



HOUSE BILL No. 5861

November 10 1994 Introduced by Reps London McNutt Gernaat Hammerstrom Bodem, Dolan, Kukuk Jersevic Rocca Hill DeLange Rhead McManus Jaye Bankes Dobronski Sikkema Bullard and Cropsey and referred to the Committee on Senior Citizens

A bill to amend section 6 of Act No 180 of the Public Acts of 1981, entitled as amended

"Older Michiganians act,"

as amended by Act No 35 of the Public Acts of 1987, being section 400 586 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 6 of Act No 180 of the Public Acts of
2 1981, as amended by Act No 35 of the Public Acts of 1987, being
3 section 400 586 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 6 The office of services to the aging shall do all of
6 the following

7 (a) Serve as a visible and effective advocate for aging and
8 older persons

1 (b) Function as the single state agency within this state to
2 supervise and administer the state plan required by the older
3 Americans act of 1965 42 U S C 3001 to ~~3058d~~ 3058ee

4 (c) Be primarily responsible for the coordination of all
5 state activities related to the purposes of this act

6 (d) Cooperate with agencies of the state and federal govern-
7 ment and receive funds for any purpose authorized by the
8 legislature

9 (e) Make necessary contracts incidental to the performance
10 of its duties and the execution of its policies

11 (f) Provide technical assistance to state and local agencies
12 for the purposes of planning, program development administra-
13 tion, and evaluation and encourage, promote, and aid in the
14 establishment of services for aging and older persons

15 (g) Collect, analyze, and disseminate data concerning serv-
16 ices ~~which~~ THAT affect aging and older persons

17 (h) Establish an educational and public information program
18 to foster public understanding of the problems and opportunities
19 of aging and older persons provide information on programs
20 available to assist older persons and encourage the development
21 of private and public community programs to improve the status of
22 older persons

23 (i) Evaluate the effect of federal and state statutes on
24 aging and older persons and recommend to the governor and the
25 legislature appropriate changes

26 (j) Evaluate in cooperation with appropriate state
27 departments and agencies, the effectiveness of public and private

1 policies ~~which~~ THAT affect older persons in ~~the~~ THIS state
2 and ~~which~~ THAT are funded by federal, state, local and private
3 resources, including services ~~which~~ THAT provide a comprehen-
4 sive and integrated system of health and social services ~~which~~
5 THAT respond to individual needs

6 (k) Supervise, monitor, assess, evaluate, and provide tech-
7 nical assistance to area agencies on aging and other agencies
8 receiving funds from the office, in meeting specified
9 objectives

10 (l) Make recommendations to the governor and the legislature
11 on budget and grant requests for programs for aging and older
12 persons

13 (m) Participate in the development of the annual report of
14 services that is required to be submitted to the department of
15 health and human services under section 2004 of Title XX of the
16 social security act, 42 U S C 1397c, and provide recommendations
17 to the governor on the components of the plan ~~which~~ THAT relate
18 to services to aging and older persons

19 (n) Develop a comprehensive triennial state plan on aging
20 with yearly updates regarding the priority needs of aging and
21 older persons, as well as recommendations for future action The
22 office shall prepare an annual report to be submitted to the gov-
23 ernor and the legislature by January 31 of each year The annual
24 report shall detail the progress of the office and the commission
25 in implementing the triennial plan

1 (o) Establish an appeals procedure subject to approval by
2 the commission, the applicability of which shall not be limited
3 to denials of funding

4 (p) Serve as a clearinghouse for the collection and distri-
5 bution of information on aging and older persons

6 (q) Establish demonstration programs for services to the
7 aging and older persons in selected communities in the state
8 Particular emphasis shall be given to services designed to foster
9 continued participation of older persons in family and community
10 life and to prevent as nearly as possible unnecessary institu-
11 tionalization of older persons The programs shall be estab-
12 lished to demonstrate and test their effectiveness, to stimulate
13 continued support for them, and to create new services, using
14 federal, state, local, or private funds and resources

15 (r) Function as the state agency for voluntary services for,
16 and provided by, older persons The office shall do all of the
17 following

18 (1) Be designated as the state agency for coordination and
19 development of foster grandparent and senior companion programs
20 The office is authorized — to receive and allocate funds from
21 federal, state, and other sources for foster grandparent and
22 senior companion programs to negotiate waivers with the federal
23 agency responsible for administering foster grandparent and
24 senior companion programs and funds and, in cases where federal
25 foster grandparent and senior companion programs cannot be modi-
26 fied, to institute policies and rule variations with subprograms
27 of foster grandparent and senior companion programs distinctly

1 established through the use of state funds Administrative
2 agencies established before October 6 1976 to develop and
3 administer foster grandparent and senior companion programs are
4 continued under this act pursuant to contracts initiated with the
5 federal government This subparagraph ~~shall~~ DOES not ~~be con-~~
6 ~~strued to~~ prohibit the termination of a grantee for cause
7 Expansion of foster grandparent and senior companion programs
8 shall be administered under existing programs where feasible
9 Other state and local governmental agencies serving children,
10 youth, and mentally retarded persons in need of protective care
11 and treatment in institutional and community settings shall coop-
12 erate with the office in the development and administration of
13 voluntary services for, and provided by, aging and older
14 persons The office may negotiate with the federal administra-
15 tion to obtain the same nontaxable status for state funded foster
16 grandparent and senior companion stipends as that given to par-
17 ticipants in the federal program

18 (11) Be designated as the state agency for coordination and
19 development of retired senior volunteer programs The office is
20 authorized — to receive and allocate funds from federal, state
21 and other sources for retired senior volunteer programs to nego-
22 tiate waiver of rules with the federal agency responsible for
23 administering retired senior volunteer programs and funds and,
24 in cases where federal retired senior volunteer programs cannot
25 be modified, to institute policies and rule variations with sub-
26 programs of retired senior volunteer programs distinctly
27 established through the use of state funds Administrative

1 agencies established before October 1 1978 to develop and
 2 administer retired senior volunteer programs are continued under
 3 this act pursuant to contracts initiated with the federal
 4 government ~~Nothing in this~~ THIS subparagraph ~~shall be con-~~
 5 ~~strued to~~ DOES NOT prohibit the termination of a grantee for
 6 cause Expansion of retired senior volunteer programs shall be
 7 administered under existing programs where feasible Other state
 8 and local governmental agencies shall cooperate with the office
 9 in the development and administration of voluntary services for,
 10 and provided by, aging and older persons

11 (s) Establish, evaluate, and improve opportunities for aging
 12 and older persons to provide volunteer services

13 (t) Pursue and receive on behalf of ~~the~~ THIS state any
 14 grant or gift and accept any grant or gift so that the title
 15 passes to the state All grants and gifts shall be deposited
 16 with the state treasurer and used for the purposes set forth in
 17 the grant or the gift if the purposes are within the powers con-
 18 ferred on the office and the use is approved by the legislature
 19 If the use is not approved the grant or gift shall revert to the
 20 donor, or the donor s administrator or assigns

21 (u) Train and assign staff ~~who shall~~ TO institute food
 22 delivery systems, inform older persons of the delivery systems,
 23 and train older persons to operate the food delivery systems
 24 The office shall also do all of the following

25 (1) Develop means to reduce the cost of food to older per-
 26 sons and increase the nutritional adequacy of food purchased and
 27 consumed

1 (11) Provide technical assistance to local clubs groups or
2 organizations of older persons for the development of buying
3 clubs, food cooperatives, or shopping assistance programs pro-
4 vide education in purchase and preparation of foods and encour-
5 age retail grocers to package raw food in meal-size portions

6 (111) Provide ongoing assistance until the individual
7 projects become self-sufficient

8 (1v) Coordinate and develop efforts in conjunction with
9 those of other state or local public or private agencies such as
10 the cooperative extension services, public health agencies,
11 senior nutrition projects, the department of social services, the
12 retail grocers association, the department of agriculture, and
13 others considered appropriate by the office

14 (v) Provide in its annual report to the governor and the
15 legislature under subdivision (n), a report on the effect of the
16 programs

17 (v1) Provide trained personnel technical assistance, and
18 coordination with other state agencies

19 (v) Function as the administrator of employment programs and
20 related services for, and provided by, older persons The office
21 shall encourage the employment of older persons in government
22 agencies and private organizations

23 (w) Subject to Act No 370 of the Public Acts of 1941, as
24 amended, being sections 38 401 to 38 428 of the Michigan Compiled
25 Laws, and the rules of the state civil service commission, ensure
26 that preference is given to older persons in employment by the
27 office and all recipients of funds from the office

1 (x) Encourage the development of preretirement and
2 postretirement programs for older persons

3 (y) Develop, in consultation with the various components of
4 the aging network, basic core needs assessment and evaluation
5 instruments The office shall provide technical assistance to
6 aid local organizations in augmenting these core instruments

7 (z) Provide adequate and effective opportunities for older
8 persons to express their views on policy development and program
9 implementation

10 (aa) Establish a long-term care ombudsman program consisting
11 of a state long-term care ombudsman and a system of local or
12 regional ombudsman offices having the duties and powers described
13 in section 6g The local or regional ombudsman programs shall be
14 funded through area agencies on aging

15 (bb) ESTABLISH A DATABANK ON LONG-TERM CARE RESOURCES
16 THROUGHOUT THE STATE AND PROVIDE A TOLL-FREE TELEPHONE NUMBER BY
17 WHICH STATE RESIDENTS MAY OBTAIN ACCESS TO INFORMATION IN THE
18 DATABANK THE DATABANK SHALL INCLUDE, AT A MINIMUM A DESCRIP-
19 TION OF THE LONG-TERM CARE SERVICES AVAILABLE THE COST OF EACH
20 SERVICE ELIGIBILITY CRITERIA, IF ANY FINANCIAL ASSISTANCE PRO-
21 GRAMS AVAILABLE TO DEFRAY PART OR ALL OF THE COST OF SERVICES
22 AND A DESCRIPTION OF HOW TO OBTAIN THE SERVICES