

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF AGING
LOCAL ASSISTANCE CONTRACT CHECKLIST
CDA 9007 (NEW 6/16)

All documents listed in Sections A and B are required to execute your contract unless otherwise noted.

SECTION A

- All documents must identify the Contractor's legal name exactly as shown on the Standard Agreement (STD. 213).
- Each contract package must stand on its own. For example, if you have more than one contract with the California Department of Aging (CDA) you may have one Insurance Certificate to cover all contracts, but must include a copy of the Certificate in each contract package you return to CDA.
- Return Section A documents to:

California Department of Aging
Attn: Contract Analyst
1300 National Drive, Suite 200
Sacramento, CA 95834

- Four Standard Agreements (STD. 213)** – Print and sign four copies of the Standard Agreement (STD. 213) with *original signatures*. Signature stamps will not be accepted.
- Resolution or Meeting Minutes** authorizing execution of this Contract – The contract number(s) must be referenced in the Resolution or Meeting Minutes. If the Resolution or Meeting Minutes do not also authorize the signing of Amendments, another Resolution or Meeting Minutes will be needed to amend this Contract. If Meeting Minutes are submitted they must be signed off as approved or the following month's Meeting Minutes must be submitted indicating the previous Meeting Minutes were approved.
 - Public Entity – Resolution from the Board of Supervisors or equivalent governing body is required.
 - Nonprofit – Resolution from the Board of Directors is required.
- Contractor/Vendor Statement of Confidentiality (CDA 1024)** – A signed copy must be returned for each different contract number.
- The following documents must reference the contract number(s) or Letter of Self-Insurance. The coverage shall be for the *entire term* of the Contract and must meet the conditions in Exhibit D, Article XI. of the Contract.
 - General Liability Certificate of Insurance***
 - Automobile Liability Certificate of Insurance***
 - Professional Liability Certificate of Insurance** (*does not apply to Title V contracts*)

***Requires the additional insured statement to name the California Department of Aging and/or the State of California as the additional insured.**

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SECTION B

Budget form

- The following budget forms are found on the CDA website:
 - Area Plan Budget (CDA 122)
 - Financial Alignment (FA) Contract Budget (CDA 229FA)
 - Health Insurance Counseling and Advocacy Program (HICAP) Budget (CDA 229)
 - Medicare Improvements for Patients and Providers Act (MIPPA) Budget (CDA 229m)
 - Senior Community Services Employment Program (Title V) Budget (CDA 35)
 - Supplemental Nutrition Assistance Program-Education (SNAP-Ed) Budget (CDA 2000)
- Submit budget forms to FiscalTeam@aging.ca.gov.

Use the following email subject line and file naming convention for each budget you prepare and submit: Identify your PSA_## (first), Program, Period, and process. If applicable, specify the original or revision number (e.g., PSA 24 AP FY1617 Original Budget). Incorporate the amounts shown in the Budget Display into the original budget form. Ensure allocation Transfer Requests correspond to the Budget Display requirements.

Work plan

- The FA work plan is found on the CDA website.
- The MIPPA work plan is found on the MIPPA section of the CDA website.
- Submit FA and MIPPA work plans to HICAPTeam2@aging.ca.gov.
- SNAP-Ed CDA-approved contract work plans are completed prior to the SNAP-ED contract release and do not need to be resubmitted.
- Work plans are not required to execute Area Plan, HICAP, or Title V contracts.

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
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 Contract Term: July 1- June 30th

Section	Current Language in Existing Contract	New/Amended Language in New Contract	Reason for Change	Editor's Name
<p>EXAMPLE: Exhibit A, Article I.A.4.</p> <p>General Concern</p>	<p>EXAMPLE: n/a</p> <p>Title III-C, Title III-C-2 in various places throughout the exhibits</p>	<p>EXAMPLE: c) Include staff timesheets that detail how much time is spent on each activity.</p> <p>Suggest a standard format for listing Older Americans Act titles</p>	<p>EXAMPLE: New regulatory language added by the CA Dept. of Oversight</p> <p>To use a consistent format</p>	<p>EXAMPLE: Sam Smith</p> <p>Hester K.</p>
<p>Exhibit A, Article I.A.4.b.(i)</p>	<p>b. Individuals eligible to receive a home-delivered meal are individuals who are:</p> <p>(i) An older individual who is frail as defined by 22 CCR 7119, and homebound by reason of illness, disability, or isolation. (These individuals shall be given priority).</p>	<p>b. Individuals eligible to receive a home-delivered meal are individuals who are:</p> <p>(i) An older individual who is frail as defined by 22 CCR 7119, homebound by reason of illness or disability, or otherwise isolated, shall be given priority in the delivery of services. [45 CFR 1321.69(a)].</p>	<p>Clarified language to match intent of eligibility for home-delivered meals.</p>	<p>Linda Wonderly</p>
<p>Exhibit A, Article I. A.6.</p>	<p>Grandparent or Older Individual Who is a Relative Caregiver means a grandparent or step-grandparent of a child, or a relative of a child by blood, marriage, or adoption, who is fifty-five (55) years of age or older, and who:</p> <ol style="list-style-type: none"> Lives with the child; Is the primary caregiver of the child because the 	<p>Older relative caregiver means a caregiver who is --</p> <ol style="list-style-type: none"> Is age 55 or older, and lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child or an individual with a disability; In the case of a caregiver 	<p>OAA reauthorization language.</p>	<p>Nicky Lambert</p>

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	<p>biological or adoptive parents are unable or unwilling to serve as the primary caregiver of the child; and</p> <p>3. Has a legal relationship with the child, such as legal custody or guardianship, or is raising the child informally.</p> <p>[OAA § 372(a)(2)(A)-(C)]</p>	<p>for a child --</p> <p>a. is the grandparent, step grandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the child;</p> <p>b. is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and</p> <p>c. has a legal relationship to the child, such as legal custody, adoption, or guardianship, or is raising the child informally</p> <p>(4) in the case of a caregiver for an individual with a disability, is the parent, grandparent, or other relative by blood, marriage,</p>		

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
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Exhibit A, Article I. A.8.	<p>Individual with Severe Disability(ies) means a person with a severe, chronic disability attributable to mental or physical impairment that is likely to continue indefinitely and results in substantial functional limitation in three or more major life activities. [OAA § 102(a)(48)]</p>	<p>or adoption, of the individual with a disability. [CAA § 372(a)(3)]</p> <p>Individual with a disability. The term "individual with a disability" means an individual with a disability, as defined in Section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), who is not less than age 18 and not more than age 64.</p>	OAA reauthorization language.	Nicky Lambert
Exhibit A, Article I. A. 15	<p>Priority Services for Title III E means services provided to family caregivers who care for individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction, and to grandparents or older individuals, who are relative caregivers who care for children with severe disabilities. [OAA § 372(b)(1)-(2)]</p>	<p>Priority Services for Title III E means services provided to: (A) Caregivers who are older individuals with greatest social need, and older individuals with greatest economic need (with particular attention to low-income older individuals) (B) Older relative caregivers of children with severe disabilities, or individuals with disabilities who have severe disabilities. [OAA§373(c)(2)(A-B)] (C) Family caregivers who provide care for individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction. [OAA § 372(b)]</p>	OAA reauthorization language.	Nicky Lambert

STATE OF CALIFORNIA
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Exhibit A, Article I.B	Definitions Specific to Title VII-A (Allotments for Vulnerable Elder Rights Protection Activities)	Definitions Specific to Title VII-A (Allotments for Vulnerable Elder Rights Protection Activities -- Long-Term Care Ombudsman Programs)	All of the definitions listed in section I.B are for the Long-Term Care Ombudsman program and not for other elder rights protection activities.	Hester K.
Exhibit A, Article I.B.1	<p>Eligible Service Population means older individuals, sixty (60) years of age or older, who are residents of long-term care facilities (i.e., nursing, skilled nursing, distinct part facilities, residential care facilities for the elderly, and other adult care homes similar to these facilities) regardless of their socio-economic status or area of residence.</p> <p>[OAA §§ 102(a)(35), 321(a)(10); Welf. & Inst. Code § 9701(b),(e)]</p> <p>The Local Ombudsman Program may serve residents under sixty (60) years of age if:</p> <p>a. A majority of residents of the facility where the younger person resides are over age sixty (60) and</p> <p>b. Such service does not weaken or decrease service to older individuals</p>	<p>Eligible Service Population means individuals who are residents of long-term care facilities (i.e., nursing, skilled nursing, distinct part facilities, residential care facilities for the elderly, and other adult care homes similar to these facilities) regardless of their socio-economic status or area of residence.</p> <p>[OAA §§ 102(35), 321(a)(10); Welf. & Inst. Code § 9701(b),(e)]</p>	<p>The ACL, in reauthorizing the OAA and promulgating the federal rule for LTCOPs, clarified the role of the LTCOP to assist all residents of long-term care facilities.</p> <p>Citation to OAA was incorrect.</p>	Hester K.

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
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Exhibit A, Article I.B.2	<p>covered by the OAA.</p> <p>[Policy of the Office of Elder Rights Protection, Administration on Aging; July 15, 1996]</p> <p>Local Ombudsman Program Coordinator means the individual selected by the Governing Board or Executive Director responsible for the Local Ombudsman Program and designated by the State Ombudsman to represent the Local Ombudsman Program and the Office of the State Long-Term Care Ombudsman. This individual manages the day-to-day operations of the Local Ombudsman Program, including implementation of federal and State requirements. The Local Ombudsman Program Coordinator is required to be a State Certified Ombudsman Representative; complete State training for new Coordinators, and participate in State Ombudsman sponsored meetings at least twice each year. The selection is in accordance with policies and procedures established by the State Ombudsman and meets the State Ombudsman's criteria for designation and concurrence. [OAA §§ 712(a)(5)(A), 712(h)(5)] [45 CFR 1327.1] [Welf. & Inst. Code §§ 9701(d), 9719]</p>	<p>Local Ombudsman Program Coordinator means the individual selected by the Governing Board or Executive Director responsible for the Local Ombudsman Program and designated by the State Ombudsman to represent the Local Ombudsman Program and the Office of the State Long-Term Care Ombudsman. This individual manages the day-to-day operations of the Local Ombudsman Program, including implementation of federal and State requirements.</p> <p>[OAA § 712(a)(5)(A); Welf. & Inst. Code § 9701(d)]</p>	<p>Some of the language in this paragraph is not really part of the definition, but fits better into the assurances in Exhibit E. It has been moved there.</p> <p>The citations that do not refer directly to the definition were removed.</p>	Hester K.

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 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
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Exhibit A, Article I.B.3	<p>Local Ombudsman Program means either a program of the AAA or its Subcontractor that is designated by the State Ombudsman to carry out the duties of the State Long-Term Care Ombudsman Program with respect to the Planning and Service Area. The selection is in accordance with policies and procedures established by the State Ombudsman and which meets the State Ombudsman's criteria for designation and concurrence. [OAA §§ 711(3), 712(a)(5)(D)] [45 CFR 1327.1] [Welf. & Inst. Code §§ 9701(a)]</p>	<p>Local Ombudsman Program means either a program of the AAA or its Subcontractor that is designated by the State Ombudsman to carry out the duties of the State Long-Term Care Ombudsman Program with respect to the Planning and Service Area. The selection is in accordance with policies and procedures established by the State Ombudsman and which meets the State Ombudsman's criteria for designation and concurrence. [OAA §§ 711(3), 712(a)(5)(A)] [Welf. & Inst. Code § 9701(a)]</p>	<p>Corrections to citations</p>	<p>Hester K.</p>
Exhibit A, Article I.B.4	<p>Office of the State Long-Term Care Ombudsman (OSLTCO) means the office established by CDA to carry out the State Long-Term Care Ombudsman Program, both directly and by contract between CDA and the AAAs. As a program of CDA, the OSLTCO is responsible for activities that promote the development, coordination, and utilization of Ombudsman services. The OSLTCO establishes and maintains effective communication with programs that provide legal services for the elderly and advocacy services of a similar nature that receive funding or official designation from the State. The OSLTCO analyzes</p>	<p>Office of the State Long-Term Care Ombudsman (OSLTCO) means the office established by CDA to carry out the State Long-Term Care Ombudsman Program, both directly and by contract between CDA and the AAAs. As a program of CDA, OSLTCO is responsible for activities that promote the development, coordination, and utilization of Ombudsman services. OSLTCO establishes and maintains effective communication with programs that provide legal services for the elderly and advocacy services of a similar nature that receive funding or official</p>	<p>Removed "the" in front of OSLTCO. Added OAA § 711(1) to the citations – it defines the Office. Changed CFR citation. ACL has amended its regulations to put them all together. Citations to part 1327 will be relabeled and moved to part 1324.</p>	<p>Hester K.</p>

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Section	Current Language in Existing Contract	New/Amended Language in New Contract	Reason for Change	Editor's Name
	<p>data, monitors government actions, and provides recommendations pertaining to long-term care facilities and services. The OSLTCO periodically updates training procedures for Local Ombudsman Programs and provides them with administrative and technical assistance.</p> <p>[OAA §§ 712(a)(1)(A), 712(a)(3)(C),(F), 712(h)] [45 CFR 1327.1] [Welf. & Inst. Code §§ 9710, 9716, 9717]</p>	<p>designation from the State. OSLTCO analyzes data, monitors government actions, and provides recommendations pertaining to long-term care facilities and services. OSLTCO periodically updates training procedures for Local Ombudsman Programs and provides them with administrative and technical assistance.</p> <p>[OAA §§ 712(a)(1), 712(h); 45 CFR 1324.1; Welf. & Inst. Code §§ 9710, 9716, 9717]</p>		
<p>Exhibit A, Article I.B.5</p>	<p>State Certified Ombudsman Representative means the volunteer or employee of the Local Ombudsman Program who is individually certified by the State Ombudsman in accordance with policies and procedures established by the State Ombudsman to serve as representative of the State Long-Term Care Ombudsman Program. Prior to certification by the State Ombudsman, the individual is required to pass State and federal criminal background clearance, complete a minimum of thirty-six (36) hours of training, and complete a mentorship in accordance with policies</p>	<p>Ombudsman Representative means the volunteer or employee of the Local Ombudsman Program who is individually certified by the State Ombudsman in accordance with policies and procedures established by the State Ombudsman to serve as representative of the State Long-Term Care Ombudsman Program.</p> <p>[OAA §§ 711(5), 712(a)(5)(A); 45 CFR 1324.1; Welf. & Inst. Code § 9712.5]</p>	<p>Some of the language in this section was not definitional and has been moved to the assurances in Exhibit E. Citations updated accordingly.</p> <p>Removed "State Certified" from the title. An individual must be certified in order to become an Ombudsman representative.</p>	<p>Hester K.</p>

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 CALIFORNIA DEPARTMENT OF AGING
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Exhibit A, Article I.B.6	<p>and procedures established by the State Ombudsman.</p> <p>[OAA §§ 711(5), 712(a)(5)(A), 712(h)(5)] [45 CFR 1327.1] [Welf. & Inst. Code §§ 9712.5, 9719]</p> <p>State Long-Term Care Ombudsman Program means the CDA program through which the functions and duties of OSLTCO are carried out, consisting of the Ombudsman, OSLTCO headed by the Ombudsman, and the representatives of OSLTCO. [OAA § 712(a)(1)(B)] [45 CFR 1327.1] [Welf. & Inst. Code § 9700]</p>	<p>State Long-Term Care Ombudsman Program means the CDA program through which the functions and duties of OSLTCO are carried out, consisting of the Ombudsman, OSLTCO headed by the Ombudsman, and the representatives of OSLTCO. [OAA § 712(a)(1)(B)] [45 CFR 1327.1] [Welf. & Inst. Code § 9700]</p>	<p>Added "State" before "Ombudsman" to make consistent with definitions.</p>	Hester K.
Exhibit A, Article I.B.7	<p>State Long-Term Care Ombudsman hereinafter referred to as the State Ombudsman means the individual who heads the OSLTCO and is responsible to personally, or through representatives of the Office, fulfill the functions, responsibilities and duties set forth in 45 CFR 1327.13 and 1327.19. [OAA §§ 712(a)(2) (3), 712(a)(5)(D)(ii), 712(e)] [45 CFR 1327.1] Welf. & Inst. Code §§ 9701(f), 9711]</p>	<p>State Long-Term Care Ombudsman hereinafter referred to as the State Ombudsman means the individual who heads OSLTCO and is responsible to personally, or through representatives of the Office, fulfill the functions, responsibilities and duties set forth in OAA § 712(3) [OAA §§ 712(a)(2); 45 CFR 1324.1; Welf. & Inst. Code §§ 9701(f), 9711]</p>	<p>Removed "the" before "OSLTCO." Changed reference from regulation to OAA. The OAA section defines the functions of the State Ombudsman. Corrected other citations.</p>	Hester K.
Exhibit A, Article I.B - general	<p>Definitions Specific to Title VII-A (Allotments for Vulnerable Elder Rights</p>	<p>Change order of definitions so that they are in alphabetical order – if that is how the exhibit is being organized.</p>	<p>Definitions are not currently in alphabetical order</p>	Hester K.
Exhibit A, Article I.C	<p>Definitions Specific to Title VII-A (Allotments for Vulnerable Elder Rights</p>	<p>Definitions Specific to Title VII-A (Allotments for Vulnerable Elder Rights</p>	<p>Redundant citation</p>	Hester K.

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 CALIFORNIA DEPARTMENT OF AGING
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Exhibit A, Article I.C. 1-8	<p>Protection Activities – Programs for Prevention of Elder Abuse, Neglect, and Exploitation)</p> <p>Elder Abuse Prevention Programs means activities to develop, strengthen, and carry out programs for the prevention, detection, assessment, and treatment of, and intervention in, investigation of, and response to elder abuse, neglect, and exploitation (including financial exploitation) [42 USC 3058j] [OAA § 721], including:</p> <p>Remove 1-8 and move to new Article II.C</p>	<p>Protection Activities – Programs for Prevention of Elder Abuse, Neglect, and Exploitation)</p> <p>Elder Abuse Prevention Programs means activities to develop, strengthen, and carry out programs for the prevention, detection, assessment, and treatment of, intervention in, investigation of, and response to elder abuse, neglect, and exploitation (including financial exploitation). [OAA § 721]</p> <p>Move to new Article II.C</p>	<p>These paragraphs are not definitional and are more appropriate in the Scope of Work.</p>	Hester K.
Exhibit A, Article II.A. 13.	<p>13. Monitor, on an ongoing basis, the Subcontractor's use of federal and State funds through reporting, site visits, regular contact, or other means to assure the Subcontractor administers federal and State awards in compliance with laws, regulations, and the provisions of contracts and that performance goals are achieved. [2 CFR 200.331]. Onsite program monitoring must be conducted every two (2) years for all programs</p>	<p>13. Monitor, on an ongoing basis, the Subcontractor's use of federal and State funds through reporting, site visits, regular contact, or other means to assure the Subcontractor administers federal and State awards in compliance with laws, regulations, and the provisions of contracts and that performance goals are achieved. The contractor must follow up and ensure that the Subcontractor takes timely and appropriate</p>	<p>Removed citation [2 CFR 200.331] which does not apply to Older Americans Act.</p> <p>Added citation to require follow up to corrective action plans.</p>	Linda Wonderly

STATE OF CALIFORNIA
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	<p>except Title III C-1 and Title III C-2, which must be conducted every year. Onsite Fiscal monitoring must be conducted every two (2) years for all programs including Title III C-1 and Title III C-2.</p>	<p>action on all deficiencies pertaining to the Federal programs detected through monitoring and on-site review. [CFR 75.352]. Onsite program monitoring must be conducted every two (2) years for all programs except Title III C-1 and Title III C-2, which must be conducted every year. Onsite Fiscal monitoring must be conducted every two (2) years for all programs including Title III C-1 and Title III C-2.</p>		
<p>Exhibit A, Article II.B</p>	<p>The Contractor shall ensure that the Local Ombudsman Program, in accordance with policies and procedures established by the State Ombudsman, will:</p>	<p>The Contractor shall ensure that the Local Ombudsman Program, in accordance with policies and procedures established by OSLTCO, will:</p>	<p>Changed State Ombudsman to OSLTCO consistent with OAA language</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.1</p>	<p>Provide services to protect the health, safety, welfare and rights of residents. [OAA § 712(a)(5)(B)(i)] [45 CFR 1327.19(a)(2)] [Welf. & Inst. Code §§ 9701(a), 9712.5(b)]</p>	<p>Provide services to protect the health, safety, welfare and rights of residents. [OAA § 712(a)(5)(B)(i)] [45 CFR 1324.19(a)(2)] [Welf. & Inst. Code §§ 9701(a), 9712.5(b)]</p>	<p>Update CFR citation</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.2</p>	<p>Ensure residents in the service area of the Local Ombudsman Program have regular, timely access to State Certified Ombudsman Representatives and timely responses to complaints and requests for assistance. [OAA § 712(a)(5)(B)(ii)] [45 CFR 1327.19(a)(3)] [Welf. & Inst. Code § 9712.5(d)]</p>	<p>Ensure residents in the service area of the Local Ombudsman Program have regular, timely access to Ombudsman Representatives and timely responses to complaints and requests for assistance. [OAA § 712(a)(5)(B)(ii)] [45 CFR 1324.19(a)(3)] [Welf. & Inst. Code § 9712.5(d)]</p>	<p>Remove "State Certified" as redundant language. Update CFR citation</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.3</p>	<p>Identify, investigate, and seek to resolve complaints made by or on behalf of</p>	<p>Identify, investigate, and seek to resolve complaints made by or on behalf of</p>	<p>Language change for consistency with OAA</p>	<p>Hester K.</p>

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	<p>residents that relate to their rights and well-being as residents. Complaint investigations shall be done in an objective manner to ascertain the pertinent facts. Findings shall be reported to the complainant. If a complaint is not investigated; the complainant shall be notified in writing of the decision not to investigate and the reasons for the decision. [OAA § 712(a)(5)(B)(iii)] [45 CFR 1327.19(a)(1)] [Welf. & Inst. Code §§ 9701(a), 9712.5(a)]</p>	<p>residents that relate to action, inaction, or decisions, that may adversely affect the health, safety, welfare, or rights of the residents. Complaint investigations shall be done in an objective manner to ascertain the pertinent facts. Findings shall be reported to the complainant. If a complaint is not investigated; the complainant shall be notified in writing of the decision not to investigate and the reasons for the decision. [OAA § 712(a)(5)(B)(iii)] [45 CFR 1324.19(a)(1)] [Welf. & Inst. Code §§ 9701(a), 9712.5(a)]</p>	<p>language. Update CFR citation.</p>	
<p>Exhibit A, Article II.B</p>	<p>Add new subsection 4</p>	<p>to identify the emergency situation to resolve complaints made by or on behalf of residents with limited or no decision-making capacity and who have no legal representative. If such a resident is unable to communicate consent to the Ombudsman representative, the Ombudsman representative shall seek evidence to indicate what outcome the resident would have communicated. In absence of evidence to the contrary, the Ombudsman representative shall assume that the resident wishes to have the resident's health, safety, welfare, and rights protected and work to</p>	<p>ACL, in reauthorizing the OAA and promulgating regulations, clarified the role of the LTCOP in resolving complaints on behalf of residents who are unable to communicate consent.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
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<p>Exhibit A, Article II.B.4</p>	<p>4. Receive and investigate reports of suspected abuse, neglect and exploitation of elder or dependent adults occurring in long-term care facilities. [Welf. & Inst. Code § 15630 et seq.]</p>	<p>accomplish that outcome. [OAA § 712(a)(5)(B)(vii); 45 CFR 1324.19(b)(2)(iii)]</p> <p>5. Receive and investigate reports of suspected abuse, neglect and exploitation of elder or dependent adults occurring in long-term care facilities as defined in Welf. & Inst. Code § 15610.47. [Welf. & Inst. Code § 15630 et seq.]</p>	<p>The definition of long-term care facility is different for state abuse reporting than the definition in the OAA.</p> <p>Also need to change numbering to B.5</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.5</p>	<p>5. Witness advance health care directives and property transfers of more than \$100 for residents of skilled nursing facilities. [HSC 1289] [PC 4675, PC 4700 et seq.]</p>	<p>6. Witness advance health care directives and property transfers of more than \$100 for residents of skilled nursing facilities. [HSC 1289] [PC 4675, PC 4700 et seq.]</p>	<p>The only change is to renumber subsection because of new subsection 4. It should be Article II.B.6</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.6</p>	<p>6. Collect and submit data in accordance with the statewide uniform reporting system established by the State Ombudsman and the reporting provisions specified in Exhibit E of this Contract. [OAA § 712(c)] [Welf. & Inst. Code § 9716(a)].</p>	<p>7. Collect and submit data in accordance with the statewide uniform reporting system established by the State Ombudsman and the reporting provisions specified in Exhibit E of this Contract. [OAA § 712(c)] [Welf. & Inst. Code § 9716(a)].</p>	<p>The only change is to renumber subsection because of new subsection 4. It should be Article II.B.7</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.7</p>	<p>7. Represent the interests of residents before governmental agencies and seek administrative, legal, and other remedies to protect the rights and well-being of residents. [OAA § 712(a)(5)(B)(iv)] [45 CFR 1327.19(a)(4)] [Welf. & Inst. Code § 9712.5(e)]</p>	<p>8. Represent the interests of residents before governmental agencies and seek administrative, legal, and other remedies to protect the health, safety, welfare, and rights of the residents.</p>	<p>Updated language to mirror language in OAA. Updated CFR part number. Section needs to be renumbered to Article II.B.8.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

Exhibit A, Article II.B.8	8. Review, comment, and facilitate the ability of the public to comment on laws, regulations, policies, actions, and legislative bills that pertain to the rights and well-being of residents. [OAA § 712(a)(5)(B)(v)] [45 CFR 1327.19(a)(5)] [Welf. & Inst. Code § 9712.5(g)(i)]	[OAA § 712(a)(5)(B)(iv)] [45 CFR 1324.19(a)(4)] [Welf. & Inst. Code § 9712.5(e)]	Updated CFR part number. Updated Welfare and Institutions Code (should have been subsections g through i) Section needs to be renumbered to Article II.B.9.	Hester K.
Exhibit A, Article II.B.9	9. Support the development of resident and family councils. [OAA § 712(a)(5)(B)(vi)] [45 CFR 1327.19(a)(6)] [Welf. & Inst. Code § 9726.1(a)(3)]	9. Support the development of resident and family councils. [OAA § 712(a)(5)(B)(vi)] [45 CFR 1324.19(a)(6)] [Welf. & Inst. Code § 9712.5(g)-(j)]	Updated language to mirror language in OAA. Updated CFR part number. Section needs to be renumbered to Article II.B.10.	Hester K.
Exhibit A, Article II.B.10	10. Carry out other activities that the State Ombudsman determines to be appropriate, including the following services [OAA § 712(a)(5)(B)(vii)] [45 CFR 1327.19(a)(7)]:	11. Carry out other activities that the State Ombudsman determines to be appropriate, including the following services [OAA § 712(a)(5)(B)(viii)] [45 CFR 1324.19(a)(7)]:	Updated to correct OAA citation. Updated CFR part number. Section needs to be renumbered to Article II.B.11.	Hester K.
Exhibit A, Article II.B.10.d	Establish (in addition to support) resident, family and friends' councils. [Welf. & Inst. Code § 9726.1(a)(3)]		Subsection deleted because language contained in Article II.B.9	Hester K.
Exhibit A, Article II.B.10.e	e. Present community education and training programs to long-term care facility staff, human services workers, families	d. Present community education and training programs to long-term care facility staff, human services workers,	Renumber subsection to II.B.11.d because prior subsection	Hester K.

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

<p>Exhibit A, Article II.B.10.f</p>	<p>and the general public about long-term care and residents' rights. [Welf. & Inst. Code § 9726.1(a)(5)] f. Refer other individuals' complaints that a representative becomes aware are occurring in the facility to the appropriate governmental agency. [Welf & Inst. Code § 9712.5(a)(2)]</p>	<p>families and the general public about long-term care and residents' rights. [Welf. & Inst. Code § 9726.1(a)(5)] e. Refer other individuals' complaints that a representative becomes aware are occurring in the facility to the appropriate governmental agency. [Welf & Inst. Code § 9712.5(a)(2)]</p>	<p>deleted.</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.11</p>	<p>11. Ensure that the Local Ombudsman Program, in accordance with policies and procedures established by the State Ombudsman, will use Citation Penalties Account funds, Licensing and Certification Program funds, Skilled Nursing Facility Quality and Accountability funds, Older Americans Act funds, and Older Californians Act funds to support activities for the overall program.</p>	<p>12. Ensure that the Local Ombudsman Program, in accordance with policies and procedures established by the State Ombudsman, will use Citation Penalties Account funds, Licensing and Certification Program funds, Skilled Nursing Facility Quality and Accountability funds, Older Americans Act funds, and Older Californians Act funds to support activities for the overall program.</p>	<p>Renumber section to II.B.12.</p>	<p>Hester K.</p>
<p>Exhibit A, Article II.B.12, and II.B.13</p>	<p>12. Review and approve claims for Citation Penalties Account funds, Licensing and Certification Program funds, and Skilled Nursing. 13. Facility Quality and Accountability funds, Older Americans Act funds, and Older Californians Act funds.</p>	<p>13. Review and approve claims for Citation Penalties Account funds, Licensing and Certification Program funds, and Skilled Nursing Facility Quality and Accountability funds, Older Americans Act funds, and Older Californians Act funds.</p>	<p>This should be one section. Renumber section to II.B.13</p>	<p>Hester K.</p>
<p>New Section – Exhibit A, Article II.C</p>	<p>This section is not in the existing contract, but language is in existing Article I.C</p>	<p>The Contractor shall ensure that the Elder Abuse Prevention program shall do some or all of the following: [OAA § 721] 1. Provide for public education and</p>	<p>Moved language from the definitions section to the scope of work as more appropriate placement.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

		<p>outreach to identify and prevent elder abuse, neglect, and exploitation;</p> <p>2. Provide for public education and outreach to promote financial literacy and prevent identity theft and financial exploitation of older individuals;</p> <p>3. Ensure the coordination of services provided by AAAs with services instituted under the State adult protective services program, State and local law enforcement systems, and courts of competent jurisdiction;</p> <p>4. Provide the development of information and data systems, including elder abuse reporting systems, to quantify the extent of elder abuse, neglect, and exploitation in the PSA;</p> <p>5. Conduct analyses of local Adult Protective Services and Long-Term Care Ombudsman information concerning elder abuse, neglect, and exploitation and identifying unmet service, enforcement, or intervention needs;</p> <p>6. Conduct training for individuals, including caregivers described in part E of Title III, professionals, and paraprofessionals, in relevant fields on the identification, prevention, and</p>		
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STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

		<p>treatment of elder abuse, neglect, and exploitation, with particular focus on prevention and enhancement of self-determination and autonomy.</p> <p>7. Provide technical assistance to programs that provide or have the potential to provide services for victims of elder abuse, neglect, and exploitation and for family members of the victims and</p> <p>8. Develop operational plans, including training, for staff and volunteers, and establish a system of monitoring and evaluation of program effectiveness. State operational requirements concerning confidentiality, and other topics determined by CDA to be appropriate.</p>		
Exhibit B, Article I. A 1	[2 CFR 200.305] [45 CFR 75.305]	[45 CFR 75]	Correct the citation	Chia Lor/ Steve Kuhse/ June Ditgen
Exhibit B, Article I. E 1	[2 CFR 200.305 (b)(9)] [45 CFR 75.305 (8)(ii)]	[45 CFR 75.305 (9)] [45 CFR 75.305 (9)]	Correct the citation	Chia Lor/ Steve Kuhse/ June Ditgen

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

Exhibit B, Article I. E. 2	2. Interest earned on advances of federal and non-federal funds shall be identified as non-match cash.	Interest earned on advances of federal funds shall be identified as non-match cash. [2 CFR 200.305 (6)] [45 CFR 75.305 (8)]	Only Federal Funds incur interest or are allowed to be advanced	Chia Lor/ Steve Kuhse/ June Ditgen
Exhibit B, Article I. E. 3	[2 CFR 200.305 (b)(8)] [45 CFR 75.305(8)(i)(ii)(iii)(iv)]	[45 CFR 75.305(8)]	Add citation Correct the citation	Chia Lor/ Steve Kuhse/ June Ditgen
Exhibit B, Article II. E. 1	1. The maximum reimbursement amount allowable for indirect costs is ten percent (10%) of the Contractor's and/or Subcontractor's direct costs, excluding in-kind contributions and equipment.	1. The maximum reimbursement amount allowable for indirect costs is ten percent (10%) of the Contractor's and/or Subcontractor's direct costs, excluding in-kind contributions and nonexpendable equipment unless there is an accepted negotiated rate accepted by all Federal awarding agencies. [CFR 200.414(c)(1)(i)] [45 CFR 75.414(c)(1)(i)] [45 CFR 75.414(c)(1)(i)]	Federal awarding agencies is specified in the regulations and update the citation	Chia Lor/ Steve Kuhse/ June Ditgen
Exhibit B, Article II. E. 4	[2 CFR 200.414] [45 CFR 75.414]	[2 CFR 200.414(a)] [45 CFR 75.414(a)]	Correct the citation	Chia Lor/ Steve Kuhse/ June Ditgen
Exhibit B, Article IV. D 2	2. The Contractor may make unlimited transfer of funds between budget line items for Title III-B, C1, C2, D, and E programs.	2. The Contractor may make one transfer of funds between budget line items for Title III-B, C1, C2, D, and E programs for the first 3 month period of the contract period in accordance with the Budget Display in Exhibit B and one transfer of funds for the period beginning October 1.	Add additional transfer language to align with the footnotes on the Budget Display	June Ditgen Jeannine Fenton

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

Exhibit B, Article IV. D 2	2. However, the Contractor shall submit a revised budget to CDA when one or the cumulative line item budget transfers exceeds ten percent (10%) of the total budget for each funding source.	3. The Contractor shall submit a revised budget to CDA when one or the cumulative line item budget transfers exceeds ten percent (10%) of the total budget for each funding source.	Remove however and added a number 3 for clarity.	June Ditgen
Exhibit B, Article IV. F 1. 2. and 5.	<p>1. The required minimum administration matching contributions for Title III-B, III-C, & III-E combined is twenty-five percent (25%).</p> <p>2. The required minimum program matching contributions for Title III-B and III-C is ten percent (10%).</p> <p>5. Program matching contributions for Title III-B and III-C can be pooled to meet the minimum requirement of ten percent (10%).</p>	<p>1. The required minimum administration matching contributions for Title III-B, not including Ombudsman, III-C, & III-E combined is twenty-five percent (25%).</p> <p>2. The required minimum program matching contributions for Title III-B, not including Ombudsman, and III-C is ten percent (10%).</p> <p>5. Program matching contributions for Title III-B, not including Ombudsman, and III-C can be pooled to meet the minimum requirement of ten percent (10%).</p>	Ombudsman does not have a match require. This aligns to the Area Plan Budget form.	Amanda Evans
Exhibit B, Article V. A.	<p>A. The Contractor shall prepare and submit by the 30th of each month to the CDA Fiscal Team, in electronic format, using the calendar provided, unless otherwise specified by CDA.</p> <p>Monthly Title HICAP Fiscal Reporting Due</p>	<p>A. The Contractor shall prepare and submit a monthly expenditure report in an electronic format as instructed by CDA by the 30th of each month.</p>	CDA is removing to calendar on the next page and providing narrative explanation of payments and expenditure reporting.	Chia Lor/ June Ditgen/ Carol Chen Amanda Evans Jeannine

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Dates RFF Month July Aug Sept Oct Nov Dec Jan Feb Mar Apr May June</p>	<p>RFF Due Date 6/15 7/15 8/15 9/15 10/15 11/15 12/15 1/15 2/15 3/15 4/15 5/15</p>	<p>Expenditure Report Month May June July Aug Sept Oct Nov Dec Jan Feb Mar Apr</p>	<p>Expenditure Report Due Date 6/15 7/15 8/15 9/15 10/15 11/15 12/15 1/15 2/15 3/15 4/15 5/15</p>	<p>The table is a standard RFF and expenditure reporting schedule. If the effective date of this Contract is not July 1st, the Contractor's RFF and expenditure reporting will commence with the first month of the term of this Contract period and end with the month proceeding the last full month of the contract.</p>	<p>B. During the Contract Period, CDA shall advance funds based on an analysis of current cash needs.</p>	<p>B. Payments will be made to reimburse expenditures reported unless payment method was established as a Request for Funds basis for the contract term at the time of contract execution.</p>	<p>providing narrative explanation of payments and expenditure reporting.</p>	<p>Chia Lor June Ditgen Amanda Evans Jeannine Fenton Andy Sachs</p>
<p>Exhibit B, Article V. B</p>	<p>No current language</p>	<p>C. During the Contract period, requests to expedite payments shall be</p>	<p>Added language about expedited payments</p>	<p>Steven Kuhse</p>	<p>Exhibit B, Article V. C</p>	<p>Added language about expedited payments</p>	<p>Steven Kuhse</p>	<p>Fenton</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

	reviewed and based on an analysis of the Contractor's need to provide services.		June Ditgen
Exhibit B, Article VI. E	E. Final expenditures must be reported to CDA in accordance with the budget display in Exhibit B. If the expenditures reported by the Contractor exceed the advanced amount, CDA will reimburse the difference to the Contractor. If the expenditures reported by the Contractor are less than the advanced amount, CDA will invoice the Contractor for the unspent funds.	E. Final expenditures must be reported to CDA in accordance with the budget display in Exhibit B. If the expenditures reported by the Contractor exceed the RFF amount, CDA will reimburse the difference to the Contractor up to the contract amount. If the expenditures reported by the Contractor are less than the advanced amount, CDA will invoice the Contractor for the unspent funds.	Carol Chen/ June Ditgen Amanda Evans
Exhibit D, ARTICLE I A.1, 2, 5, 8, 9, 16 & 17	1. "Agreement" or "Contract" means the Standard Agreement (Std. 213), Exhibits A, B, C, D and E, an approved Budget as identified in Exhibit B, and if applicable, a Work Plan or Budget Narrative, which are hereby incorporated by reference, amendments, and any other documents incorporated by reference; unless otherwise provided for in this Article. 2. "Contractor" means the Area Agency on Aging awarded funds under this Agreement and is accountable to the State and/or federal government for use of these funds and is responsible for executing the provisions for services provided under this	1. "Agreement" or "Contract" means the Standard Agreement (Std. 213), Exhibits A, B, C, D and E, an approved Budget Display as identified in Exhibit B, and if applicable, a Work Plan or Budget Summary, which are hereby incorporated by reference, amendments, and any other documents incorporated by reference; unless otherwise provided for in this Article. 2. "Contractor" or "AAA" means the Area Agency on Aging awarded funds under this Agreement and is accountable to the State and/or federal government for use of these funds and is responsible for	Christian Margedant

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

	<p>Agreement.</p> <p>5. "Data Universal Numbering System (DUNS) number" means the nine-digit number established and assigned by Dun and Bradstreet, Inc., to uniquely identify business entities.</p> <p>8. "PCC" means the Public Contract Code.</p> <p>9. n/a – did not exist</p> <p>16. n/a – did not exist</p> <p>17. n/a – did not exist</p>	<p>executing the provisions for services provided under this Agreement.</p> <p>5. "DUNS" means the nine-digit, Data Universal Numbering System number established and assigned by Dun and Bradstreet, Inc., to uniquely identify business entities.</p> <p>8. "Cal. Pub. Contract Code" means California Public Contract Code.</p> <p>9. "Cal. Civ. Code" means California Civil Code</p> <p>16. "HHS" means United States Department of Health and Human Services.</p> <p>17. "OAA" means Older American Act.</p>		
<p>Exhibit D, ARTICLE I. A.14</p>	<p>13. "USC" means United States Code.</p>	<p>13. "Vendor" means an entity providing goods or services to the Contractor or Subcontractor during the Contractor or Subcontractor's performance of the Agreement.</p> <p>14. "USC" means United States Code.</p> <p>15. "Welf. & Inst. Code" means Welfare and Institutions Code.</p>	<p>Adding new definition and renumbering subsequent definitions.</p>	<p>Michelle</p>
<p>Exhibit D, ARTICLE I B. 2 & 5</p>	<p>2. The Older American Act Amendments of 2006 (OAA) as amended and other applicable federal statutes and their</p>	<p>2. Older Americans Act and other applicable federal statutes and their implementing regulations.</p>	<p>Updating URL and added language to help AAAs find the doc.</p>	<p>Christian Margedant</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

<p>Exhibit D ARTICLE II. C.2.</p>	<p>implementing regulations. 5. Any other documents incorporated herein by reference including, if applicable, the federal HHS terms and conditions found in Part II of the HHS Grant Policy Statement. http://www.hhs.gov/asfrrogapa/aboutog/hhsgps107.pdf</p>	<p>5. Any other documents incorporated herein by reference including, if applicable, the federal HHS terms and conditions found in Part II of the HHS Grant Policy Statement. The HHS Grant Policy Statement is available under the HHS Policy Requirements Topic at https://www.hhs.gov/grants/grants/grants-policies-regulations/index.html.</p>	<p>Updating citations</p>	<p>Christian Margedant</p>
<p>Exhibit D ARTICLE II C.</p>	<p>The Contractor shall, unless exempted, ensure compliance with the requirements of Cal. Gov. Code § 11135 to 11139.5, and 22 CCR 98000 et seq., which prohibit recipients of state financial assistance from discriminating against persons based on race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability. [22 CCR § 98323 Chapter 182, Statutes of 2006] No existing language Add to Exhibit D ARTICLE II. C:</p>	<p>The Contractor shall, unless exempted, ensure compliance with the requirements of Cal. Gov. Code § 11135 et seq., and 22 CCR § 98323 et seq., which prohibit recipients of state financial assistance from discriminating against persons based on race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability. [22 CCR § 98323] 3. California Civil Rights Laws The Contractor shall, ensure compliance with the requirements of Cal. Public Contract Code § 2010 by submitting a completed California Civil Rights Laws Certification, prior to execution of this Agreement. The certificate is available at: http://www.dgs.ca.gov/ols/Forms.aspx The California Civil Rights Laws Certification ensures Contractor compliances with and the Unruh Civil Rights Act (Cal. Civ. Code § 51) and the Fair Employment and Housing Act (Cal.</p>	<p>Adding language to ensure Contractor complies with new regulation requiring DGS form.</p>	<p>Christian Margedant</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

<p>Exhibit D ARTICLE II. I 2, 4 & 5</p>	<p>2. Clean Water Act, as amended. [33 USC 1251] 4. Public Contract Code Section 10295.3 5. n/a – did not exist</p>	<p>Gov. Code § 12960); and Contractor internal policy policies are not used in violation California Civil Rights Laws.</p> <p>2. DELETED 4. Cal. Pub. Contract Code Section 10295.3. 5. Pub. Contract Code Section 2010.</p>	<p>Deleting redundant citation, adding language to ensure Contractor complies with a new statute. Citation format change for consistency.</p> <p>Updating language for brevity, clarity and accuracy. Updated URLs.</p>	<p>Christian Margedant</p>
<p>Exhibit D ARTICLE II. M 1-4</p>	<p>1. The DUNS number must be provided to CDA prior to the execution of this Agreement. 2. The Contractor must keep the DUNS number and related updates on the website available online at http://fedgov.dnb.com/webform. 3. The Contractor shall review all DUNS information to ensure it is up-to-date and the DUNS number status is "active." 4. If CDA cannot access the Contractor's DUNS information related to this federal subaward on the Federal Funding Accountability and Transparency Act Subaward Reporting System (SAM.gov) due to errors in the Contractor's data entry for its DUNS number, the Contractor must immediately update the information as required.</p>	<p>1. The DUNS number must be provided to CDA prior to the execution of this Agreement. Business entities may register for a DUNS number at http://business.dnb.com/dnb/register 2. The Contractor must register the DUNS number and maintain an "Active" status within the federal System for Award Management available online at https://www.sam.gov/portal/SAM/#1. 3. If CDA cannot access or verify "Active" status for the Contractor's DUNS information, which is related to this federal subaward on the Federal Funding Accountability and Transparency Act Subaward Reporting System, the Contractor must immediately update the information as required.</p>		<p>Christian Margedant</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Exhibit D, Article V. L</p>	<p>The Contractor shall refer to 2 CFR 200, Subpart F- Audit Requirements and 45 CFR 75, Subpart F – Audit Requirements in making a determination if a subcontractor relationship exists. If such a relationship exists, then the Contractor shall follow the procurement requirements in the applicable regulation.</p>	<p>The Contractor shall refer to 2 CFR 200.330, Subpart D- Subrecipient and Contractor Determinations and 45 CFR 75.351, Subpart D – Subrecipient and Contractor Determinations in making a determination if a subcontractor relationship exists. If such a relationship exists, then the Contractor shall follow the procurement requirements in the applicable regulation.</p>	<p>Subpart D is applicable to this section.</p>	<p>Jena Yentes</p>
<p>Exhibit D ARTICLE VI. B</p>	<p>B. All such records, including confidential records, must be maintained and made available by the Contractor: (1) until an audit has occurred and an audit resolution has been issued or unless otherwise authorized in writing by CDA's Audit Branch, (2) for such longer period, if any, as is required by applicable statute, by any other clause of this Agreement, or by Sections B and C of this Article, and (3) for such longer period as CDA deems necessary.</p>	<p>B. All such records, including confidential records, must be maintained and made available by the Contractor: (1) until an audit has occurred and an audit resolution has been issued or unless otherwise authorized in writing by CDA's Audit Branch, (2) for such longer period, if any, as is required by applicable statute, by any other clause of this Agreement, or by Sections A and C of this Article, and (3) for such longer period as CDA deems necessary.</p>	<p>Updating for accuracy</p>	<p>Christian Margedant</p>
<p>Exhibit D, Article VI. E.</p>	<p>If the allowability of expenditures cannot be determined because of records or documentation of the Contractor are nonexistent or inadequate according to guidelines set forth in 2 CFR 200.302 and CFR 75.302, the expenditures will be questioned in the audit and may be disallowed by CDA during the audit resolution process.</p>	<p>If the allowability of expenditures cannot be determined because of records or documentation of the Contractor are nonexistent or inadequate according to guidelines set forth in 2 CFR 200.302 and 45 CFR 75.302, the expenditures will be questioned in the audit and may be disallowed by CDA during the audit resolution process.</p>	<p>Adding for accuracy</p>	<p>Jena Yentes Christian Margedant</p>
<p>Exhibit D, Article VII. E.3.</p>	<p>CDA tag number or other tag identifying it as CDA property.</p>	<p>CDA tag number or other tag identifying it as State of California property.</p>	<p>More specific language used in 8651 DGS SAM Criteria</p>	<p>Jena Yentes</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

Exhibit D, Article VII. G	The Contractor shall immediately investigate and within five (5) days fully document the loss, destruction, or theft of such property.	Any loss, damage, or theft of equipment shall be investigated, fully documented and the Contractor shall promptly notify CDA.	Criteria from CFR 215.34	Jena Yentes
Exhibit D ARTICLE VII. O.	If purchase of equipment is a reimbursable item, the equipment to be purchased will be specified in the budget.	If purchase of equipment is a reimbursable item, the equipment to be purchased will be specified in the Budget Summary.	Adding for accuracy.	Christian Margedant
Exhibit D, Article IX. C.	The Contractor shall monitor contracts and subcontracts to ensure compliance with laws, regulations, and the provisions of contracts that may have a direct and/or material effect on each of its major programs.	The Contractor shall monitor contracts and subcontracts to ensure compliance with laws, regulations, and the provisions of contracts that may have a direct and/or material effect on each of its CDA funded programs.	Clarification of specified programs	Andy Sachs
Exhibit D, Article X.	Audits		Clarification of section	Jena Yentes
Exhibit D, Article XVIII.A	<p>A. <u>Information Assets</u></p> <p>The Contractor shall have in place operational policies, procedures, and practices to protect State information assets, (i.e., public, confidential, sensitive and/or personal information) as specified in the State Administrative Manual, § 5300 to 5365.3; Cal. Gov. Code § 11019.9, DGS Management Memo 06 12; DOF Budget Letter 06-34; and CDA Program Memorandum 07-18 Protection of Information Assets.</p>	<p>A. <u>Information Assets</u></p> <p>The Contractor, and its Subcontractors and Vendors, shall have in place operational policies, procedures, and practices to protect State information assets including those assets used to store or access Personal Health Information (PHI), Personal Information (PI) and any information protected under the Health Insurance Portability and Accountability Act (HIPAA), (i.e., confidential, sensitive and/or personal identifying information) as specified in the State Administrative Manual, § 5300 to 5365.3, Cal.</p>	<p>Clarification of Information Assets for clearer definition</p> <p>By CDA Legal Office, Privacy Officer and Information Security Officer</p> <p>Per Michelle, 2/10: State Administration Manual should be referenced with §, not</p>	<p>Ken Ketsdever</p> <p>Andy Sachs</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

	<p>Information assets include (but are not limited to):</p> <ol style="list-style-type: none"> Information collected and/or accessed in the administration of the State programs and services. Information stored in any media form, paper or electronic. 	<p>Gov. Code § 11019.9, DGS Management Memo 06-12; DOF Budget Letter 06-34; and CDA Program Memorandum 07-18 Protection of Information Assets, Statewide Health Information Policy Manual.</p> <p>Information Assets may be in hard copy or electronic format and may include but is not limited to:</p> <ol style="list-style-type: none"> Reports Forms Forms Computers, laptops, cellphones, printers, scanners Networks (LAN, WAN, WIFI) servers, switches, routers Storage media, hard drives, flash drives, cloud storage Data, applications, databases 	<p>the word "Section."</p>
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STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Exhibit D Article XVIII.B</p>	<p>A. <u>Encryption on Portable Computing Devices</u></p> <p>The Contractor is required to encrypt data collected under this Agreement that is confidential, sensitive, and/or personal including data stored on portable computing devices (including but not limited to, laptops, personal digital assistants, notebook computers and backup media) and/or portable electronic storage media (including but not limited to, discs, thumb/flash drives, portable hard drives, and backup media).</p>	<p>B. <u>Encryption of Computing Devices</u></p> <p>The Contractor, and its Subcontractors and Vendors, are required to encrypt data collected under this Agreement that is confidential, sensitive, and/or personal information including data stored on all computing devices (including but not limited to, workstations, servers, laptops, personal digital assistants, notebook computers and backup media) and/or electronic storage media (including but not limited to, discs, thumb/flash drives, portable hard drives, and backup media).</p>	<p>Consistency of terminology, clarification of computing devices and electronic storage media</p> <p>By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>
<p>Exhibit D Article XVIII.C</p>	<p>C. <u>Disclosure</u></p> <p>1. The Contractor shall ensure that personal, sensitive and confidential information is protected from inappropriate or unauthorized access or disclosure in accordance with applicable laws, regulations and State policies. The requirement to protect information shall remain in force until superseded by laws, regulations or policies.</p>	<p>C. <u>Disclosure</u></p> <p>1. The Contractor, and its Subcontractors and Vendors, shall ensure that all confidential, sensitive and/or personal identifying information is protected from inappropriate or unauthorized access or disclosure in accordance with applicable laws, regulations and State policies.</p> <p>2. The Contractor, and its</p>	<p>Consistency of terminology, clarification of disclosure requirements</p> <p>By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

	<p>2. The Contractor shall protect from unauthorized disclosure, names and other identifying information concerning persons receiving services pursuant to this Agreement, except for statistical information not identifying any participant.</p> <p>3. "Identifying information" shall include, but not be limited to: name; identifying number; social security number; state driver's license or state identification number; financial account numbers; and symbol or other identifying characteristic assigned to the individual, such as finger or voice print or a photograph.</p> <p>4. The Contractor and its subcontractors shall not use the identifying information in paragraph 3 above for any purpose other than carrying out the Contractor's obligations under this Agreement. The Contractor and its subcontractors are authorized to disclose and access identifying information for this purpose as</p>	<p>Subcontractors and Vendors, shall protect from unauthorized disclosure, confidential, sensitive and/or personal identifying information such as names and other identifying information concerning persons receiving services pursuant to this Agreement, except for statistical information not identifying any participant.</p> <p>3. "Personal Identifying information" include, but not be limited to: name; identifying number; social security number; state driver's license or state identification number; financial account numbers; and symbol or other identifying characteristic assigned to the individual, such as finger or voice print or a photograph.</p> <p>4. The Contractor, and its Subcontractors and Vendors, shall not use confidential, sensitive and/or personal identifying information above for any purpose other than carrying out the Contractor's obligations under this Agreement. The Contractor and its Subcontractors are authorized to disclose and</p>	
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STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

	<p>required by OAA.</p> <p>5. The Contractor shall not, except as otherwise specifically authorized or court order, disclose any identifying information obtained under the terms of this Agreement to anyone other than CDA without prior written authorization from CDA. The Contractor may be authorized, in writing, by a participant to disclose identifying information specific to the authorizing participant.</p> <p>6. The Contractor may allow a participant to authorize the release of information to specific entities, but shall not request or encourage any participant to give a blanket authorization or sign a blank release, nor shall the Contractor accept such blanket authorization from any participant.</p>	<p>access identifying information for this purpose as required by OAA.</p> <p>5. The Contractor, and its Subcontractors and Vendors, shall not, except as otherwise specifically authorized or required by this Agreement or court order, disclose any identifying information obtained under the terms of this Agreement to anyone other than CDA without prior written authorization from CDA. The Contractor may be authorized, in writing, by a participant to disclose identifying information specific to the authorizing participant.</p> <p>6. The Contractor, and its Subcontractors and Vendors, may allow a participant to authorize the release of information to specific entities, but shall not request or encourage any participant to give a blanket authorization or sign a blank release, nor shall the Contractor accept such blanket authorization from any participant.</p>	
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STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Exhibit D Article XVIII.D</p>	<p><u>D. Training/Education</u></p> <ol style="list-style-type: none"> The Contractor must provide ongoing education and training, at least annually, to all employees and subcontractors who handle personal, sensitive or confidential information. The Contractor's employees, subcontractors, and volunteers must complete the required Security Awareness Training module located at www.aging.ca.gov within thirty (30) days of the start date of the Contract/Agreement or within thirty (30) days of the start date of any new employee, subcontractor or volunteer. The Contractor must maintain certificates of completion on file and provide them to CDA upon request. Training may be provided on an individual basis or in groups. A sign-in sheet is acceptable documentation for group training in lieu of individual certificates. If internet access is not available, a hardcopy of the training module may be provided to employees and/or volunteers for completion. The Contractor may substitute CDA's Security Awareness Training program with its own Security Training provided such 	<p><u>D. Security Awareness Training</u></p> <ol style="list-style-type: none"> The Contractor's employees, Subcontractors, Vendors, and volunteers handling confidential, sensitive and/or personal identifying information must complete the required CDA Security Awareness Training module located at Http://www.Aging.ca.gov within thirty (30) days of the start date of the Contract/Agreement, within thirty (30) days of the start date of any new employee, Subcontractor, Vendor or volunteer's employment and annually thereafter. The Contractor must maintain certificates of completion on file and provide them to CDA upon request. 	<p>Consistency of terminology, clarification of training requirements, provide location of training presentation</p> <p>By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>
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STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Exhibit D Article XVIII.E</p>	<p>training meets or exceeds CDA's training requirement. Contractors shall maintain documentation of training and education provided to their staff, volunteers, and/or subcontractors.</p> <p>3. All employees and volunteers who handle personal, sensitive or confidential information relating to CDA's programs must participate in Security Awareness Training.</p>	<p>E. <u>Health Insurance Portability and Accountability Act (HIPAA)</u></p> <p>The Contractor agrees to comply with the privacy and security requirements of HIPAA to the extent applicable and to take all reasonable efforts to implement HIPAA requirements. The Contractor will make reasonable efforts to ensure that subcontractors comply with the privacy and security requirements of HIPAA.</p>	<p>E. <u>Health Insurance Portability and Accountability Act (HIPAA)</u></p> <p>The Contractor agrees to comply with the privacy and security requirements of HIPAA and ensure that Subcontractors and Vendors comply with the privacy and security requirements of HIPAA.</p>	<p>Consistency of terminology, clarification of verbiage By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>
<p>Exhibit D Article XVIII.G</p>	<p>G. <u>Security Incident Reporting</u></p> <p>A security incident occurs when CDA information assets are accessed, modified, destroyed, or disclosed without proper authorization, or are lost or stolen. The Contractor must report all</p>	<p>G. <u>Security Incident Reporting</u></p> <p>A security incident occurs when CDA information assets are or reasonably believed to have been accessed, modified, destroyed, or disclosed without proper authorization, or are lost or stolen.</p>	<p>G. <u>Security Incident Reporting</u></p> <p>A security incident occurs when CDA information assets are or reasonably believed to have been accessed, modified, destroyed, or disclosed without proper authorization, or are lost or stolen.</p>	<p>Consistency of terminology, clarification of reporting requirements and location of reporting process. By CDA Legal Office,</p>	<p>Ken Ketsdever</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

<p>Exhibit D Article XVIII.H</p>	<p>security incidents to the appropriate CDA Program Manager immediately upon detection. A Security Incident Report (CDA 1025) form must be submitted to the CDA Information Security Officer within five (5) business days of the date the incident was detected.</p>	<p>The Contractor and its Subcontractors and Vendors, must comply with CDA's security incident reporting procedure located at http://Aging.ca.gov/Information Security and Privacy.</p>	<p>Privacy Officer and Information Security Officer</p>	
<p>H. <u>Notification of Security Breach to Data Subjects</u></p> <ol style="list-style-type: none"> 1. Notice must be given by the Contractor or subcontractors to any data subject whose personal information could have been breached. 2. Notice must be given in the most expedient time possible and without unreasonable delay except when notification would impede a criminal investigation or when necessary measures to restore system integrity are required. 3. Notice may be provided in writing, electronically, or by substitute notice in accordance with State law, regulation, or policy. 	<p>H. <u>Security Breach Notifications</u></p> <p>Notice must be given by the Contractor and/or its Subcontractors and Vendors to anyone whose confidential, sensitive and/or personal identifying information could have been breached in accordance with HIPAA, the Information Practices Act of 1977, and State policy.</p>	<p>Consistency of terminology, clarification of Breach notification requirements and location of reporting and breach notification process.</p> <p>By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Consistency of terminology, clarification of Breach notification requirements and location of reporting and breach notification process.</p> <p>By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>
<p>Exhibit D Article XVIII.I</p>	<p>I. <u>Software Maintenance</u></p> <p>The Contractor shall apply security</p>	<p>I. <u>Software Maintenance</u></p> <p>The Contractor, and its</p>	<p>Consistency of terminology,</p>	<p>Ken Ketsdever</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

<p>Exhibit D Article XVIII.J</p>	<p>J. <u>Electronic Backups</u> The Contractor shall ensure that all electronic information is protected by performing regular backup of automated files and databases and ensure the availability of information assets for continued business. The Contractor shall ensure that any portable electronic media used for backups is encrypted.</p>	<p>patches and upgrades and keep virus software up-to-date on all systems on which State data may be used.</p>	<p>Subcontractors and Vendors, shall apply security patches and upgrades in a timely manner and keep virus software up-to-date on all systems on which State data may be stored or accessed.</p>	<p>clarification software maintenance requirements. By CDA Legal Office, Privacy Officer and Information Security Officer</p>	
<p>J. <u>Electronic Backups</u> The Contractor and its Subcontractors and Vendors, shall ensure that all electronic information is protected by performing regular backups of files and databases and ensure the availability of information assets for continued business. The Contractor, and its Subcontractors and Vendors, shall ensure that all data, files and backup files are encrypted.</p>	<p>J. <u>Electronic Backups</u> The Contractor and its Subcontractors and Vendors, shall ensure that all electronic information is protected by performing regular backups of files and databases and ensure the availability of information assets for continued business. The Contractor, and its Subcontractors and Vendors, shall ensure that all data, files and backup files are encrypted.</p>	<p>J. <u>Electronic Backups</u> The Contractor and its Subcontractors and Vendors, shall ensure that all electronic information is protected by performing regular backups of files and databases and ensure the availability of information assets for continued business. The Contractor, and its Subcontractors and Vendors, shall ensure that all data, files and backup files are encrypted.</p>	<p>Consistency of terminology, clarification Electronic Backup requirements. By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Consistency of terminology, clarification Electronic Backup requirements. By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>
<p>Exhibit D Article XVIII.K</p>	<p>K. <u>Provisions of this Article</u> The provisions contained in this Article shall be included in all contracts of both the Contractor and its subcontractors.</p>	<p>K. <u>Provisions of this Article</u> The provisions contained in this Article shall be included in all contracts of both the Contractor and its Subcontractors and Vendors.</p>	<p>Consistency of terminology, By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Consistency of terminology, By CDA Legal Office, Privacy Officer and Information Security Officer</p>	<p>Ken Ketsdever</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

Exhibit D ARTICLE XX A.1.	This group-needs assessment will serve as the basis for the Contractor's determination of "reasonable steps" and provide documentary evidence of compliance with Cal. Gov. Code § 11135 et seq.; 22 CCR 98000 to 98382.	This group-needs assessment will serve as the basis for the Contractor's determination of "reasonable steps" and provide documentary evidence of compliance with Cal. Gov. Code § 11135 et seq., 2 CCR 11140, 2 CCR 11200 et seq., and 22 CCR 98300 et seq.	Updating citation	Christian Margedant
Exhibit D ARTICLE XX B.1 & 3	<p>1. The Contractor shall take reasonable steps, based upon the group-needs assessment identified in Section A of this Article, to ensure that "alternative communication services" are available to non-English speaking or LEP beneficiaries of services under this Agreement. [22 CCR 98211]</p> <p>3. Based upon the findings of the group-needs assessment, the Contractor shall ensure that reasonable alternative communication services are available to meet the linguistic needs of identified eligible client population groups at key points of contact. Key points of contact include, but are not limited to, telephone contacts, office visits and in-home visits. [22 CCR 98211]</p> <p>3. The Contractor shall notify CDA immediately of a complaint alleging discrimination based upon a violation of State or federal law. [22 CCR 98211, 98310, 98340]</p>	<p>1. The Contractor shall take reasonable steps, based upon the group-needs assessment identified in Section A of this Article, to ensure that "alternative communication services" are available to non-English speaking or LEP beneficiaries of services under this Agreement. [22 CCR 98211]</p> <p>3. Based upon the findings of the group-needs assessment, the Contractor shall ensure that reasonable alternative communication services are available to meet the linguistic needs of identified eligible client population groups at key points of contact. Key points of contact include, but are not limited to, telephone contacts, office visits and in-home visits. [2 CCR 11162]</p> <p>3. The Contractor shall notify CDA immediately of a complaint alleging discrimination based upon a violation of State or federal law. [2 CCR 11162, 22 CCR 98310, 98340]</p>	Updating citation	Christian Margedant
Exhibit D ARTICLE XX D.3.	<p>3. The Contractor shall notify CDA immediately of a complaint alleging discrimination based upon a violation of State or federal law. [22 CCR 98211, 98310, 98340]</p>	<p>3. The Contractor shall notify CDA immediately of a complaint alleging discrimination based upon a violation of State or federal law. [2 CCR 11162, 22 CCR 98310, 98340]</p>	Updating citation	Christian Margedant

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Exhibit E, Article I. A.11.</p>	<p>Funds made available under Title III E shall enable comprehensive and multifaceted systems of support services that include the five federal support service components for both "family caregiver" and "grandparent caregiver" [OAA § 373(a)-(b)], unless the AAA has documented through the Area Plan process that one or more of these components is being addressed by other sources.</p>	<p>Funds made available under Title III E shall enable comprehensive and multifaceted systems of support services that include the five federal support service components for both "family caregiver" and "older relative caregiver" [OAA § 373(a)-(b)], unless the AAA has documented through the Area Plan process that one or more of these components is being addressed by other sources.</p>	<p>OAA reauthorization language.</p>	<p>Nicky Lambert</p>
<p>Exhibit E, Article I.A.15</p>	<p>93.041 Special Programs for the Aging- Title VII, Chapter 3 – Programs for Prevention of Elder Abuse, Neglect, and Exploitation (Title VII-A, Chapter 3). 93.042 Special Programs for the Aging- Title VII, Chapter 2 – Long-Term Care Ombudsman Services for Older Individuals (Title VII-A).</p>	<p>93.041 Special Programs for the Aging- Title VII-A, Chapter 3 – Programs for Prevention of Elder Abuse, Neglect, and Exploitation (Title VII-A, Chapter 3). 93.042 Special Programs for the Aging- Title III-BVII-A, Chapter 2 – Long-Term Care Ombudsman Services for Older Individuals (Title III-BVII-A, Chapter 2).</p>	<p>There is probably a better way to phrase these, but if we are going to refer to programs by their OAA titles, it would be best to be accurate. There is still the question of whether to use "III-B" or "IIIB"</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.A.16 (d)(v)</p>	<p>No current language</p>	<p>v. Use all collected contributions to expand the services for which the contributions were given and to supplement (not supplant) funds received under this Act.</p>	<p>Added v. Included all requirements for contribution language consistent with OAA § 315(b)(4)(E). Provided clarification that contributions shall be used to supplement funds</p>	<p>Linda Wonderly</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

			received under the Act.	
Exhibit E, Article I.B.1	Insert new paragraph 1	1. Long-Term Care Ombudsman Services in the Planning and Service Area will be carried out by the agency that has been designated by the State Ombudsman to provide those services. [OAA § 712(e)(5)(A); 45 CFR 1324.13(c)]	This is an important assurance that is required by ACL and should be included in the contract.	Hester K.
Exhibit E, Article I.B.1	1. The Local Ombudsman Program, representatives of the Local Ombudsman Program, OSLTCO, and members of their immediate family shall be free of actual and perceived conflicts of interest. [45 CFR 1327.21]	2. The Local Ombudsman Program, its governing board members, representatives of the Local Ombudsman Program, and members of their immediate families shall be free of actual and perceived conflicts of interest. [OAA § 712(e)(5)(A); 45 CFR 1324.21]	Ombudsman rule contains additional conflict of interest requirements. The AAA cannot be expected to guarantee that OSLTCO is free from conflicts. Updated citations. Change paragraph number to 2.	Hester K.
Exhibit E, Article I.B.2	2. Representatives of the Local Ombudsman Program shall have unescorted, unhindered access to long-term care facilities and long term care facility residents between the hours of 7:00 a.m. and 10:00 p.m., seven days a week. [OAA § 712(b)(1)(A)] [Welf. & Inst. Code § 9722(a)] [22 CCR 8020(a)]. Authorization by the State Ombudsman is required for entry outside of these hours. [Welf. & Inst. Code § 9722(a)] [22 CCR 8020(b)]	3. Representatives of the Local Ombudsman Program shall have unescorted, unhindered access to long-term care facilities and long term care facility residents between the hours of 7:00 a.m. and 10:00 p.m., seven days a week. [OAA § 712(b)(1)(A)] [45 CFR 1324.11(e)(2)(i)] [Welf. & Inst. Code § 9722(a)] [22 CCR 8020(a)]. Authorization by the State Ombudsman is required for entry outside of these hours. [Welf. & Inst. Code § 9722(a)] [22 CCR 8020(b)]	Updates to citations Change paragraph number to 3.	Hester K.

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan

Contract Number: AP-1718

Contract Term: July 1- June 30th

<p>Exhibit E, Article I.B.3</p>	<p>3. Representatives of the Local Ombudsman Program shall have access to the medical and personal records of residents with appropriate documentation of consent, or when authorized by the State Ombudsman, in accordance with policies developed by the State Ombudsman. [OAA § 712(b)(1)(B)] [45 CFR 1327.11(e)(2)(iv)] [Welf. & Inst. Code § 9724]</p>	<p>4. Representatives of the Local Ombudsman Program shall have access to the medical and personal records of residents with appropriate documentation of consent, or when authorized by the State Ombudsman, in accordance with policies developed by the State Ombudsman. [OAA § 712(b)(1)(B)] [45 CFR 1324.11(e)(2)(iv)] [Welf. & Inst. Code § 9724]</p>	<p>Updated citation to CFR. Change paragraph number to 4.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.4</p>	<p>4. Representatives of the Local Ombudsman Program, upon request to a long-term care facility staff, shall be provided with a roster, census, or other list of the names and room numbers or room locations of all current residents. [Welf. & Inst. Code § 9722(d)]</p>	<p>5. Representatives of the Local Ombudsman Program, upon request to a long-term care facility staff, shall be provided with a roster, census, or other list of the names and room numbers or room locations of all current residents. [Welf. & Inst. Code § 9722(d)]</p>	<p>Only change is to paragraph number. Change paragraph number to 5.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.5</p>	<p>5. Representatives of the Local Ombudsman Program shall not carry out the responsibilities of the Program until the State Ombudsman accepts them for certification. [OAA § 712(h)(5)(B)] [45 CFR 1327.13(c)(3)] [Welf. & Inst. Code § 9719(a)]</p>	<p>6. Representatives of the Local Ombudsman Program shall not carry out the responsibilities of the Program until the State Ombudsman accepts them for certification. [OAA § 712(h)(5)(B)] [45 CFR 1324.13(c)(3)] [Welf. & Inst. Code § 9719(a)]</p>	<p>Update to CFR citation. Change paragraph number to 6.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.6</p>	<p>6. All records and files maintained by the local Ombudsman Program relating to any complaint or investigation shall remain confidential unless disclosure is authorized. [OAA §§ 705(a)(6)(C); 712(d)(2)] [45 CFR 1327.11(e)(3); 1327.19(b)(6-9)] [Welf. & Inst. Code § 9725]</p>	<p>7. All records and files maintained by the local Ombudsman Program relating to any complaint or investigation shall remain confidential unless disclosure is authorized by the resident, resident representative, State Ombudsman, or local Ombudsman Program Coordinator in compliance with OSLTCO policies and procedures. [OAA §§ 705(a)(6)(C); 712(d)(2)] [45 CFR 1324.11(e)(3);</p>	<p>Adds clarification provided by federal Rule. Update to CFR citations. Change paragraph number to 7.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

Exhibit E, Article I.B.7	7. The Local Ombudsman Program shall enter into a Memorandum of Understanding (MOU) with the Legal Services Provider (LSP) which will address conflict of interest, provision of legal advice, procedures for referral, and other technical assistance. The LSP may assist the State in providing legal representation to the Program when an Ombudsman Representative has been subpoenaed or a suit or other legal action has been threatened or brought against the performance of the official duties of the Ombudsman Representative. [OAA § 712(h)(7)] [45 CFR 1327.13(h)(10)] [Welf. & Inst. Code § 9717(c)] [Statewide Standards for Legal Assistance in California]	1324.19(b)(6-9)] [Welf. & Inst. Code § 9725]	8. The Local Ombudsman Program shall enter into a Memorandum of Understanding (MOU) with the Legal Services Provider (LSP) which will address conflict of interest, provision of legal advice, procedures for referral, and other technical assistance. The LSP may assist the State in providing legal representation to the Program when an Ombudsman Representative has been subpoenaed or a suit or other legal action has been threatened or brought against the performance of the official duties of the Ombudsman Representative. [OAA § 712(h)(7)] [45 CFR 1324.13(h)(10)] [Welf. & Inst. Code § 9717(c)] [Statewide Standards for Legal Assistance in California]	Update CFR citation. Change paragraph number to 8.	Hester K.
Exhibit E, Article I.B.8	8. Each Local Ombudsman Program shall maintain a separate budget. The Local Ombudsman Coordinator shall be responsible for managing the day-to-day operation of the Program, including managing all paid staff and volunteers in the Program. The Local Ombudsman Coordinator shall determine budget priorities, develop or participate in budget preparation, and be informed of budget allocations by the Ombudsman Program. [45 CFR 1327.13(f)]	9. Each Local Ombudsman Program shall maintain a separate budget. The Local Ombudsman Program Coordinator shall be responsible for managing the day-to-day operation of the Program, including managing all paid staff and volunteers in the Program. The Local Ombudsman Coordinator shall determine budget priorities, develop or participate in budget preparation, and be informed of budget allocations by the Ombudsman Program. [45 CFR 1324.13(f)]	Change phrase "Ombudsman Coordinator" to "Ombudsman Program Coordinator" for consistency. Update CFR citation. Change paragraph number to 9.	Hester K.	

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
Contract Number: AP-1718
Contract Term: July 1- June 30th

<p>Exhibit E, Article I.B.9</p>	<p>9. The Local Ombudsman Program Coordinator shall provide CDA with an organizational chart that includes:</p> <p>a. All local staff that are wholly or partly funded by Ombudsman Program resources.</p> <p>b. Their titles/roles within the Program.</p> <p>c. The number of hours per week charged to the Local Ombudsman Program for each position.</p>	<p>10. The Local Ombudsman Program Coordinator shall provide CDA with an organizational chart that includes:</p> <p>a. All local staff that are wholly or partly funded by Ombudsman Program resources.</p> <p>b. Their titles/roles within the Program.</p> <p>c. The number of hours per week charged to the Local Ombudsman Program for each position.</p>	<p>They layout of this paragraph in the current exhibit is fine. It did not convert well to this chart. Add citation to CFR Change paragraph number to 10.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.10</p>	<p>10. The Coordinator shall inform CDA of any staffing changes. [45 CFR 1327.13(b)]</p>	<p>11. The Local Ombudsman Program Coordinator will attend OSLTCO New Coordinator Training when initially designated as coordinator and OSLTCO biannual training conferences. [45 CFR 1324.13(b)(2); Welf. & Inst. Code § 9719(a)(1)]</p>	<p>Delete original paragraph and combine with paragraph 11, as it is repetitive. Federal and State law require training, which should also be included in the contract provisions. Change paragraph number to 11.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.11</p>	<p>11. The Local Ombudsman Program Coordinator shall inform CDA/OSLTCO of issues with local Ombudsman Representatives, complex cases, situations with potential legal implications, changes in staffing, emerging regional</p>	<p>12. The Local Ombudsman Program Coordinator shall inform CDA/OSLTCO of issues with local Ombudsman Representatives, complex cases, situations with potential legal implications, all changes in staffing.</p>	<p>Add citation to CFR Change paragraph number to 12.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

<p>Exhibit E, Article I.B.12</p>	<p>issues with statewide impact, breaches of confidentiality, and conflict of interest issues.</p> <p>12. Representatives of the Local Ombudsman Program shall conduct interviews/investigations in a confidential manner and the Program shall have office space and telecommunications that protect the confidentiality of all complaint-related communications and records. [OAA § 705(a)(6)(C)] [45 CFR 1327.19(b)(2)(i)] [Welf. & Inst. Code §§ 9725; 15633(c)]</p>	<p>emerging regional issues with statewide impact, breaches of confidentiality, and conflict of interest issues.</p> <p>[45 CFR 1324.13(b),(c)]</p> <p>13. Representatives of the Local Ombudsman Program shall conduct interviews/investigations in a confidential manner and the Program shall have office space and telecommunications that protect the confidentiality of all complaint-related communications and records. [OAA § 705(a)(6)(C)] [45 CFR 1324.19(b)(2)(i)] [Welf. & Inst. Code §§ 9725; 15633(c)]</p>	<p>Update to correct CFR citation.</p> <p>Change paragraph number to 13.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.13</p>	<p>13. Each Local Ombudsman Program shall have information systems sufficient to run State-approved database systems and to receive and send confidential e-mail messages to and from CDA. [OAA § 712(c)] [45 CFR 1327.13(d)] [Welf. & Inst. Code § 9716(a)]</p>	<p>Each Local Ombudsman Program shall have information systems sufficient to run State-approved database systems and to receive and send confidential e-mail messages to and from CDA. [OAA § 712(c)] [45 CFR 1324.13(d)] [Welf. & Inst. Code § 9716(a)]</p>	<p>Update to correct CFR citation.</p> <p>Change paragraph number to 14.</p>	<p>Hester K.</p>
<p>Exhibit E, Article I.B.14</p>	<p>The Contractor shall submit program performance reports to the CDA Data Team for: Title III B, Title III C-1, Title III C-2, Title III D, Title III E, and Title VII Elder Abuse Prevention Programs in accordance with CDA requirements. [Welf. & Inst. Code § 9102 (a)(5)]</p>	<p>No wording changes. Change paragraph number to 15.</p>	<p>Numbering change only.</p>	<p>Hester K.</p>
<p>Exhibit E, Article II.A</p>	<p>The Contractor shall submit program performance reports to the CDA Data Team for: Title III B, Title III C-1, Title III C-2, Title III D, Title III E, and Title VII Elder Abuse Prevention Programs in accordance with CDA requirements. [Welf. & Inst. Code § 9102 (a)(5)]</p>	<p>The Contractor shall submit program performance reports to the CDA Data Team for: Title III B, Title III C-1, Title III C-2, Title III D, Title III E, and Title VII A Elder Abuse Prevention Programs in accordance with CDA requirements. [Welf. & Inst. Code § 9102 (a)(5)]</p>	<p>Consistent use of Title VII A (Title VIIA? Title VII-A?)</p>	<p>Hester K.</p>
<p>Exhibit E, Article II.E.1</p>	<p>Data entry for quarterly NORS reports must be completed no later than one month following the end of the reporting quarter (i.e., October 31, January 31, April</p>	<p>Data entry for quarterly NORS reports must be completed no later than one month following the end of the reporting quarter (i.e., October 31, January 31,</p>	<p>More accurately captures the option of sending aggregate data to the AAA.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan
 Contract Number: AP-1718
 Contract Term: July 1- June 30th

	<p>30, and July 31) with copies of the aggregate data sent to the corresponding AAA.</p>	<p>April 30, and July 31). Upon request, aggregate data may be sent to the corresponding AAA.</p>		
<p>Exhibit E, Article II.H.1</p>	<p>The Contractor shall complete and submit the Elder Abuse Prevention Quarterly Activity Report (CDA 1037) to the OSLTCO Program mailbox (stateomb@aging.ca.gov) on the following reporting due dates:</p>	<p>The Contractor shall complete and submit the Elder Abuse Prevention Quarterly Activity Report (CDA 1037) to the OSLTCO mailbox (stateomb@aging.ca.gov) on the following reporting due dates:</p>	<p>Removed the word "Program"</p>	<p>Hester K.</p>
<p>Exhibit E, Article V.A.1</p>	<p>The Contractor shall, upon receipt of notice of intent to terminate Ombudsman services by the subcontractor, notify CDA in writing, within one (1) working day of the receipt of the notice.</p>	<p>The Contractor shall, upon receipt of notice of intent to terminate Ombudsman services by the subcontractor, notify the State Ombudsman in writing, within one (1) working day of the receipt of the notice.</p>	<p>Notification is to the State Ombudsman</p>	<p>Hester K.</p>
<p>Exhibit E, Article V.B.1</p>	<p>The Contractor shall submit a Transition Plan to CDA within fifteen (15) days from the occurrence of any of the following:</p>	<p>The Contractor shall submit a Transition Plan to the State Ombudsman within fifteen (15) days from the occurrence of any of the following:</p>	<p>Transition plan goes to the State Ombudsman</p>	<p>Hester K.</p>
<p>Exhibit E, Article V.B.2.b</p>	<p>Continue the mandated Ombudsman provisions as a subcontracted service with a subsequent provider selected in response to an RFP requiring the utilization of experienced State Certified Ombudsman Representatives, and designated by the State Ombudsman to carry out Ombudsman duties with respect to the PSA.</p>	<p>Continue the mandated Ombudsman provisions as a subcontracted service with a subsequent provider selected in response to an RFP and designated by the State Ombudsman to carry out Ombudsman duties with respect to the PSA.</p>	<p>Although Ombudsman work must be carried out by certified Ombudsman representatives, a subsequent provider is not required to have them on staff prior to responding to the RFP.</p>	<p>Hester K.</p>
<p>Exhibit E, Article V.C</p>	<p>The Contractor shall implement the Transition Plan as approved by the CDA. The CDA will monitor the Contractor's progress in carrying out all elements of the Transition Plan.</p>	<p>The Contractor shall implement the Transition Plan as approved by the State Ombudsman. The State Ombudsman will monitor the Contractor's progress in carrying out all elements of the Transition Plan.</p>	<p>The State Ombudsman is responsible for approving and monitoring the transition plan for Ombudsman services.</p>	<p>Hester K.</p>

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF AGING
CONTRACT SUMMARY OF CHANGES
 CDA 9008 (NEW 6/16)

Program: Area Plan

Contract Number: AP-1718

Contract Term: July 1 - June 30th

<p>Exhibit E, Article V.D</p>	<p>If the Contractor fails to provide and implement the Transition Plan as required above, the Contractor agrees to implement a Transition Plan submitted by the CDA to the Contractor. This Transition Plan may utilize State Certified Ombudsman Representatives from either the terminating Subcontractor or from a neighboring Local Ombudsman Program.</p>	<p>If the Contractor fails to provide and implement the Transition Plan as required above, the Contractor agrees to implement a Transition Plan submitted by the State Ombudsman to the Contractor. This Transition Plan may utilize State Certified Ombudsman Representatives from either the terminating Subcontractor or from a neighboring Local Ombudsman Program.</p>	<p>The State Ombudsman will submit the Transition Plan.</p>	<p>Hester K.</p>
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