

Program Instructions

TO: STATE AND AREA AGENCIES ON AGING ADMINISTERING PLANS UNDER THE OLDER AMERICANS ACT OF 1965, AS AMENDED

SUBJECT: Certification on Maintenance of Effort for Title III - Fiscal Year 2001

LEGAL AND RELATED REFERENCES: 45 CFR 1321.49; and Section 309(c) of the Older Americans Act, as Amended

This program instruction requests the authorized official in each state agency on aging to submit a certification on maintenance of effort under Title III of the Older Americans Act for fiscal year 2001. As set forth in 45 CFR 1321.49, the state agency maintenance of effort level is to be determined annually:

"In order to avoid a penalty, each fiscal year the State Agency, to meet the required nonfederal share applicable to its allotments under this part, shall spend under the State plan for both services and administration at least the average amount of state funds it spent under the plan for the three previous fiscal years. If the State Agency spends less than this amount, the Assistant Secretary reduces the State's allotments for supportive and nutrition services under this part by a percentage equal to the percentage by which the State reduced its expenditures."

In reporting the amount of state expenditures for the maintenance of effort requirement, states may include expenditures incurred under the cost allocation plan for the state agency.

The authorized official in each state agency is requested to certify to the Administration on Aging the amount of state resources expended in fiscal year 2001 to meet the maintenance of effort requirements under Title III of the Older Americans Act, and whether that amount was or was not equal to the required maintenance of effort level.

Attached is a certification form which has been approved by the Office of Management and Budget (OMB). The certification form must be signed by the authorized state agency official and submitted to the Regional Administrators, Administration on Aging, no later than February 28, 2003.

DUE DATE : Due February 28, 2003 to Regional Administrators, Administration on Aging.

ATTACHMENT : **Certification of Maintenance of Effort Form** OMB-0980-0009

INQUIRIES : State agencies should address inquiries to Regional Administrators, Administration on Aging, HHS Regional Offices.

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