorized under s. 46.284 (1) (a) 1., apply to the department to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), operate the care management organization and, if appropriate, place funds in a risk reserve.

(b) Powers. May perform any other general functions necessary to administer services for older individuals.

(4) Commission On Aging.

(a) Appointment.

1. Except as provided under sub. 2., the county board of supervisors in a county that has established a single-county aging unit, the county boards of supervisors in counties that have established a multicounty aging unit or the elected tribal governing body of a federally recognized American Indian tribe or band that has established a tribal aging unit shall, before qualification under this section, appoint a governing and policy-making body to be known as the commission on aging.

2. In any county that has a county executive or county administrator and that has established a single-county aging unit, the county executive or county administrator shall appoint, subject to confirmation by the county board of supervisors, the commission on aging. A member of a commission on aging appointed under this subdivision may be removed by the county executive or county administrator for cause.

(b) Composition.

A commission on aging, appointed under par. (a) shall be one of the following:

1. For an aging unit that is described in sub. (1) (a) 1. or 2., organized as a committee of the county board of supervisors, composed of supervisors and, beginning January 1, 1993, advised by an advisory committee, appointed by the county board. Older individuals shall constitute at least 50% of the membership of the advisory committee and individuals who are elected to any office may not constitute 50% or more of the membership of the advisory committee.
2. For an aging unit that is described in sub. (1) (a) 1. or 2., composed of individuals of recognized ability and demonstrated interest in services for older individuals. Older individuals shall constitute at least 50% of the membership of this commission and individuals who are elected to any office may not constitute 50% or more of the membership of this commission.

3. For an aging unit that is described in sub. (1) (a) 3., the board of directors of the private, nonprofit corporation. Older individuals shall constitute at least 50% of the membership of this commission and individuals who are elected to any office may not constitute 50% or more of the membership of this commission.

(c) Terms.

Members of a county or tribal commission on aging shall serve for terms of 3 years, so arranged that, as nearly as practicable, the terms of one-third of the members shall expire each year, and no member may serve more than 2 consecutive 3-year terms. Vacancies shall be filled in the same manner as the original appointments. A county or tribal commission on aging member appointed under par. (a) 1. may be removed from office for cause by a two-thirds vote of each county board of supervisors or tribal governing body participating in the appointment, on due notice in writing and hearing of the charges against the member.

(c) Powers and duties.

A county or tribal commission on aging appointed under sub. (4) (a) shall, in addition to any other powers or duties established by state law, plan and develop administrative and program policies, in accordance with state law and within limits established by the department of health and family services, if any, for programs in the county or for the tribe or band that are funded by the federal or state government for administration by the aging unit. Policy decisions not reserved by statute for the department of health and family services may be delegated by the secretary to the county or tribal commission on aging. The county or tribal commission on aging shall direct the aging unit with respect to the powers and duties of the aging unit under sub. (3).

(5) Aging Unit Director; Appointment. A full-time aging unit director shall be appointed on the basis of recognized and demonstrated interest in and knowledge of problems of older individuals, with due regard to training, experience, executive and administrative ability and general qualification and fitness for the performance of his or her duties, by one of the following:

(a) 1. For an aging unit that is described in sub. (1) (a) 1., except as provided in subd. 2., a county or tribal commission on aging shall make the appointment, subject to the approval of and to the personnel policies and procedures established by each county board of supervisors or the tribal governing body that participated in the appointment of the county or tribal commission on aging. 2. In any county that has a county executive or county administrator and that has established a single-county aging unit, the county executive or county administrator shall make the appointment, subject to the approval of and to the personnel policies and procedures established by each county board of supervisors that participated in the appointment of the county commission on aging.

(b) For an aging unit that is described in sub. (1) (a) 2., the director of the county department under s. 46.215, 46.22 or 46.23 of which the aging unit is a part shall make the appointment, subject to the personnel policies and procedures established by the county board of supervisors.

(d) For an aging unit that is described in sub. (1) (a) 3., the commission on aging under sub. (4) (b) 3. shall make the appointment, subject to ch. 181.

11. Appendices



**Aging and Disability Resource Center
ADRC of Door County**

POLICIES AND PROCEDURES

TOPIC:	Complaint and Appeal
EFFECTIVE DATE:	January 1, 2013
REVISION DATE:	

1.0 Purpose

This policy and procedures are intended to resolve issues related to customer rights, complaints and appeals related to the work of the Aging and Disability Resource Center (ADRC).

2.0 Scope

- 2.1 Applicability.** This policy and procedures apply to all services provided by ADRC Staff to any customer who utilizes the ADRC's services.
- 2.2 Objective.** This complaint and appeal policy and procedures are designed to allow users of the ADRC a way to exercise their due process rights with a simple and easily understood process.

3.0 References

- 3.1 [ADRC Contract IV](#).** Organizational and Procedural Standards, J.)
Complaints and Appeals
- 3.2 [Model Complaint and Appeal Policy and Procedure](#)** October 8, 2010

4.0 Policy

The Aging and Disability Resource Center will inform customers of their right to file a complaint regarding any aspect of their experience with the ADRC, or to file an appeal of any decision made by the ADRC. All ADRC Staff will participate in any informal or formal complaint process that addresses any actions or decision in which they are a part. Furthermore, ADRC Staff will assist ADRC customers to file any complaint, and will work to resolve complaints to the satisfaction of the customer in as expeditious a manner as possible.

5.0 Definitions

- 5.1 Complaint:** A grievance, difficulty, disagreement or dispute. An expression of dissatisfaction about a situation that the person making the complaint wants to see rectified.

- 5.1.1 Informal Internal Complaint:** Any concern or complaint expressed to staff or the ADRC Director related to any service of the ADRC, which can be resolved through an informal discussion of the concern or complaint.
- 5.1.2 Formal Internal Complaint:** Complaints with an expectation that management will investigate and provide a written summary of findings, propose a resolution, and take action.
- 5.1.3 Formal External Complaint:** A complaint made to the Wisconsin Department of Health Services with the expectation that the appropriate agency will complete a timely review, investigation and analysis of the facts in an attempt to resolve concerns and problems expressed by a complainant.
- 5.2 Grievance:** A complaint.
- 5.3 Appeal:** An official request to change the outcome of a determination related to eligibility for public benefits or the reduction, elimination or denial of services provided as part of a public benefit.
- 5.4 Complainant:** An ADRC customer, or person acting on the customer's behalf, to express or file a complaint or appeal.
- 5.5 Fair Hearing:** A proceeding under Chapter HA 3, Wisconsin Administrative Code before an impartial administrative law judge in which the petitioner or the petitioner's representative presents the reasons why an action or inaction by the ADRC in the petitioner's case should be corrected.

6.0 Responsibilities

- 6.1 Director Responsibilities.** The ADRC Director will provide training to ADRC Staff regarding this policy and procedure. Training will include information on due process rights, complaint resolution, and the available options for ADRC customers who wish to take their complaint to a formal external process. Also, the Director will assist customers in filing complaints. The Director will attempt to resolve complaints and, if necessary, will investigate complaints and make a formal report to the complainant.
- 6.2 Employee Responsibilities.** ADRC Staff will provide ADRC customers with a written copy of the ADRC's complaint and appeal procedure. They will attempt to informally resolve any complaint from a customer they served. ADRC Staff will assist customers with filing a complaint and will participate in and cooperate with any formal complaint process.

7.0 Procedure

7.1 Informing and Assisting Customers in Exercising Their Rights

7.1.1 Who Can Submit a Complaint: Any ADRC customer, or person acting on a customer's behalf, may express or file a complaint. This procedure, however, does not limit a customer from pursuing other remedies, including legal actions. All ADRC Staff will refrain from any reprisal or threat of reprisal against any customer registering a complaint.

7.1.2 When Customers Will Be Informed of Their Rights. All customers of the ADRC will be given a complaint and appeal handout with information on their rights, the complaint procedure, and contact information for external advocacy agencies as soon as practical and when staff have reason to believe the person is dissatisfied. Staff will explain the process and provide assistance as necessary in submitting a formal complaint or appeal. Individuals making a simple request for information which can be immediately met by the ADRC need only have access to complaint and appeal information upon request.

7.1.2.1 In addition, the rights and complaint procedures will be posted for customers to view in a manner that is understandable to all.

7.1.2.2 Customers are not precluded from using any or all complaint and appeal processes outlined in this policy and in any order.

7.2 Informal Internal Complaint Procedure

7.2.1 Customer Process for Expressing an Informal Complaint. A customer may make an informal complaint verbally or in writing. Informal complaints may also be identified through surveys, phone calls, e-mail, etc. An informal complaint, as defined in Part 5.1.1 of this document, is usually a concern that can easily be resolved through a discussion with the customer making the complaint. Informal complaint resolutions will usually be those that the ADRC staff member has the ability to rectify within established policy, procedures or protocols.

7.2.2 Procedure for Responding to an Informal Complaint.

7.2.2.1 Listen to Complaint. ADRC Staff, who receive a complaint, should encourage customers to discuss their concerns or complaints with the staff most directly involved. Customers can request that the ADRC Director be involved in this informal resolution process.

7.2.2.2 Timeliness. Wherever possible, the ADRC shall attempt to resolve any complaint at the time it is presented. If this is not possible, resolution should be completed within 10 business days.

7.2.2.3 Documentation. Documentation of the complaint, steps taken toward resolution, and conclusions should be completed by staff in the customer's ADRC case record.

7.2.2.4 Inform Customer of Formal Process. If the customer is not satisfied with the conclusions of the informal process, the complainant should be informed verbally and in writing of the formal complaint process. Assistance should be given to customers in understanding the process or in the completion of the formal complaint. Customers are not required to go through the informal process before utilizing the formal process described below. Customers have 10 days from the conclusion of the informal complaint process to request a formal internal process.

7.3 Formal Internal Complaint Procedure

7.3.1 Customer Process for Filing a Formal Complaint

7.3.1.1 Complaint Form. It is preferred that the customer, or person acting on the customer's behalf, use the ADRC Complaint Form to make a formal complaint. Utilizing the form helps to ensure that full information is provided and makes it easier for the ADRC to respond to the customer's concerns. However, customers can also use their own format for writing their complaint. If the customer needs assistance putting the complaint in writing, ADRC staff will, at the discretion of the individual, provide this assistance or assure that the customer is connected with someone who can provide it.

7.3.1.2 Where to Return Complaint. The form/complaint may be returned by e-mail, mail, or delivered to the ADRC office.

7.3.1.3 Timeframes. Complainants should make their formal complaint, either verbally or in writing, to the ADRC Director within 10 business days of the occurrence of the event or of the conclusion of the informal complaint process, whichever is later. An extension to the 10-day time limit can be granted by the ADRC Director for a good cause. The

ADRC has 10 business days from the day it receives the complaint to complete the internal process described below.

7.3.1.4 Complaints Involving EBS. When a complaint is related to EBS services the ADRC Director shall share a copy of the complaint with the Benefit Specialist Supervising Attorney who is responsible for the EBS's individual case handling.

7.3.2 Meeting with Participants

7.3.2.1 The ADRC Director shall arrange to meet with the complainant and the customer, if different. If the Director feels that including the staff member, involved in the complaint, in the meeting would help reach a resolution, he/she will do so if the customer/complainant consents.

7.3.2.2 The Director shall identify/clarify the matter or issues and explain the process for resolving the complaint.

7.3.2.3 Assistance will be offered to the complainant in putting the complaint in writing if this has not already occurred.

7.3.2.4 A copy of the complaint will be made available to the complainant.

7.3.2.5 The Director shall attempt to resolve the complaint at this meeting.

7.3.2.6 If this is not possible, the Director shall conduct an inquiry into the incident or conditions that led to the complaint.

7.3.3 Investigation. If further inquiry/investigation is necessary, the ADRC Director response may include interviews with relevant persons, a record review, or other efforts that are necessary to form an accurate and factual basis for the resolution of the complaint.

7.3.3.1 In non-emergency situations the Director shall complete the inquiry and submit the report within 10 business days from the date the complaint was first presented.

7.3.3.2 In emergency situations the manager shall complete the inquiry and submit a report within 5 business days from the date the complaint was first presented.

7.3.4 Report/Documentation. The ADRC Director will prepare a written report that summarizes the complaint, and a finding of founded (a violation has occurred) or unfounded (the complaint is without merit). The written report shall include:

7.3.4.1 The name of the contact person (ADRC Director) for complaints;

7.3.4.2 The date the decision was reached;

7.3.4.3 A summary of the steps taken on behalf of the customer to resolve the issue, and the finding of the investigation;

7.3.4.3.1 If the complaint is determined to be founded, the report shall describe the specific adjustments recommended for resolving the issue. Where appropriate, the recommendations shall include a timeline for carrying out the adjustments/correction;

7.3.4.3.2 If the complaint is determined to be unfounded, but the ADRC Director has identified issues that appear to affect the quality of services, the report should include suggestions for improvement;

7.3.4.4 An explanation that if the customer disagrees with the decision he/she has a right to a Wisconsin Department of Health Services review (formal external review) or to a State Fair Hearing;

7.3.4.5 How to file for a review by the Department and through the Fair Hearing process;

7.3.5 Resolution and Closure. The ADRC Director will offer to meet with the complainant and/or their authorized representative to review the report. If they decline, a copy of the report shall be sent to the customer, or complainant if other than the customer. If the ADRC Director, the customer and the complainant, agree to the facts, conclusions and/or recommendations of the report, the complaint is considered to be resolved. A copy of the report will be included in the customer's ADRC case record.

7.3.6 Information Related to the Formal External Review. If the complainant disagrees with the facts, conclusions or recommendations, the ADRC Director may attempt to seek an agreeable resolution. If this is not possible, the complainant will be informed about the Formal *External* Review process.

7.4 External Review Process and Procedure

7.4.1 Customer Process for Requesting an External Review. The ADRC will provide access to the external complaint resolution review through the Wisconsin Department of Health Services at any time upon request of the customer or *after the formal internal* complaint resolution process is concluded. The ADRC will assist the customer wishing to request an external review to access the appropriate resources.

7.4.2 Complaints Relating to Services Provided by the ADRC.

Complaints related to services provided by an ADRC should be made directly to the Wisconsin Department of Health Services by writing, calling, or e-mailing:

Aging and Disability Resource Center Complaints

Office for Resource Center Development

Division of Long-Term Care

Wisconsin Department of Health Services

P.O. Box 7851

Madison WI 53707-7851

Phone: 608.266.2536

Fax 608.267.3203

E-mail: DHSRCTeam@wisconsin.gov (Please indicate "ADRC Complaint" in the subject line)

7.4.3 Customer Process for Requesting a State Fair Hearing.

A customer may directly appeal to the Office of Hearings and Appeals within 45 calendar days after receipt of notice of a decision/adverse action or failure to act regarding the following types of appeals:

7.4.3.1 Complaints about functional ineligibility including a determination of a non-nursing home level of care.

7.4.3.2 Complaints about financial ineligibility for long term care benefits.

7.4.3.3 For all other matters, the Wisconsin Department of Health Services review process should be utilized prior to using the Fair Hearing process.

Requests for a Fair Hearing shall be filed in writing with the Division of Hearings and Appeals in the Department of Administration:

Family Care Request for Fair Hearing

c/o DOA Division of Hearings and Appeals

P.O. Box 7875

Madison WI 53707.7875

Phone: 608.266.3096

608.264.9853 (TTY)

Fax 608.264.9885

To access the State Fair Hearing Request Form on line:

<http://www.dhs.wisconsin.gov/forms/F0/f00236.doc>

7.5 Staff Training and Education

- 7.5.1 Staff will be trained to support customers by presenting themselves as empathetic, supportive, and professional. It is expected that all staff will learn to encourage customers to express their concerns as a way to address ongoing quality improvement within the ADRC.
- 7.5.2 Staff will have training on steps necessary to investigate complaints.
- 7.5.3 ADRC Staff will be familiar with all advocacy organizations available to members and when customers should be referred.
- 7.5.4 Staff will be familiar with internal policies and procedures for assisting customers who wish to file a complaint to assure consistency of the customer experience.

7.6 How the ADRC will Monitor Complaints

- 7.6.1 All complaints related to the work of the ADRC will be tracked as part of the discovery process to determine single events and/or trends.
- 7.6.2 Data will be used to devise methods to improve customer service by sharing the information with staff at staff meetings.
- 7.6.3 Advisory Board members will be provided with summary reviews of complaints. This, along with information gleaned from customer surveys and other feedback, will be used by the Board to identify how services provided by the ADRC can be improved and how unmet needs within the ADRC service area can be addressed.
- 7.6.4 Annually, information will be shared with Office of Resource Center Development to identify statewide issues and activities related to quality improvement opportunities.

8.0 Revision History

Policy Origination Date: **January 1, 2013**

Revision Date(s)	Description of Change



**Aging and Disability Resource Center
ADRC of Door County**

NOTICE OF COMPLAINT & APPEAL PROCESS

This notice is intended to inform Aging and Disability Resource Center (ADRC) customers about the complaint and appeal process. Any ADRC customer, or person acting on a customer's behalf, may utilize the processes laid out in this document. Using this process, however, does not limit a customer from pursuing other remedies, including legal action.

Informal Complaint Process: ADRC customers are encouraged, but not required, to approach any ADRC staff member or the ADRC Director and attempt to reach a resolution of the concern or complaint through an informal discussion. This can be done verbally or in writing. The ADRC staff member or director will listen to the complaint and attempt to resolve it to the customer's satisfaction.

Formal Complaint Process: If a complaint cannot be resolved through the informal complaint process, or if the ADRC customer wishes to bypass the informal complaint process, a formal complaint can be filed utilizing the Complaint Form. ADRC staff are available to help a customer complete the Complaint Form. A formal complaint process can include a meeting with the ADRC Director and an investigation into the allegations presented in the complaint.

Formal Complaint Process: If an ADRC customer at any point in the complaint process wishes to bypass the informal or formal complaint processes, a formal complaint can be made to the Wisconsin Department of Health Services. ADRC staff can assist the ADRC customer, at his or her request with filing such a complaint.

Complaints related to services provided by an ADRC should be made directly to the Wisconsin Department of Health Services by writing, calling, or e-mailing:

Aging and Disability Resource Center Complaints
Office for Resource Center Development
Division of Long-Term Care
Wisconsin Department of Health Services
P.O. Box 7851
Madison WI 53707-7851

ADRC of Door County
Notice of Complaint & Appeal Process

Phone: 608.266.2536

Fax 608.267.3203

E-mail: DHSRCTeam@wisconsin.gov (*Please indicate "ADRC Complaint" in the subject line*)

A customer may directly appeal to the Office of Hearings and Appeals within 45 calendar days after receipt of notice of a decision/adverse action or failure to act regarding complaints about functional ineligibility for publicly-funded long term care programs, including a determination of a non-nursing home level of care.

Requests for a Fair Hearing shall be filed in writing with the Division of Hearings and Appeals in the Department of Administration:

Family Care Request for Fair Hearing
c/o DOA Division of Hearings and Appeals

P.O. Box 7875

Madison WI 53707.7875

Phone: 608.266.3096

608.264.9853 (TTY)

Fax 608.264.9885

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