

173-4-04

**Older Americans Act nutrition program: procuring for person direction.**

- (A) When an AAA procures for congregate dining project(s) or home-delivered meals project(s), the AAA shall comply with rules 173-3-04, 173-3-05, 173-3-05.1, and 173-3-06 of the Administrative Code and also require the project(s) to include person direction.
- (B) Each AAA shall procure for person direction by one of the following two methods:
- (1) Competitive-proposal method:
    - (a) The AAA shall allow the highest level(s) of person direction that providers offer in bid(s) to determine what are responsive level(s) of person direction for its PSA.
    - (b) The AAA shall indicate in the RFP that, in all responsible bids, the provider shall explain how it shall offer person direction.
    - (c) The AAA shall award AAA-provider agreement(s) to the provider(s) offering the most-responsive bid(s). The AAA shall include a score on the level of person direction each provider's bid offers in the score determining the lowest responsive bid.
  - (2) Method other than competitive-proposal method:
    - (a) The AAA shall determine the level of person direction providers in the PSA are capable of offering. The AAA shall not base its calculations of this level solely upon the willingness of providers who are currently in AAA-provider agreements with the AAA.
    - (b) The AAA shall indicate in the RFP that, in all responsible bids, the provider shall explain how it shall meet or exceed the level of person direction the AAA determined providers in the PSA are capable of offering.
    - (c) The AAA shall award AAA-provider agreement(s) to the provider(s) offering the most-responsive bid(s). The AAA shall include a score on the level of person direction each provider's bid offers in the score determining the lowest responsible bid.
- (C) During a state of emergency declared by the governor or a federal public health emergency, paragraph (B) of this rule does not apply with regard to dining formats, location, delivery methods, times, and frequencies.

- (D) Definition for this rule: "Person direction" means a subset of person-centered methodology. While person-centered methodology requires providers to work with consumers to determine what is best for the consumers, person direction allows consumers to decide what is best for themselves from a range of viable options. Person direction over congregate and home-delivered meals allows consumers to control the direction of their meals.

Giving consumers options between dining formats, locations, and times; allowing consumers to enjoy multi-generational dining; giving consumers options between entrées at each mealtime; and giving consumers options between one entrée and the sides that accompany it and at least one other entrée and the sides that accompany it (even if consumers exchange entrées or sides between two or more complete meal options) are examples of possible ways to offer person direction to consumers through congregate nutrition projects.

Giving consumers options between delivery formats (e.g., warm, frozen, chilled), options between delivery times (e.g., morning, afternoon), and options between delivery frequencies (e.g., per-meal delivery, periodic delivery); options between entrées at each mealtime; and options between one entrée and the sides that accompany it and at least one other entrée and the sides that accompany it (even if consumers exchange entrées or sides between two or more complete meal options) are examples of possible ways to offer person direction to consumers through home-delivered meals programs.

Effective:

Five Year Review (FYR) Dates: 8/26/2021

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Certification

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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, 1321.17  
Rule Amplifies: 173.39, 173.392; 42 U.S.C. 3025, 3030e, 3030f; 45  
C.F.R. 1321.11, 1321.17  
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