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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 8.5. MELLO-GRANLUND OLDER CALIFORNIANS ACT [9000 - 9850] (*Division 8.5 repealed and added by Stats. 1996, Ch. 1097, Sec. 13.*)

CHAPTER 8. Multipurpose Senior Services Program [9560 - 9568] (*Chapter 8 added by Stats. 1996, Ch. 1097, Sec. 13.*)

9560. (a) The purpose of this chapter shall be to establish a program to serve frail elderly individuals 65 years of age and older who are certifiable for placement in a nursing facility. This program shall be known as the Multipurpose Senior Services Program, and shall be structured and carried out in a manner consistent with Section 1396n(c) of Title 42 of the United States Code.

(b) This chapter clarifies the intent of the Legislature that the Multipurpose Senior Services Program shall continue:

- (1) To prevent premature disengagement of older individuals from their indigenous communities and subsequent commitment to institutions.
- (2) To provide optimum accessibility of various important community social and health resources available to assist active older individuals to maintain independent living.
- (3) To provide that the frail older individual who has the capacity to remain in an independent living situation has access to the appropriate social and health services without which independent living would not be possible.
- (4) To provide the most efficient and effective use of public funds in the delivery of these social and health services.
- (5) To coordinate, integrate, and link these social and health services, including county social services, by removing obstacles that impede or limit improvements in delivery of these services.
- (6) To allow the state substantial flexibility in organizing or administering the delivery of social and health services to its older individuals.
- (7) To provide access to social and health services by providing information and outreach activities in the community.

(Amended by Stats. 1999, Ch. 859, Sec. 1. Effective January 1, 2000.)

9561. Program services provided pursuant to this chapter may be purchased by program funds or received from other community sources that consist of, but are not limited to, case management services, recreation services, educational services, senior center programs, information and referral services, transportation, income maintenance counseling, housing services, outreach services, volunteer programs, legal services, home repair services, escort services, telephone reassurance services, friendly visiting services, health assessment services, psychological assessment services, nutrition services, home health services, preventive health services, mental health services, homemaker chore services, meals services, adult day care services, including adult day health care, and nonmedical respite care services.

(Added by Stats. 1996, Ch. 1097, Sec. 13. Effective January 1, 1997.)

9562. (a) This chapter shall be administered by the department, under the authority of an approved interagency agreement with the State Department of Health Services, the single state medicaid agency.

(b) To the extent permitted by federal law, each department within the Health and Welfare Agency including departments designated as single state agencies for the programs described in Section 9561, shall waive regulations and general policies and make resources available which are necessary for the administration of this chapter, upon request of the agency.

(Added by Stats. 1996, Ch. 1097, Sec. 13. Effective January 1, 1997.)

9563. The department shall formulate criteria for approval and designation of local Multipurpose Senior Services Program sites. The criteria shall include, but need not be limited to, all of the following:

- (a) Specifications for a social and health review team to evaluate older individuals and to ensure that continuity of social, economic, and health services is provided to maintain older individuals at the appropriate level of care.
- (b) Development of social and health services necessary to maintain the older individual at the appropriate level of care.
- (c) Specifications for the quality of the social and health services to be provided.
- (d) Coordination and integration of the social and health services described in Section 9561.
- (e) The number of local sites, which shall be consistent with the funds made available for purposes of this chapter.
- (f) Coordination with local governmental and nonprofit agencies concerned with multipurpose senior services.
- (g) Maximize utilization of local resources, including service provided by established community-based senior citizen organizations and information and referral networks.
- (h) Specifications for the evaluation of the proposals submitted for the new local sites and for the evaluation of the local sites.
- (i) Conditions for determining the need for procurement of existing sites. Notwithstanding any other provisions of law, the department is not required to procure existing sites by the competitive bidding process, unless it deems it in the best interests of the state to do so.

(Amended by Stats. 2000, Ch. 558, Sec. 1. Effective January 1, 2001.)

9564. Nothing in this chapter shall preclude expansion of Multipurpose Senior Services Program services if cost effectiveness is demonstrated. The expansion shall be accomplished by establishing new sites, by increasing numbers of clients served in existing sites, or by expanding the number of sites to include additional geographic regions of the state.

(Amended by Stats. 2000, Ch. 135, Sec. 171. Effective January 1, 2001.)

9565. The department shall do all of the following:

- (a) Enter into agreements and negotiated contracts with any nonprofit organization or governmental entity to operate the local sites, consistent with the criteria adopted pursuant to Section 9563. In letting these contracts, the department shall not anticipate future appropriations.
- (b) Make grants to local sites from available funds.
- (c) Monitor local sites.
- (d) Cause the service sites to be evaluated in accordance with the established criteria.
- (e) Seek and utilize any available federal, state, or private funds that may be available for carrying out the purposes of this chapter.
- (f) Notwithstanding any other provision of law, local sites established pursuant to this chapter may contract with the Director of Health Services as Medi-Cal programs pursuant to Chapter 8 (commencing with Section 14200) of Part 3 of Division 9. Contracts with the local sites shall be deemed to be for the purposes specified in Section 14494, and may utilize funds appropriated from the Health Care Deposit Fund pursuant to Section 14157.
- (g) Assist in coordinating local site programs with local governmental programs and services for older individuals.

(Added by Stats. 1996, Ch. 1097, Sec. 13. Effective January 1, 1997.)

9566. The department may, where necessary to ensure the effective operation of a multipurpose senior services program, advance to the program's local government and private nonprofit administering agency, an amount not to exceed 25 percent of the estimated annual allocation to the program, under this chapter, as determined by the department pursuant to the estimated annual budget submitted by the program. Subsequent payments to the local government and private nonprofit administering agency for the Multipurpose Senior Services Program shall be prorated to reflect any advance payment made under this section.

(Added by Stats. 1996, Ch. 1097, Sec. 13. Effective January 1, 1997.)

9567. This chapter shall remain in effect so long as a waiver pursuant to Section 1396n(c) of Title 42 of the United States Code has been granted by the federal Department of Health and Human Services to the State Department of Health Services.

(Added by Stats. 1996, Ch. 1097, Sec. 13. Effective January 1, 1997.)

9568. The department shall explore options for, and obtain necessary legislative and governmental agency approvals to expand, the Multipurpose Senior Services Program. The department shall attempt to obtain the necessary federal approval to expand access to

case management services into every planning and service area in the state and to improve the delivery of case management services.

(Added by Stats. 1996, Ch. 1097, Sec. 13. Effective January 1, 1997.)