



COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF AGING

March 1, 2022

Honorable Stan Saylor
Chair
House Appropriations Committee
Room 245, Main Capitol Building
Harrisburg, PA 17120

Honorable Matthew Bradford
Minority Chair
House Appropriations Committee
Room 512-E, Main Capitol Building
Harrisburg, PA 17120

Dear Chairman Saylor and Chairman Bradford:

Thank you for the opportunity to provide information on Governor Wolf's proposed Fiscal Year 2022-2023 budget for the Department of Aging. Please find additional information below in response to outstanding questions asked during the Department's hearing on February 15th.

Representative Ecker asked about the variations between Area Agency on Aging (AAA) Reports of Need (RONs) that are unsubstantiated and substantiated. The percentage of RONs that are substantiated by AAAs can vary for reasons including, the individual reporting suspected abuse does not have sufficient details or specific information regarding the alleged situation, additional information is unable to be obtained, the AAA's investigation was unable to determine substantiation, or the alleged abuse did not meet the criteria for substantiation under departmental regulations. ([6 Pa. Code § 15.43](#); [6 Pa. Code § 15.44](#); [35 P.S. § 10225.303](#)) The Department monitors the substantiation rates and works on addressing any outliers that may be causing unusual variations between AAAs.

Representative Culver asked how senior community centers used the senior community center grant funding since the funding was awarded equally to each center. For the State Fiscal Year 2020-2021 grants, centers have until June 30, 2022, to spend the funding, and for the State Fiscal Year 2021-2022 grants, centers have until June 30, 2023, to spend the funding. Allowable uses for the grant are COVID-19 mitigation, capital improvements and renovations, programs and supplies, technology and equipment, nutrition services/meals, marketing and outreach, and other expenses such as rent and utility costs. AAAs and senior centers are required to submit reporting forms documenting how the funds were expended. These forms are due to the Department no later than 30 business days from the end of each grant period. In August 2022 and August 2023, the Department will have a complete picture of how these grants were utilized.

Representative Owlett asked how many Department staff participated in the vaccine incentive, what the cost was to the department, and from which part of the department's budget is this incentive funded. The department had 69 employees participate in the vaccine incentive. The maximum amount of the payout is \$78,871 for 64 employees. Employees have until March 31, 2022, to take leave before the payout will occur in April 2022. This will be paid from the Department's General Government Operations funding.

Representative Lawrence asked for an unredacted copy of the August 6, 2021, letter from the Department to the Philadelphia Corporation for Aging (PCA). The department monitors an AAA in accordance with state law and regulations. ([35 P.S. § 10225.301](#); [6 Pa. Code](#)) The requested letter

is the official monitoring/investigative results letter from the Department to PCA and contains protective services case record information.

Pursuant to the Older Adults Protective Services Act and corresponding regulations (identified below), information contained in Protective Services records are confidential protected information regarding an older adult and may not be disclosed by a subpoena or to anyone other than to a court of competent jurisdiction or pursuant to a court order.

- Pursuant to [Title 6 Pa. Code § 15.81\(7\)](#): An older adult has the right to the confidentiality of information received and maintained by the agency in reports, investigations, service plans and other elements of a case record.
- Pursuant to the [Older Adults Protective Services Act § 306](#): Information contained in reports, records of investigation, client assessment and service plans shall be considered confidential and shall be maintained under regulations promulgated by the department to safeguard confidentiality . . . this information shall not be disclosed to anyone outside the agency other than to a court of competent jurisdiction or pursuant to a court order.
- Pursuant to [Title 6 Pa. Code § 15.105](#): Information in a protective services case record may not be disclosed, except as provided in this section. (1). Information may be disclosed to a court of competent jurisdiction or under a court order. The protective service agency shall disclose case record information for the purpose of in camera review by the court.

For these reasons, the Department is not authorized to provide an unredacted copy of the requested August 6, 2021, letter.

If you have additional questions, or would like additional information, please contact the Department's legislative director, Carolyn Green, at (717) 783-0508 or carolygree@pa.gov.

Sincerely,



Robert Torres, Secretary