



**RICK SCOTT**  
GOVERNOR

**CHARLES T. CORLEY**  
SECRETARY

## MEMORANDUM

**NOTICE #: 041514-2-I-SWCBS**

**TO:** Area Agencies on Aging (AAAs)

**FROM:** Charles T. Corley, Secretary

**DATE:** April 15, 2014

**SUBJECT:** Notice of Instruction: Older Americans Act (OAA) Meals and Statewide Medicaid Managed Care Long-Term Care (LTC) Program Meals

The purpose of this Notice is to provide guidance to the AAAs regarding the provision of meals through OAA. Meals funded in OAA are provided in congregate settings and in clients' homes. Meals provide a minimum of one-third of the dietary reference intakes/adequate intake for an age 70-plus female as established by the Food and Nutrition Board of the Institute of Medicine of the National Academy of Sciences.

Congregate meals are served in strategically located centers such as schools, churches, community centers, senior centers, and other public or private facilities where persons may obtain other social and rehabilitative services. Eligible persons include the following:

- Individuals age 60 or older;
- The spouse of an individual age 60 or older who attends the dining center;
- Persons with a disability, regardless of age, who reside in a housing facility occupied primarily by older individuals where congregate nutrition services are provided;
- Persons with a disability who reside at home with and accompany an eligible person to the dining center; and
- Volunteers, regardless of age, who provide essential services on a regular basis during meal hours.

Home-delivered meals provide eligible persons with nutritionally sound meals. An emphasis is placed on serving elders who are at greatest economic and social need, low-income minorities, and those who are at nutritional risk. Eligible persons include the following:

- Individuals age 60 or older who are homebound by reason of illness, disability or isolation;
- The spouse of a homebound eligible individual, regardless of age, if the provision of the collateral meal supports maintaining the person at home;

Notice of Instruction: Older Americans Act (OAA) Meals and Statewide Medicaid Managed Care

Long-Term Care (LTC) Meals

April 15, 2014

Page 2

- Individuals with disabilities, regardless of age, who reside at home with eligible individuals and are dependent on them for care; and
- Persons at nutritional risk who have physical, emotional or behavioral conditions, which would make their presence at the congregate site inappropriate; and persons at nutritional risk who are socially or otherwise isolated and unable to attend a congregate nutrition site.

Meals provided to SMMC LTC enrollees/recipients are provided in adult day care centers and in recipients' homes. Meals are provided as a component of adult day health care services and furnished in an outpatient setting which encompasses both the health and social services needed to ensure optimal functioning of an enrollee, including social services to help with personal and family problems and planned group therapeutic activities. Adult day health care includes nutritional meals. Meals are included as a part of this service when the patient is at the center during meal times. Adult day health care provides medical screening emphasizing prevention and continuity of care, including routine blood pressure checks and diabetic maintenance checks. Physical, occupational, and speech therapies indicated in the enrollee's plan of care are furnished as components of this service. Nursing services, which include periodic evaluation, medical supervision, and supervision of self-care services directed toward activities of daily living and personal hygiene, are also a component of this service. Home-delivered meals are delivered to the residence of an enrollee who has difficulty shopping for or preparing food without assistance. Each meal is designed to provide a minimum 33.3 percent of the current Dietary Reference Intake (DRI). The meals shall meet the current Dietary Guidelines for Americans, the USDA My Pyramid Food Intake Pattern, and reflect the predominant statewide demographic. Eligible SMMC LTC recipients include the following:

- Persons that are 65 years of age and older, and
- Persons 18 years of age and older with a disability.

As OAA and SMMC LTC are both federally-funded programs, individuals may not receive covered services from both programs. Specific OAA contract language provides guidance as follows in Section 1.3.1: "Consumers shall not be dually enrolled in an OAA program and a Medicaid capitated long-term care program." Section 1.3.2 provides: "In order to receive services under this contract, an applicant must: (1) Be 60 years of age or older unless otherwise specified in Proviso authorizing the service; and (2) Not be enrolled in any Medicaid capitated long-term care program." Specific SMMC LTC contract language provides guidance as follows in Attachment II-B, Section V.A1: "The Managed Care Plan shall ensure the provision of services in sufficient amount, duration and scope to be reasonably expected to achieve the purpose for which the services are furnished and shall ensure the provision of the covered services defined and specified in this Contract. The Managed Care Plan shall not arbitrarily deny or reduce the amount, duration, or scope of a required service solely because of the enrollee's diagnosis, type of illness, or condition. The Managed Care Plan may place appropriate limits on a service on the basis of such criteria as medical necessity, as defined by the Agency, or for utilization control, consistent with the terms of this Contract, provided the services furnished can be reasonably expected to achieve their purpose." Therefore, enrollees in SMMC LTC determined to be in need of meals will be provided meals by the managed care plan and will not be enrolled in OAA.

Thank you for your assistance and cooperation in ensuring compliance with OAA and SMMC LTC program guidance. If you have any questions, please contact your contract manager.