

**FS 2010-09  
LEGAL ASSISTANCE  
Section 6.3**

					SECTION	PAGE	STAKEHOLDER COMMENT	KDOA RESPONSE
1							Services are well described and indicate priorities well. The related taxonomy that defines what can be paid for with Title III B funds limits it to direct legal services to a particular senior. The emphasis on community legal education and outreach services would not fall under the current definition. The definition of services should be expanded to include these types of services.	Legal Education and Legal Outreach will be added to the taxonomy as additional legal services under Title III-B
2	6.3	3	G	7			Requires the AAAs to monitor and conduct an annual assessment of the Legal Services Provider. We would suggest that KDOA explore the possibility of allowing a central review of Kansas Legal Services as a service provider by one source, rather than making the AAA's review us.	Each AAA has the obligation to contract with one or more legal service providers in their PSA and ensure providers meet the needs of elderly Kansans in their service area
3	6.3	4	B.10	10			States that the Legal Services Provider will provide support to other organizations' advocacy efforts made on behalf of elderly Kansans. We request that it be clarified that Kansas Legal Services may not participate in legislative advocacy due to our Legal Services Corporation restrictions (45 C.F.R. 1612).	Change has been made to clarify
4	6.3	4.B	21	12			We would like to bring your attention to the inconsistencies in reporting requirements between KDOA and the AAAs. KDOA requires two reports, the semi-annual October through March report and the annual October through September report. To our knowledge, the only AAAs that do not require at least a quarterly or monthly statistical report are Hays (PSA 03) and Wichita (PSA 02). The Manhattan AAA (PSA 08) requires reports quarterly. All of the others require a monthly statistical report. The financial reports and requests for payment are submitted on a monthly basis. The AAAs have indicated that in order for us to be paid on a monthly basis we need to submit monthly statistical reports to substantiate the billing. They will not process a monthly billing without a monthly statistical report.	The AAAs have the option to request reports specific to their needs; reporting requirements may serve as a monitoring mechanism for the AAA.
5							Legal Services Reporting Form: Provider Information and Characteristics of Persons Served. The instructions now provide a definition of Frail/Disabled. Our definition of frail for purposes of this report has also included those individuals who were unable to access services due to lack of transportation or remote location. We see nothing in the instructions to indicate that we should be applying those situations to our definition. Should individuals who are unable to access services due to lack of transportation or remote location be considered Frail/Disabled?	No; lack of transportation or remote location does not qualify an individual as frail/disabled; rather, an individual with lack of transportation or living in a remote location could be considered homebound

	SECTION	PAGE	STAKEHOLDER COMMENT	KDOA RESPONSE
6			Legal Services Reporting Form: Provider Information and Characteristics of Persons Served. In the instructions for Effects of Client Representation on page 7, instructions 3 and 5 ask for the number of clients who were provided legal services, question 4 asks for the number of clients provided with advice or representation. We think the terminology should be the same and use either "legal services" or "advice and representation" in all three paragraphs.	Change has been made to clarify
7			We would also like to make note under the Case Service Report, clients are counted each time they receive service. In addition a single case opened and closed within the same reporting period would be counted twice, as an opened case and again as a closed case.	Yes, this is correct
8			In the current form, H6 is Traffic and H9 is Other. Does this mean we cannot do Traffic or Other Miscellaneous types of cases? Where would we put them in the report?	"Tort" has been changed to "Traffic;" there is no "Other Miscellaneous" category of service
9			A3 is now Defense of Guardianship/Conservatorship. Where would we report obtaining a guardianship/conservatorship?	Change has been made to clarify
10			For each major category add Total for cases and hours.	Change has been made
11			We currently provide hours by case type. The draft does not require that.	This shall remain optional at this time
12			We need to clarify the "Open" category on this report. The draft report layout says "Open", but the instructions say "Opened". We report cases opened during the reporting period.	Change has been made
13			Please note, in the County Case Summary, clients are counted each time they receive service. In addition a single case opened and closed within the same reporting period would be counted twice, as an opened case and again as a closed case.	Yes, this is correct
14			Number 5 above applies here as well for cases opened, rather than open.	Change has been made
15			Greatest Needs. We are reporting an unduplicated count for the current reporting period.	The unduplicated count should be for the reporting period indicated on the top of the report
16			The form combines the count of Homebound/Institutionalized/Disabled. Our report currently separates them. Is this correct that KDOA wants them combined?	The form has been revised to reflect only those individuals who are homebound or living in a long-term care setting
17			Add Totals for each Need category.	Totals are included on the form
18			We currently provide counts of Homebound/Institutionalized/Disabled by race. The draft does not require that.	The form has been revised to reflect only those individuals who are homebound or living in a long-term care setting; reporting by race is optional and the highlighted areas have been removed

	SECTION	PAGE	STAKEHOLDER COMMENT	KDOA RESPONSE
19			<p>Currently, the Characteristics of Persons (Unduplicated) Served has Current Period counts and Year to Date counts. The remaining sections of the report count and report Current Period only. The draft manual is asking for year to date numbers only on everything. KDOA does not ask for hours on each case type, only on the major category. Will the local AAAs be allowed to continue with their own requirements? We want to be sure that the AAAs are satisfied with the information provided on the new reporting form to ensure that we do not have to provide two different reports.</p>	<p>The AAAs have the option to request reports specific to their needs; reporting requirements may serve as a monitoring mechanism for the AAA.</p>