

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency Alabama Department of Senior Services  
Rule No. 70-x-1-.02  
Rule Title: \_\_\_\_\_ Definition of Terms \_\_\_\_\_  
\_\_\_\_\_ New x Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? no

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? yes

Is there another, less restrictive method of regulation available that could adequately protect the public? no

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? no

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? n/a

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? no

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Does the proposed rule have an economic impact? no

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Emily T. Mars

Date July 19, 2018

(DATE FILED)  
(STAMP)

(Agency Name)  
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Senior Services

RULE NO. & TITLE: 70-x-1-.02 Definition of Terms

INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: This amendment will remove a reference to a previous version of the Older Americans Act and replace it with "as amended."

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama Department of Senior Services, 201 Monroe Street, Suite 350, PO Box 301851, Montgomery Alabama 36130-1851. Agency business hours are 8:00 AM to 5:00 PM Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written/Oral comments concerning this change must be received by ADSS no later than September 5, 2018.

CONTACT PERSON AT AGENCY: Emily Marsal, General Counsel, Alabama Department of Senior Services, 201 Monroe Street, Suite 350, PO Box 301851, Montgomery, Alabama 36130-1851.



(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**70-X-1-.02 Definition Of Terms.** To the extent not otherwise defined within these rules and regulations or otherwise by law, the following definitions shall apply:

(a) Board. The Board of Directors for the Alabama Department of Senior Services. The Board serves in an advisory capacity to the Department.

(b) Commissioner. The Commissioner of the Department of Senior Services.

(c) Department. The Alabama Department of Senior Services.

(d) Area Agency. Area Agency on Aging as designated by the Department of Senior Services.

(e) Client. With the exceptions of the legal assistance program and the long-term care ombudsman program, a client is any individual who receives services through the Department or its service provider, contractor, grantee or subgrantee. With the exception of the legal assistance program and the long-term care ombudsman program, a client is any individual who receives services through an Area Agency or its service provider, contractor, grantee or subgrantee. Clients may also be referred to as "consumer" or "participant" for purposes of Department program administration.

(f) Service Provider. An entity that is awarded a subgrant, grant, contract or memorandum of understanding from an area agency to provide services or an entity that is awarded a subgrant, grant, contract or memorandum of understanding from the Department to provide services.

(g) Area Plan. Means the legally binding document submitted by an area agency to the Department of Senior Services in order to receive funding under the Older Americans Act. The Plan details the manner in which the area agency shall furnish a comprehensive and coordinated system of services for older persons throughout the planning and service area. The Plan also outlines the assurances and contractual obligations that the area agency intends to fulfill in exchange for the receipt of funding.

**Author:** Irene B. Collins, Commissioner

**Statutory Authority:** Code of Ala. 1975, §41-22-6, Older Americans Act of 1965, as amended. ~~(Public Law 109-365).~~

**History:** Filed May 20, 1992. Repealed and New Rule:  
Filed June 5, 2009; effective July 10, 2009. **Amended:** Filed July 16, 2018.