

ALABAMA DEPARTMENT OF SENIOR SERVICES
ADMINISTRATIVE CODE

CHAPTER 70-X-3
NOTICE

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70-X-3-.01 Procedural Safeguards And Notice for Older American Act Programs.

(1) The following rules and minimum procedural safeguards shall govern the provision of services for the following categories of programs under the Older Americans Act:

(a) Supportive services (with the exception of the Legal Assistance Program)

(b) Congregate meals services

(3) Home delivered meals services

(d) In-home services

(e) Ombudsman services

(f) Special needs services

(g) Elder abuse services

(h) Preventive health services

(i) Outreach services

(2) The Department requires the area agencies to follow these minimum procedures with regard to notice:

(a) Notice of Proposed Action.

1. The area agency shall provide written notice to clients of the services to be terminated or reduced.

2. The area agency shall provide written notice to an applicant or client of a denial of eligibility or services.

3. The notice shall contain:

(i) the action(s);

(ii) the reason(s) for the action(s); and

(iii) an explanation of the right to request a review in accordance with area agency procedures.

(b) Delivery of Notice.

1. The notice may be delivered in any of the following ways:

(i) by first class mail, postage prepaid, effective upon deposit of such notice in the mail,

(ii) by personal service, or

(iii) by certified mail, return receipt requested.

Author: Irene B. Collins, Commissioner

Statutory Authority: Code of Ala. 1975, §§38-3-8 to 38-3-9; 41-22-12.

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 **Repealed and New Rule:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.02 **Procedural Safeguards And Notice For Department Programs.**

(1) The following rules and minimum procedural safeguards shall govern the provision of services for Department programs.

(2) The Department requires service providers to follow these minimum procedures with regard to notice:

(a) Notice of Proposed Action.

1. The service provider shall provide written notice to clients of the services to be terminated or reduced.

2. The service provider shall provide written notice to an applicant or client of a denial of eligibility or services.

3. The notice shall contain:

(i) the action(s);

(ii) the reason(s) for the action(s); and

(iii) an explanation of the right to request administrative review and formal hearing in the event the applicant or client disagrees with the action(s).

(b) Delivery of Notice.

1. The notice may be delivered in any of the following ways:

(i) by first class mail, postage prepaid, effective upon deposit of such notice in the mail,

(ii) by personal service, or

(iii) by certified mail, return receipt requested.

Author: Irene B. Collins, Commissioner

Statutory Authority: Code of Ala. 1975, §§38-3-8 to 38-3-9; 41-22-12.

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

70-X-3-.03 **Duties Of The Commission.** (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.04 **Subcommittees Of The Commission.** (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.05 **Compensation Of Members.** (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.06 **Alabama Commission On Aging Staff.** (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.07 **Authorization To Receive Gifts.** (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.08 Confidentiality And Disclosure Of Information.
(Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009;
effective July 10, 2009.

70-X-3-.09 Comments On Policies And Procedures. **(Repealed)**

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009;
effective July 10, 2009.

70-X-3-.10 Functions Of The State Agency. **(Repealed)**

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009;
effective July 10, 2009.

70-X-3-.11 Community-Based Long-Term Care. **(Repealed)**

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009;
effective July 10, 2009.

70-X-3-.12 Long-Term Care Ombudsman Program. **(Repealed)**

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009;
effective July 10, 2009.

70-X-3-.13 Legal Assistance. **(Repealed)**

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009;
effective July 10, 2009.

70-X-3-.14 Area Agency And Planning And Service Area Designation. (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.15 Organization Of The State Network. (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.16 State Plan Development. (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.17 Area Plan Approval. (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Repealed:** Filed June 5, 2009; effective July 10, 2009.

70-X-3-.18 Performance And Fiscal Monitoring And Evaluation Of Grantees/Contractors. (Repealed)

Author: Oscar D. Tucker

Statutory Authority: P.L. 83-79; 45 C.F.R., Part 1321.

History: Filed May 20, 1992. **Amended:** Filed December 13, 2006; effective January 17, 2007. **Repealed:** Filed June 5, 2009; effective July 10, 2009.