**Section 230.47 Designation of Planning and Service Areas**

a) The Department has divided the State into Planning and Service Areas in accordance with 45 CFR 1321.43 (May 1, 1985) for the purpose of carrying out the functions specified in this Part. In addition, the current Planning and Service Area boundaries have been embodied in Section 3.08 of The Illinois Act on the Aging (Illinois Revised Statutes, 1983, ch. 23, par. 6103.08), as specified in subsection (g)(5).

b) Pursuant to the Older Americans Act, the Department is required to divide the State into distinct Planning and Service Areas in accordance with guidelines issued by the Commissioner of the Administration on Aging. 45 CFR 1321.7 (May 1, 1985), requires the State to submit to the Commissioner, prior to the Administration on Aging's approval of the State Plan, a notice of intent to maintain or amend the designation of existing Planning and Service Area boundaries.

1) The Illinois State Planning Cycle is three (3) years, therefore, the State must review the existing Planning and Service Areas' boundaries every three (3) years.

2) The Department will initiate the review process no later than June of the year preceding the year of the beginning of the next subsequent State Plan.

3) In addition, during that month of June, Letters of Intent to apply to be designated as new Planning and Service Areas will be accepted from any unit of general purpose local government, any region within a State recognized for area-wide planning, or any metropolitan area.

4) On the first working day in July, applications shall be mailed to each agency or organization submitting a Letter of Intent.

c) In performing the review to maintain or amend designation of existing Planning and Service Area boundaries, the Department will consider the following factors:

1) *the geographical distribution of individuals age sixty (60) and older;*

2) *the distribution of older individuals who have low incomes* (income levels at or below the poverty threshold established by the U.S. Bureau of the Census);

3) *the incidence of the need for supportive services,* (any service other than nutrition programs and multi-purpose senior center) *nutrition services, multi-purpose senior centers, and legal services* determined through examination of U.S. Census data;

4) *the distribution of resources available to provide such services or centers;*

5) *the boundaries of existing areas within the State which were drawn from the planning and administration of supportive services program;*

6) *the location of units of general purpose government within the State; and,*

7) *any other relevant factors.*

d) Upon receipt of a letter of intent to apply for designation as a Planning and Service Area from an eligible applicant, during the aforementioned month of June, or a determination by the Department that a need for amending the current Planning and Service Area boundaries may exist, after review of the factors in subsection (g)(3), the following procedures will be followed:

1) If the Department determines that a need for amending the current Planning and Service Area boundaries may exist, and in the absence of a letter of intent, the Department will:

A) proceed with collecting data to enable a full and complete review of information submitted relative to the criteria contained in the application described in subsection (g)(4)(C); and

B) notify all appropriate private and local government agencies that may be affected of a public hearing to be held in accordance with subsection (g)(4)(H) by publishing a notice of the public hearing in a newspaper of general circulation in the Planning and Service Area and in the official newspaper of the State of Illinois.

2) Upon receipt of a Letter of Intent from an eligible applicant, the Department, by registered mail, will forward on the 1st working day in July to the address specified in the Letter of Intent, a copy of 45 CFR 1321 (March 2, 1983), a copy of Sections 230.40 and 230.110 of the Department's Administrative Rules and an application for designation of a Planning and Service Area.

A) The application shall require information that addresses the criteria described in subsection (g)(3).

B) The Department shall notify the Area Agency on Aging in the existing Planning and Service Area of the receipt of Letters of Intent.

3) At a minimum the application will require responses to the following:

A) a certified copy of the resolution, ordinance, or other action, authorizing the submission of the application. No application will be considered as complete without such certification, no action will be taken thereon, and the applicant will be notified of the reason that the application will not be accepted.

B) A complete description of the nature of the applicant, specifying the type of organization or agency, its major purpose and any significant subsidiary roles (i.e. those roles which evidence its capacity to perform function other than its major purpose) past experiences and expertise in the field of Aging services, and a description of the organizational unit responsible for the development of the application.

C) A map of the Planning and Service Area and a discussion of the location of the proposed Area Agency on Aging and any problems or benefits attendant to the location.

D) A discussion of the agency's or organization's knowledge of census and population data in the Planning and Service Area, including the distribution in the proposed area of persons age 60 and older, and age 60 and older with low income as defined in subsection (g)(3)(B).

E) A discussion of the applicant's perception of existing problems in the current designated planning and service area. The discussion must include a detailed analysis of factors that inhibit or prohibit the currently designated geographic boundaries from effectively and efficiently concentrating resources in order to develop greater capacity and foster the development and implementation of comprehensive and coordinated systems to serve older individuals. In addition, the discussion must include proposed methods, strategies, and reasons why the proposed geographic boundaries will significantly minimize or eliminate the inhibiting or prohibiting factors.

F) A discussion of the views of units of general purpose local government within the Planning and Service Area, including letters of support from those units, and a description of the process used to obtain those views.

G) A listing of priority issues of older persons in the Planning and Service Area, including a description of the process used to obtain those views and the process used in prioritization.

H) A narrative discussion of the capacity of the applicant to respond to the needs and issues identified in the Planning and Service Area, including the applicant's ability to provide adequate financial resources and its ability to develop service systems and resources.

I) An inventory of existing aging programs in the Planning and Service Area, and the views of current providers, regarding the applicant's acceptability as the Planning and Service Area.

J) The agency(ies) capable of being designated an Area Agency on Aging in the proposed Planning and Service Area. See Section 230.110(a)(2)(A)(i-iv).

K) A discussion of the ability and capability of the proposed area agency(ies) to perform an Area Agency's role as a planning, administering, and monitoring agency, as opposed to a direct service delivery agency, as specified in Section 230.110(a)(5)(A)(i-xi).

L) A discussion of the ability of the proposed area agency(ies) to perform Community Care Program administrative support functions. Refer to 89 Ill. Adm. Code 240.905.

M) A discussion of the plan of the proposed area agency(ies) for developing, maintaining, and monitoring an effective Case Coordination/Case Management System, as specified in Section 240.950, in the Planning and Service Area.

4) Within thirty (30) days of receipt of the above material, the completed application shall be filed within the Illinois Department on Aging.

5) Upon receipt of the completed application, the Director shall appoint a review team, composed of Department staff, whose purpose shall be the review of the application for completeness and content.

6) Within thirty (30) days following receipt of the application, the review team shall complete its review of the application and shall forward to the Director a section-by-section critique of the application including any requests for additional or clarifying information, if needed.

7) Within fifteen (15) days of receipt of the review team's recommendations, the Director shall communicate to the applicant in writing:

A) a section-by-section critique of the application which may include a request for additional or clarifying information; and

B) a decision concerning future actions to be taken by the Department, which will be either a statement of the dates of a public hearing pursuant to subsection (g)(4)(H) or a statement that the application has been rejected as unresponsive, in which case the communication shall inform the applicant of his right to a fair hearing upon request pursuant to 89 Ill. Adm. Code 220.500 and Section 230.440 of this Part.

8) If the decision by the Department is to hold a public hearing and proceed with designation, said public hearing shall be conducted by the Department in the geographic area for which an application has been filed within thirty (30) days of the written notice of decision.

A) At least ten (10) days before the hearing, notice shall be published in the official State newspaper and in a newspaper of general circulation within the proposed Planning and Service Area.

i) The notice in the newspaper shall state that the purpose of the hearing is to obtain the views of older persons, public officials, service providers, and other interested parties, on the proposed application.

ii) Said notice shall also state that comments may be introduced, either orally or in writing, and that additional information concerning the Planning and Service Area designation may be obtained from the Department.

B) The presiding officer at the public hearing shall be the Director or other person designated by the Director.

C) The Department will produce verbatim transcription of all testimony, a copy of which shall be available for public inspection at the main office of the Department.

D) The testimony received at the public hearing shall be summarized and provided to the Director who will consider it along with all other information in the possession of the Department in arriving at a decision relative to a preliminary designation of the organization or agency as the Area Agency on Aging.

9) Within thirty (30) days of the public hearing, the Department, by certified mail, will notify applicant of its approval or denial of the application based upon the criteria set forth in subsections (g)(3) and (g)(4)(C).

10) If the application is denied, the notice shall state the reasons for denial. Said notice shall further state that, if the applicant wishes to appeal the denial, it must request, and obtain, a hearing, pursuant to 89 Ill. Adm. Code 220.500 et seq. and Section 230.440 of this Part.

11) If, after a hearing by the Department, the ruling is adverse to the applicant, applicant may appeal this action to the Commissioner on Aging within thirty (30) days of receipt of the hearing decision, pursuant to 45 CFR 1321.47 (May 1, 1985).

12) If, after review of the application and the conduct of a public hearing, the Department makes a preliminary decision to approve the application, the applicant shall be notified of the preliminary approval and Letters of Intent to apply as the Area Agency on Aging will be solicited. Final approval of the application will be subject to ratification of an amendment to the Illinois Act on the Aging changing the Planning and Service Area boundaries (Ill. Rev. Stat., 1983, ch. 23, par. 6103.08).

13) Approved applications shall be submitted as a State Plan amendment to the State Council on Aging and the Governor. The Governor shall review the document and shall affix his signature thereto, if he approves same.

14) The resulting State Plan amendment, approved and signed by the Governor, must be submitted to the Commissioner on Aging at least forty-five (45) days before the proposed effective date, as required by 45 CFR 1321.13 (May 1, 1985). No amendment will be considered by the Commissioner on Aging unless it is signed by the Governor.

15) The basis for the designation of each Planning and Service Area will be documented by the Department.

e) For the purposes of this Section, Planning and Service Areas shall be as follows:

1) Area 1, which is comprised of the counties of Jo Daviess, Stephenson, Winnebago, Boone, Carroll, Ogle, DeKalb, Whiteside and Lee;

2) Area 2, which is comprised of the counties of McHenry, Lake, Kane, DuPage, Kendall, Will, Grundy and Kankakee;

3) Area 3, which is comprised of the counties of Rock Island, Mercer, Henry, Bureau, LaSalle, Putnam, Henderson, Warren, Knox and McDonough;

4) Area 4, which is comprised of the counties of Stark, Marshall, Peoria, Woodford, Fulton and Tazewell;

5) Area 5, which is comprised of the counties of Livingston, Iroquois, McLean, Ford, DeWitt, Piatt, Champaign, Vermilion, Macon, Moultrie, Douglas, Edgar, Shelby, Coles, Clark and Cumberland;

6) Area 6, which is comprised of the counties of Hancock, Schuyler, Adams, Brown, Pike and Calhoun;

7) Area 7, which is comprised of the counties of Mason, Logan, Cass, Menard, Scott, Morgan, Sangamon, Christian, Greene, Macoupin, Montgomery and Jersey;

8) Area 8, which is comprised of the counties of Madison, Bond, St. Clair, Clinton, Monroe, Washington and Randolph;

9) Area 9, which is comprised of the counties of Fayette, Effingham, Marion, Clay and Jefferson;

10) Area 10, which is comprised of the counties of Jasper, Crawford, Richland, Lawrence, Wayne, Edwards, Wabash, Hamilton and White;

11) Area 11, which is comprised of the counties of Perry, Franklin, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski and Massac;

12) Area 12, which is comprised of the City of Chicago in Cook County; and

13) Area 13, which is comprised of the county of Cook outside of the City of Chicago.

(Source: Amended at 10 Ill. Reg. 5787, effective March 27, 1986)