



**North Carolina Department of Health and Human Services
Division of Aging and Adult Services**

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Dennis W. Streets
Director

DAAS Administrative Letter No. 10-04

To: Area Agencies on Aging and Senior Center Personnel
From: Dennis W. Streets, Director *Dennis W. Streets*
Subject: Waivers of Service Operations and Certification Standards
Date: February 10, 2010

Background

The Senior Center Operations standards were developed to ensure that senior centers provide a broad spectrum of accessible services and activities to meet the needs of older adults. In order for a senior center to receive Senior Center Operations funding under the Home and Community Care Block Grant, these standards must be met. The Certification Task Force that was formed to develop the voluntary senior center certification program agreed that adopting many of the Operations standards was appropriate to maintain uniformity with certification.

During the recent unusual and difficult economic times, many agencies have experienced funding decreases. In response to this situation, the Division of Aging and Adult Services has permitted a relaxation of certain service operations standards and certification requirements. Through a Request for Waiver of Service and Certification Standards, a waiver may have been granted for a specific requirement. These waivers have been granted on an individual, agency-by-agency basis in an effort to be proactive while maintaining quality standards for older adults.

Waivers were granted on a six-month basis. If a situation was not resolved after 6 months, the Area Agency on Aging with responsibility for the center could request another waiver. These waivers were considered to be a temporary measure only and not as a permanent solution.

New Policy: Waiver Extensions

In order to preserve the integrity and credibility of the service operations standards and certification process, effective immediately, the Division will limit the extension of an initial 6-month waiver to a maximum of one additional year (2 additional 6-month waivers) in order to

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give organizations time to develop strategies to meet the standards and identify permanent solutions.

At the end of the additional year of waiver, if the center cannot comply with the appropriate standards, (1) its status as a certified center will be withdrawn; (2) it will not be eligible for Senior Center Operations funding, and (3) unless the center can meet the definition for a satellite under another existing multipurpose center, it will not be eligible for Senior Center General Purpose funding. (See examples below.)

Waiver Procedure

A Request for Waiver of Service and Certification Standards must be made in writing to Leslee Breen by the Area Agency on Aging director. This request should describe the situation and the specific waiver request. It should also describe specific plans for addressing potential gaps in programs or operations created as a result of the waived requirement(s).

Upon receipt of the waiver request, the Division will review the request and render a decision based on the information above. The Division will respond to the request in writing. If a waiver request is received and the specific requirement cannot be waived, technical assistance to address the situation will be given in writing.

Although centers with 6-month waivers are eligible for up to a one-year extension period, additional waivers are not automatic and will still be granted for only six months at a time. We expect the center to be constantly evaluating its situation and searching for permanent funding solutions during any 6-month waiver period, and part of the request for an extension should be an explanation of what has been done. Back-up documentation may be included with the request.

Examples

1. On December 31, 2009, a center requested a waiver to cut the center director's hours from 40 to 35 per week due to budget cuts. On January 1, 2010, the center was granted a waiver by DAAS. The timeframe for this waiver is January 1, 2010, to June 30, 2010. At the end of the 6 months (by June 30, 2010), the Division will expect the senior center to resume the director's 40 hour per week schedule. If the senior center is unable to do so, the center may reapply for another 6-month waiver from July 1, 2010, to December 31, 2010, although receiving a waiver for another 6 months is not automatic. Application for this second waiver must be received at the Division 10 business days before the first waiver expires. If the situation is not resolved by December 31, 2010, the process may be repeated to request a final waiver from January 1, 2011, to June 30, 2011. By July 1, 2011, the center must meet the standard for the director's hours and all other applicable standards. If it is unable to meet the standards, the center will no longer be eligible for state funding and a certified center will lose its certification status.

2. On May 1, 2010, a center requests an initial waiver through its Area Agency on Aging to operate 36 hours per week because it has lost the United Way funding that allowed it to stay open 40 hours per week. On May 10, 2010, the center is granted a waiver by the Division. The initial timeframe for this waiver is May 10, 2010, to November 10, 2010. Although receiving additional waivers is not automatic, the center may then be granted up to a maximum of 2 more, from November 11, 2010, to November 12, 2011, to meet the standard for hours of operation. Requests must be submitted at least 10 business days before the beginning of the following 6-month waiver period (November 11, 2010, to May 11, 2011); and 10 days before the beginning of the final 6-month period (May 12, 2011, to November 12, 2011). By November 12, 2011, the

center must meet the standard for the senior center's operating hours and all other applicable standards. If it is unable to meet the standards, the center will no longer be eligible for state funding and a certified center will lose its certification status.

Current Waivers

Senior centers under waivers at the date of this letter will be receiving notice that they are eligible to apply for up to two additional 6-month waivers, with timeframes set as in the examples.

If you have any questions about this information please contact Leslee Breen at leslee.breen@dhhs.nc.gov or 919-733-0440 x237. The Division of Aging and Adult Services is committed to supporting North Carolina's Senior Centers in all ways possible and appropriate.

cc: Maria Spaulding, Steve Freedman, Kim Jacobs, Judy Smith, Leslee Breen