



Tennessee Legal Assistance

REQUEST FOR PROPOSAL APPLICATION (RFPA)

TO DELIVER

LEGAL ASSISTANCE SERVICES

UNDER OPTIONS FOR COMMUNITY LIVING, OLDER AMERICANS ACT

Application Deadline: Friday, March 13, 2026

Contract Period: July 1, 2026 – June 30, 2030

To apply, please observe the following instructions:

- *Type the RFPA.*
- *Before delivery, be sure the RFPA bears an original, authorized signature.*
- *Maintain a copy for your records.*
- *Submit the electronic copy via email to setaaad@sedev.org.*

Questions?

setaaad@sedev.org

Purpose/Background

The Older Americans Act (OAA), as amended, designates Legal Assistance as a priority service. As such, Legal Assistance is mandatory and shall be accessible and provided throughout each of the planning and service areas in Tennessee. Legal Assistance in Tennessee shall be provided in accordance with the OAA, accompanying federal regulations, and policies implemented by the Tennessee Department of Disability and Aging (DDA).

Authority: 42 U.S.C. § 3027 and 3058j; and 45 CFR § 1321.93, 1324.301, et seq.

All administrative requirements must be met by each AAAD unless a written waiver is granted by DDA.

1. Each area agency shall award, at a minimum, the required adequate proportion of Title III, part B funds designated by DDA to procure Legal Assistance for Older individuals residing in the applicable PSA.
2. Each AAAD must select and procure through contract the Legal Assistance Provider(s) best able to provide Legal Assistance. Legal Assistance Providers who are best able to provide Legal Assistance are the ones who can satisfy the Legal Assistance Provider standards outlined in the contract requirements that are further detailed in this section as well as who can meet the requirements as outlined in the OAA and federal regulations.
3. Each AAAD must select the Legal Assistance Provider(s) that best demonstrates the capacity to conduct Legal Assistance, which means having the requisite expertise and staff to fulfill OAA and other applicable Federal requirements for the provision of Legal Assistance.

The **Tennessee Legal Assistance Program** provides assistance to elderly Tennesseans who are in need of noncriminal legal assistance. The Legal Assistance Provider is available to provide direct representation for older adults in Tennessee as specified in the TNDDA Program and Policy Manual.

General Provider Requirements

The following General Requirements apply to all providers delivering services under the OAA:

1. **Compliance**: The Legal Assistance Provider must comply with requirements under the Older Americans Act, accompanying regulations, and to the Legal Assistance chapter in DDA's Policies and Procedures for Programs on Aging.
2. **Needs**: The Legal Assistance provider must meet complex and evolving legal needs that may arise involving a range of private, public, and governmental entities, programs and activities that may impact an Older Individual's independence, choice, or financial security.
3. **Effectiveness**: The Legal Assistance provider must maintain the capacity for the provision of effective administrative and judicial representation.
4. **Administrative and Judicial Advocacy**: The Legal Assistance provider must conduct administrative and judicial advocacy as is necessary to meet the legal needs of Older Individuals with economic or social need, focusing on such individuals with the Greatest Economic Need or Greatest Social Need.
5. **Priority Case Type**: The Legal Assistance provider must maintain the expertise required to capably handle matters related to priority case type areas specified under the OAA, including income and public entitlement benefits, health care, long-term care, nutrition, housing, utilities, protective services, abuse, neglect, age discrimination, and Defense of Guardianship.
6. **Independence/Choice/Financial Security**: The Legal Assistance provider must maintain the expertise required to deliver any matters in addition to those specified in this policy that are related to preserving, maintaining, and restoring an Older Individual's independence, choice or financial security.
7. **Full Range of Assistance**: Maintain the expertise and capacity to deliver a full range of Legal Assistance, from brief service and advice through representation in hearings, trials, and other administrative and judicial proceedings in the areas of law affecting such Older Individuals with Economic or Social Need.
8. **Other Advocacy/Ombudsman**: Maintain the capacity to provide effective Legal Assistance and legal support to other advocacy efforts, including, but not limited to, the Long-Term Care Ombudsman Program serving the PSA, and maintain the capacity to form, develop, and maintain partnerships that support Older Individuals' independence, choice, and financial security.

9. **Location**: Maintain the capacity to provide effective Legal Assistance to Older Individuals regardless of whether they reside in community or congregate settings, and to provide Legal Assistance to Older Individuals who are confined to their home, and Older Individuals whose access to legal assistance may be limited by geography or isolation.
10. **LEP**: Take reasonable steps to provide meaningful access to Legal Assistance for individuals with limited English proficiency (LEP).
11. **Knowledge**: Maintain staff with knowledge of the unique experiences of Older Individuals with Economic or Social need and expertise in areas of law affecting such Older Individuals.
12. **Disclosure of Income/Resources**: Legal Assistance Provider may not require an Older Individual to disclose information about income or resources as a condition for providing Legal Assistance.
13. **Financial Circumstances**: A Legal Assistance Provider may ask about the person's financial circumstances as part of the process of providing legal advice, counseling, and representation, or for the purpose of identifying additional resources and benefits for which an Older Individual may be eligible.
14. **Other Legal Activities**: Legal Assistance Provider and its attorneys may engage in other legal activities to the extent that there is no conflict of interest not other interference with their professional responsibilities under OAA.
15. **Coordination with Legal Services**: Legal Assistance Providers that are not housed within Legal Services Corporation grantee entities shall coordinate their services with existing Legal Service Corporation projects to concentrate funds under the OAA in providing Legal Assistance to Older Individuals with the Greatest Economic Need or Greatest Social Need.
16. **TN Rules of Professional Conduct**: Legal Assistance Provider attorney staff and non-attorney personnel under the supervision of licensed attorneys must adhere to the applicable Tennessee Rules of Professional Conduct.
17. **Supplement/Not Supplant**: Each Legal Assistance Provider shall use OAA funds to supplement, and not supplant, funds from other federal or non-federal sources.

18. **Litigation Costs**: Each Legal Assistance Provider shall have sufficient funds to pay litigation costs for those cases which require filing fees, consultation fees, and/or other costs related to representation of clients unable to pay these costs.
19. **Publications**: Each Legal Assistance Provider shall include on all publications written and distributed with funds provided through the OAA an acknowledgement as follows: "This publication is supported, in part, by funds provided by the Southeast Tennessee Area Agency on Aging and Disability, Tennessee Department of Disability and Aging, and the U.S. Department of Health and Human Services. The content herein does not necessarily reflect the opinions or policy of the Southeast Tennessee Area Agency on Aging and Disability or any agency of Tennessee or the United States government.
20. **Voluntary Contributions**: Each Legal Assistance Provider will, in a noncoercive manner, give clients an opportunity to voluntarily contribute to the cost of the Legal Assistance services.
21. **Access to Policies**: Each Legal Assistance Provider shall be familiar with, and maintain access to, a complete and updated copy of the policies and procedures for the AAAD and DDA.
22. **Reporting**: Submit the Legal Assistance Reporting tool quarterly to the AAAD and DDA. Reports are due to DDA no later than the twentieth (20th) day following the end of the quarter.
23. **Service Description Adherence**: Service providers receiving state appropriations or OAA funds must comply with DDA contracting guidelines, program standards and service descriptions.
24. **Gratuities/Favors**: No service provider agent shall solicit or accept gratuities, favors, or anything of monetary value from a consumer, service provider, contractor, or potential contractor.
25. **Confidentiality**: Each service provider must have procedures to protect the confidentiality of information collected about consumers. The procedures must ensure that no information about a consumer is obtained or disclosed by a service provider in a form that identifies the person without the "informed written consent" of that person or of his or her legal representative. Disclosure may be allowed by court order, or when securing client-related services, benefits, or rights. All consumer information must be maintained in controlled access files. (Exception: A written release of information when making a referral for Adult Protective Services is not required.)

26. **Insurance:** Each service provider shall either provide a statement of self-insured status or procure and maintain payment of premiums on policies of insurance coverage to (A) adequately protect personal and real property whose acquisitions cost was borne in whole or in part as a direct charge to Title III or state funds from loss or damage; and (B) adequately cover all claims which may arise related to accidents involving personal injuries and/or use of products and services under the area plan.
27. **Bond:** All service providers must obtain sufficient bond coverage for protection of the AAAD and DDA from theft, forgery, embezzlement, and fraud losses by the service provider agency, any of its agents or employees, full or part-time.
28. **Background Checks:** All service providers shall comply with Tennessee Code Annotated § 52-2-1002 on completing background checks for employees and volunteers.
29. **QA:** Quality Assurance will be an ongoing process in which all entities including DDA, AAAD, service providers and consumers will play a role.
30. **Monitoring:** Service providers will be monitored by the AAAD at least annually using monitoring tools approved by DDA that are based on DDA's Aging Program and Policy Manual.
31. **Compliance:** All provider agencies will comply with all federal and state laws and regulations.
32. **Emergencies:** Service providers shall, where feasible and appropriate, make arrangements for the availability of services to older individuals and family caregivers in weather-related and other emergencies.
33. **Benefits:** Service providers shall assist participants in taking advantage of benefits under other programs.
34. **Coordination:** Service providers shall ensure that all services are coordinated with other appropriate services in the community, and that these services do not constitute an unnecessary duplication of services provided by other sources.
35. **Incorporation:** Service providers, either private for-profit or not-for-profit organizations, must be incorporated under the laws of the state in which their principal place of business is located.

Requirements for Tennessee Legal Assistance Program

The following General Requirements apply to all Legal Assistance programs, unless otherwise specified:

- A. Comply with the program guidelines contained in the Tennessee Department of Disability and Aging, *Program and Policy Manual*, and all relevant federal and state laws, regulations, and rules.
- B. Submit the Legal Assistance Reporting tool quarterly to the State Office.
- C. Comply with all portions of 45 CFR §1321.71, 45 CFR §1321.51, 45 CFR §1321.3 including but not limited to all provisions regarding the provision of services, targeting certain senior populations, leveraging of the private bar for referrals and pro-bono opportunities, confidentiality, and the prohibition against means testing.
- D. Submit quarterly reports with a copy to the State using the statewide uniform reporting system. Quarterly reports are due to the state office on or before the 20th day following the end of the quarter for the previous quarter.
- E. Make available for the AAAD and/or State at any time all pertinent documents, reports, procedures and program policies required for monitoring purposes.
- F. Provide matching funds in the amount of 10 percent of the contract. Federal funds cannot be used to match federal funds.

Legal Services Service Definitions

Advice – A category of legal assistance case. An individualized evaluation of the facts of a client’s situation, with counseling and/or provision of information or guidance about the client’s legal circumstances, including presentation of options for responding to the circumstances presented by the client, or referral, such as from a legal hotline to a full-service program or to another low-cost alternative, such as a law school clinic or Bar referral service, or to another legal resource for further assistance.

Case – A legal assistance matter provided to an eligible client by a legal assistance provider. A case encompasses one legal matter. Accordingly, a client may have more than one case simultaneously and/or during a calendar year. When matters in litigation move from one forum to another, such as upon filing of an appeal by the client or by an adversary or another litigant, a new case is to be opened.

Case Type – The type of legal case handled by a legal assistance provider is determined and reported for closed cases. Case types reflect the eight types of legal matters that are to be given priority by Title III-B legal assistance providers pursuant to the Older Americans Act. These are: income, health care, long term care, nutrition, housing, utilities, abuse/neglect, defense of guardianship or protective services, age discrimination, and other/miscellaneous.

Cases Closed-Abuse/Neglect – The abuse/neglect legal case is determined and reported for closed cases and includes:

- Orders of protection and associated matters
- Recovery of assets lost due to financial exploitation or abuse.
- Actions to assert rights and remedies for elders against abuse, financial exploitation or neglect.
- Abuse/Neglect – Other

Legal Services Corporation legal problem categories and codes that best align are “Family” code 37, Domestic Abuse.

Cases Closed-Age Discrimination – The age discrimination legal case type is determined and reported for closed cases and includes:

- Employment or other age-related discrimination,
- Housing discrimination claims
- Other claims of discrimination based upon inclusion in a protected class.

No Legal Services Corporation legal problem categories and codes align to this case type.

Cases Closed-Defense of Guardianship or Protective Services – The defense of guardianship or protective services legal case type is determined and reported for closed cases and includes:

- Representation to oppose imposition of guardianship
- Removal of Guardian or limiting the terms of guardianship
- Restoration of rights
- Assisting with alternatives to guardianship
- Preparation of legal documents that preserve self-determination and mitigate risk of guardianship, and/or to enable a supported decision-making arrangement
 - Powers of Attorney,
 - Living Wills,
 - Health Care Proxies.
- Defense of Guardianship and Protective Services – Other

If Legal Services Corporation legal problem category “Family” code 33, “Adult Guardian/Conservatorship” is used to identify cases, these must be in defense.

Cases Closed-Health Care – The health care legal case type is determined and reported for closed cases and includes:

- Medicaid, Medicare – eligibility, termination, reduction,
- Medicare Savings Programs (Qualified Medicare Beneficiary, Specified Medicare beneficiary, Qualified Individual) eligibility, reduction, termination,
- Veterans Administration benefits disputes,
- Medigap disputes,
- retiree health eligibility and/or benefits disputes,
- private insurance disputes
- Health-Other

Legal Services Corporation legal problem categories and codes that best align are “Health” codes 51 through 53; 55, 57 and 59 (exclude 54 Home and Community Based Care and 56 Long Term Health Care Facilities).

Cases Closed-Housing – The housing legal case type is determined and reported for closed cases and includes:

- Landlord tenant –
 - eviction,
 - warranty of habitability,
 - mobile home tenant issues,
- real property-
 - foreclosure,
 - real property-related predatory lending claims,
 - mortgage issues

- Housing - Other

Legal Services Corporation legal problem categories and codes that best align are "Housing" codes 61 through 69.

Cases Closed-Income – The income legal case type is determined and reported for closed cases and includes:

- SSI and Social Security eligibility, termination, reduction, overpayments,
- pension disputes,
- unemployment insurance eligibility, termination or reduction,
- State and local income maintenance programs where available, including eligibility, terminations, and reductions, including state supplements to SSI and state-specific programs.
- Income – Other

Legal Services Corporation legal problem categories and codes that best align are "Income Maintenance" codes 71 through 79 (exclude code 73 Food Stamps).

Cases Closed Long-Term Care – The long-term care legal case type is determined and reported for closed cases and includes:

- Nursing home admission, discharge, room change, visitor access, refusal of facility to re-admit a resident after a hospitalization or other leave of absence, other residents' rights,
- Support for transitions from a nursing home to a community setting, or diversion from a nursing home to a community setting,
- Home and Community Based Services - level of care eligibility disputes, and/or amount, category and/or duration of benefits, reductions and terminations of such benefits. (Note Medicaid eligibility for home and community-based services should be recorded as a health care case).
- Long-Term Care – Other

These categories are intended to describe the type of legal case presented by a client and do not refer to the setting in which the client resides.

Legal Services Corporation legal problem categories and codes that best align are "Health" codes 54, Home and Community Based Care.

Cases Closed-Nutrition – The nutrition legal case type is determined and reported for closed cases and includes:

- SNAP eligibility, benefits, reduction, or termination.
- Nutrition - Other

Legal Services Corporation legal problem categories and codes that best align are "Income Maintenance" code 73, Food Stamps.

Cases Closed-Other/Miscellaneous – The other/miscellaneous legal case type is determined and reported for closed cases that do not fall into any other type and includes but is not limited to:

- Medical and other debt collection, including repossession, bank account or wage garnishment, etc.,
- Fair Debt Collection Practices Act claims,
- Predatory lending (housing and non-housing-related),
- Unfair and deceptive sales or marketing claims,
- Disputes over loans,
- Asserting the rights and supporting the legal authority of grandparents raising grandchildren,
- Disability rights (ex: 504 or ADA claims),
- Other

Cases Closed-Utilities – The utilities legal case type is determined and reported for closed cases and includes:

- Utilities shutoffs,
- Utilities billing disputes,
- Utilities deposit disputes,
- Utility diversion disputes,
- Utilities reasonable accommodation matters,
- Utilities - Other

Legal Services Corporation legal problem categories and codes that best align are "Consumer/Finance" code 07, Public Utilities.

Closed Case – A legal assistance case is closed when the legal assistance provider has completed work within the scope of representation, has otherwise reached a resolution of the client's legal issue and has, consistent with state/territory rules, and program requirements, informed the client that the case is closed. Cases may also be closed after a reasonable period of time during which the client has not been in touch with the Title III-B legal provider, notwithstanding appropriate efforts to reach the client.

Policy/Guidance

All providers must comply with the program guidelines contained in the Tennessee Department of Disability and Aging Program and Policy Manual, as well as all applicable federal and state laws, regulations, and rules. The applicable chapter(s) of the manual related to the services for which you are applying are attached for reference.

REQUEST FOR PROPOSAL APPLICATION (RFPA)
Contract Period: July 1, 2026 – June 30, 2030

Applicant Organization Name:

Mailing Address:

Office Address:

Contact:

E-Mail Address:

Telephone:

Emergency Contact (Name & #):

Fiscal Contact (Name & #):

Date of Application:

Employer ID #

1. Cover Letter

Applicant must provide a cover letter signed by an authorized individual submitting the proposal on behalf of their agency. This letter includes:

- a. A statement that the accompanying application is in response to this RFP.
- b. A statement that the applicant is willing, if selected, to execute a contract with the Area Agency on Aging and Disability (AAAD).
- c. A statement identifying the individual(s) authorized to finalize a contract with the AAAD on behalf of the Applicant

2. Organizational Structure and Information (**Please provide a W-9)

a. Indicate the entity type:

<input type="checkbox"/> Faith-Based Organization	<input type="checkbox"/> Non-Profit Organization
<input type="checkbox"/> For Profit Corporation	<input type="checkbox"/> Small business
<input type="checkbox"/> Government	<input type="checkbox"/> Women owned/operated
<input type="checkbox"/> Minority owned/operated	<input type="checkbox"/> None of the above

b. Date Established:

c. Place of Establishment:

d. State where Licensed/Incorporated:

3. License, Certification, Permits, and Accreditation

Provide copies of all required licenses, certifications, permits, and accreditation required by the state or federal governments, including the following:

- a. A copy of any licensures related to the proposed services (i.e., PSSA, etc.)
- b. Any required business license (i.e., 501(c), etc.)
- c. A copy of the Applicant's current Certificate of Insurances and Workers Compensation (i.e., Liability and Bond, etc.)
- d. A copy of most recent PSSA or other licensing entity's monitoring report

4. History, Experience, and Mission

Provide the following information about the Applicant's history, experience, and mission:

- a. A brief history of the Applicant and its service delivery system for any proposed Home and Community-Based services.
- b. Provide a list of current membership of governing body.
- c. The number of years the Applicant has been in business.
- d. Organization Chart [for overall agency and single organization unit responsible for delivering proposed service(s).] (including governing body, if applicable)
- e. The Applicant's mission statement, values, and guiding principles
- f. Describe organizational experience in working with older persons and/or adults with disabilities.

5. Personnel & Training

Provide the following information related to personnel and training:

- a. Identify the key personnel who will be involved with the program. Please make available upon request a resume for each of the key personnel.
- b. Identify the supervisory structure related to proposed service delivery.
- c. Describe the qualifications and required competencies for persons who will serve as direct service workers. Include job descriptions.
- d. Include the proposed training approaches and curriculum to be used to keep staff current in service delivery and best practices in services and supports.

6. Financial Capacity

Provide the following documentation to show the Applicant's financial management capacity:

- a. If available, the most recently completed audited financial statements of Applicant

If an audited financial statement is not available, you must provide the following information:

- a. IRS tax reporting forms / tax return is appropriate for the submitting organization.
- b. A current written bank reference, in the form of a standard business letter, indicating that the applicant's business relationship with the financial institution is in positive standing.
- c. Two (2) current written positive credit references in the form of standard business letters from vendors with which the applicant has done business, or documentation of a positive credit rating determined by an accredited credit bureau within the last six (6) months.

7. Assurances & Certifications

By signing this application, the Applicant agrees:

- To certify that, under penalty of perjury, your provider organization has completed this Provider Application independent of any outside influence which may result in your receiving privileged information about this RFP.
- To certify that this RFP factually represents your administrative capabilities and proposed services, and that if your organization is approved, you agree to abide by the terms and conditions of the Provider Contract.
- To certify that if your organization is approved, you agree to contract with the AAAD for services at your usual and customary charges not to exceed the maximum charges outlined in this provider application.
- To certify that your organization is in compliance with the specific Service Description and Standards required by the State for each proposed service activity.
- To certify that your organization has written policies regarding the following:

• Personnel Policies	• Affirmative Action Policy
• Non-discrimination in Hiring Policy	• Confidentiality Policy
• Non-discrimination in Service Delivery Policy	• Civil Rights Compliance Policy <i>(Title VI and VII)</i>
• ADA Compliance Policy	• Drug Free Policy
• Certification Regarding Lobbying	• Prohibition on Illegal Immigrants Policy

- To certify that your organization has secured all required licenses, certifications, permits and accreditation (as required by the State and/or Federal governments).

8. Service Delivery

- a. Provide a detailed narrative describing the applicant's service delivery plan and how all previously listed provider requirements will be met.
- b. Explain the organization's policy process for conducting and maintaining documentation on criminal background checks for staff and volunteers involved in service delivery related to this Application.
- c. Explain the organization's policy process for conducting Customer Satisfaction Surveys and attach the results of your most recent Customer Satisfaction Survey Report showing the percentage of satisfied customers for the period.

AUTHORIZATION FOR SUBMISSION

Legal Name of Applicant Agency

Submits this application as part of its response to the Request for Proposals solicited by the AAAD. This application and all materials provided in response to the RFP will become part of any contract should the Applicant's proposal be selected.

Governing Entity Information

Executive Director Name:

Email:

Chairman Name:

Email:

The Executive Director, governing body Chairman, or CEO listed above has authorized my signature on behalf of the organization/agency for submission of this application.
*I affirm that I am duly authorized to execute this document on behalf of the organization.
My typed name below constitutes my electronic signature.*

Printed Name:

Authorized Representative Title:

Date:

SCOPE OF WORK

APPLICANT AGENCY: _____

(All services may not be available within each Area Agency on Aging and Disability. If you have questions about particular service availability, please contact the AAAD.)

A. SUMMARY OF DIRECT SERVICE ACTIVITIES ***Check services to be provided:***

OAA TITLE III FUNDS

Legal Services

PROVISION OF SERVICE

A. SERVICE AVAILABILITY:

Days of Service:

Hours of Service Availability:

If the applicant agency has multiple offices, please attach a list to the application.

B. NAME OF SUB-CONTRACTOR (if any):

Mailing Address:

Phone Number:

Email:

(For each additional sub-contractor, attach listing with above information)

C. QUALITY OF SERVICE: The Provider shall deliver quality services to eligible consumers using an established quality assurance process to assess and maintain service standards.

D. TRAINING: The Provider will attend meetings or workshops sponsored by the Agency and the Tennessee Department of Disability and Aging, where appropriate and indicated.

RFPA EVALUATION AND SCORING

Applicant Name: _____ Date: _____

Name of Individual Scoring Application: _____

RFPA Requirement	Points Possible	Points Earned	Comments
Minority or Women Owned Business	2		
Documentation of all required licenses to provide services	1		
Organizational information provided	1		
Record of accurate and timely billing	1-3		Fiscal staff can provide documentation of record
Staff Adequacy (as measured by missed visit track record)	1		Sufficient trained staff available (credentialed)
Record of accurate reporting	1		QA /HCBS Staff can provide documentation
Customer Satisfaction rate has been measured and documentation that 80% or more of consumers are satisfied with services	2		
Organization has been providing services to consumers for more than 1 year	1-3		1 point per year up to 3 years
Multiple county proposal	1 point per county		1 point per county covered in district
Organization has the capacity to reach all areas of the county they are proposing to serve	1		
Proposal would fill existing gap in services	3		
Only RFPA to fill an existing gap in services	5		
Cost to provide services is less than the maximum allowable rate	5		
Total			