

CHAPTER 71 COUNTY OFFICES ON AGING

Authority
N.J.S.A. 40:23-6.44.

Source and Effective Date
R.1995 d.341, effective date June 2, 1995.
See: 27 N.J.R. 1719(a), 27 N.J.R. 2579.

Executive Order No. 66(1978) Expiration Date
Chapter 71, County Offices on Aging, expires June 2, 2000.

Historical Note

All provisions of this chapter were originally filed and became effective July 1, 1975 as R.1975 d.192. See: 7 N.J.R. 247(e), 7 N.J.R. 355(a). The existing text was entirely deleted and new text was submitted therefor by amendments which became effective on September 10, 1981 as R.1981 d.356. See: 13 N.J.R. 395(c), 13 N.J.R. 563(a). A readoption became effective March 22, 1985, with amendments effective April 15, 1985 as R.1985 d.176. See: 17 N.J.R. 342(a), 17 N.J.R. 904(c). Chapter 71 expired on March 1, 1990. The expired rules were proposed and adopted as new by R.1990 d.282, eff. June 4, 1990. See: 22 N.J.R. 1016(b), 22 N.J.R. 1720(c). Chapter 71 was readopted as R.1995 d.341, effective June 2, 1995. See: Source and Effective Date.

See subchapter and section annotations for specific rulemaking activity.

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SUBCHAPTER 1. GENERAL PROVISIONS

5:71-1.1 Title

The rules and regulations in this subchapter shall be known and may be cited as the "Rules and Regulations for County Offices on Aging".

5:71-1.2 Designation of grantees

(a) The Division on Aging, in the Department of Community Affairs, pursuant to its authority under the Older Americans Act of 1965 as amended (P.L. 98-459), or as may be subsequently amended, has designated each county as a planning and service area and has designated within each such county an area agency on aging to prepare, develop and carry out an area plan on aging.

(b) The designated area agency on aging will be a County Office on Aging established pursuant to N.J.S.A. 40:23-6.44 or other agency or organization which the Division on Aging deems able to perform the functions of an area agency on aging.

(c) When the County Office on Aging has been designated as the area agency on aging, the Board of Chosen Freeholders (hereinafter referred to as the grantee) shall:

1. Enter into an agreement with the Division on Aging, which shall provide for a grant from the Federal funds allocated to the State of New Jersey under the Older Americans Act.
2. Provide that said grant shall be administered by the County Office on Aging in accordance with the terms of the grant agreement.
3. Ensure that the County Office on Aging will have complete authority and responsibility to plan and develop all policy on programs for older persons under an approved area plan on aging. Such office may be an agency whose single purpose is to administer programs for older persons, or a multi-purpose agency with the authority and capacity to administer human services in the county. A multi-purpose agency must delegate all its authority and responsibility under the Older Americans Act to a single organizational unit within the agency.

Amended by R.1985 d.176, effective April 15, 1985.
See: 17 N.J.R. 342(a), 17 N.J.R. 904(c).
Section substantially amended.

5:71-1.3 Functions

(a) The County Office on Aging as the designated area agency on aging will have duties, responsibilities and functions which include but are not limited to:

1. Prepare, develop and carry out an area plan on aging which has been submitted to and approved by the Division on Aging.
2. Administer the area plan on aging including the planning and development of all policy on programs for older person under the plan.
3. Be a visible focal point for advocacy, coordination, monitoring, and evaluation of programs for older persons in the county including but not limited to community services, economics, employment, income and retirement, health care, mental health, institutional and non-institutional housing, leisure, transportation, homemaker services, long term care, ombudsman activities, education and nutrition.

4. Comply with all provisions of the Older Americans Act and such other titles and regulations which may be relevant to this subchapter.

5. Act as the central place in each county planning and service area responsible for the implementation of all policies and procedures issued by the Division to achieve at a local level the goals which the Division addresses in its statewide efforts.

6. Increase the public's awareness and understanding of the aging process and the effects of this natural process on the individual by circulating current knowledge related to aging to both practitioners in the field and the public at large.

7. Provide information and referral services for the elderly of the county and maintain a central source of information on programs and services for the older population.

Amended by R.1985 d.176, effective April 15, 1985.

See: 17 N.J.R. 342(a), 17 N.J.R. 904(c).

Section substantially amended.

5:71-1.4 Executive director

(a) The executive director of the County Office on Aging shall have responsibilities which include but are not limited to the following:

1. Maintain current information on existing public and private programs serving older people and keep abreast of new developments and research in the field of aging.

2. Identify the interests and needs of the county's older population and involve this group in projects related to the entire county.

3. Monitor and evaluate all projects funded in the area plan.

4. Encourage the development of new facilities or personnel to implement needed programs.

5. Ensure compliance with all applicable laws, regulations and policies.

6. Attend all meetings and training sessions as required by the Division on Aging.

7. Develop and exercise methods of administration necessary for the proper administration of the Office on Aging, including effective and efficient procedures for planning and coordinating with Federal, State and local agencies with resources of benefit to older persons.

(b) The executive director shall be a full-time qualified professional appointed by the respective grantee in compliance with applicable Federal, State and local regulations governing personnel administration including the require-

ments of merit employment systems. Selection will be made in consultation with the Division on Aging.

(c) The Division on Aging must receive written notice prior to any adverse personnel action taken against the executive director and shall have the authority to investigate such actions.

Amended by R.1985 d.176, effective April 15, 1985.

See: 17 N.J.R. 342(a), 17 N.J.R. 904(c).

(a)7 added; (b) substantially amended.

5:71-1.5 Advisory councils

(a) The executive director of the County Office on Aging shall appoint, with the approval of the contracting authority, an advisory council to assure broad representation with all segments of the general populace and to gain advice and assistance on program objectives, development and support.

(b) The advisory council shall consist of older individuals (including minority individuals) who are participants or who are eligible to participate in programs assisted under the Older Americans Act, representatives of older individuals, local elected officials, providers of veterans' health care (if appropriate), and the general public.

(c) The advisory council shall establish and make public its own rules and methods of operation, but it must meet at least six times a year, maintain minutes and distribute copies of these to the board of chosen freeholders and the Division of Aging.

(d) The executive director shall use the council to promote interest and understanding of the aging process and problems.

Amended by R.1995 d.341, effective July 3, 1995.

See: 27 N.J.R. 1719(a), 27 N.J.R. 2579(a).

In (a), changed the person in charge of appointment from the grantee to the executive director; and rewrote (b).

5:71-1.6 State administration

(a) The Division of Aging shall promulgate policies and procedures to further amplify and interpret this subchapter.

(b) In compliance with the Older Americans Act, the Division on Aging will monitor, evaluate and assess county offices on aging through formally developed criteria as well as other systems.

SUBCHAPTER 2. STATE AID TO COUNTY OFFICES ON AGING

5:71-2.1 Title and source

The rules and regulations in this subchapter shall be known and may be cited as the "Rules and Regulations for State Aid to County Offices on Aging". This subchapter is issued and promulgated by the Director or the Division on Aging pursuant to Chapter 248, P.L. 1970.

5:71-2.2 Cost sharing requirements

(a) The Division on Aging shall pay to each County Office on Aging which the Division has designated as the area agency on aging one-half of the amount of the annual allowable costs of the Office, provided the State appropriates such funds. In no case, however, may the Division on Aging's grant to an office for a calendar year exceed \$40,000.

(b) In calculating the annual allowable non-Federal costs, the County Office on Aging may use both cash and in-kind resources.

Amended by R.1985 d.176, effective April 15, 1985.

See: 17 N.J.R. 342(a), 17 N.J.R. 904(c).

Added text "which the Division . . . agency on aging".

Amended by R.1995 d.341, effective July 3, 1995.

See: 27 N.J.R. 1719(a), 27 N.J.R. 2579(a).

In (a) increased the maximum allowable grant from \$20,000 to \$40,000; and in (b) inserted "non-Federal" and substituted "and" for "or".

5:71-2.3 Audit procedures

(a) All financial activities of the Office are subject to a Division on Aging audit. Any exception which might result from a State audit shall be deducted and credited against

the State aid that a grantee is to receive under P.L. 1970 c. 248, N.J.S.A. 40:23-6.44.

(b) The County Office on Aging, which the Division has designated as the area agency on aging, is required to provide the Division on Aging, through the board of chosen freeholders, with certified supplemental schedules to a single agency audit pursuant to the requirements of the Single Audit Act of 1984 (P.L. 98-502) for all funds received under the Older Americans Act, as amended (P.L. 98-459), except when the board of chosen freeholders elects to secure a separate certified audit of the Office on Aging area plan grant. Such supplemental schedules or separate audits must be provided to the Division no later than May 15 following completion of the grant agreement year.

Amended by R.1985 d.176, effective April 15, 1985.

See: 17 N.J.R. 342(a), 17 N.J.R. 904(c).

Section substantially amended.

Amended by R.1995 d.341, effective July 3, 1995.

See: 27 N.J.R. 1719(a), 27 N.J.R. 2579(a).

In (b) substituted "May 15" for "April 15".

5:71-2.4 State administration

The Division on Aging shall promulgate policies and procedures to further amplify and interpret this subchapter.