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Title 22@ Social Security

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Division 1.8@ California Department of Aging

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Chapter 3@ Title III Programs-PSAs and AAAs

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Article 1@ Designation of PSAs and AAAs

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Section 7204@ Change of PSA Designation

7204 Change of PSA Designation

(a)

Upon intending to grant an application for PSA designation pursuant to Section 7202 or upon its own determination that the demographics or the needs specified in Section 7200 have changed to such a degree to warrant a change in PSA boundaries, the Department shall: (1) Schedule and conduct a public hearing in accordance with the following: (A) Notice of the public hearing shall: 1. Include all of the following: a. A description of the proposed action and a statement of the need for the proposed action. b. The time, date and location of the hearing. 2. Be both: a. Advertised thirty days prior to the date of the public hearing in the local newspaper with the largest circulation in the geographical area affected. b. Mailed to all AAAs in the State and units of general purpose local government in the area affected. (B) The public hearing shall be conducted in a facility which is both: 1. Centrally located in the geographical area affected. 2. Accessible to individuals with disabilities. (C) A representative from the Department shall be present to receive and record testimony from the public related to the proposed change in PSA designation. (2) Review all relevant data, including the testimony from the public hearing, and make its decision on whether to change PSA boundaries taking into consideration the impact such a change would have on both of the following: (A) Services to older individuals residing in the affected PSAs. (B) The administration of the Department's programs throughout the State,

including the effect on other AAAs in the State and other counties that will be directly affected. (3) Notify the affected entities of the Department's decision by both of the following: (A) Publishing the decision in the local newspaper with the largest circulation in the geographical area affected. (B) Mailing a copy of the decision to all AAAs in the State and units of general purpose local government in the area affected, and the applicant, if any. The notice to the applicant shall include the information specified in Section 7706.

(1)

Schedule and conduct a public hearing in accordance with the following: (A) Notice of the public hearing shall: 1. Include all of the following: a. A description of the proposed action and a statement of the need for the proposed action. b. The time, date and location of the hearing. 2. Be both: a. Advertised thirty days prior to the date of the public hearing in the local newspaper with the largest circulation in the geographical area affected. b. Mailed to all AAAs in the State and units of general purpose local government in the area affected. (B) The public hearing shall be conducted in a facility which is both: 1. Centrally located in the geographical area affected. 2. Accessible to individuals with disabilities. (C) A representative from the Department shall be present to receive and record testimony from the public related to the proposed change in PSA designation.

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A description of the proposed action and a statement of the need for the proposed action.

b.

The time, date and location of the hearing.

2.

Be both: a. Advertised thirty days prior to the date of the public hearing in the local newspaper with the largest circulation in the geographical area affected. b. Mailed to all AAAs in the State and units of general purpose local government in the area affected.

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Advertised thirty days prior to the date of the public hearing in the local newspaper with the largest circulation in the geographical area affected.

b.

Mailed to all AAAs in the State and units of general purpose local government in the area affected.

(B)

The public hearing shall be conducted in a facility which is both: 1. Centrally located in the geographical area affected. 2. Accessible to individuals with disabilities.

1.

Centrally located in the geographical area affected.

2.

Accessible to individuals with disabilities.

(C)

A representative from the Department shall be present to receive and record testimony from the public related to the proposed change in PSA designation.

(2)

Review all relevant data, including the testimony from the public hearing, and make its decision on whether to change PSA boundaries taking into consideration the impact such a change would have on both of the following: (A) Services to older individuals residing in the affected PSAs. (B) The administration of the Department's programs throughout the State, including the effect on other AAAs in the State and other counties that will be directly affected.

(A)

Services to older individuals residing in the affected PSAs.

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(3)

Notify the affected entities of the Department's decision by both of the following: (A) Publishing the decision in the local newspaper with the largest circulation in the geographical area affected. (B) Mailing a copy of the decision to all AAAs in the State and units of general purpose local government in the area affected, and the applicant, if any. The notice to the applicant shall include the information specified in Section 7706.

(A)

Publishing the decision in the local newspaper with the largest circulation in the geographical area affected.

(B)

Mailing a copy of the decision to all AAAs in the State and units of general purpose local government in the area affected, and the applicant, if any. The notice to the applicant shall include the information specified in Section 7706.

(b)

Upon designation of new PSA boundaries, all AAAs in the PSAs affected shall automatically become provisionally designated and continue to provide services to older individuals until new AAAs have been designated and granted funds.

(c)

Notwithstanding (b), to minimize the disruption of services, the Department may elect to announce its decision to designate a new PSA, but withhold final PSA designation until one AAA is designated in each PSA and awarded a grant.

(d)

Any applicant denied PSA designation may appeal the Department's decision in accordance with Chapter 5.