



Ohio Administrative Code

Rule 173-2-04 AAAs: designation of and designation changes to area agencies.

Effective: February 1, 2025

(A) ODA publishes the list of AAA designations on its website. The existing AAA designations as of July 1, 2024 are retained unless changed through the process in this rule.

(B) ODA shall designate and change AAA designations in compliance with 45 C.F.R. 1321.19. All designated AAAs shall enter into an operations agreement with ODA.

(C) ODA may change an AAA's designation when ODA changes one or more PSA designations, the AAA voluntarily relinquishes a designation and ODA provides a written acceptance, ODA withdraws the AAA's designation pursuant to 45 C.F.R. 1321.21 and rule 173-2-08 of the Administrative Code, or for any other permissible reason.

(D) ODA shall comply with the following standards for designation and designation changes to an AAA:

(1) Publish a public notice on ODA's website soliciting applications and input from interested parties, and provide an email notice directly to interested parties who have subscribed to ODA announcements on rules review, the units of general purpose local governments within the PSA, and the designated AAAs that announces the publication of the public notice on ODA's website.

(2) Any entity may apply to ODA for consideration:

(3) The following are the minimum standards for consideration of an application:

(a) The applicant is one of the types of agencies listed under 45 C.F.R. 1321.19(c).

(b) Not more than one AAA is designated per PSA.

(c) The application includes endorsements from units of local governments.



- (d) The application describes the entity's relevant experience and ability to be designated an AAA.
 - (e) The applicant has not had an AAA designation withdrawn for cause within the past twelve months.
 - (f) The application includes a draft area plan.
- (4) 45 C.F.R. 1321.19 gives a unit of general-purpose local government the right of first refusal if the unit meets both of the following qualifications:
- (a) The unit demonstrates the ability to meet the requirements of this chapter and Chapters 173-3, 173-4, and 173-9 of the Administrative Code, the Older Americans Act, 2 C.F.R. Parts 200 and 300, and 45 C.F.R. Parts 75 and 1321.
 - (b) The unit's boundaries are reasonably contiguous to the PSA's boundaries.
- (5) 45 C.F.R. 1321.19 gives an established office on aging the right of second refusal if a unit of general-purpose local government does not apply or does not meet the minimum standards or qualifications.
- (6) ODA provides a notice of the selected entity and an opportunity for hearing to each applicant pursuant to the adjudication hearing procedures found in sections 119.05 through 119.09 of the Revised Code.
- (7) An applicant may appeal any adverse ODA final order pursuant to 45 C.F.R. 1321.23.
- (E) A selected entity's designation is conditioned on compliance with rule 173-2-06 of the Administrative Code and executing an operations agreement with ODA.
- (F) ODA may assume temporary AAA responsibilities or delegate those responsibilities to one or more general purpose unit(s) of local government, established office(s) on aging pursuant to 42 U.S.C. 3026(f) or 45 C.F.R. 1321.19(a) if no entity applied or qualified.



(G) ODA may withhold funds from a designated AAA pursuant to 42 U.S.C 3026(f) after issuing a notice and an opportunity for hearing pursuant to sections 119.05 through 119.09 of the Revised Code

(H) Definition for this rule: "Unit of general-purpose local government" has the same meaning as in 42 U.S.C. 3022(4).