



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

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Dennis Streets
Division Director

DAAS Administrative Letter No. 13-08

To: Area Agencies on Aging, Aging Specialists and Legal Aid Providers

From: Dennis Streets, Division Director *Dennis W. Streets*

Subject: Monitoring of Title III Legal Services

Date: June 1, 2013

Effective immediately, upon receipt of this administrative letter, Legal Aid service providers will no longer be required to request or discuss consumer contributions at the start of the provision of services. This does not exempt the provider from discussing and documenting consumer contributions. Providers may discuss or solicit consumer contributions any time during the course of the service provision.

The Division of Aging and Adult Service (DAAS) Manual, Consumer Contributions Policy Section III B Service Category Type II requires that consumer contributions be discussed upon initiation of the provision of services. The Older Americans Act, while requiring a discussion of a possible voluntary consumer contribution, does not specify when during the process this is to occur. It has been brought to the Division's attention that discussing consumer contributions at the initiation of the provision of legal services could affect the delivery of those services and could compromise the attorney/client relationship.

The Division wants to assure that those needing legal services receive this service under the best possible conditions and without fear of receiving anything less than the high quality and professional services currently offered by our legal service providers.

The waiver of this provision in the DAAS Manual applies to Legal Services only.
All other services should continue to follow the policy as described.

If you have any questions about this administrative letter, please contact Lynne Berry, DAAS Legal Services Developer.

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