



**Memorandum of Understanding  
Between  
Pennsylvania Department of Aging,  
Office of Long Term Living  
And  
Pennsylvania Department of Public Welfare,  
Office of Mental Health and Substance Abuse Services**

**Whereas:** *The federal Older Americans Act (42 U.S.C. §3001 et seq.) states that “It is the responsibility of the...States...to assist older people...secure equal opportunity to...the best possible...mental health...without regard to economic status...” (§3001 (2)), and that “Each area agency on aging...shall...prepare and develop an Area Plan for a Planning and Service Area...[which] will provide that the area agency on aging will coordinate any mental health services provided by community mental health centers and by other public agencies and non-profit organizations.” (§3026(a)(6)(F), AND the state legislation creating the PDA (71 P.S. §581-1-581-12) states that “the PDA shall have the power and...duty...to...provide consultation to [other] State agencies with respect to services, programs and activities which they may furnish to older citizens” (§581-3(a)(2)) and “...to stimulate services and opportunities for the aging which are not otherwise available” (§581-3(a)(3)) and “...to review the activities of [Commonwealth] agencies which affect the...utilization of State and community resources for programs and benefits for older persons and initiate programs which will help assure such utilization. “(§581-3(a)(23)); and*

**Whereas:** *An essential part of the PDA’s **Vision** involves looking to the future, planning how best to meet the needs of Pennsylvania’s older citizens and their communities: “In the twenty-first century, our emphasis is on preparing for the Commonwealth’s future.” AND the PDA’s **Mission** is to “...Enhance the quality of life of all older Pennsylvanians by empowering diverse communities, the family and the individual.”; and*

**Whereas:** *The MH/MR Act of 1966; MH Procedures Act; Public Health Service Act 102-321: duties of Mental Health Advisory Committee exist to ensure the rights of persons with behavioral health problems are met. These laws and procedures provide a legislative base for a comprehensive array of mandated community services; and*

**Whereas:** *The OMHSAS vision statement is “Every individual served by the Mental Health and Substance Abuse Service system will have the opportunity for growth, recovery and inclusion in their community, have access to culturally competent services and supports of their choice, and enjoy a quality of life that includes family and friends.” The implementing Guiding Principles for this vision state in part “The Mental Health and Substance Abuse Service System will provide quality services and supports that will: Be responsive to individuals’ unique needs throughout their lives.”; and*

**Whereas:** *The U.S. Census Bureau estimated that in 2009, 15.4% of the population in Pennsylvania was age 65 or older, and by 2030 that figure could rise to 22.6%; and*

**Whereas:** *As many as 1 in 5 older adults may have, or be at risk for developing behavioral health problems and*

**Whereas:** *Older adults with, or at risk for developing, behavioral health problems require the services of both the Aging and Mental Health systems.*

**Now, therefore,** the OLTL and OMHSAS, as the parties to this MOU, set forth the following as the terms and conditions of their understanding:

### **Collaboration**

OLTL and OMHSAS will designate staff with specific responsibilities for the ongoing planning, development, implementation, monitoring and evaluation of initiatives and projects to provide services and supports to older adults with, or at risk of developing, behavioral health problems.

OLTL and OMHSAS staff designated in accordance with the above paragraph will attempt to resolve disputes, which arise between the OLTL and OMHSAS in carrying out this MOU. Said staff will forward disputes which have not been resolved at their level to a higher level in their respective organizations.

OLTL and OMHSAS will develop and distribute materials relevant to public events, such as those in recognition of Mental Health Awareness Month and Older Americans Month, both of which are observed in May of each year, Mental Illness Awareness Week, which occurs in October of each year, Recovery Month which occurs in September of each year, as well as Suicide Prevention Awareness week which also occurs in September of every year.

OLTL and OMHSAS will support local or county level staff who are assigned primary responsibility for joint efforts in outreach, identification, assessment, and service planning for older adults including those at risk of developing behavioral health problems. Local collaboration may include planning, development, implementation, monitoring and evaluation of projects and new services and supports, joint case reviews and pooled funding in support of needed services. OLTL and OMHSAS will jointly support annual or multi-year planning documents of local agencies including the County Mental Health Plan and the Area Agency on Aging (AAA) Four-Year Area Plans. Letters of Agreement or MOUs between the responsible agencies at the county level must be developed and maintained in support of collaborative efforts. Guidelines for the development of such agreements may be found in Attachment #1. The MOU Workbook is an additional resource that can be utilized when creating and updating the MOU.

OLTL and OMHSAS will jointly fund state level projects as appropriate. OLTL and OMHSAS support county level decisions to pool funding for projects, which enhance existing treatment, services and supports to older persons, or which develop jointly sponsored projects and services.

### **Older Adult Committee**

OMHSAS and the OLTL will jointly sponsor the Older Adult Committee, which exists to advise the OLTL and OMHSAS on matters involving behavioral health and aging. Sponsorship will include designation of the OLTL and OMHSAS liaison staff, identification of members to be nominated and appointed to the Committee, fiscal support for activities of the Committee, and review and response to Committee recommendations and requests. In addition, OMHSAS and OLTL will jointly support annual or multi-year planning documents of the Committee which address the needs of older adults with, or at risk for developing, behavioral health problems.

### **Policy Development and Review**

OLTL and OMHSAS will jointly develop and issue policy statements, program standards, and other directives to meet the treatment, service and support needs of older adults with, or at risk of developing, behavioral health problems, and will review existing policy documents to determine if there are any which hamper or prevent collaboration at the local level, and take steps to amend or abolish such documents.

### **Data Sharing**

OLTL and OMHSAS will work to develop data systems/computer systems/technology to enable them to share relevant aggregate data pertaining to older adults with, or at risk for developing, behavioral health problems. This work will require ongoing collaboration by IT staff and program staff. Counties may be required to submit

data and reports periodically as OLTL and OMHSAS continue to assess the service and support needs of older adults.

### **Planning**

OLTL and OMHSAS will include language and content in the PA State Plan on Aging and the State Mental Health Plan that ensures joint state-level planning to address the needs of older adults with or at risk for developing behavioral health problems.

### **Financial Responsibility**

Treatment, services and supports may be supported with any of the established funding sources available to each agency and the respective service delivery systems. The OLTL and OMHSAS will jointly fund state level projects as appropriate. At the local level the two systems will be supported in decisions to pool funding from their respective budgets to ensure older adults receive necessary treatment, services and supports or to initially implement jointly sponsored projects and services.

### **Review and Modification of MOU**

This MOU will be reviewed, signed and dated annually by both parties. This MOU may be modified at any time by mutual written consent of the parties.

### **General Terms**

Nothing in this MOU supplants the mandated duties, responsibilities, or obligations of the OLTL and OMHSAS under current state or federal law, regulation, or under policy promulgated by the OLTL and OMHSAS.

This MOU is not intended to, and does not, create any contractual rights or obligations with respect to the signatory agencies or any other parties.

### **Effective Date**

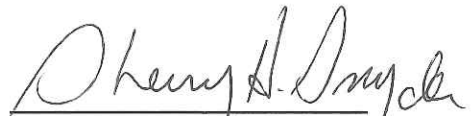
This MOU will become effective upon the date it is signed by both parties. It is subject to review or termination upon written request by either party, and shall remain in effect until such written termination.

OMHSAS and the OLTL hereby acknowledge the foregoing as the terms and conditions of their understanding.



Jennifer Burnett  
Deputy Secretary  
Office of Long Term Living

Date: 1/3/11



Sherry H. Snyder  
Acting Deputy Secretary  
Office of Mental Health  
and Substance Abuse Services

Date: 1-3-2011

## **Attachment 1**

### **Guidelines for Memorandum of Understanding/Letter of Agreement Between County Mental Health/Mental Retardation Program and Area Agency on Aging**

#### **I. General Provisions**

##### **A. Legal Base**

This section should cite the legal base for the agreement including, but not limited to, the Memorandum of Understanding (MOU) between the Pennsylvania Department of Aging (PDA) and the Department of Public Welfare, Office of Mental Health and Substance Abuse Services (OMHSAS); the Pennsylvania Public Welfare Code of 1967 and its revisions; the Pennsylvania Mental Health (MH)/Mental Retardation (MR) Act of 1966 as amended; the Mental Health Procedures Act of 1976 as amended; the Federal Public Law 102-321 of 1992 and the Federal Mental Health and Substance Abuse Block Grant Legislation; the Federal Older Americans Act (42 U.S.C); and the Commonwealth legislation creating the Department of Aging (71 P.S.)

##### **B. Non-Discrimination Clause**

Cite Title VI, 504, Human Relations Act, Department of Public Welfare Executive Order as it relates to the provision of services.

#### **II. Purpose**

A. A description of each agency and the agency's mission.

B. A description of the service area and the population to be served, including culturally defined groups and other significant factors.

C. A description of the purpose of the MOU/letter of agreement.

#### **III. Scope**

A. A description of the population to be jointly served by the behavioral health system and the AAA.

B. A listing of all services that are provided by each agency:

1. Describe process for cross-system referral.
2. Describe process for cross-system collaboration and case review/planning and service delivery.
3. Describe how funding issues will be resolved.
4. Describe how privacy and confidentiality issues will be resolved.
5. Describe how community and natural supports will be incorporated into service delivery.
6. Describe collaborative outreach efforts for identification and engagement of persons needing services.

C. Describe cross-systems training and in-service efforts to enhance collaborative and joint service delivery.

#### **IV. Assignment of Staff**

- A. Describe how staff will be designated for lead responsibility in cross-systems activity.
- B. Describe staff responsibilities, authority, oversight and supervision.

#### **V. Conflict Resolution**

Describe conflict resolution process and procedures, including final authority for resolution of difficult situations.

#### **VI. Amendments**

Describe the process for amending the MOU/ letter of agreement including the circumstances under which it will be amended, the frequency with which it will be reviewed for possible amendments, who must authorize amendments and who must sign the document.

#### **VII. Effective Dates and Terms of Agreement**

#### **VIII. Signatures**

The County MH/MR Administrator and the Area Agency on Aging Director must review and sign the document at least annually.