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PROGRAM INSTRUCTION

EOEA-PI-09-03

Reference: EOEA-PI-02-09
EOEA-PI-02-39
EOEA-PI-03-03

TO: Area Agencies on Aging
Nutrition Projects

FROM: Eleanor Shea-Delaney

DATE: June 18, 2009

RE: State Elderly Nutrition Program Congregate Meal Sites Reduction and Suspension Policy

Purpose:

The Executive Office of Elder Affairs (EOEA) is issuing this Program Instruction (PI) to establish guidelines regarding the state elderly nutrition program congregate meal sites. This policy is designed to set up minimum operational standards for the programs as well as allow for continued flexibility in providing this valuable service to elders in the Commonwealth. More specifically, EOEA is establishing these guidelines in order to provide an orderly and systematic process for evaluation, modification, and possible closure of congregate meal sites experiencing low attendance and/or financial difficulties.

Background:

According to the Older American Act (OAA), Title IIIC Section 330, the purpose of the congregate meal program is to reduce hunger and food insecurity, promote socialization of older individuals, and promote health and well being by creating and maintaining access to nutrition and health promotion services. The OAA requires that congregate meal programs meet the following standards: 1) Five or more days a week (with frequency exceptions approved by the State agency),

the program must provide at least one hot or other appropriate meal per day and any additional meals which the recipient of a grant or contract under this subpart may elect to provide; 2) Program meals shall be provided in congregate settings, including adult day care facilities and multigenerational meal sites; and 3) Programs must provide nutrition education, nutrition counseling, and other nutrition services, as appropriate, based on the needs of meal participants.

Required Actions:

EOEA requires congregate meal sites to take certain steps regarding possible changes to congregate programs as a result of persistent low attendance or site-specific financial deficits. These steps are outlined below.

I. PROCESS FOR EVALUATING THE CONGREGATE SITE

STEP 1: Work with EOEA to evaluate the site.

The Nutrition Project will work with the State Unit on Aging/EOEA to discuss the Project's outreach and fund raising efforts aimed at sustaining the site.

Specifically, before closing a site, the operating program shall evaluate and document the following:

1. Accuracy and consistency of application of eligibility guidelines.
2. Outreach efforts targeting low-income and older individuals with the highest need.
3. Active promotion of the donation policy.
4. Effectiveness of solicitation and utilization of other funding from local community sources.
5. Attempts to seek short or long term alternative cost effective methods with the meal provider.

STEP 2: Consider the following changes.

1. Consolidating the number of serving sites if there are sites in close proximity.
2. Reducing the number of serving days after assessing participants' ability to utilize other resources.

In the instance where small sites are located in low-income/rural regions or are the only meal service available to elders, all efforts shall be made to assure that meal participants continue to receive meals whether at the small site with an exemption, through meal services such as home delivered meals, or co-location of congregate meal service with local Senior Centers.

Sites are required to offer meal services a minimum of 3 times per week. In the case that new sites have a special reason to serve for less than 3 days per week, such as ethnic sites, special population or other special needs, the AAA/nutrition project needs to get approval by the State agency. Sites which were open less than 3 days per week before issuance of this PI do not need to request approval.

STEP 3: Evaluate the following options for keeping a site open.

1. Keep a small site open if it is a home delivered meals packing site.

2. Change small site to a luncheon club with the following characteristics:
    a. Staff must be all volunteer and certified for food safety by EOEA.
    b. The site must serve at least five participants.
    c. At least two trained volunteers are required at each meal, one of which will be a lead volunteer that has successfully completed sanitation training.
    d. The unpaid site supervisor is required to comply with all Older American Act Title III and state nutrition program regulations, such as the donation policy and reservation system.
    e. Luncheon clubs that operate for more than 3 days a week are required to be monitored by the AAA/nutrition staff on a regular basis.
    f. A reservation system must be implemented in order to minimize waste.

3. If a site is to be closed but the city/town would like to continue serving the people and maintain it as a state nutrition program meal site, the nutrition program may continue to fund the program at the current meal rate. The municipality would subsidize the differences. All nutrition and sanitation standards must be maintained.

All Nutrition Quality Assurance Protocols (EOEA-PI-02-39) and the requirement for a minimum of 12 hours per week for a nutritionist will not be affected by the above policy changes.

If after all the above referenced options have been exhausted and documented, and it is still not cost effective to operate the program, **you must contact EOEA before making the final decision to close any site.**

II. PROCESS FOR CLOSING A CONGREGATE SITE

It is the policy of the Executive Office of Elder Affairs that permanent or temporary closings of congregate meal sites by either an Area Agency on Aging or sub-grantee be executed in a manner consistent with the process outlined below. Waiver of any requirement of this PI shall only occur after requesting such a waiver in writing from EOEA and EOEA granting the request. Also, Area Agencies on Aging shall incorporate these guidelines in a memorandum of understanding with all contracted Title III-C Congregate Meal Site providers.

1. Notice to EOEA Required for any Closing

Nutrition Project Directors shall complete the attached Title III-C, Nutrition Program, Congregate Meal Site Termination/Suspension Form and forward copies to the Executive Office of Elder Affairs immediately upon learning of any imminent closing, whether permanent or temporary.

2. Permanent Site Closing

In the event that a congregate meal site must be closed on a permanent basis due to irremediable factors (e.g. eviction, inadequate participation, and cost inefficiency), the following must be observed:
    a. Notice must be posted and regular announcements made at the meal site for a minimum of four (4) weeks.

b. The Area Agency on Aging Board of Directors, the Area Agency Advisory Council, and a representative group of site participants must be provided an opportunity to comment on the action.
c. Every effort shall be made to relocate services to a site in close proximity to the affected site.
d. If a new site is found, it must be certified as compliant with the provisions of the Americans with Disabilities Act of 1990.
e. The relevant Area Agency on Aging and the Executive Office of Elder Affairs shall be provided with advance written notice of the plan for closing. (Completion and return of the attached form satisfies this provision).
f. Copies of minutes of any meetings as well as all other appropriate documentation relative to the site closing shall be forwarded to the relevant Area Agency on Aging and the Executive Office of Elder Affairs as soon as they can be made available.

3. Temporary Site Closing

In the event that a congregate meal site must be closed on a temporary basis, the following must occur:

a. Notice must be posted and announced at the meal site as soon as possible.
b. The Area Agency on Aging Board of Directors and the Area Agency Advisory Council shall be promptly notified, and if there is insufficient time for advance concurrence, the two bodies must be asked to ratify any actions taken.
c. All reasonable effort must be made to make temporary arrangements for those participants requesting meal services.
d. Details on the plan for closing and any temporary arrangements, as well as copies of minutes of all meetings and appropriate documentation relative to the closing and temporary arrangements, must be forwarded to the relevant Area Agency on Aging and the Executive Office of Elder Affairs with as much lead time as is possible.

In situations where a closing is required due to a finding of noncompliance with regulatory requirements (e.g., a determination by a local Board of Health), the circumstances must be reported to the relevant Area Agency on Aging and to the Executive Office of Elder Affairs immediately, along with a plan and timeframe for remediation, temporary arrangements, and resumption of normal service by means of the attached form.

Effective Date: This Program Instruction is effective as of July 1, 2009.

Contact: Please direct any questions regarding this PI to Shirley Chao, Director of the Nutrition Program or Amy Sheeley of the Nutrition Program, at (617) 727-7750.

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ELDER AFFAIRS

Title III-C, Nutrition Program, Congregate Meal Site Termination/Temporary Closing Form

Area Agency on Aging:_____

Title III-C Site:_____

Service to be: Terminated ❑ Temporary Site Closing ❑ Effective Date:

If suspended, projected date of resumption of Title III-C Service: _____

Average number of current clients served daily at site: _____

Number of unduplicated clients served in the preceding fiscal year:_____

Number of meals served on-site in the preceding fiscal year: _____

Length of time the site has supplied Title III-C services: _____

Reason for suspension or termination of services at the site:_____
_____
_____
_____

Summary plan for alternative arrangements for clients, either on a temporary or permanent basis:_____
_____
_____
_____

Have local officials been notified? Please explain:_____
_____
_____
_____
_____

This form is not to be submitted before a consultation with Elder Affairs.

Consultation Date: _____

Please fax two (2) copies of this form to the Executive Office of Elder Affairs Fax# (617) 727-9368 to Ted Zimmerman and Shirley Chao.

Completed by: _____ Date:_____