

Kansas Administrative Regulations

Kansas Department for Aging and Disability Services

Article 1.—General Provisions

26-1-1. Definitions.

(a) "Area agency" and "area agency on aging" mean the agency or organization within a planning and service area that has been designated by the secretary to develop, implement, and administer a plan for the delivery of a comprehensive and coordinated system of services to individuals in the planning and service area.

(b) "Area plan" means the document developed by an area agency that describes the comprehensive and coordinated system of services to be provided to individuals in a planning and service area.

(c) "Comprehensive and coordinated system of services" means a program of interrelated supportive and nutrition services designed to meet the needs of individuals in a planning and service area.

(d) "Contract" means a procurement agreement.

(e) "Contractor" means the party or parties who are under contract with the department or an area agency to provide services to individuals in a planning and service area.

(f) "Contribution" means a donation of money or vision card units that is given by a customer to pay to the provider a portion or the total cost of services received.

(g) "Department" has the meaning specified in K.S.A. 75-5902(a), and amendments thereto.

(h) "Federal act" means the older Americans act of 1965, codified at 42 U.S.C. 3001 et seq. on October 17, 2006, as amended.

(i) "Final financial report" means a contractor-prepared or grantee-prepared document that contains an accurate and complete disclosure of the financial results of the contract, grant, subcontract, or subgrant.

(j) "Grant" means an award of financial assistance in the form of money, or property in lieu of money, by the department.

(k) "Grantee" means any legal entity to which a grant is awarded and that is accountable to the department for the use of the grant. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant.

(l) "Granting agency" means Kansas department on aging.

(m) "Greatest economic need" means the need for services resulting from an annual income level at or below the poverty threshold established annually by the U.S. department of health and human services.

(n) "Greatest social need" means the need for services caused by noneconomic factors that restricts an individual's ability to perform normal daily tasks or that threatens the capacity to live independently. Noneconomic factors shall include physical and mental disabilities, language barriers, and cultural, social, or geographic isolation including isolation caused by racial or ethnic status.

(o) "Indian tribal organization" means the recognized governing body of any Indian tribe or any legally established organization of Indians that is controlled, sanctioned, or chartered by the governing body of an Indian tribe.

(p) "In-home service" means the provision of health, medical, or social services to a private individual in the individual's noninstitutional place of residence.

(q) "Kansan" means any individual who currently resides within the state of Kansas.

(r) "Metropolitan area" means a standard metropolitan statistical area as defined by the census bureau.

(s) "Modification of a grant or contract" means a change in an area plan or other grant or a contract that would result in any of the following:

(1) Alteration of the program scope, planned objectives, or manner in which services are delivered;

(2) provision of financial assistance or payments to any entity not authorized by the original grant or contract; or

(3) alteration of the approved budget of the original grant or contract.

(t) "Notification of grant award" and "NGA" mean the document, issued by the department, awarding financial assistance for the provision of services and specifying the terms of the grant.

(u) "Obligation" means the dollar amount of the orders placed, contracts and subgrants awarded, services received, and similar transactions during the grant period that will require payment within 75 days following the last day in which the grant is active.

(v) "Older individual" and "older person" has the meaning specified in K.S.A. 75-5902(d), and amendments thereto, for "aged" and "senior citizen."

(w) "Planning and service area" and "PSA" mean a geographic area of the state designated by the department for the purpose of planning, development, delivery, and overall administration of services under an area plan.

(x) "Program income" and "project income" mean gross income received by the grantee or subgrantee and directly generated by a grant-supported activity or earned only as a result of the grant agreement during the period.

(y) "Qualified assessor" means any individual who meets the department's education, licensure, certification, and training requirements that are required to perform a customer assessment for a program funded by the department.

(z) "Redesignation" means a change in the geographic boundaries of a planning and service area or selection of an area agency that is different from the area agency previously designated for a particular planning and service area.

(aa) "Request for proposal" and "RFP" mean the document containing criteria that is used to solicit applications for a contract or grant from potential service providers.

(bb) "Secretary" has the meaning specified in K.S.A. 75-5902(b), and amendments thereto.

(cc) "Self-employment" means work for income performed by an individual engaged on that individual's own account in a business, farm, or other enterprise.

(dd) "Service provider" means any legal entity that is obligated to provide services in any planning and service area.

(ee) "State act" means Kansas act on aging, K.S.A. 75-5901 et seq. and amendments thereto.

(ff) "State advisory council" means the advisory council on aging created by K.S.A. 75-5911, and amendments thereto.

(gg) "State plan" means the document submitted to the U.S. department of health and human services by the department in order to receive its allotment of funds under the older Americans act.

(hh) "Subcontractor" means any legal entity to which a subcontract has been awarded and that is accountable to the contractor to provide services to individuals in a planning and service area.

(ii) "Subgrant" means an award of financial assistance in the form of money, or property in lieu of money, made under a grant by a grantee to a subgrantee.

(jj) "Subgrantee" means any legal entity to which a subgrant is awarded and that is accountable to the grantee for the use of the grant funds.

(kk) "Unit of local government" means either of the following:

(1) Any county, city, township, school district, or other similar political subdivision of the state, or any agency, bureau, office, or department thereof; or

(2) any Indian tribal organization.

(Authorized by K.S.A. 2010 Supp. 75-5908; implementing K.S.A. 75-5902 and K.S.A. 2010 Supp. 75-5908; effective, T-85-47, Dec. 19, 1984; effective May 1, 1985; amended, T-86-48, Dec. 18, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-89-14, April 26, 1988; amended Oct. 1, 1988; amended May 31, 2002; amended July 15, 2011.)

***** Authenticated Kansas Administrative Regulation *****