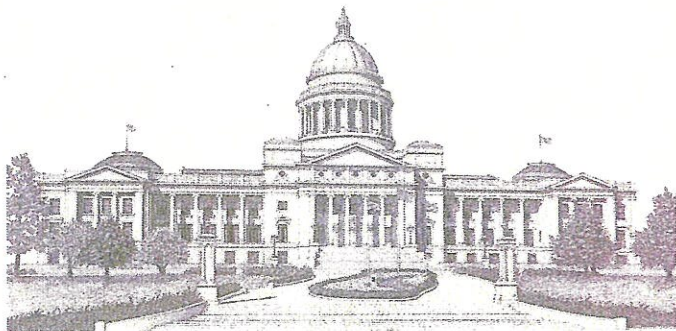


ARKANSAS REGISTER



Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Department of Human Services

Department Division of Aging, Adult, and Behavioral Health Services

Contact Daphne Clements E-mail Daphne.Clements@dhs.arkansas.gov Phone 501-320-6555

Statutory Authority for Promulgating Rules Arkansas Code Annotated 25-10-101

Rule Title: 104 Intrastate Funding Formula

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☐ 10 Days After Filing (ACA 25-15-204)

☒ Other 01/01/2019
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

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Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Renita Whitley

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12/21/2018

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-682-2441

Mark.White@dhs.arkansas.gov

Phone Number

E-mail Address

Deputy Director

Title

12/21/2018

Date

104.00 Intrastate Funding Formula**1-1-19**

The Department of Human Services (DHS) will implement an intrastate funding formula for the equitable distribution of Title III funds to Area Agencies on Aging (AAAs) to comply with Older Americans Act regulations. DHS will apply the same methodology to the distribution of other funds intended for statewide distribution on an equitable basis, including without limitation Social Services Block Grant (SSBG), Advocacy Assistance, Nursing Home Alternatives, Older Workers, Case Management, and State discretionary programs. The purpose of the intrastate funding formula is to reach older Arkansans with the greatest economic and social needs by using a fair and objective allocation methodology.

104.001 General Authority**1-1-19**

Older Americans Act of 1965, as amended in 2016
45 CFR 1321
Arkansas Code Annotated § 25-10-101 et seq.
U.S. Department of Health and Human Services
U.S. Census Bureau
Title VII Civil Rights Act of 1964, as amended
Social Services Block Grant

104.100 Definitions**1-1-19**

The following terms are defined by the U.S. Census Bureau, U.S. Department of Health and Human Services, and the Title VII Civil Rights Act of 1964, as amended:

- A. **Age 60** – An individual who turns 60 years of age as of the census date of April 1st.
- B. **Age 75** – An individual who turns 75 years of age as of the census date of April 1st.
- C. **Low-Income** – An individual whose income within the past 12 months is below the poverty thresholds set by U.S. Department of Health and Human Services.

- D. **Low-Income Minority** – An individual who identifies with one of the four minority groups as listed below and whose income within the past 12 months is below the poverty thresholds set by U.S. Department of Health and Human Services.
- E. **Minority** – The smaller part of a group within a country or state that differs in race, religion, or national origin from the dominant group.

According to the Equal Employment Opportunity Commission guidelines, the term minority means four, particular groups who share a race, color, or national origin. These groups are:

1. **American Indian or Alaskan Native.** A person having origins in any of the original peoples of North America, and who maintain their culture through a tribe and community.
2. **Asian or Pacific Islander.** A person having origins in any of the original people of the Far East, Southeast Asia, India, or the Pacific Islands. These areas include, for example, China, India, Korea, the Philippine Islands, and Samoa.
3. **Black (except Hispanic).** A person having origins in any of the black racial groups of Africa.
4. **Hispanic.** A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

- F. **Rural** – This term is defined as a territory, population, and housing units not classified as urban.

104.200 Allocation Methodology

1-1-19

The intrastate funding formula for Area Agencies on Aging (AAAs) will be allocated as follows:

- A. Each of the eight AAAs will receive a base percentage of 1% from each funding source before the funding formula is applied.

B. Of the remainder:

1. Thirty-five percent will be distributed based on each region's proportion of
2. Arkansans ages 60 and older;
3. Twenty-five percent will be distributed based on each region's proportion of low-income Arkansans ages 60 and older;
4. Twenty percent will be distributed based on each region's proportion of low-income minority Arkansans ages 60 and older;
5. Fifteen percent will be distributed based on each region's proportion of rural Arkansans ages 60 and older; and
6. Five percent will be distributed based on each region's proportion of Arkansans ages 75 and older.

104.300 Updates**1-1-19**

Department of Human Services will revise and update the AAAs allocations annually as relevant demographic information becomes available and is provided by the U.S. Census Bureau.