

173-4-03

**Older Americans Act nutrition program: consumer enrollment.**

(A) Congregate dining: Before enrolling the consumer into a congregate dining project or congregate dining project based in restaurants or supermarkets, the provider shall verify that a consumer's congregate meals are eligible for payment, in whole or in part, with Older Americans Act funds according to rule 173-4-02 of the Administrative Code.

(B) Home-delivered meals:

(1) Initial enrollment:

(a) Before enrolling a consumer into a home-delivered meals project, the provider shall assess the consumer to verify that his or her home-delivered meals are eligible for payment, in whole or in part, with Older Americans Act funds according to rule 173-4-02 of the Administrative Code.

(b) The provider may enroll a consumer into a home-delivered meals project no later than seven consecutive calendar days, but for no more than thirty consecutive calendar days, following the date of a discharge from a hospital or nursing home without assessing the consumer if the consumer is sixty years or more old and the provider determines that the consumer's discharge papers indicate the consumer needs home-delivered meals that are eligible for payment, in whole or in part, with Older Americans Act funds according to paragraph (B)(1) of rule 173-4-02 of the Administrative Code. The provider shall assess the consumer as soon as possible and shall not keep the consumer enrolled in the home-delivered meals project any longer than thirty consecutive calendar days following the discharge unless the provider's assessment verifies the consumer's home-delivered meals are eligible for payment, in whole or in part, with Older Americans Act funds according to paragraph (B)(1) of rule 173-4-02 of the Administrative Code.

(2) Annual verification: The provider shall not keep a consumer enrolled in a home-delivered meals project for more than one year unless the provider assesses the consumer at least once annually and the assessment verifies the consumer's home-delivered meals continue to be eligible for payment, in whole or in part, with Older Americans Act funds according to rule 173-4-02 of the Administrative Code.

(C) Waiting lists: If a waiting list exists for enrolling into a congregate dining project, congregate dining project based in restaurants or supermarkets, or a home-delivered meals project, the provider or the AAA shall develop a prioritization system that distributes meals equitably by prioritizing consumers who are determined to have the highest nutritional risk. The provider shall base the consumer's nutritional risk

status upon the following:

- (1) The result of a nutritional health screening of the consumer conducted according to rule 173-4-09 of the Administrative Code.
- (2) The nutritional risk status of the spouse (if any), if the spouse is determined to have a higher nutritional risk than the consumer.

Replaces: 173-4-03

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 173.01, 173.02, 173.392, Section 305(a)(1)(C) of the Older Americans Act of 1965, 70 Stat. 210, 42 U.S.C. 3001, as amended by the Older Americans Act Reauthorization Act of 2016; 45 C.F.R. 1321.11 (October, 2015 edition).  
Rule Amplifies: 173.392, Sections 331 and 336 of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended by the Older Americans Act Reauthorization Act of 2016., 45 C.F.R. 1321.69 (October, 2015 edition).  
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