Area Agencies on Aging Broadcast 2022-02

Date: January 21, 2022

To: Area Agencies on Aging Directors

From: Access and Eligibility Services
Office of Area Agencies on Aging

Subject: HICAP, MIPPA and Title III B Funding Clarification

This information is shared with Area Agencies on Aging (AAA) directors who must distribute to all staff.

Please direct any questions regarding the policy information in this bulletin to the AAA Help Desk (AAA.Help@hhsc.state.tx.us).

Active bulletins are posted on the following website:
Background

The Texas Health and Human Services Commission (HHSC) Access and Eligibility Services (AES) received clarification from the Administration for Community Living (ACL) regarding the allowable use of Title III-B funds for Health Information, Counseling, and Advocacy Program (HICAP) and Medicare Improvement for Patients and Providers Act (MIPPA) related activities.

Clarification

Title III-B funds can be used to supplement, but not supplant, HICAP and MIPPA funds for services provided to a Medicare eligible person age 60 and older or their caregiver. For services that overlap, Title III-B funds may be used only after the HICAP and MIPPA funds have been expended.

The use of Title III-B funds requires compliance with Title III reporting and must be reported via the Legal Assistance Upload Tool (LAUT). AAA Broadcast 2021-08 provides guidance for preparation and submission of legal assistance reporting.

As a reminder, the AAAs must expend two (2) percent of Title III-B funds on legal assistance services.

The Allowable Activities Chart has been updated to assist with this clarification. In addition, only those activities that overlap with Title III-B are included.