INFORMATION MEMORANDUM

TO: Directors, Designated State Agencies
    Chairpersons, State Planning Councils
    Directors, State Planning Councils
    Directors, State Protection and Advocacy Systems
    Directors, University Affiliated Programs and
    Satellite Centers

SUBJECT: Implementation - Statement of Organization,
Functions and Delegations of Authority for the
Offices of Human Development Services (OHDS)
Regional Offices

CONTENT: Information on Regional Office Delegations of
Authority to Implement The Developmental
Disabilities Assistance and Bill of Rights Act, as
Amended (42 U.S.C. 6000 et seq.)

DISCUSSION: The purpose of this issuance is to inform the
Developmental Disabilities Network that the OHDS
Regional authority for the functions under the
Developmental Disabilities Assistance and Bill of
Rights Act (the Act), as amended, and its
attendant regulations, will be assigned to all ten
OHDS Regional Offices.

On July 24, 1990 Secretary Sullivan approved and
signed a Statement of Organization, Functions and
Delegations of Authority for the OHDS Regional
Offices. The Statement was published in the
Federal Register on August 3, 1990. A copy is
attached (Attachment 1).
This issuance has been prepared to inform and clarify to all Administration on Developmental Disabilities (ADD) grantees that the specific functions performed by the Regional Offices will remain constant. These functions include, but are not limited to, the following:

- **Part C**, Protection and Advocacy of Individual Rights: approval of reports describing the Protection and Advocacy System and the annual activity reports required as a prerequisite to participation in funding under Part C of the Act.
- **Part D**, University Affiliated Programs: oversight responsibilities for these grants is being assumed by ADD/Central Office.

The primary effect of the Statement is that the Regional Offices in Boston, New York City, Atlanta, Chicago, Denver and Seattle will assume responsibility within their jurisdictions. The offices in Philadelphia, Dallas, Kansas City and San Francisco, previously considered "mega-regions," will be responsible for ADD's programs for the states within their Standard Federal Regions. Attached is a listing of the Regional Administrators and their corresponding States (Attachment 2).

The Regional Administrator within each Regional Office will provide executive leadership for the Administration on Developmental Disabilities. Operational responsibility for ADD programs will be assigned to the Office of State Programs within the OHDS Regional Office.
The primary objectives embodied in the organizational changes are: to further enhance Federal-State cooperation in the administration of the Act; and to foster better coordination with other components of the Department of Health and Human Services and other Federal programs so maximum benefits can be derived for the recipients of services under the Act.

The Statement also establishes, as a Regional Office function, the provision of general support and assistance to the President's Committee on Mental Retardation. This is a new function of the Regional Offices, and one which should be extremely effective in responding to the needs of people with mental retardation.

Consistent with the new Regional Office organizational changes, the appropriate Regional Administrator will soon contact you to formally identify the program and fiscal staff who will be assigned to your State.

ATTACHMENTS: (1) Federal Register Statement dated August 3, 1990  
(2) List of OHDS Regional Administrators

EFFECTIVE DATE : Date of Issuance

INQUIRIES TO : Regional Administrators, OHDS  
Regions I - X

Deborah L. McFadden  
Commissioner  
Administration on Developmental Disabilities

COPY TO: Regional Administrators, OHDS  
Regions I - X
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of the Secretary
Office of Human Development Services Regional Offices; Statement of Organization, Functions, and Delegations of Authority

This notice amends part D, Office of Human Development Services (OHDS), of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services as follows: Chapter DD. The Regional Offices of the Office of Human Development Services as last amended at 49 FR 17586, April 24, 1984; and chapter DF, Administration on Developmental Disabilities as last amended at 50 FR 30014, July 23, 1985. This organizational change will abolish the Regional Office for Children, Youth, and Families and the Regional Office for the Administration on Developmental Disabilities in the regions where they currently are located and replace them with the Office of State Programs and Office of Community Programs; and expand the Programs within the Administration on Developmental Disabilities to all ten Regions. These changes will allow OHDS to have program organization standards in all ten Regions.

1. Delete chapter DD in its entirety and replace with the following:

DD.00 MISSION. THE REGIONAL OFFICES OF THE OFFICE OF HUMAN DEVELOPMENT SERVICES constitute an integral operational level between the Central Office and State and local governments and other organizations, in the administration of programs for children, youth, and families, persons who are developmentally disabled, Native Americans, and Older Americans. OHDS Regional Offices award grants directly or recommend approval/disapproval to the appropriate Central Office organization; assist State and local governments and other organizations in the administration of OHDS programs; and monitor such administration to assure adherence to program and fiscal objectives and conformance with applicable laws, regulations, policies and procedures. The Regional Offices coordinate OHDS program activities with other components of HHS and with other Federal programs so maximum benefit can be derived from the programs for the recipients of services. Make recommendations to the OHDS Regional Office on program priorities, fiscal matters, and policy or procedural changes based on operating experience gained from the oversight and monitoring activities and assessment of the actual delivery of services. Provide consultation and technical information on OHDS matters to State and local units of government, State and local agencies, Native American Tribes and urban Indian agencies, provider agencies, educational institutions, and public interest groups in the Region. Provide assistance to States and grantees to improve effectiveness and efficiency of program operations, meet program goals, and comply with requirements. Promote comprehensive social and human services planning and services delivery in the Region.

Represent the Assistant Secretary for Human Development Services (ASHDS), as appropriate and as assigned, on activities related to the OHDS mission.

DD.10 ORGANIZATION. THE REGIONAL OFFICES OF THE OFFICE OF HUMAN DEVELOPMENT SERVICES consist of ten Regional Offices, each headed by a Regional Administrator (RA), who reports to the Assistant Secretary for Human Development Services, through the Director, Office of Regional Operations (ORO). Each Regional Office is organized as follows:

Office of the Regional Administrator
Office of Fiscal Operations
Office of Community Programs
Office of State Programs
Office for Native Americans (Region X only)

Regional Office on Aging

DD.20. FUNCTIONS. A. OFFICE OF THE REGIONAL ADMINISTRATOR, as the representative of the Assistant Secretary for OHDS in the Region, provides executive leadership to the OHDS Regional Office by interpreting and implementing OHDS policy. Exercises delegated authorities and responsibilities to oversee the regional administration of the Social Security Act's title XX Social Services Block Grant (42 U.S.C. 1397 et seq.); the Head Start Program, (42 U.S.C. 9801 et seq.); the Runaway and Homeless Youth Program (42 U.S.C. 5301 et seq.); the Social Security Act's title IV-B Child Welfare Services Program (42 U.S.C. 620 et seq.); the Social Security Act's title IV-E Foster Care and Adoption Assistance Program (42 U.S.C. 670 et seq.); the Adoption Opportunities
Program (42 U.S.C. 5111 et seq.): the Child Abuse Prevention and Treatment Program (42 U.S.C. 5101 et seq.): the Developmental Disabilities Program (42 U.S.C. 6000 et seq.): section 1110 of the Social Security Act’s Social Services Research and Demonstration Program (42 U.S.C. 1310): grants under the Appalachian Regional Development Act (40 U.S.C. Appx.) for Child Development activities in Regions II, III, IV, and V; and in Region X only, the Native American Program (42 U.S.C. 2901 et seq.).

Provides general staff support and assistance to the President’s Committee on Mental Retardation (PCMR). Works with State and local governments and private sector organizations in achieving PCMR’s goals and objectives on mental retardation.

Provides only administrative and other support services to the Regional Office on Aging (OA), Coordinates regional operations with OA activities. Serves as the focal point for interaction with the other HHS regional components, OHDS Central Office, and State agencies. Represents the ASHDS in establishing working relationships and coordinating with other Federal agencies, State and local governments, and public and private interest groups on OHDS and Departmental initiatives. Coordinates special projects with the Regional Director and appropriate organizations. Negotiates interagency agreements in support of OHDS program goals and objectives within delegated authorities.

Interacts with private organizations, the volunteer community and other public entities to mobilize private sector and volunteer resources and stimulate interest in joint initiatives and projects between the public/private sectors and volunteer groups.

Provides leadership to OHDS units in the development and implementation of long-range plans and the annual Regional Office operational plan. Develops and implements cross-cutting initiatives, assesses their effectiveness, and reports on implementation. Conducts management reviews of internal operations and service delivery.

Develops a strategy for compliance and management reviews and assessments of financial management systems, and practices and program operations in States and grantee organizations to determine conformance with applicable regulations, guidelines and performance standards and to ensure efficiency and effectiveness in program administration and operations. As requested, provides assistance to States and grantees in program administration, management systems, training needs and policy implementation. Identifies exemplary management techniques and provides leadership in the transfer of technology.

Provides program supervision, applies policy, and ensures conformance with requirements governing the regional administration of the block grants, formula grants, and discretionary grants. Promotes linkage with other HHS and OHDS programs in support of the Social Services Block Grant Program. Reviews the State Social Services Block Grant pre-expenditure reports for compliance with all statutory requirements for funding; reviews and approves the State plans for child welfare services, foster care, and adoption technical assistance; and State plans for developmental disabilities for compliance with Federal requirements.

Reviews and/or approves the formula grants process for child welfare services and developmental disabilities program, including reviewing project objectives and budget projections; recommending funding levels; issuing discretionary grants awards; publishing policy and practices; conducting post award administration activities.

Manages discretionary grants process for the Head Start, Runaway and Homeless Youth, and Developmental Disabilities programs, including reviewing project objectives and budget projections; recommending funding levels; issuing financial assistance awards; providing technical assistance; and conducting post award administration activities. The Regional Administrator exercises authority to implement grantee adverse actions.

Manages the discretionary grant process for the Administration for Native Americans grants to Alaska Native Organizations and provides post award administration activities for Native American grants in Regions IX and X, including exercising authority to implement grantee adverse actions.

Provides written recommendations to Headquarters on State formula grant financial reports and resolves assigned audit reports.

Provides general management oversight and centralized administrative support, information systems, grants management, procurement, and records management services to OHDS regional program and support components.

Develops justification for negotiation of the regional budget, and exercises financial control and oversight of allowances for program and administration accounts. Maintains personnel ceiling and position management controls, and serves as the focal point for general personnel management. Promotes employee development, assesses training needs, and develops and implements training plans. Directs the planning for and implementation of regional Equal Employment Opportunity Programs which include Affirmative Action.

Federal Women’s Program. EEO Discrimination Complaints Processing/Resolution, Special Emphasis Programs and Civil Rights.

Manages the function of the systems administrator for the Regional Office management information system supporting OHDS and participating HHS operating and staff divisions. Develops information systems applications for use by regional program units, States and grantee organizations. Assesses need for enhanced word processing/data processing applications, and monitors implementation of applications.

B. OFFICE OF FISCAL OPERATIONS

Is headed by a Director who reports to the Regional Administrator. Provides financial management services for all OHDS discretionary, formula, and block grant programs under the direct supervision of the Regional Administrator. Participates in joint planning, development, and implementation of cross-cutting program and fiscal initiatives, and assesses financial management systems and practices.

In coordination with regional program components, reviews estimates and budget projections for all OHDS grant programs administered in the Regional Office, and recommends funding levels. Maintains liaison with components of the Regional Administrative Support Center (RASC), cognizant agency audit staff, and other appropriate public and private groups and professional associations. Reviews grantee cost allocation plans and indirect cost proposals in coordination with the Department’s Division of Cost...
Alloc. tion to ensure conformance with accepted policies and guidelines. Interacts with the Department's Division of Finance on disbursement of funds to grantees. Coordinates with regional operating components to develop strategies for implementing of monitoring of grantee compliance with financial management requirements. Recommends resolution of audit exceptions.

Serves as the regional focal point for managing and coordinating major Headquarters national financial review initiatives for Title IV-E Foster Care and Adoption Assistance and Head Start. Conducts financial reviews of grantee organizations in coordination with regional program components. Makes recommendations to the RA, program offices, and other appropriate OIDS officials 1) to approve or disallow claims for Federal financial participation by grantees under all OIDS formula grant programs, and 2) to approve or disallow costs under OIDS discretionary grant programs. Makes recommendations to the Regional Administrator on deferrals for the Title IV-E program. Prepares supporting materials for the Departmental position on disallowances under consideration by the Departmental Appeals Board.

Plans, directs, monitors, and provides assistance on financial management activities for all OIDS regional grants. Provides guidance to grantees, State and local agencies, and others on interpreting financial management regulations, policies and guidelines; budgeting; determining allowable costs; preparing and implementing reviews and costing methodologies; conducting studies; and providing assistance to State and local agencies on management reporting. Conducts studies and provides guidance on reporting systems, procurement practices and contracting procedures, business and economic development activities and the adoption of improved management and administrative methods and practices. Assures that financial management systems and activities comply with the HIS Grants Administration Manual, laws, regulations, policies, and procedures.

C. OFFICE OF STATE PROGRAMS is headed by a Director who reports to the Regional Administrator. The Office of State Programs (OSP) maintains oversight of the Child Abuse Prevention and Treatment program; the Child Welfare Services and Foster Care and Adoption Assistance programs; the Child Welfare Services Training Program; and the Developmental Disabilities program. Serves as the focal point with State and local governments and other organizations for the consideration of program issues and policies affecting service needs and rights of children, youth, and persons who are developmentally disabled.

Provides direction and guidance on the implementation of the child welfare and developmental disabilities programs; advises the Regional Administrator of policy concerns and operational issues affecting program implementation efforts. Provides leadership, policy interpretation, legislative liaison, and program administration support in the areas of delegated responsibility.

Works with State and local program administrators and public officials to promote programs and services provided under the applicable statutes. Reviews, for compliance with Federal requirements, and recommends approval of State plans, amendments and annual reports. Participates with States in the joint development and refinement of the child welfare services plans. Ensures States' compliance with the certified protections afforded foster care and adoption assistance cases in the approved State plan. Assists States and local governments in the development and implementation of exemplary management and operational practices; and makes recommendations for improvements and enhancements in State programs.

Exercises delegated authority to make recommendations or decisions on approval or disapproval of grant applications and supplemental funding. Reviews estimates, budget projections, and reports of expenditures for the formula grant programs. Assists in monitoring and evaluating grants and special projects of national significance, and disseminating results.

Insures adherence by recipients of funds to program objectives, applicable policy, regulations and procedures. Interprets statutes, regulations, and manuals consistent with policy guidance. Assists agencies and grantees in the resolution of specific operational issues.

Coordinates child welfare and developmental disabilities program activities with other Federal programs at the Regional and State levels to enhance service delivery for children and their families and persons who are developmentally disabled. Develops and promotes linkages between the child welfare and developmental disabilities communities and other Federal/State program services through leadership in the development, design, and implementation of comprehensive program service plans.

D. OFFICE OF COMMUNITY PROGRAMS (OCP) is headed by a Director who reports to the Regional Administrator. The Office of Community Programs manages and administers programs for joint monitoring of Federal/State Foster Care and Adoption Assistance programs, and provides leadership, policy interpretation, legislative liaison, and program administration support in the areas of delegated responsibility.

Works with local and State governments and grantees organizations and institutions to promote and improve programs and services provided under the applicable statutes. Assists grantees in the development and implementation of exemplary management and operational practices; makes recommendations for improvements and enhancements in grantee organizations and program operations.

Exercises delegated authority to make recommendations or decisions on approval of grant applications and requests for supplemental funding; reviews estimates, budget projections, and reports of expenditures for each grant program. Recommends suspension of operations, denial of refunding or termination actions. Assists in monitoring and evaluating grants and special projects of national significance, and disseminating results.

Insures adherence by recipients of funds to statutes, regulations, performance, standards, program objectives, applicable policy, and program requirements. Coordinates assessments of grantee operations to determine compliance with performance standards; negotiates improvement plans with grantees; provides training and technical assistance to grantees.

Interprets statutes and regulations consistent with policy guidance and directives. Assists grantees in the resolution of specific management and operational issues.

Coordinates Head Start and Runaway and Homeless Youth Program activities with other Federal programs at the Regional, State and local levels to enhance service delivery for children.
youth and families. Assists States in the coordination and implementation of programs funded directly by States or through other Federal-State funding. Promotes identification and utilization of State and local resources to meet expanded needs of OHDS target populations. Develops and promotes linkages with other Federal/State program services through leadership in the development, design, and implementation of comprehensive program service plans.

E. REGIONAL OFFICE FOR NATIVE AMERICANS (ONA) is in Region X only and acts under the direct supervision of the Regional Administrator. Is responsible for the administration of those ANA grant programs delegated to the OHDS Region X Office. Represents the interests of Native Americans served by the Region. Serves as liaison with other Federal, State and local agencies that operate programs which serve Native Americans and with organized Native American groups. Disseminates information on Departmental services, benefits and eligibility criteria to Native Americans. Identifies and seeks to address the specific needs of Native Americans. Works to encourage the social and economic development of Native Americans. Exercises oversight on regional grant programs authorized under the Native Americans Programs Act. Provides guidance and technical assistance on financial management reporting, regulations, policies and procedures to ANA grantees. Stimulates and facilitates development of appropriate Research and Development projects.

F. REGIONAL OFFICES ON AGING are headed by a Regional Program Director (RPD) who is responsible to the Commissioner on Aging through the Associate Commissioner for State and Community Programs.

The Regional Offices on Aging serve as the focal point for Older Americans Act (OAA) programs through the development, coordination and administration of those programs within the OHDS region. Represent the Commissioner on Aging within the region, and provide information to, and contribute to the development of, national policy dealing with the elderly. Based on national policy and priorities, establish regional program goals and objectives. Serve as the effective and visible advocate for the elderly within the Federal Government to assure the rights and entitlements of the elderly; advise, consult and cooperate with each Federal agency proposing or administering programs or services related to the aging; coordinate and assist in the planning and development by public (including Federal, State and local agencies) and private organizations of comprehensive and coordinated services and opportunities for older individuals in each community of the Nation; conduct active public education of officials and citizens and the aged to assure broad understanding of the needs and capabilities of the aged. Monitor, assist and evaluate State Agencies on Aging administering programs provided through Title III of the OAA, discretionary grantees administering Title IV projects, and Native American tribes administering programs under Title VI.

Review OAA State Plans on Aging and approve acceptable plans or recommend disapproval to the Commissioner on Aging, as appropriate. Recommend approval or disapproval of Title IV applications to the Commissioner. Approve or disapprove refunding of title IV grantees. Recommend approval or disapproval of Title VI projects to the Commissioner. Determines the allowability of expenditure claims submitted by States and grantees; approves or disapproves claims for reimbursement within delegated authorities. Approves the disposition and resolution of audit exceptions; and makes financial adjustments or disallows funds. Provides written recommendations to Headquarters on State formula grant financial reports and resolves assigned audit reports.

Advise the Commissioner of problems and progress of programs through the Associate Commissioner for State and Community programs: recommend to the Commissioner changes that would improve OAA operations; evaluate the effectiveness of OAA and related programs in the Region and recommend to the Commissioner or take positive action to gain improvement; and guide agencies and grantees in applications of policy to specific operational issues requiring resolution. Facilitate interagency cooperation at the Federal, Regional and State levels to enhance resources and assistance available to the elderly. Conduct public education strategy on the needs and capabilities of the elderly. Coordinate with the RA on administrative and logistic matters. Amend chapter DF. Administration on Developmental Disabilities, as follows:

a. DF.10 Organization. Delete Regional Offices of the Administration on Developmental Disabilities, Regions III, VI, VII, and IX.

b. DF.20 Functions. Delete Paragraph F.

dated: July 24, 1990.

Louis W. Sullivan, Secretary.

Statement of Organization, Functions and Delegations of Authority; Chair and Members of the Departmental Appeals Board

Notice is hereby given that I have delegated to the Chair and Members of the Departmental Appeals Board my authority to make final determinations with respect to the imposition of civil remedies, including exclusions and monetary penalties, under sections 1128(b)(6)(B), (C), (D), 1128A(b), and 1156 of the Social Security Act, 42 USC 1320a-7(b)(6)(B), (C), (D), 1320a-7a(b), and 1320c-3.

This delegation, which supersedes all previous delegations of authority to review initial decisions by Administrative Law Judges on civil remedies cases brought by the Inspector General under the aforementioned sections of the Social Security Act, is effective immediately, except that the Social Security Administration, Office of Hearings and Appeals, Appeals Council shall continue to have the authority to render final determinations in cases currently pending before it and in cases under these sections pending before or already decided by Administrative Law Judges assigned to or employed by the Office of Hearings and Appeals.

dated: July 20, 1990

Louis W. Sullivan, Secretary.

Statement of Organization, Functions, and Delegations of Authority; Departmental Appeals Board; Administrative Law Judges

Notice is hereby given that I have delegated to any and all Administrative Law Judges in, assigned to, or detailed to, the Departmental Appeals Board, my authority to conduct hearings and to render decisions with respect to the imposition of civil remedies, including exclusions and monetary penalties and assessments, under sections 1128(b)(6)(B), (C) and (D), 1128A(b), and 1156 of the Social Security Act (42 U.S.C. 1320a-7(b)(6)(B), (C), and (D), 1320a-7a(b), and 1320c-5). This delegation includes, but is not limited to, the authority to administer oaths and affirmations, to subpoena witnesses and
REGIONAL ADMINISTRATORS, OHDS

Region I
8-835-1101
617-565-1101

STATES: CT, ME, MA
NH, RI, VT

Mr. A. Kenton Williams
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Region II
8-264-3472
212-264-3472

STATES: NY, NJ, PR, VI

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Regional Administrator, HDS
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Region III
8-596-0351
215-596-0351
FAX 596-5028

STATES: DE, MD, PA
VA, WV, D.C.

Mr. Richard Spitzbog
Regional Administrator, HDS
P.O. Box 13716
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Region IV
8-242-2398
404-221-2398

STATES: AL, FL, GA
KY, MS, NC, SC, TN

Ms. Nell Ryan
Regional Administrator, HDS
101 Marietta Tower
Atlanta, Georgia 30323-0001

Region V
8-353-8322
312-353-8322

STATES: IL, IN, MI
MN, OH, WI

Ms. Kay K. Willmoth
Regional Administrator, HDS
105 West Adams Street
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Region VI
8-729-4540
214-767-4540

STATES: AK, LA, NM
OK, TX

Mr. Marvin Layne
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Region VII  
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Region VIII  
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SD, UT, WY  
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ISLANDS, AM. SAMOA  
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STATES: AK, ID, OR, WA  
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