

From: Danny Varat  
To: 'Broome, Darryl'dbroome@aging.sc.gov  
CC: Catherine McNicollCatherineMcNicoll@scstatehouse.gov  
Date: 3/16/2017 9:18:57 AM  
Subject: Provisos

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Darryl, our provisos will be considered this afternoon by Senator Alexander's Finance sub upon adjournment in Gressette 307. Are you free to go? I'd will ask Catherine to attend with you. I won't claim to know exactly what these changes entail, but please upsate me afterwards. Thanks

DV

## **SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR**

**95.1.** (LTG: State Matching Funds Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of the required state matching funds appropriated in Part IA, Section 95, Distribution to Subdivisions, shall be carried forward into the current fiscal year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal year.

**95.2.** (LTG: State Match Funding Formula) Of the state funds appropriated under "Distribution to Subdivisions", the first allocation by the Office on Aging shall be for the provision of required State matching funds according to the Office on Aging formula for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed in accordance with the previous requirements.

**95.3.** (LTG: Registration Fees) The Office on Aging is authorized to receive and expend registration fees for educational, training and certification programs.

**95.4.** (LTG: Council Meeting Requirements) The duties and responsibilities, including the statutory requirement to hold meetings of the Coordinating Council established pursuant to Section 43-21-120 and of the Long Term Care Council established pursuant to Section 43-21-130, both under the Office on Aging in the Office of the Lieutenant Governor, are suspended for the current fiscal year.

**95.5.** (LTG: Home and Community-Based Services) State funds appropriated for Home and Community-Based Services shall be used to fund those services that most directly meet the goal of allowing seniors to live *safely and* independently at home. Allowable services *as defined in the Lieutenant Governor's State Plan* include: group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, Home Care Level I and II *personal care (formerly Home Care Level I), homemaker (formerly Home Care Level II), Home Chore, Home Modification, Legal Assistance, and Assessments, and*. Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services *and one-quarter of one percent shall be retained by the Lieutenant Governor's Office on Aging to provide monitoring and oversight of the program*. All state funds appropriated for Home and Community-Based Services are to be allocated to the AAAs based on the methodology of the Intrastate Funding Formula. However, up to five *three* percent of the annual state appropriation for Home and Community-Based Services may be retained at the state office *Lieutenant Governor's Office on Aging* to be allocated *by the Lieutenant Governor's Office on Aging* to the affected regions in cases of a recognized *an* emergency and/or natural disaster *recognized by the Governor*. If these funds

are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs. *The Interstate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community-Based Services. The Lieutenant Governor's Office on Aging shall develop and implement a structured methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Lieutenant Governor's Office on Aging to provide as many services as possible to the citizens of South Carolina.* The AAAs are to *Each AAA shall* submit a budget for approval by the Lieutenant Governor's Office on Aging indicating the services to be provided. Any unexpended *Home and Community-Base Services* funds in this program shall be carried forward *by the Lieutenant Governor's Office on Aging* and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

**95.6.** (LTG: Geriatric Loan Forgiveness Program) In lieu of quarterly payments to a recipient of the Geriatric Loan Forgiveness Program, the Lieutenant Governor's Office on Aging is authorized to make a single lump sum payment to the lending institution of up to \$35,000 or the loan balance, whichever is less.

Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 95, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

**95.7.** (LTG: Referring Agency) The Lieutenant Governor's Office on Aging shall serve as a "referring agency" to the fourteen Community Action Agencies (CAAs) in South Carolina and to the Governor's Office of Executive Policy and Programs, Office of Economic Opportunity for services for the elderly population. The Governor's Office of Executive Policy and Programs shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first on all referrals received from the Lieutenant Governor's Office on Aging in the prior fiscal year and on the status of the referrals.

**95.8.** (LTG: Caregivers Carry Forward) Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

**95.9.** (LTG: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Lieutenant Governor's Office on Aging for the Vulnerable Adult Guardian ad Litem Program shall be carried forward from the prior fiscal year and used for the same purpose.

Danny Varat  
Chief of Staff  
Office of the Lieutenant Governor  
Cell: 864-787-4150