State of California
Office of Administrative Law

In re:
California Health Facilities Financing Authority

Regulatory Action:

Title 4, California Code of Regulations

Adopt sections: 7100, 7101, 7102, 7103, 7104, 7105, 7106, 7107, 7108, 7109, 7110, 7111, 7112
Amend sections:
Repeal sections:

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL File No. 2013-0117-07 SR

Government Code section 15438.10 authorizes the California Health Facilities Financing Authority to provide up to $1.5 million dollars in grant funds to one or more demonstration projects, designed to demonstrate innovative methods of delivering health care services to vulnerable populations or communities and to enhance health outcomes. This rulemaking establishes the framework for a two-step competitive process for the funding of these projects. The regulations provide the requirements of who is an eligible applicant and the requirements each project must meet. Additionally, the regulations establish the evaluation process that will be utilized to select the projects that will potentially receive funding.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 2/7/2013.

Date: 2/7/2013

Peggy J. Gibson
Senior Counsel

For: DEBRA M. CORNEZ
Director

Original: Barbara J. Liebert
Copy: Barbara Webster-Hawkins

RESUBMITTAL

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

STD. 400 (REV. 01-2013)

For use by Secretary of State only

ENDORSED FILED
IN THE OFFICE OF

2013 FEB -7 PM 1:31

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2012-0807-01	2013-0117-07SR	

For use by Office of Administrative Law (OAL) only

2013 JAN 17 PM 4:00

OFFICE OF ADMINISTRATIVE LAW

NOTICE | REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
California Health Facilities Financing Authority

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
☐ Notice re Proposed Regulatory Action ☐ Other			

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/ Withdrawn	2012, 33-2	8-17-12

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
California Health Access Model Program	2012-1101-01 S

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) **(Including title 26, if toxics related)**

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	
	ADOPT: 7100, 7101, 7102, 7103, 7104, 7105, 7106, 7107, 7108, 7109, 7110, 7111, 7112
	AMEND:
TITLE(S): 4	REPEAL:

3. TYPE OF FILING

- ☐ Regular Rulemaking (Gov. Code §11346)
- ☒ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- ☐ Emergency (Gov. Code, §11346.1(b))
- ☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- ☐ Emergency Readopt (Gov. Code, §11346.1(h))
- ☐ File & Print
- ☐ Other (Specify) _____
- ☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- ☐ Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
8/27/2012 - 10/12/2012 and 12/26/2012 - 1/10/2013

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- ☐ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- ☒ Effective on filing with Secretary of State
- ☐ §100 Changes Without Regulatory Effect
- ☐ Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- ☐ Department of Finance (Form STD. 399) (SAM §6660)
- ☐ Fair Political Practices Commission
- ☐ State Fire Marshal
- ☐ Other (Specify) _____

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Barbara Webster-Hawkins	916-654-5711		bwebster-hawkins@treasurer.ca.gov

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE	DATE
Barbara J. Liebert	January 17, 2013

TYPED NAME AND TITLE OF SIGNATORY
Barbara J. Liebert, Executive Director

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 07 2013

Office of Administrative Law

Title 4. Business Regulations
Division 10. California Health Facilities Financing Authority
Chapter 4. California Health Access Model Program
Article 1. Demonstration Project Grants

Sec.7100 Definitions

For purposes of this Article, unless otherwise indicated, the words and phrases defined in section 15432 of the Government Code shall have the same meaning where used herein. In addition, the following words and phrases shall have the meaning as described below:

"Applicant" means an entity that has been determined by Authority staff to meet the requirements of sections 7102 and 7103, has been invited to submit and has submitted a Grant Application.

"Authority" means the California Health Facilities Financing Authority.

"Commitment Letter" means a letter prepared by the Authority pursuant to section 7108 and which expresses the Authority's commitment to provide grant funds to an Applicant following compliance with the conditions and requirements contained therein.

"Community Settings" means places where vulnerable populations live and/or congregate, including but not limited to, schools, adult or child day care centers, community centers, and residential care facilities.

"Cost" or "Costs" means project-related expenses identified in an Application and which are subsequently approved by the Authority.

"Demonstration Project" means a project designed to demonstrate innovative methods for delivering cost-effective, quality Health Care Services that improve access to health care for Vulnerable Populations or Communities and enhance health outcomes.

"Grant Agreement" means an agreement between the Authority and a Grantee that consists of the terms and conditions as required pursuant to section 7109 and pursuant to which grant funds will be disbursed.

"Grantee" means an Applicant that has been awarded a Demonstration Project grant and has executed a Grant Agreement as required by the Authority.

"Health Care Services" means services, including, but not limited to, medical, mental, dental or preventive services for the diagnosis, care, prevention and treatment of human illness, or individuals with physical, mental or developmental disabilities.

"Interested Party" means an entity that has submitted a Letter of Interest.

"Letter of Interest" means a letter submitted by an Interested Party that complies with the requirements of Section 7104.

"Partnership" means two or more entities working in collaboration on a Demonstration Project designed to address health care access for Vulnerable Populations in Community Settings.

"Vulnerable Populations or Communities" means places or groups of people in California with special risks for poor health status and fewer available Health Care Services and other resources.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7101 Purpose

(a) Pursuant to Government Code section 15438.10, the Authority shall award up to a total of $1,500,000 in grants to one or more eligible Demonstration Projects designed to:

(1) demonstrate cost-effective and innovative methods of delivering quality Health Care Services;
(2) improve access to health care, including preventive services, for Vulnerable Populations or Communities; and
(3) enhance health outcomes.

(b) The purpose of this Article is to provide for a process by which grant funds will be allocated to an eligible Demonstration Project or Projects.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7102 Eligible Applicant

(a) The following entities are eligible to apply for a Demonstration Project grant on its own behalf or on behalf of a Partnership:

(1) A nonprofit or public health facility;
(2) An association that represents nonprofit health care facilities or providers of Health Care Services;
(3) A health care advocacy organization that represents underserved or medically Vulnerable Populations or Communities; or
(4) A nonprofit or public institution of higher education or other nonprofit or public research entity.

(b) The following entities are not eligible to apply or receive funding for a Demonstration Project grant but may participate in a Partnership:

(1) For profit entities and associations or organizations that represent them.
(2) National and out-of-state entities, unless such entities have an established and significant presence within California, as determined by the Authority, and further only if such entities can demonstrate that the Demonstration Project is located in California and that all grant funds will be expended in California.
(3) A health facility that has had tax-exempt bonds issued by the Authority on its behalf, unless such health facility qualifies as a "small and rural hospital" pursuant to section 124840 of the Health and Safety Code.

(c) An Applicant must demonstrate:

(1) It complies with subdivisions (a) and (b) of this section;
(2) It has a track record of success in coordinating and managing grant-funded projects; and
(3) It or a partner participating with the Applicant on the Demonstration Project has an established track record of successful projects and partnerships designed to change systems and policies to improve health care delivery.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7103 Minimum Requirements for an Eligible Demonstration Project

(a) To be eligible for consideration, a proposed Demonstration Project must include the following elements:

(1) an innovative model of Health Care Service delivery it is currently demonstrating and evaluating;
(2) community or institutional settings in which the Health Care Service will be demonstrated;
(3) specific, Vulnerable Populations or Communities which the Health Care Service is designed to benefit;
(4) evidence that the Demonstration Project is underway to the extent that demonstration sites are currently delivering care and collecting data under the model being demonstrated, and that goals for the Demonstration Project can be substantially achieved within eighteen months after a grant is awarded;
(5) a focus on prevention and early intervention within a continuum of quality health care that includes disease management;
(6) a strong evaluation and/or research plan to measure improved access and/or health outcomes and to assess the cost-effectiveness of the model;
(7) financial support that, in addition to a grant that may be awarded by the Authority, will be sufficient to complete an evaluation that analyzes the results of the

Demonstration Project and reaches conclusions regarding the replication of the Health Care Service delivery model;

(8) potential opportunities to replicate the model in multiple communities in California and to leverage additional funding to support replication and sustainability of the model if the outcomes of the Demonstration Project warrant expansion; and

(9) a Partnership that collectively has the capacity to develop, implement, and evaluate the Demonstration Project, and promote and assist with the replication of the model. The Partnership may include, but need not be limited to:

(A) nonprofit and/or public health facilities to provide services at demonstration locations;

(B) institutions of higher education or other research institutions to provide or guide research and/or evaluation; or

(C) organizations that address public policy issues to assist in affecting policy changes needed for the sustainability and replication of the Demonstration Project model.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7104 Letter of Interest to Apply for Demonstration Grant

(a) No later than 30 days following the effective date of this Article, the Authority will post information on its website (www.treasurer.ca.gov/chffa) regarding the process by which Interested Parties may submit Letters of Interest, including the deadline for submitting the Letters of Interest. To be considered eligible to apply for a Demonstration Project grant, an Interested Party must submit a Letter of Interest, plus two copies, by hand-delivery or mail to the Authority's Sacramento Office, by the posted deadline, which shall be 60 days after the date of the Authority's posting to its website. Alternatively, one copy of the Letter of Interest may be emailed as a PDF attachment to the Authority at chffa@treasurer.ca.gov so that the Authority receives the Letter of Interest no later than the time and date indicated in the Authority's notice. Letters of Interest received after the posted deadline or which are insufficient for Authority staff to determine the eligibility of the Applicant pursuant to section 7102 or the Demonstration Project pursuant to section 7103 will not be considered.

(b) The Letter of Interest must be limited to ten pages and include the following information:

(1) Amount of grant funds requested.

(2) Brief description of how grant funds are proposed to be used.

(3) Description of the Demonstration Project.

(4) Description of phases and projected timeline for the Demonstration Project including, at a minimum, current status, milestones for evaluation of the success of the model, and timing of the completion of the Demonstration Project.
(5) Specific information that describes how the Interested Party meets the Eligible Applicant requirements in section 7102.
(6) Specific information that describes how the proposed Demonstration Project meets the minimum requirements for an Eligible Demonstration Project in Section 7103.
(7) A statement signed by an individual authorized to commit the Applicant and Partnership attesting to the accuracy of the information contained in the Letter of Interest and the Applicant and Partnership's intent to comply with the Authority's requirements if awarded a Demonstration Project grant.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7105 Evaluation of Demonstration Project Letters of Interest

(a) Following the deadline for submission of Letters of Interest, Authority staff shall have up to 60 days to evaluate submitted Letters of Interest as described in this section. Authority staff will:

(1) Determine whether each Letter of Interest was received by the deadline and includes all required information;
(2) Determine whether each remaining Letter of Interest has been submitted by an Eligible Applicant, as described in Section 7102; and
(3) For each Letter of Interest submitted by an Eligible Applicant, Authority staff will then determine whether the Letter of Interest meets the Minimum Requirements for an Eligible Demonstration Project as described in Section 7103.

(b) Solely at the discretion of the Authority staff, Interested Parties that meet the requirements of Sections 7102 and 7103 will be invited to submit an Application.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7106 Demonstration Project Application Requirements.

(a) No more than 30 days following the evaluation provided for in section 7105, the Authority will post to its website (www.treasurer.ca.gov/chffa) a list of the Interested Parties that will be invited to submit an application for grant funding. The Authority will also notify the Interested Parties invited to submit an application by email or mail. The notice will include information regarding the deadline for submission of an Application, which shall be 60 days from the date of the notice, and the required format for the Application, including the maximum number of pages. Applications received after the posted deadline or not submitted in the required format will not be considered.

(b) At a minimum, to be considered by the Authority, an Application must include:

(1) a more detailed description of the elements required for a Letter of Interest as described in section 7104;
(2) a proposed budget in line item detail for Authority grant funds, if awarded to the Applicant, including a description of the specific purposes for which grant funds will be used;
(3) a description of other funding sources, including amount, source, and a description of restrictions of use placed on those funds, if any;
(4) a description of significant barriers to completion of the Demonstration Project and the Applicant's plan for overcoming those barriers;
(5) a description of significant barriers to replication of the service delivery model, including policy challenges, and the Applicant's plan for overcoming those barriers;
(6) a description of the proposed role the Applicant and its partners will have in the replication phase;
(7) a description of any available data that has already been produced that addresses the likely success of the Demonstration Project and its replicability;
(8) a list of references to journal articles and other reputable sources, if any, that support the model's design;
(9) Memoranda of understanding among partners and letters of support, if any;
(10) if any of the partners are ineligible to receive grant funding pursuant to section 7102(b), a description of the steps the Applicant will take to ensure that such partners will not receive grant funds; and
(11) information regarding the legal status of the Applicant and the partners collaborating with the Applicant on the Demonstration Project, including such information as investigations, audits, and civil or criminal matters that may raise questions regarding the Applicant's legal or financial viability or that of the Applicant's partners.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7107 Evaluation of Demonstration Project Grant Application.

(a) Following the deadline for submission of Applications, Authority staff shall evaluate the Applications based on the following criteria:

(1) The likelihood of success of the Demonstration Project in improving access cost-effectively and/or enhancing health care outcomes for the identified Vulnerable Populations or Communities (30%);
(2) The likelihood of success in replication of the service delivery model (20%);
(3) The level of expertise and resources of the Applicant and its partners (20%);
(4) The quality of the evaluation and research component of the Demonstration Project (15%); and

(5) The level of commitment from other entities, including funding, personnel, and other resources (15%).

(b) The Authority reserves the right for Authority staff to request additional information and conduct interviews and/or site visits with some or all of the Applicants to assist in its evaluation of the Applications.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7108 Award of Demonstration Project Grants and Commitment Letter

(a) A maximum of $1.5 million in grant funds may be disbursed by the Authority to successful Applicants. The Authority reserves the right to award all available grant funds to one Applicant, award multiple grants totaling a maximum of $1.5 million to multiple Applicants, or to not award any grant to any Applicant.

(b) Upon completion of the Application evaluation described in section 7107, the Authority board, at an open meeting held in compliance with the Bagley-Keene Open Meeting Act (commencing at Government Code section 11120), shall make the final determination regarding the award of Demonstration Project Grants.

(c) The Authority shall notify the successful Applicant(s) by a letter committing the Authority to provide grant funds so long as the Applicant strictly complies with the terms and conditions contained in the Commitment Letter. The Commitment Letter shall include all of the following:

(1) Name(s) of the Grantee.
(2) Grant amount.
(3) The date when the commitment expires.
(4) A description of the Costs to be funded by the grant.
(5) Disbursement of funds is conditional on execution of a Grant Agreement and other conditions as deemed appropriate by the Authority.
(6) A statement that the Authority reserves the right to modify or cancel the commitment upon failure of the Applicant to execute a Grant Agreement that includes all of the terms and conditions set forth in the Commitment Letter or otherwise required by this Article, or if the Authority becomes aware of any matter which, if known at the time of Application review and approval, would have resulted in the Application not being approved.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7109 Demonstration Project Grant Agreement(s)

(a) The terms and conditions of a Demonstration Project grant shall be set forth in a Grant Agreement executed by the Grantee and the Authority and shall include, but not be limited to, all of the following terms:

(1) That grant funds may only be expended within California;
(2) That grant funds may supplement but not supplant existing financial and/or resource commitments;
(3) The grant amount approved by the Authority;
(4) A description of the Costs determined to be eligible by the Authority and that the Grantee agrees to use grant funds only for such Costs;
(5) That the Grantee will use grant funds only for purposes described in its Application;
(6) The term of the Grant Agreement which shall coincide with the Demonstration Project's projected completion date as indicated in the Application;
(7) That grant funds shall be disbursed consistent with the provisions of section 7110;
(8) That any health facility as defined in Government Code section 15432(d) that participates in the Demonstration Project may not claim the funding provided by the Authority toward meeting its community benefit and charity care obligations;
(9) That any health facility as defined in Government Code section 15432(d), other than such health facility that qualifies as a "small and rural hospital" pursuant to Section 124840 of the Health and Safety Code, that has received bond financing from the Authority shall not receive any of the grant funds;
(10) That the Grantee will comply with the Authority's statutes and regulations;
(11) That the Grantee shall defend, indemnify and hold harmless the Authority and the State, and all officers, trustees, agents and employees of the same, from and against any and all claims, losses, costs, damages, or liabilities of any kind or nature, whether direct or indirect, arising from or relating to the grant, the Demonstration Project or this program;
(12) That the Grantee will comply with laws outlawing discrimination including, but not limited to those prohibiting discrimination because of sex, race, color, ancestry, religion, creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition, sexual orientation, political affiliation, position in a labor dispute, age, marital status, and denial of statutorily-required employment-related leave;
(13) That compliance with the program requirements is the Grantee's responsibility;
(14) That Authority staff may perform site visits during the term of the Grant Agreement;
(15) Reporting Requirements as described in section 7110;
(16) Audit provisions; and
(17) Any other provision agreed to by the Grantee and Authority.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7110 Demonstration Project Reporting Requirements; Release of Funds

(a) Grantee shall provide quarterly status reports to the Authority that shall include:

(1) A description of activities performed for the Demonstration Project for the previous three months;
(2) A spreadsheet detailing expenditures and copies of invoices and cancelled checks or other documentation satisfactory to the Authority of incurred Costs covered by grant funds that shows those expenditures were project-related and consistent with Cost information submitted in the Application and/or projections described in Section 7110(a)(3);
(3) Documentation such as contracts, purchase orders, or other evidence satisfactory to the Authority that demonstrates projected Costs in the next quarter to be covered by grant funds and a request for disbursement of grant funds based on that documentation.
(4) A summary of data and/or preliminary evaluation results available to date;
(5) A description of remaining work to be completed for the Demonstration Project and an estimated time schedule for completion of that work;
(6) A description of whether the Demonstration Project is within proposed budget and, if not, the reasons for any differences and what actions will be taken to insure that the Demonstration Project has sufficient funding for completion; and
(7) An updated assessment of barriers to successful replication of the Demonstration Project's delivery model.

(b) The quarterly status reports required pursuant to subsection (a) of this section shall be provided within 45 days following the completion of the quarters ending on March 30, June 30, September 30, and December 31, of each year during the term of the Grant Agreement, except the report for the final quarter, when section 7111(a) final report requirements apply.

(c) The Authority shall not disburse funds unless the Applicant has executed a Grant Agreement and any other documents, as required to verify to the satisfaction of the Authority any information asserted in the Applicant's Application, and is in compliance with all conditions precedent to disbursement contained in the aforementioned agreement.

(d) Upon execution of the Grant Agreement, 25% of the grant funds for which the Demonstration Project is eligible shall be disbursed to the Grantee. Following each subsequent quarter and compliance with the reporting requirement contained in this section, to the satisfaction of the Authority, additional grant funds may be disbursed based on the documentation provided in the Grantee's quarterly report for projected Costs. In addition, to the extent already-disbursed grant funds were insufficient to cover documented project-related, approved expenditures, the Authority may disburse additional grant funds to cover those Costs.

(e) Grant funds disbursement shall be no more frequently than quarterly and shall be made only following receipt and approval by the Authority of each quarterly report.

(f) Each disbursement request shall be submitted in conjunction with the applicable quarterly report.

(g) Failure to comply with the reporting requirements contained in this section shall result in the Authority withholding requested fund disbursements.

(h) Upon receipt of the documentation described in this section 7110, the Authority, in its sole discretion, shall authorize the disbursement of funds to the Grantee.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7111 Completion of Grant Funded Projects; Records Retention

(a) Upon completion of the Demonstration Project, the Grantee shall certify to the Authority within 45 days that the Demonstration Project is complete and provide a final report that describes the results of the Demonstration Project, recommending whether or not to proceed with a replication grant program, and describing conditions and resources needed for successful replication.

(b) If the Grantee fails to complete the Demonstration Project within the term of the Grant Agreement, the Authority may require remedies, including forfeiture and return of grant funds to the Authority.

(c) On a case-by-case basis, the Authority or the Authority staff may extend the term of the Grant Agreement for extraordinary or unavoidable delays where the Grantee can demonstrate that it occurred through no fault of its own.

(d) Grantees shall retain all program and financial data necessary to substantiate the purposes for which the funds were spent for a period of three years after the certification of completion of the Demonstration Project has been submitted. Grantees shall provide supporting documentation (e.g., progress reports, work plans, program budgets, receipts, etc.) upon request to the Authority staff or auditors or other consultants retained by the Authority to review the Demonstration Project.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.

Sec. 7112 Recovery of Funds for Non-Performance and Unused Funds

(a) If the Authority determines that the use of the grant funds did not comply with program requirements or the terms of the Grant Agreement for an approved Demonstration Project, the Authority may require remedies, including a return of all grant funds.

(b) At the conclusion of the term of the Grant Agreement, any unexpended grant funds committed to the Demonstration Project shall be retained by the Authority.

NOTE: Authority cited: Sections 15437, 15438(a), and 15438.10(b) of the Government Code. Reference cited: Section 15438.10 of the Government Code.