

## **State Plan Guidance Attachment B**

### **INFORMATION REQUIREMENTS**

Except as indicated where optional or only applicable to States with multiple planning and service areas, the State Plan must state how the following provision(s) will be met:

#### **Greatest Economic and Greatest Social Need**

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45 CFR § 1321.27 (d) requires each State Plan must include a description of how greatest economic need and greatest social need are determined and addressed by specifying:

- (1) How the State agency defines greatest economic need and greatest social need, which shall include the populations as set forth in the definitions of greatest economic need and greatest social need, as set forth in 45 CFR § 1321.3; and
- (2) The methods the State agency will use to target services to such populations, including how OAA funds may be distributed to serve prioritized populations in accordance with requirements as set forth in 45 CFR § 1321.49 or 45 CFR § 1321.51, as appropriate.

“Greatest economic need” means “the need resulting from an income level at or below the Federal poverty level and as further defined by State and area plans based on local and individual factors, including geography and expenses” (45 CFR § 1321.3).

“Greatest social need” means the need caused by the following noneconomic factors as defined in 45 CFR § 1321.3.

A State agency’s response must establish how the State agency will:

- (1) identify and consider populations in greatest economic need and greatest social need;
- (2) describe how they target the identified the populations for service provision;
- (3) establish priorities to serve one or more of the identified target populations, given limited availability of funds and other resources;
- (4) establish methods for serving the prioritized populations; and
- (5) use data to evaluate whether and how the prioritized populations are being served.

#### **RESPONSE:**

DAS defines Greatest Economic Need and Greatest Social Need as follows:

*Greatest Economic Need:* Need resulting from an income level at or below the federal poverty level.

*Greatest Social Need:* Need caused by non-economic factors that restrict the individual’s ability to perform normal daily tasks or threatens the capacity of the individual to live independently, and may include:

- Physical and mental disabilities, including sensory impairments
- Limited English proficiency or other language barriers
- Cultural, social, or geographical isolation, including isolation caused by racial or ethnic status
- Rural
- Lives alone

- Isolation caused by other factors (for example: religious affiliation, sexual orientation, gender identity, or any other population identified by the PSA based on its particular environment).

DAS will continue to use its approved Intrastate Funding Formula (IFF) to ensure preference in providing services to older individuals with greatest economic need and older individuals with greatest social need. In the IFF, emphasis is placed on low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas. See DAS' IFF in Attachment 'D.' DAS and Georgia's AAAs follow policy in Manual 5300 Section 114 and 118 to ensure clients with Greatest Economic Need and Greatest Social Need are targeted and prioritized for service.

### **Native Americans: Greatest Economic and Greatest Social Need**

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45 CFR § 1321.27 (g):

Demonstration that the determination of greatest economic need and greatest social need specific to Native American persons is identified pursuant to communication among the State agency and Tribes, Tribal organizations, and Native communities, and that the services provided under this part will be coordinated, where applicable, with the services provided under Title VI of the Act and that the State agency shall require area agencies to provide outreach where there are older Native Americans in any planning and service area, including those living outside of reservations and other Tribal lands.

#### **RESPONSE:**

Georgia has no Title VI grantees and two-tenths of one percent (0.21%) of Georgian's aging population are reported as American Indian or Alaska Native, numbering an estimated 2,611 individuals. These individuals are encompassed under DAS' definition of Greatest Social Need as they may experience cultural, social, or geographical isolation due to racial or ethnic status. DAS continues to pursue numerous activities to assure older Georgians who are American Indian or Alaska Native have access to Title III funded services.

### **Activities to Increase Access and Coordination for Native American Older Adults**

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OAA Section 307(a)(21): The plan shall —

(B) provide an assurance that the State agency will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits provided under this title, if applicable, and specify the ways in which the State agency intends to implement the activities.

45 CFR § 1321.53:

(a) For States where there are Title VI programs, the State agency's policies and procedures, developed in coordination with the relevant Title VI program director(s), as set forth in § 1322.13(a), must explain how the State's aging network, including area agencies and service providers, will coordinate with Title VI programs to ensure compliance with sections 306(a)(11)(B) (42 U.S.C. 3026(a)(11)(B)) and 307(a)(21)(A) (42 U.S.C. 3027(a)(21)(A)) of the Act.

State agencies may meet these requirements through a Tribal consultation policy that includes Title VI programs.

(b) The policies and procedures set forth in (a) of this provision must at a minimum address:

- (1) How the State's aging network, including area agencies on aging and service providers, will provide outreach to Tribal elders and family caregivers regarding services for which they may be eligible under Title III and/or VII;
- (2) The communication opportunities the State agency will make available to Title VI programs, to include Title III and other funding opportunities, technical assistance on how to apply for Title III and other funding opportunities, meetings, email distribution lists, presentations, and public hearings;
- (3) The methods for collaboration on and sharing of program information and changes, including coordinating with area agencies and service providers where applicable; How Title VI programs may refer individuals who are eligible for Title III and/or VII services;
- (4) How services will be provided in a culturally appropriate and trauma-informed manner; and
- (5) Opportunities to serve on advisory councils, workgroups, and boards, including area agency advisory councils, as set forth in § 1321.63.

**RESPONSE:**

Georgia has no Title VI grantees. Two-tenths of one percent (0.21%) of Georgian's aging population are reported as American Indian or Alaska Native, numbering an estimated 2,611 individuals. DAS will pursue numerous activities to assure older Georgians who are American Indian or Alaska Native will have access to Title III funded services. DAS will provide them access to community resources and/or assist them in identifying and securing resources or services in order to enhance wellness and remain in the community for as long and as safely as possible. Additionally, they will also have the opportunity to review the DAS State Plan and other documents made available for public comment.

**Low Income Minority Older Adults**

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OAA Section 307(a)(14):

(14) The plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared—

- (A) identify the number of low-income minority older individuals in the State, including the number of low income minority older individuals with limited English proficiency; and
- (B) describe the methods used to satisfy the service needs of the low-income minority older individuals described in subparagraph (A), including the plan to meet the needs of low- income minority older individuals with limited English proficiency.

**RESPONSE:**

DAS' IFF breaks this into two separate variables, with differing weights. Total statewide 65+ low income minority population considered for the preceding fiscal year was 50,148, and the variable has the assigned weight of 10%. Older individuals with limited English proficiency numbered 34,079, and the variable has a weight of 4%. In an effort to meet the needs of low-income minority older individuals, and individuals with limited English proficiency, DAS and the

Area Agencies shall provide them access to community resources and/or assist them in identifying and securing resources or services in order to enhance wellness and remain in the community for as long and as safely as possible.

### **Rural Areas – Hold Harmless**

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OAA Section 307(a)(3): The plan shall—

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- (B) with respect to services for older individuals residing in rural areas—
- (i) provide assurances the State agency will spend for each fiscal year not less than the amount expended for such services for fiscal year 2000;
  - (ii) identify, for each fiscal year to which the plan applies, the projected costs of providing such services (including the cost of providing access to such services); and
  - (iii) describe the methods used to meet the needs for such services in the fiscal year preceding the first year to which such plan applies.

#### **RESPONSE:**

(i) For each fiscal year of this State Plan, DAS will not expend less than the amount expended for services for older individuals residing in rural areas than expended in fiscal year 2000.

(ii) During the beginning of each state fiscal year, DAS issues a budget allocation. At this time, DAS does not project allocations. However, with each allocation, older individuals residing in rural parts of each service area receive funding. A key attribute of DAS' IFF is the allocation of funds for individuals 60 and older residing in rural areas. There is fifteen percent weighted variable for individuals who are 60 and older residing in rural areas.

(iii) DAS utilizes several tools to help determine the location of the older individuals residing in rural areas in Georgia. Some include mapping, census data and analysis through DAS' data management system. AAAs then target these individuals and utilize a person centered approach to service delivery designed to support older adults and individuals with disabilities to live longer, safely and well.

### **Rural Areas – Needs and Fund Allocations**

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OAA Section 307(a)(10):

The plan shall provide assurance that the special needs of older individuals residing in rural areas are taken into consideration and shall describe how those needs have been met and describe how funds have been allocated to meet those needs.

#### **RESPONSE:**

DAS' IFF provides a greater weighted variable (15%) for individuals who are age 60 and older and reside in rural areas, in addition to a lesser 10% weighted variable for individuals who are 60 and older. Sixty and older rural for the previous fiscal year numbered 457,199, while population ages 60 and older (non-rural) was 1,528,041. Georgians ages 60 and older both in rural and non-rural areas are having their needs met by providing them access to community

resources and/or assisting them in identifying and securing resources or services in order to enhance wellness and remain in the community for as long and as safely as possible.

### **Assistive Technology**

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OAA Section 306(a)(6)(I):

Describe the mechanism(s) for assuring that each Area Plan will include information detailing how the area agency will, to the extent feasible, coordinate with the State agency to disseminate information about the State assistive technology entity and access to assistive technology options for serving older individuals;

#### **RESPONSE:**

DAS coordinates with the State assistive technology entity (Ga Tech Tools for Life) to provide assistive technology (AT) options for older adults in many ways. Tools for Life was an integral partner when DAS set up AT labs in the 12 AAAs and the Centers for Independent Living around the state. Tools for Life also sets up a demo room annually at the Healthy Communities Summit, a statewide conference for those in the aging and disability network. We are also working collaboratively on a “decision tree”, which will match up AT while an ADRC counselor does the DON-R assessment on a client.

### **Minimum Proportion of Funds**

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OAA Section 307(a)(2):

The plan shall provide that the State agency will — ...

(C) specify a minimum proportion of the funds received by each area agency on aging in the State to carry out part B that will be expended (in the absence of a waiver under sections 306 (c) or 316) by such area agency on aging to provide each of the categories of services specified in section 306(a)(2). (Note: those categories are access, in-home, and legal assistance. Provide specific minimum proportion determined for each category of service.)

#### **RESPONSE:**

Title IIIB includes funding to meet the minimum required maintenance of effort for the Long Term Care Ombudsman, and above that level, any amount deemed necessary by the State Unit Director to carry out an effective statewide ombudsman program. Georgia exceeds the required LTCO maintenance of effort. Georgia required that a minimum of 5% of Title IIIB funds be expended by region for Elder Legal Assistance. Maintenance of Effort – Each Area Agency shall provide an adequate proportion of funding received through Title III-B of the Older Americans Act, as amended, for supportive services in the Act. Calculation of the minimum percent is based on the pre-shift amount of the Title III-B allocation for the appropriate fiscal year. Adequate proportions of funding for supportive services shall include each of the following supportive services categories and their designated services. Access Services. Services associated with access to other services, such as transportation, outreach, information and assistance, and case management services. The Area Agency shall provide a minimum of 12% of funding for this category overall. In-home services. Supportive services such as homemaker, home health assistance, visiting and telephone assurance, chore maintenance, and supportive services for families of older persons with Alzheimer’s disease and related disorders with

neurological and organic brain dysfunction. The Area Agency shall provide a minimum of 5% of funding for this category overall. Legal Assistance. This includes legal representation, legal counseling, and the provision of information. The area agency shall provide a minimum of 5% of funding, or \$60,000, whichever is greater, for this category overall. NOTE: Of this required minimum for Legal Assistance, the 5% of Title IIIB funds cannot be waived, but the remainder of the minimum funding level may be from any other source(s).

### **Assessment of Statewide Service Delivery Model**

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OAA Section 307(a)(27):

- (A) The plan shall include, at the election of the State, an assessment of how prepared the State is, under the State's statewide service delivery model, for any anticipated change in the number of older individuals during the 10-year period following the fiscal year for which the plan is submitted.
- (B) Such assessment may include—
- (i) the projected change in the number of older individuals in the State;
  - (ii) an analysis of how such change may affect such individuals, including individuals with low incomes, individuals with greatest economic need, minority older individuals, older individuals residing in rural areas, and older individuals with limited English proficiency;
  - (iii) an analysis of how the programs, policies, and services provided by the State can be improved, including coordinating with area agencies on aging, and how resource levels can be adjusted to meet the needs of the changing population of older individuals in the State; and
  - (iv) an analysis of how the change in the number of individuals age 85 and older in the State is expected to affect the need for supportive services

#### **RESPONSE:**

DAS does and will continue to monitor annual US Census population estimates as well as state research institution analysis of population shifts to assess statewide changes in the elderly population. Annual aging network needs assessments will also be reviewed to determine gaps in service delivery including informing any new programming requirements.

### **Funding Allocation – Ombudsman Program**

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45 CFR Part 1324, Subpart A:

How the State agency will coordinate with the State Long-Term Care Ombudsman and allocate and use funds for the Ombudsman program under Title III and VII, as set forth in 45 CFR part 1324, subpart A.

#### **RESPONSE:**

Georgia DAS uses the allocation methodologies outlined in Administrative Manual Section 2003 to distribute funds for the Ombudsman Program under Title III and VII. This allocation formula is approved by the State Long Term Care Ombudsman, which is provided the authority to manage funds designated for the LTCOP, as per the Georgia Long-Term Care Ombudsman Program Policies and Procedures Part II Chapter 301.1.

## **Funding Allocation – Elder Abuse, Neglect, and Exploitation**

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45 CFR § 1321.27 (k):

How the State agency will allocate and use funds for prevention of elder abuse, neglect, and exploitation as set forth in 45 CFR part 1324, subpart B.

### **RESPONSE:**

Title VII Allotments will be used for the following:

Educating the public on how to prevent, recognize, and respond to elder and disabled adult abuse. Program activities include training, public education and outreach, and coordinating elder abuse prevention services with adult protective services, law enforcement, courts, medical professionals, and other entities.

Collaborating with local partners in the public and private sectors to provide services and technical assistance to develop, strengthen, and implement programs for the prevention, detection, assessment, and treatment of elder abuse. Utilizing cross-sector networking to address gaps in the response to elder abuse, develop potential partnerships and joint initiatives to meet needs and fill gaps.

Establishing the Department as the clearinghouse of efforts to stop ANE by centralizing available resources and facilitating public awareness of all programs. Leveraging communication within and across the aging network, DHS, and other state agencies through regular meetings and by sharing data and information about elder abuse issues.

## **Monitoring of Assurances**

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45 CFR § 1321.27 (m):

Describe how the State agency will conduct monitoring that the assurances (submitted as Attachment A of the State Plan) to which they attest are being met.

### **RESPONSE:**

As outlined in Ch. 3000, Section 3021, AAAs must be able to provide documentation validating they are adhering to the assurances upon request and/or as part of Division monitoring. AAAs are required to include these assurances in their Area Plans, as noted in the Area Plan Format and Instructions.

## **State Plans Informed By and Based on Area Plans**

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45 CFR § 1321.27 (c):

Evidence that the State Plan is informed by and based on area plans, except for single planning and service area States.

### **RESPONSE:**

As outlined in Ch. 1000, Section 1070, DAS utilizes Area Plan content to develop its State Plan. This policy details the State Plan development process, in which the Area Plans from the prior cycle are reviewed in order to determine State Plan goals, objectives, outcomes, and strategies. The SUA also seeks feedback from the AAAs throughout the State Plan development process.

## **Public Input and Review**

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45 CFR § 1321.29:

Describe how the State agency considered the views of older individuals, family caregivers, service providers and the public in developing the State Plan, and how the State agency considers such views in administering the State Plan. Describe how the public review and comment period was conducted and how the State agency responded to public input and comments in the development of the State Plan.

### **RESPONSE:**

Georgia Division of Aging Services (DAS), partnered with the University of Georgia's Carl Vinson Institute of Government to gather stakeholder input for the 2024–2027 state plan. Please see Attachment D: Stakeholder Input Report for the 2024-2027 Georgia State Plan on Aging for detailed descriptions of public input and review process for the State Plan. Additionally, Georgia DAS also conducted outreach to obtain public input on the State Plan Amendment. To obtain input on the State Plan Amendment, Georgia DAS posted the Amendment to the website for virtual comments, held an in-person public hearing, and distributed the drafted Amendment email to various stakeholders, including but not limited to AAAs, Providers, and Advocacy Groups.

## **Program Development and Coordination Activities (Optional, only for States that elect to pursue this activity)**

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45 CFR § 1321.27 (h):

Certification that any program development and coordination activities shall meet the following requirements:

- (1) The State agency shall not fund program development and coordination activities as a cost of supportive services under area plans until it has first spent 10 percent of the total of its combined allotments under Title III on the administration of area plans;
- (2) Program development and coordination activities must only be expended as a cost of State Plan administration, area plan administration, and/or Title III, part B supportive services;
- (3) State agencies and area agencies on aging shall, consistent with the area plan and budgeting cycles, submit the details of proposals to pay for program development and coordination as a cost of Title III, part B supportive services to the general public for review and comment; and
- (4) Expenditure by the State agency and area agency on program development and coordination activities are intended to have a direct and positive impact on the enhancement of services for older persons and family caregivers in the planning and service area.

### **RESPONSE:**

The Division of Aging Services (DAS) certifies that all program development and coordination activities meet the requirements listed in 45 CFR § 1321.27 (h). Copies of DAS policies for program development and coordination activities can be found in Manual 5600: Sections 3019, 3076, 3077, and Appendix F: Taxonomy of Services.



## Legal Assistance Developer

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45 CFR § 1321.27 (I):

How the State agency will meet responsibilities for the Legal Assistance Developer, as set forth in part 1324, subpart C.

### **RESPONSE:**

The Division of Aging Services (DAS) employs a full-time legal assistance developer (LAD) who manages the Title IIIB legal assistance program and fulfills Title VII legal assistance development duties.

As manager of the Title IIIB Elderly Legal Assistance Program (ELAP), the LAD develops program policies, provides area agencies on aging (AAA) technical assistance and tools for legal assistance provider monitoring, and collects statewide input on program operations and needs through regular contact with AAAs and ELAP providers.

The LAD ensures timely submission of federally required program data and assists DAS' Program Integrity section with annual Older Americans Act Programs System reporting. The LAD reviews data to verify that program resources are used for serving older Georgians with the greatest economic and social need and that the legal matters handled by ELAP are within the listed Older Americans Act priority areas.

The LAD leads DAS' Title VII, chapter 4, legal assistance development efforts. The LAD uses collaboration and education to help older Georgians, and those who serve them, know and exercise their rights. The LAD provides regular legal education trainings to internal and external stakeholders.

Within DAS, to promote protection of the rights and autonomy of persons under guardianship, the LAD lends subject matter expertise to the Public Guardianship Office's (PGO) policy and training teams. The LAD offers case consultations to public guardianship and adult protective services (APS) staff to help identify legal issues and suggest resources for addressing the legal needs of persons served by PGO and APS.

The LAD consistently provides trainings and technical assistance to other Older Americans Act program staff.

The LAD is strongly allied with the State Long-Term Care Ombudsman program (LTCO). In 2025, the LAD and LTCO will add to the existing memoranda of understanding and second memoranda will provide for better coordination between ELAP and LTCO. The LAD and ELAP providers routinely train LTCO staff and volunteers.

The LAD enjoys great support from the private elder law bar. The private bar The LAD maintains a speaker bank of elder law attorneys who also deliver legal education presentations to the aging network and stakeholders.

The LAD contributes to several initiatives aimed at preventing unnecessary adult guardianships. The LAD serves on Georgia's disability protection and advocacy agency's

advisory council on supported decision-making and also provides legal information to the Coalition of Advocates for Georgia's Elderly supported decision-making workgroup.

The LAD authors several publications on various topics in elder law, ranging from public benefits, alternatives to adult guardianship, and issues in death, dying, and burial.

In 2025, jointly with DAS' Forensic Special Initiatives Unit, the LAD will conduct a needs assessment and environmental scan to assess the status of elder rights sources, initiatives, and issues in Georgia. Combining quantitative surveys with qualitative on-site interviews, the results will be used to assist AAAs with advancement or development of elder rights goals and initiatives.

### **Emergency Preparedness Plans – Coordination and Development**

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OAA Section 307(a)(28):

The plan shall include information detailing how the State will coordinate activities, and develop long-range emergency preparedness plans, with area agencies on aging, local emergency response agencies, relief organizations, local governments, State agencies responsible for emergency preparedness, and any other institutions that have responsibility for disaster relief service delivery.

**RESPONSE:**

See DAS' Emergency Planning and Management in Attachment "F."

### **Emergency Preparedness Plans – Involvement of the head of the State agency**

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OAA Section 307(a)(29):

The plan shall include information describing the involvement of the head of the State agency in the development, revision, and implementation of emergency preparedness plans, including the State Public Health Emergency Preparedness and Response Plan.

**RESPONSE:**

See DAS' Emergency Planning and Management in Attachment "F." DAS' Division Director is responsible for reviewing and approving all Emergency Preparedness policy and procedures. She or her designee are also responsible for implementing said policies and procedures.