

**17—6.12 (231) Direct service.**

**6.12(1)** An AAA must submit a request to provide direct service as part of the area plan. The request may be approved by the department based on documentation of the criteria given in subrule 6.12(3). The following services may be furnished directly by the AAA and are exempt from the requirements in subrule 6.12(3):

- a.* Information and assistance;
- b.* Outreach;
- c.* Case management;
- d.* Advocacy representation;
- e.* Public education;
- f.* Employment services;
- g.* Mental health outreach;
- h.* Coordination of efforts concerning the prevention of elder abuse.

**6.12(2)** Public hearing. Prior to the submission of the area plan, the AAA shall hold a public hearing to obtain comments regarding direct service(s) planned by the AAA. This hearing may be held separately or as a part of the hearing for the area plan.

*a.* Notice of the hearing shall be published at least 30 days prior to the hearing and shall specify the direct service(s) which the AAA plans to provide.

*b.* The AAA shall prepare and submit to the department a written record of the public hearing.

**6.12(3)** Criteria. The commission may approve an AAA request to provide direct service.

*a.* Approval will be based upon documentation of the following as submitted by the AAA:

(1) Direct provision of service is necessary to ensure an adequate supply of the service, and no potential provider was identified during the public hearing process; or

(2) The proposed service will be of comparable quality in the view of the AAA advisory council, and will meet or exceed service standards developed by the AAA; and

(3) The AAA can provide a service of equal quality at lower cost than another provider.

*b.* The department may consider other factors including:

(1) The demonstrated capacity of the AAA to deliver services consistently and reliably;

(2) The economic impact of transition from a contract provider to the AAA;

(3) Consideration of any possible disruption of service;

(4) Input from the AAA advisory council; and

(5) Comments from the public.

**6.12(4)** Conditional approval. If the criteria for approval of a request to provide direct services are not met, a condition may be placed on the area plan approval.