

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 verification: Before enrolling a consumer into a home-delivered meals project, the provider shall verify, in person, that ~~his or her~~ the consumer's 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. During a state of emergency declared by the governor, the provider may verify eligibility by telephone, video conference, or in person.
 - (2) Annual verification: The provider shall not keep a consumer enrolled in a home-delivered meals project for more than one year unless, at least once annually, the provider verifies, in person, 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. During a state of emergency declared by the governor, the provider may verify eligibility by telephone, video conference, or in person.
 - (3) Temporary verification: A provider may deem a discharge order to be adequate verification to authorize temporary payment for home-delivered meals, in whole or in part, with Older Americans Act funds until the provider conducts its own verification of eligibility, but only if the following conditions are met:
 - (a) The consumer requires meals before the provider can verify that the consumer's home-delivered meals are eligible for payment, in whole or in part, with Older Americans Act funds.
 - (b) The consumer is sixty years or more old.
 - (c) The discharge order indicates the consumer is unable to prepare his or her own meals, unable to consume meals at a congregate dining location due to physical or emotional difficulties, and lacking another meal support service in the home or community.
 - (d) The provider begins providing home-delivered meals no later than seven days after the discharge.

- (e) The provider conducts the initial verification no later than thirty consecutive days after the discharge.
- (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.

Effective: 12/31/2020
Five Year Review (FYR) Dates: 10/16/2020 and 11/28/2025

CERTIFIED ELECTRONICALLY

Certification

12/21/2020

Date

Promulgated Under: 119.03
Statutory Authority: 121.07, 173.01, 173.02, 173.392; 42 U.S.C. 3025; 45 C.F.R. 1321.11
Rule Amplifies: 173.39, 173.392; 42 U.S.C. 3025, 3030e, 3030f; 45 C.F.R. 1321.11, 1321.17, 1321.69
Prior Effective Dates: 03/05/2009, 09/01/2016, 06/11/2020 (Emer.)