

Proposed Rules
of the
Tennessee Commission on Aging and Disability

Chapter 0030-1-10-.01
Intrastate Funding Formula

Presented herein are proposed amendments of the Tennessee Commission on Aging and Disability submitted pursuant to T.C.A. §4-5-202 in lieu of a rulemaking hearing. It is the intent of the Tennessee Commission on Aging and Disability to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed with the Tennessee Commission on Aging and Disability, 8th Floor, Andrew Jackson Building, 500 Deaderick Street, Suite 825, Nashville, TN 37243-0860, and in the Department of State, 8th Floor, Snodgrass Tower, 312 8th Avenue North, Nashville, TN 37242, and must be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For copies of the entire text of the proposed amendments, contact: Nancy C. Brode, Supervisor of Planning, Tennessee Commission on Aging and Disability, 8th Floor, Andrew Jackson Building, 500 Deaderick Street, Suite 825, Nashville, TN 37243-0860, 615-741-2056.

The text of the proposed amendments as follows:

Amendments

Rule 0030-1-10-.01 Intrastate Funding Formula is amended by deleting sub-paragraph (1)(b) in its entirety and substituting instead the following language, so that as amended, the new sub-paragraph (1)(b) shall read:

- (b) Ninety percent of the Title III funds for area agencies is allocated for services. This amount shall be distributed as follows:
1. Thirty-five percent of the services allocation shall be distributed among the area agencies in proportion to each planning and service area's share of the total number of elderly persons (aged 60 and over) in the state.
 2. Thirty percent of the services allocation shall be distributed among the area agencies in proportion to each planning and service area's share of the total number of elderly persons with income below 100% of the poverty level established by the Office of Management and Budget.

3. Ten percent of the services allocation shall be distributed among the area agencies in proportion to each planning and service area's share of the total number of minority elderly persons with income at or below 100% of the poverty level established by the Office of Management and Budget.
4. Fifteen percent of the services allocation shall be distributed among the area agencies in proportion to each planning and service area's share of the total number of elderly living in rural areas (as defined by the Census Bureau).
5. Ten percent of the services allocation shall be distributed among the area agencies in proportion to each planning and service area's share of the total number of elderly persons who are age 80 and above.

Sub-paragraph (1)(d) of rule 0030-1-10-.01 is amended by deleting it in its entirety and substituting instead the following language, so that as amended, the new sub-paragraph (1)(d) shall read:

- (d) The source of data for all formula factors listed in sub-paragraph (1)(b) above shall be the most recent decennial federal census of population.

Authority: T.C.A. §§71-2-105 and 71-2-104(a). Administrative History: Original rule filed July 6, 1982; effective August 6, 1982. Amendment filed June 26, 1990; effective August 10, 1990. Amendment filed October 21, 1991; effective January 29, 1992.

The proposed rules set out herein were properly filed in the Department of State on the 28th day of February, 2006, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of June, 2006.