

## 2024 AIDLN Conference: Board Training HANDOUT

### Wisconsin Administrative Code: **46.283** Resource centers.

#### (6) GOVERNING BOARD.

##### (a)

1. A resource center shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the resource center.
2. At least one-fourth of the members of the governing board shall be individuals who belong to a client group served by the resource center or their family members, guardians, or other advocates. The proportion of these board members who belong to each client group, or their family members, guardians, or advocates, shall be the same, respectively, as the proportion of individuals in this state who receive services under s. [46.2805](#) to [46.2895](#) and belong to each client group.
3. An individual who has a financial interest in, or serves on the governing board of, a care management organization or an organization that administers a program described under s. [46.2805 \(1\) \(a\)](#) or [\(b\)](#) or a managed care program under s. [49.45](#) for individuals who are eligible to receive supplemental security income under [42 USC 1381](#) to [1383c](#), which serves any geographic area also served by a resource center, and the individual's family members, may not serve as members of the governing board of the resource center.

##### (b) The governing board of a resource center shall do all of the following:

1. Determine the structure, policies, and procedures of, and oversee the operations of, the resource center. The operations of a resource center that is operated by a county are subject to the county's ordinances and budget.
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. The board shall provide well-advertised opportunities for persons to participate in the board's information gathering activities conducted under this subdivision.
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.
4. Report findings made under subds. [2.](#) and [3.](#) to the applicable regional long-term care advisory committee.
5. Recommend strategies for building local capacity to serve older persons and persons with physical or developmental disabilities, as appropriate, to local elected officials, the regional long-term care advisory committee, 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.
8. Annually review interagency agreements between the resource center and care management organizations that provide services in the area served by the resource

center and make recommendations, as appropriate, on the interaction between the resource center and the care management organizations to assure coordination between or among them and to assure access to and timeliness in provision of services by the resource center and the care management organizations.

9. Review the number and types of grievances and appeals related to the resource center to determine if a need exists for system changes and recommend system or other changes if appropriate.

### Older Americans Act

“(10) Have a board of directors comprised of leaders in the community, including leaders from groups identified as in greatest economic need and greatest social need, who have the respect, capacity and authority necessary to convene all interested persons, assess needs, design solutions, track overall success, stimulate change, and plan community responses for the present and for the future.”

### Wisconsin Administrative Code: [46.82](#) Aging Unit

**1) DEFINITIONS.** In this section:

- (a)** “Aging unit” means an aging unit director and necessary personnel, directed by a county or tribal commission on aging and organized as one of the following:
1. An agency of county or tribal government with the primary purpose of administering programs of services for older individuals of the county or tribe.
  2. A unit, within a county department under s. [46.215](#), [46.22](#) or [46.23](#), with the primary purpose of administering programs of services for older individuals of the county.
  3. A private corporation that is organized under ch. [181](#) and that is a nonprofit corporation, as defined in s. [181.0103 \(17\)](#).

**(4) COMMISSION ON AGING.**

**(a) Appointment.**

1. Except as provided under subd. [2.](#), the county board of supervisors in a county that has established a single-county aging unit, the county boards of supervisors in counties that have established a multicounty aging unit or the elected tribal governing body of a federally recognized American Indian tribe or band that has established a tribal aging unit shall, before qualification under this section, appoint a governing and policy-making body to be known as the commission on aging.
2. In any county that has a county executive or county administrator and that has established a single-county aging unit, the county executive or county administrator shall appoint, subject to confirmation by the county board of supervisors, the commission on aging. A member of a commission on aging appointed under this subdivision may be removed at pleasure by the county executive or county administrator.

**(b) Composition.** A commission on aging, appointed under par. [\(a\)](#) shall be one of the following:

1. For an aging unit that is described in sub. [\(1\) \(a\) 1.](#) or [2.](#), organized as a committee of the county board of supervisors, composed of supervisors and, beginning January 1, 1993, advised by an advisory committee, appointed by the county board. Older individuals shall constitute at least 50 percent of the membership of the advisory committee and individuals who are elected to any office may not constitute 50 percent or more of the membership of the advisory committee.
  2. For an aging unit that is described in sub. [\(1\) \(a\) 1.](#) or [2.](#), composed of individuals of recognized ability and demonstrated interest in services for older individuals. Older individuals shall constitute at least 50 percent of the membership of this commission and individuals who are elected to any office may not constitute 50 percent or more of the membership of this commission.
  3. For an aging unit that is described in sub. [\(1\) \(a\) 3.](#), the board of directors of the private, nonprofit corporation. Older individuals shall constitute at least 50 percent of the membership of this commission and individuals who are elected to any office may not constitute 50 percent or more of the membership of this commission.
- (c) Terms.** Members of a county or tribal commission on aging shall serve for terms of 3 years, so arranged that, as nearly as practicable, the terms of one-third of the members shall expire each year, and no member may serve more than 2 consecutive 3-year terms. Vacancies shall be filled in the same manner as the original appointments. A tribal commission on aging member appointed under par. [\(a\) 1.](#) may be removed from office for cause by a two-thirds vote of each tribal governing body participating in the appointment, on due notice in writing and hearing of the charges against the member. A county commission on aging member appointed under par. [\(a\) 1.](#) may be removed from office by a two-thirds vote of each county board of supervisors participating in the appointment, on due notice in writing.
- (d) Powers and duties.** A county or tribal commission on aging appointed under sub. [\(4\) \(a\)](#) shall, in addition to any other powers or duties established by state law, plan and develop administrative and program policies, in accordance with state law and within limits established by the department of health services, if any, for programs in the county or for the tribe or band that are funded by the federal or state government for administration by the aging unit. Policy decisions not reserved by statute for the department of health services may be delegated by the secretary to the county or tribal commission on aging. 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. [\(3\)](#).

**Administration for Community Living: [Sec. 725 REHABILITATION ACT OF 1973 184](#)**  
Independent Living Centers

Sec. 725 REHABILITATION ACT OF 1973 184 (1) PHILOSOPHY.—The center shall promote and practice the independent living philosophy of— (A) consumer control of the center regarding decision-making, service delivery, management, and establishment of the policy and direction of the center; (B) self-help and self-advocacy; (C) development of peer relationships and peer role models; and (D) equal access for individuals with significant disabilities, within their communities, to all services, programs, activities, resources, and facilities, whether public or private and regardless of the funding source.

ASSURANCES.—The eligible agency shall provide at such time and in such manner as the Administrator may require, such satisfactory assurances as the Administrator may require, including satisfactory assurances that— (1) the applicant is an eligible agency; (2) the center will be designed and operated within local communities by individuals with disabilities, including an assurance that the center will have a Board that is the principal governing body of the center and a majority of which shall be composed of individuals with significant disabilities;