

EFFECTIVE
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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

15 NAC 1

TITLE 15 AGING SERVICES

CHAPTER 1 DEFINITIONS

001. SCOPE AND AUTHORITY. These rules and regulations provide definitions for the Nebraska Community Aging Services Act, Nebraska Revised Statute (Neb. Rev. Stat.) §§ 81-2201 to 81-2236, §§ 81-2273 to 81-2283, § 81-2210, and §§ 68-1107 to 68-1117 consistent with the Older Americans Act of 1965 (OAA).

002. DEFINITIONS. For purposes of this title, the following definitions apply:

002.01 ACT. The Act is the Nebraska Community Aging Services Act.

002.02 ANNUAL BUDGET. The annual budget is a document identifying fiscal year expenditures based on services to be provided in the Planning and Service Area, and corresponding service unit projections.

002.03 ASSESSMENT. An assessment is a comprehensive appraisal of individuals by making orderly and purposeful observations, conducting interviews, and recording the results of those observations and interviews on a standardized assessment document issued by the Department.

002.04 AUTHORITY AND CAPACITY. The authority and capacity is the power and right of an Area Agency on Aging to enforce, administer, and implement laws, rules, and regulations and programs for which it is responsible.

002.05 CARE MANAGEMENT. Care management is assisting a client to identify and utilize services needed to ensure that the client is receiving, when reasonably possible, the level of care that best matches his or her level of need.

002.06 CARE MANAGEMENT FEE SCALE. The Care Management fee scale is the document issued annually by the State Unit on Aging, using the Federal Poverty Level, for Area Agencies on Aging to determine the client fee for Care Management services based on family income. Defined as follows:

- (A) Family income is the total income the individual and spouse (if any) receives annually;
- (B) Income is money received as profit from fees (net income after business expenses, before taxes) from a person's own business, professional practice, partnership, or farm;
- (C) Income includes but is not limited to, regular payments such as social security, income from public assistance or welfare, interest, dividends, pensions, net rents, alimony, child support, or allotments;

- (D) Income includes wages, salary, commission, bonuses, or tips from all jobs (before deductions from taxes), including sick leave pay; and
- (E) For the purposes of this Title, family means an individual and his or her spouse.

002.07 CARE MANAGEMENT UNIT (CMU). The Care Management Unit is the organization which is created by, or which is contracting with, an Area Agency on Aging, or the public or private entity contracting with the Department, to provide Care Management program services as defined in the Act and this Title.

002.08 CERTIFIED CARE MANAGEMENT UNIT. Certified Care Management Unit is a Care Management Unit that has been found by the Department to meet the standards for certification under the Act.

002.09 CLIENT. Client is an eligible individual receiving services authorized by the Older Americans Act of 1965, or 15 Nebraska Administrative Code (NAC) services, also known as a participant.

002.10 CONTINUUM OF CARE. Continuum of care is a range of services designed to ensure that persons are receiving, when reasonably possible, the level of care that best matches their level of need.

002.11 CONTRIBUTION. A contribution is a donation of money, or anything of value, that is voluntarily given by an eligible individual to a service provider to be used toward the cost of the program or service received by the individual from the service provider.

002.12 DESIGNATION. Designation is the authorization granted by the Department to an entity to act as the Area Agency on Aging for a given Planning and Service Area.

002.13 DIRECT CARE PROGRAM. A direct care program is any program of an Area Agency on Aging, except the Care Management program, providing services to older eligible individuals.

002.14 ELIGIBLE INDIVIDUAL. Eligible individual is a person who resides in Nebraska and is either 60 years of age or older, or a caregiver, and meets program eligibility criteria within this Title.

002.15 ENVIRONMENTAL NEEDS. Environmental needs are factors required to maintain an individual in an appropriate and safe living arrangement.

002.16 FUNCTIONAL NEEDS. Functional needs are factors that affect an individual's ability to perform the activities of daily living and the instrumental activities of daily living.

002.17 GRANT. Grant is an award of financial assistance in the form of money, or of property in lieu of money, by the Department. See also Subawards.

002.18 GRANTEE. Grantee is any legal entity to which a grant is awarded and which is accountable to the Department for the use of the grant. The grantee includes the entire legal entity even if only a particular component of the entity is designated in the grant.

002.19 GRANTING AGENCY. Granting agency is the Department.

002.20 GRANT OR SUBAWARD AMENDMENT. Grant or subaward amendment is a change by an Area Agency on Aging that would:

- (A) Alter the program scope, planned objectives, or the manner in which services are delivered;
- (B) Provide financial assistance or payments to any entity not authorized by the original grant or contract; or,
- (C) Alter the approved budget of the original grant or contract, except as authorized in directives issued by the Department.

002.21 INDIVIDUAL APPROVAL OR CLIENT APPROVAL. Individual approval or client approval is confirmation given after full disclosure, on a form by the eligible individual or the client, or their legal representative.

002.22 LONG-TERM CARE (LTC). Long-term care is caring for people who have unmet psycho-social, environmental, or functional needs and who need assistance in meeting these needs for a period of at least three months.

002.23 LONG-TERM CARE PLAN. Long-term Care Plan is a document prepared with a client by the Care Management Unit in compliance with 15 NAC 3.

002.24 LONG-TERM CARE PLANNING. Long-term care planning is the process used to prepare a Long-Term Care Plan.

002.25 MEAL. Meal is food served as the morning, mid-day, or evening meal. The meal must meet Older Americans Act of 1965, state, and local law requirements.

002.26 NUTRITION SCREENING. Nutrition screening is the completion of a nutrition screening checklist by eligible individuals to determine if they are at nutritional risk.

002.27 NUTRITION SERVICES INCENTIVE PROGRAM (NSIP). Nutrition Services Incentive Program provides funds that are distributed by the State Unit on Aging to the Area Agencies on Aging based on a ratio of the number of meals served the prior year to the total number of meals served throughout the state. Nutrition Services Incentive Program funds are primarily received in cash, however the State may choose to receive food commodities, cash, or a combination of both.

002.28 OLDER INDIVIDUALS, OLDER NEBRASKANS, OLDER POPULATION. Older individuals, older Nebraskans, and older population are persons who are 60 years of age or older.

002.29 PLAN OF OPERATION. Plan of Operation is a plan prepared in compliance with 15 NAC 3.

002.30 PERSON-CENTERED. Person-centered is as defined in Code of Federal Regulations (CFR) Title 42, Sec. 441.540.

002.31 POTENTIALLY HAZARDOUS FOODS. Potentially hazardous foods are foods that require time control, temperature control, or both, for safety to limit pathogenic microorganism growth or toxin formation.

002.32 PSYCHO-SOCIAL NEEDS. Psycho-social needs are basic needs which include, but are not limited to, social participation, orientation, understanding, and a sense of well-being.

002.33 REGISTERED DIETITIAN. Registered dietitian is a person registered by the Commission on Dietetic Registration.

002.34 REQUEST FOR PROPOSAL (RFP). Request for proposal is a document containing criteria which is used to solicit applications for a contract or subgrant from potential service providers.

002.35 SERVICE PROVIDER. Service provider is any entity that is obligated under law, subaward, or contract to provide community aging services to eligible individuals, in any Planning and Service Area.

002.36 SIGNIFICANT CHANGES IN HEALTH OR FUNCTIONAL STATUS. Significant changes in health or functional status are changes in a Care Management program client's health or abilities that requires admission to a hospital or a skilled nursing facility for inpatient care, or an increase in in-home services.

002.37 STATE PLAN. State Plan is a document developed, approved, and submitted to the Governor, and the Administration on Aging, a division of the Administration for Community Living, for the purposes of administering grant funds allocated to the state under the Older Americans Act of 1965. The State Plan must meet federal requirements outlined in the Older Americans Act of 1965, Title I, Sections, 306, 307, and 705.

002.38 SUBAWARD. Subaward is a document awarding financial assistance in the form of money, or of property in lieu of money, by the Department. See also Grant.

002.39 TAKE HOME MEAL. Take home meal is any meal sold at full price at a meal site, for eligible or ineligible individuals, who wish to take meals from the site.

002.40 TITLE III-C. Title III-C is as defined in Title III-C of the Older Americans Act of 1965.