

## AGING UNIT ADVOCACY

### § 46.82 The Wisconsin Elders Act: Aging Unit –

(3) **AGING UNIT, POWERS AND DUTIES.** In accordance with state statutes, rules promulgated by the department and relevant provisions of **42 USC 3001 to 3057n** and as directed by the county or tribal commission on aging, **an aging unit:**

(a) **Duties. Shall do all of the following:**

(5) Organize and administer .... programs...that enable older individuals and their families to secure a variety of services, **including... information on ...consumer affairs and civic participation.**

(8) **Identify and publicize gaps in services** needed by older individuals and provide leadership in developing services and programs, including recruitment and training of volunteers, that address those needs.

(11) Provide information to the public about the aging experience and about resources for and within the aging population

(12) Assist in representing needs, views and concerns of older individuals in local decision making and **assist older individuals in expressing their views to elected officials and providers of services.**

18) **Advocate on behalf of older individuals to assist in enabling them to meet their basic needs.**

### § 46.82(4) COMMISSION ON AGING

(d) Powers and duties. ... The county or tribal commission on aging shall direct the aging unit with respect to the powers and duties of the aging unit under sub. (3).

## Wisconsin Aging Network – Policy Manual - 5.1 Purpose of the Aging Unit Plans

### 5.1.1. **Advocacy**

- **The aging unit is charged with representing the views, concerns and interests of older people.** This process strives to preserve the dignity and security of elders, affording as many choices and opportunities as possible. It collects adequate and accurate background facts and statistics about problems and progress, and makes this information available to appropriate people and organizations at the local, state, and national levels.

### 5.1.2 **Catalyst for Change**

- The aging unit is a catalyst for the development of comprehensive and coordinated service systems for older persons by encouraging community leaders, service agencies and aging units to implement needed changes.

## AGING AND DISABILITY RESOURCE CENTER (ADRC) ADVOCACY

### § 46.283 Resource Centers -

(6)(B) The [ADRC] governing board of a resource center shall do all of the following:

2. Annually gather information from consumers and providers of long-term care services and other interested persons

concerning the adequacy of long-term care services offered in the area served by the resource center.

3. identify any gaps in services, living arrangements, and community resources needed by individuals belonging to the client groups served by the resource center, especially those with long-term care needs.

5. Recommend strategies for building local capacity to serve older persons and persons with physical or developmental disabilities, as appropriate, to local elected officials or the department.

6. Identify potential new sources of community resources and funding for needed services for individuals belonging to the client groups served by the resource center.

### DHS 10.23 Standards for performance by resource centers.

(2)(b) **Advocacy.** Advocacy on behalf of individuals and groups when needed services are not being adequately provided by an organization within the service delivery system.

(2)(j)(2) **Disenrollment Counseling** - Advocacy resources available to assist the person in resolving complaints and grievances.

### DHS 10.23(6) Operational Requirements

(b). Community needs identification. Implement a process for identifying unmet needs of its target population in the geographic area it serves. The process shall include input from members of the target populations and their representatives, and local government and service agencies including the care management organization, if any. The process shall include a systematic review of the needs of populations residing in public and private long-term care facilities, members of minority groups and people in rural areas. A resource center shall target its outreach, education, prevention and service development efforts based on the results of the needs identification process.

### ADRC Scope of Services- Grant Agreement Language re: Advocacy

D. **Advocating Directly on Behalf of the individuals and groups that constitute their target populations** when needed services are not being adequately provided within the service delivery system. Required advocacy activities include:

- Intervention by an ADRC staff person on behalf of a customer to ensure that they receive the benefits and services for which they are eligible.
- Facilitation of a customer's self-advocacy by an ADRC staff person to motivate and support the customer in obtaining information, opportunities, respect, and recognition to which they are entitled, and in obtaining the services for which they are eligible.

- Efforts by the ADRC to identify and address community conditions, structures, or institutions that function as barriers to essential community services.

#### E. Lobbying Restrictions

- **Lobbying is defined as seeking to influence or persuade a politician or public official on an issue. ADRCs are subject to federal restrictions on lobbying under 31 U.S.C. § 1352. In addition, state ADRC funding may not be used for lobbying activities. Lobbying activities are distinct from advocacy activities, which are required of ADRCs under Wisconsin statute and administrative code.**

### The Hatch Act

The Hatch Act restricts the political activity of individuals principally employed by state, District of Columbia, or local executive agencies and who work in connection with programs financed in whole or in part by federal loans or grants.

#### Prohibited activities:

Covered state, District of Columbia and local employees may not:

- Be candidates for public office in a partisan election, if their salary is entirely federally funded;
- Use official authority or influence to interfere with or affect the results of an election or nomination; or
- Directly or indirectly coerce, attempt to coerce, command, or advise a state, D.C., or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

\*Political Activity of Certain State and Local Employees, [5 U.S.C § 1501](#).

#### Permitted activities (when occurring in non-work settings and not on work time; must be acting in your personal/not official capacity):

- Register and vote as they choose
- Assist in voter registration drives
- Express opinions about candidates and issues
- Contribute money to political organizations
- Attend political fundraising functions
- Attend and be active at political rallies and meetings
- Join and be active members of a political party or club
- Sign and circulate nominating petitions
- Campaign for or against referendum questions, constitutional amendments and/or municipal ordinances
- Campaign for or against candidates in partisan elections
- Make campaign speeches for candidates in partisan elections
- Distribute campaign literature in partisan elections
- Campaign for and hold office in political clubs or parties
- Volunteer to work on a partisan political campaign
- Participate in any activity not specifically prohibited by law or regulation