§ 203. Programs for the aging. 1. The office shall submit to the federal department of health and human services a state plan for purposes of the federal Older Americans Act of 1965 and subsequent amendments thereto. The office shall be the single state agency for supervising the administration of such plan and shall be primarily responsible for coordination of state programs for the aging for purposes of such federal act. The office shall act for the state in any negotiations relative to the submission and approval of such plan and may make such arrangements, not inconsistent with law, as may be required by or pursuant to federal law to obtain and retain such approval and to secure for the state the benefits of the provisions of such federal act. For the purposes of administering such state plan approved by the federal department of health and human services, when targeting program services and supports based on "greatest social need", the office shall consider the need caused by non-economic factors which shall include, but not be limited to: physical or mental disability; Alzheimer's disease or other forms of dementia; language barriers including limited English proficiency and low literacy; and cultural, social, or geographic isolation caused by, among other things, racial and ethnic status, sexual orientation, gender identity or expression, rural residence, homebound status, caregiver status, risk of institutionalization, or HIV status when such isolation restricts the ability of an individual to perform normal daily tasks or threatens the ability of the individual to live independently.

2. In addition to the powers and duties contained in section two hundred two of this title, the office is hereby authorized, to the extent appropriations are available therefor, to establish, operate and maintain, or to contract with counties, cities, towns, villages, school districts or public or private nonprofit corporations, associations, institutions, or agencies concerned with the aging, for the operation and maintenance of programs for the aging. Pursuant to the rules and regulations of the office, such programs may include, but need not be limited to, the following:

(a) coordination and community planning;

(b) information services;

(c) counselling services;

(d) home care and protection services;
(e) operation of multi-service centers; and
(f) retired senior volunteer programs.

3. The director, with the advice of the advisory committee for the aging, shall make appropriate rules and regulations governing the submission and approval of applications for the operation of programs for the aging pursuant to subdivision two of this section. If an application is disapproved, the applicant, upon request, shall be afforded a hearing before the director or his or her designee.

4. (a) As required by the office, each county, city, town, village, school district or public or private nonprofit corporation, association, institution or agency operating a program for the aging pursuant to subdivision two of this section shall submit to the office (1) a quarterly estimate of anticipated expenditures for operation and maintenance of such program, including rental of buildings, purchase of equipment, administrative expenses, miscellaneous personal expenses of older persons incurred in the provision of volunteer services, and approved expenditures for minor alterations or repairs, not less than thirty days before the first day of the months of April, July, October and January, and (2) a verified accounting of the financial operations of such program during the preceding calendar quarter, together with a claim for reimbursement as provided in this title, on or before the thirtieth day of April, July, October and January. The director may permit the submission of such accountings with respect to periods exceeding three months, but not exceeding one year.

(b) After receipt of a satisfactory quarterly estimate and verified accounting pursuant to paragraph (a) of this subdivision, the director shall certify to the comptroller, for payment by the state to each such county, city, town, village, school district or public or private nonprofit corporation, association, institution or agency, the expenditures thereof, approved by the office, as follows:

(i) the amount of federal funds, if any, properly received for such expenditures; and

(ii) up to fifty percentum of such expenditures, after first deducting therefrom any federal funds properly received with respect to such

expenditures.

5. Notwithstanding the provisions of subdivision four of this section, but subject to and in the manner specified in this subdivision, the office, in its discretion, may entertain and approve applications for interim payments.

(a) Such an application may be approved by the office, upon being satisfied that the requirement for filing a verified accounting of the financial operation of a program during the preceding calendar quarter before a claim for reimbursement based on the expenditures for such quarter may be made, is likely to cause a financial hardship to the applicant.

(b) Such an application may be made at the time of filing the quarterly estimate of anticipated expenditures as specified in subdivision four of this section or at such other time as the office shall specify.

(c) After receipt of a satisfactory quarterly estimate, the office may direct the director to certify to the comptroller for payment an interim payment in such amount as the office shall specify.

(d) The amount of the interim payment which the office may authorize shall not exceed an amount equal to one-third of the amount which the applicant may reasonably be entitled to receive in accordance with the provisions of subdivision four of this section, for the three month period for which a satisfactory quarterly statement has been filed, based on such satisfactory quarterly estimate. The amount of an interim payment received by the applicant shall be subtracted from the amount payable to the applicant for such three-month period.

6. The director is hereby authorized, within amounts appropriated therefor, to make grants-in-aid to existing foster grandparent grantee agencies for the engagement of foster grandparents in qualified residential group homes for neglected and disadvantaged children, in private homes, day care centers, special education classes in public schools, or other public or private nonprofit institutions or agencies providing care for neglected and disadvantaged children who lack close personal relationships. Up to twenty percent of such grants-in-aid may be expended for the administrative purposes of such grantee agencies,

with the approval of the office. Such grants shall be for a period of twelve months or less, shall not be used to match other state funds, shall not be used as a substitute for federal allocations, and shall be made in a manner which does not conflict with federal law, rule or regulation pursuant to title II of the United States domestic volunteer services act of nineteen hundred seventy-three, as amended. Grants may be used to match federal funds but must be used for expansion of existing federal programs, not as a substitute for presently required non-federal shares. Each grantee shall file reports at such time and containing such information as the office shall require. For the purpose of administering such grants-in-aid the office may make such agreements with other public agencies as are deemed necessary.

7. The director is hereby authorized, within amounts appropriated therefor, to make grants-in-aid to retired and senior volunteer programs for the engagement of individuals fifty-five years of age or over to serve as volunteers for the betterment of their community and themselves. Such volunteer activities may include but shall not be limited to assisting with the preparation of meals at nutrition sites; leading activities at child care centers; delivering meals to homebound elderly; providing telephone reassurance and/or friendly visits to the frail elderly; tutoring adults or children; assisting with services for the homeless and assisting school districts which request volunteers for the purpose of notifying a person in parental relation to any elementary school pupil when such pupil is deemed absent from required attendance at his or her designated school. The services of these volunteers will be performed in the community where such individuals reside or in nearby communities. Up to ten percent of such grants-in-aid may be expended for the administrative purposes of such programs, with the approval of the office. Such grants shall be for a period of twelve months or less, shall not be used to match other state funds, shall not be used as a substitute for federal allocations, and shall be made in a manner which does not conflict with federal law, rule or regulation pursuant to title II of the United States domestic volunteer services act of nineteen hundred seventy-three, as amended. Grants may be used to match federal funds, but not as a substitute for presently required non-federal shares. Each grantee shall file reports at such time and containing such

information as the office shall require. For the purpose of administering such grants-in-aid the office may make such agreements with other public agencies as are deemed necessary.

* 8. The director, in consultation with the commissioner of health, shall establish a program to be known as the NY Connects: Choices for Long Term Care. The purpose of this initiative is to provide consistent, comprehensive, locally-based information and assistance on long term care services to consumers, caregivers and families to help them make educated choices. This program shall provide individuals, caregivers, and families with objective information and assistance about home, community-based and institutional long term care services. NY Connects will be available on a voluntary basis to consumers, caregivers and their families. There shall be an on-going education and outreach campaign to educate the public about long term care services available in their community and to assist consumers in preparing for their long term care needs.

* NB Effective until August 19, 2027

* 8. The director, in consultation with the commissioner of health, shall establish a program to be known as the NY Connects: Choices for Long Term Care. The purpose of this initiative is to provide consistent, comprehensive, locally-based information and assistance on long term care services to consumers, caregivers and families to help them make educated choices. This program shall provide individuals, caregivers, and families with objective information and assistance about home, community-based and institutional long term care services, including programs and services for individuals suffering from Alzheimer's disease or other forms of dementia. NY Connects shall be available on a voluntary basis to consumers, caregivers and their families. There shall be an on-going education and outreach campaign to educate the public about long term care services and programs and services for individuals suffering from Alzheimer's disease or other forms of dementia available in their community and to assist consumers in preparing for their long term care needs.

* NB Effective August 19, 2027

9. The director of the office for the aging is hereby authorized, to the extent appropriations are available therefor, to establish, operate

and maintain, under the control of the office for the aging or in conjunction with an association, institution, agency, or other public or private entity, or community program engaged in the care of animals, one or more senior pet companionship programs. The purpose and intent of a senior pet companionship program shall be to match seniors who have limited social contact with pets, including cats and dogs and other small animals, to improve the lives of such seniors by enhancing their emotional and mental well-being through such companionship.

10. The director is hereby authorized, to the extent appropriations are available therefor, to establish grants to a not-for-profit organization, through a request for proposal process, to provide training, outreach and education to agencies, individuals and other appropriate entities who provide services to the lesbian, gay, bisexual, and transgender senior populations.

11. (a) The director shall develop a list of programs and services offered by local area agencies on aging along with contact information for the local area agencies on aging and NYConnects organized by county.

(b) The information developed pursuant to paragraph (a) of this subdivision shall be made available on the office's website and provided to hospital discharge coordinators located in the state.

12. (a) The director is hereby authorized to implement private pay protocols for programs and services administered by the office. These protocols may be implemented by area agencies on aging at their option and such protocols shall not be applied to services for a participant when being paid for with federal funds or funds designated as federal match, or for individuals with an income below two hundred and fifty percent of the federal poverty level. All private payments received directly by an area agency on aging or indirectly by one of its contractors shall be used to supplement, not supplant, funds by state, federal, or county appropriations. Such private pay payments shall be set at a cost to the participant of not more than twenty percent above either the unit cost to the area agency on aging to provide the program or service directly, or the amount that the area agency on aging pays to its contractor to provide the program or service. Private pay payments

received under this subdivision shall be used by the area agency on aging to first reduce any unmet need for programs and services, and then to support and enhance services or programs provided by the area agency on aging. No participant, regardless of income, shall be required to pay for any program or service that they are receiving at the time these protocols are implemented by the area agency on aging. This subdivision shall not prevent cost sharing for the programs and services established pursuant to section two hundred fourteen of this title. Consistent with federal and state statute and regulations, when providing programs and services, area agencies on aging and their contractors shall continue to give priority for programs and services to individuals with the greatest economic or social needs. In the event that the capacity to provide programs and services is limited, such programs and services shall be provided to individuals with incomes below two hundred and fifty percent of the federal poverty level before such programs and services are provided to those participating in the private pay protocol pursuant to this subdivision.

(b) Area agencies on aging participating in the private pay protocol shall annually report to the office the unmet need, if any, for all programs and services offered, the number of participants that privately paid for each program or service for that year, the rates participants were charged for each program or service provided, and how unmet need for programs or services offered by the area agency on aging were affected by revenue from the private pay protocol. Such annual report shall also be shared with the Temporary President of the Senate and the Speaker of the Assembly no later than July first, two thousand twenty-one and shall be updated and reissued on an annual basis thereafter.