

SERVICES *for* **SENIORS**



State Taxes

Health Care

**Consumer
Protection**

Housing

Transportation

Energy

**Senior
Employment**

Money

Personal Needs

**Volunteer
Programs**

**Assisting
Agencies**

LAWS and PROGRAMS for SENIOR ADULTS



Dear Michigan Senior Citizen:

The importance of senior citizens to the state of Michigan is reflected in the far-reaching legislation enacted to assist individuals who are 60 years of age or older. Your Legislature is one of the most responsive and progressive governmental bodies in the nation when it comes to addressing issues that affect the lives of senior citizens.

This publication is a collection of various laws that specifically affect programs designed to help the elderly in Michigan.

Some of the areas covered are taxation issues and tax credits, Medicaid and Medicare, nursing homes and other long-term care options, consumer protection, housing, transportation, employment, and senior discount programs. The booklet also contains a list of agencies that serve as focal points for community services and programs for senior citizens.

The lives of seniors in the Great Lake State have been greatly enhanced by laws enacted by the Legislature and the services provided by governmental agencies. We hope this publication will provide a better understanding of the benefits available to Michigan seniors.

SERVICES *for* SENIORS



Prepared by the Michigan Legislature

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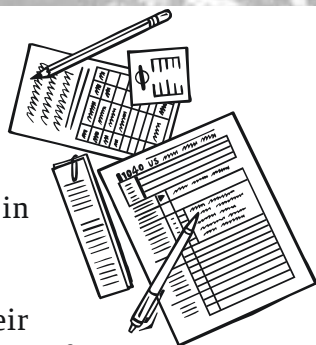
Table of Contents

State Taxes	1
Financial Hardship Property Tax Exemptions	1
Homestead Property Tax Credit	2
Renters' Tax Credit	2
Tax Deferments	2
Home Heating Credit	3
Health Care	4
Elder Prescription Insurance Coverage (EPIC) Program	4
MiRx	5
Prescription Drug Assistance Under Medicare Program	5
Medicare Program	6
Medicaid Program	6
Qualified Medicare Beneficiaries (QMB)	6
Additional Low-Income Medicare Beneficiaries (ALMB)	7
Michigan Medicare/Medicaid Assistance Program	7
Additional Programs	7
Food Assistance Program	8
Additional Health Programs	8
Nursing Facilities	8
Long-Term Care Ombudsman Program	8
Respite Care	9
Care Management	9
Home and Community-Based Services Waiver Program	10
Consumer Protection	11
Legislation	11
Legal Assistance (Title III-B)	11
Legal Hotline for Michigan Seniors	11
Housing	12
Home Repair	12
Senior Rental Arrangements	12
Rental Lease Breaking	12
Specific Legal Protections for Senior Housing	12
Transportation	13
Energy	13
Senior Community Service Employment Program	14
Money	15
Individual Retirement Accounts	15
Senior Discount Programs	15
Direct Deposit of Social Security Payments	15
Direct Deposit of Income Tax Refunds	16
Personal Needs	17
Volunteer Programs	18
Retired and Senior Volunteer Program	18
Foster Grandparent Program	18
Senior Companion Program	18
Agencies of Government Which Assist Seniors	19
Area Agencies on Aging	20



State Taxes

Of the many aspects of life that affect seniors, perhaps none is as important as taxation. The tax system in Michigan offers several advantages to the senior citizen. In addition to their regular personal deduction of \$3,100, persons 65 years or older are entitled to an additional exemption of \$2,000 on their state income tax returns for the 2004 tax year. Moreover, senior citizens are not required to pay state income tax on pension benefits received from a public retirement system in Michigan, a federal retirement system, or a public retirement system of another state or any of its political subdivisions if the laws of the other state permit a similar or reciprocal deduction or exemption. For the 2004 tax year, pension benefits from private pensions or an IRA are deductible to a maximum of \$38,550 (\$77,100 on a joint return), and seniors age 65 or older who do not deduct pension benefits may deduct part of their dividend and interest income. For the 2004 tax year, this deduction has been raised to \$8,595 (\$17,190 on a joint return).



Financial Hardship Property Tax Exemptions

Homeowners meeting the federal poverty income standards have the opportunity to apply for an exemption of the payment of property taxes on their principal residence due to financial hardship. If you think that you may be eligible, you may file a claim with the township supervisor or board of review on a form provided by your local assessor.

Homestead Property Tax Credit

Seniors are entitled to a homestead property tax credit equal to up to 100 percent of the amount their property taxes exceed 3.5 percent of their household income, up to \$1,200. Claimants who do not qualify for special consideration receive a homestead property tax credit equal to 60 percent of the amount their property taxes exceed 3.5 percent of their household income, up to \$1,200. This credit may be claimed regardless of whether or not a Michigan income tax return (form MI-1040) must be filed. You may claim a property tax credit by filing form MI-1040CR.

Seniors may claim the homestead property tax credit for up to four years from the annual date (April 15) set for filing the claim. The credit may be allowed if a senior meets the following criteria:

- a. Applicant or spouse of applicant must reach age 65 by December 31 of the tax year.
- b. Applicant is the unremarried survivor of a spouse who was 65 or older at the time of his or her death.
- c. Applicant must have lived in Michigan for at least six months of the tax year.

Those meeting these qualifications may calculate their homestead property tax credit through either the “**circuit breaker**” or the “**home value**” method, whichever is more favorable. The **circuit breaker** method provides tax relief by relating property tax liability to an individual’s income. These special provisions for senior citizens permit a property tax credit based on 100 percent of the amount that property taxes paid exceed

the amount equal to the following percentages of household income:

Income	Percentage
Under \$3,000	0%
\$3,001 to \$4,000	1.0%
\$4,001 to \$5,000	2.0%
\$5,001 to \$6,000	3.0%
\$6,001 and over	3.5%

If the household income is less than \$3,001.00, all property taxes paid up to a maximum of \$1,200 are refundable. For example: Mr. and Mrs. Jones’ household income amounted to \$5,400. They were billed \$500 for property taxes. Their credit is computed by first multiplying their household income (\$5,400) by the percentage from the above table (3 percent) and then taking the difference between 3 percent of income and the amount of taxes paid, or $3\text{ percent} \times \$5,400 = \$162$; $\$500 - \$162 = \text{credit of } \338 .

The **home value** method for low-income households can be used by seniors whose household income is \$6,000 or less and who received a senior citizen property tax credit in 1973. To receive this tax credit, the Taxable Value of the property must be determined. This figure is usually found on the property tax bill or can be obtained from the local tax assessor. Twenty-five hundred dollars (\$2,500) is then divided by the Taxable Value and the result is multiplied by the total annual tax bill. That result, up to a maximum of \$1,200, is the tax credit to which the senior citizen is entitled.

Renters’ Tax Credit

Renters may also use this formula to obtain a tax credit by substituting 20 percent of the renter’s gross rent for the year as the amount of property taxes paid. Senior citizens whose rent is more than

40 percent of their household income may be eligible for a larger credit using the alternative credit. Such a credit would be the amount by which rent paid for the year exceeds 40 percent of household income, up to a maximum of \$1,200. Renters should calculate their credit using both the standard and the alternative formulas and claim the larger credit.

People renting apartments exempt from property taxes but who pay service fees to the municipality in which they live may use 10 percent of their rent to calculate their property tax credit. Permanent residents of nursing homes, foster care homes, or homes for the aged may also claim a tax credit by using their share of the total property tax paid by the facility as taxes eligible for credit. Your manager should be able to tell you your share of the tax. It is important to note, however, that individuals must file a claim to receive any of these credits.

Tax Deferments

The summer tax deferment is a beneficial tax break for certain people over the age of 62. This provides those with a household income of not more than \$25,000 for the preceding year the benefit of deferring summer property taxes until February 15 of the following year. The benefit of this procedure is that it usually gives sufficient time for state income tax refund checks to be received by the senior to be used to pay the summer property taxes. This is done by applying to the city, village, or township treasurer by September 15 of that tax year, or by the time that the tax would become subject to interest or late penalty charges. Your local treasurer can supply more information.

Senior citizens may also delay paying their winter taxes without the imposition of certain fees, penalties, or interest. Payment of these taxes may be extended until April 30 of

2 Services *for* Seniors

the first year of delinquency. This deferment is permitted only if the local county board of commissioners has adopted a resolution approving a winter tax deferment. Eligibility may be accorded to those who have applied for a property tax credit before February 15 and have not received their refund before March 1. Such individuals must present a copy of their property tax credit form to their county treasurer. Your local treasurer can tell you if this deferral has been made available and whether or not you qualify.

Special assessments have long been a special problem for seniors. These taxes are imposed to finance installation of curbs, gutters, sidewalks, sewers, water, pavements, drains, and connections for water and sewer systems. Deferments of these special assessments may be extended to individuals who are 65 years of age or older, citizens of the United States, residents of Michigan for at least five years, and sole owners of the homestead for five or more years. In addition, annual household income in 2005 cannot have exceeded \$18,732 in order to qualify. Each year this income limit is adjusted based on the annual average percentage increase or decrease in the U.S. Consumer Price Index. Additionally, not less than \$300, exclusive of interest, can be deferred.

Home Heating Credit

The Home Heating Assistance Program gives many low-income persons the opportunity to claim a credit against their state income tax for part of their home heating costs. There are two methods available for computing a home heating credit: the standard method and, for individuals with very low incomes and high heating costs, an alternative formula. This credit may be claimed regardless of whether or not a Michigan income tax return (MI-1040) must be filed.

In calculating your credit using the standard method, the amount of the home heating tax credit is determined by first figuring the amount of your household income and the number of exemptions you can claim. Your credit is your standard allowance minus 3.5 percent of your household income. The standard allowance is currently \$359 for a person with an income of \$10,257 or less and \$482 for families with two exemptions and an income ceiling of \$13,771. If you are a claimant whose heating costs are included in your rent, multiply the result of the preceding calculation by 50 percent. You will not get a credit if your household income exceeds the amount of the income ceiling as detailed in the home heating credit tax form.

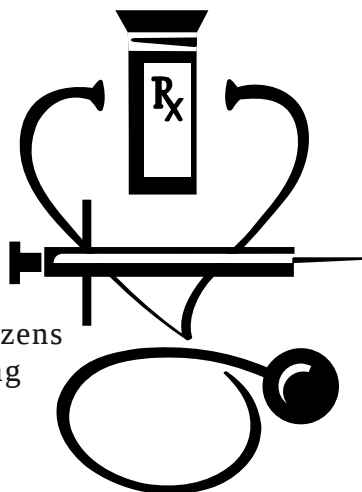
To qualify for the alternative credit formula, your household income may not exceed \$15,287 for filers with two or more exemptions. To compute the alternative credit, you must determine your total heating costs for the 12 consecutive monthly billing periods ending during October of the tax year (November 2003 to October 2004). The home heating credit is funded by a block grant from the federal government. Depending on the available amount of federal funding, the credit available may be subject to a proration factor. For the 2004 tax year, the proration factor is 76 percent (0.76). If your claim is for less than 12 months or your heating costs are currently included in your rent, you cannot claim an alternative credit.

You must claim a Home Heating Credit on form MI-1040CR-7. To receive your credit, claims must be filed by September 30, 2005.



Health Care

One of the most important factors contributing to the well-being of senior citizens is good health—its maintenance and its preservation. Michigan's senior citizens are fortunate in having available to them numerous avenues to ensure quality health care, some of which include physical and mental health clinics, health screening programs, and nutrition services.



Additionally, the federal Medicare program and the state-administered Medicaid program assist seniors in need of medical services.

Elder Prescription Insurance Coverage (EPIC)

Michigan's Elder Prescription Insurance Coverage (EPIC) Program officially began operating in October 2001. The program is intended to provide year-round prescription drug coverage for eligible senior citizens age 65 years and older, whose household incomes are at or below 200 percent of the federal poverty level, and who meet some other general criteria. The EPIC Program replaced both the senior prescription drug tax credit and the MEPPS (Michigan Emergency Pharmaceutical Program for Seniors).

The legislation that created EPIC established an enrollment priority structure. First priority was given to MEPPS recipients and second to individuals with an annual household income up to 150 percent of the

federal poverty guidelines who received the senior prescription tax credit. Enrollment of all other applicants with incomes up to 200 percent of the federal poverty guidelines is contingent upon available money. Since EPIC is not an entitlement program, participants have a maximum monthly cost-sharing obligation that is paid through a capped copayment on prescriptions. A participant's maximum monthly copayment amount is established at a level that is based on a percentage of their household income. Additionally, there is a \$25 application fee to apply for EPIC benefits.

Upon implementation, enrollment was limited to the two priority groups and the applications were accepted through January 31, 2002, after which date the Michigan Department of Community Health closed enrollment. Routine enrollment remains closed. As a result, **EPIC is not open to the general public at this time other than for emergency assistance.** You may wish to check the EPIC website at www.miepic.com or call your local Senior EPIC Center to find out if enrollment has opened up.

The **EPIC emergency enrollment** component is available for individuals who meet the qualifying criteria. Emergency enrollment requires that individuals have household income at 150 percent or less of the federal poverty level and a true medical emergency must exist. The emergency enrollment period is 45 days and the emergency benefit is available up to two times a year. Contact your local Senior EPIC Center for assistance and information.

For additional information regarding the EPIC program, log on to www.miepic.com or call the EPIC toll-free help line at 1-866-747-5844.

MiRx Card

The miRx card is a new program for middle- to low-income Michigan residents who have no prescription coverage. The miRx card is free. With the miRx prescription drug discount card, uninsured or underinsured residents can get up to 20 percent off their prescriptions at participating pharmacies. There is no age limit for participants. When individuals fill out the application, they should include all eligible members of the family or household. Once the application is completed and processed, eligible applicants will receive a miRx card in the mail within two weeks and a list of participating pharmacies in their area. To receive an application or for more information, go to www.michigan.gov/mdch, or call 1-866-755-6479.

Many Michigan county governments or health departments also offer prescription discount cards with price reductions of 5 to 40 percent savings. The average discount is about 25 percent. For more information about your county, contact your local Area Agency on Aging (AAA) office or the Michigan Medicare/Medicaid Assistance Program (MMAP) at 1-800-803-7174.

Prescription Drug Assistance Under the Medicare Program

The *Medicare Modernization Act of 2003 (MMA)*, enacted on December 8, 2003, creates a new drug benefit for Medicare beneficiaries—Medicare Part D. The drug benefit begins on January 1, 2006. Until then, a discount card program and transitional assistance credit are available through the Medicare Program to help beneficiaries with their prescription drug costs.

Medicare Drug Discount Card Program

From June 2004 through December 31, 2005, Medicare beneficiaries can enroll in one of several Medicare-approved drug discount

cards estimated to offer savings of 10 to 15 percent. Enrolling in these cards is voluntary. Medicare beneficiaries can sign up for only one discount card per year. Consumers are eligible to enroll in a discount card if they have Medicare and do not have outpatient prescription drug benefits under the State Medicaid Program. There are no income qualifications for the discount cards. Each discount card plan sets its own annual enrollment fee of up to \$30. There is no monthly fee for the discount cards.

Medicare Transitional Assistance Credit in 2004 and 2005

Low-income Medicare beneficiaries with 2004 incomes below \$12,569 for singles and \$16,862 for couples who do not have private or Medicaid prescription drug coverage are eligible for a federal total transitional assistance credit of \$1,200. This \$1,200 provides up to \$600 credit each calendar year (2004 and 2005). Any remaining, unused funds from the \$600 credit in 2004 will roll over to 2005. Beneficiaries eligible for the credit must enroll in a Medicare-approved drug discount card plan by December 31, 2004 to receive the full \$1,200 credit. Enrollment after December 31, 2004 provides a prorated credit in 2005. Beneficiaries enrolled in State Pharmaceutical Assistance Programs (not Medicaid) are eligible for a Medicare-approved drug discount card and the transitional assistance credit.

Medicare Prescription Drug Benefit (Medicare Part D)

Beginning in January 2006, Medicare will begin to pay for outpatient prescription drugs through private plans under the new Part D. For more information, go to www.medicare.gov or call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

Medicare Program

Medicare is a federal health insurance program available to people 65 years of age or older, some persons with disabilities under the age of 65, and people with end-stage renal disease. There are two parts to Medicare—Part A and Part B. Part A is referred to as hospital insurance and helps pay for inpatient hospital care, as well as care in critical access hospitals, some skilled nursing facility care, hospice care, and some home health care. Part B is referred to as medical insurance and helps to pay for doctors' services, outpatient hospital care, medical supplies, and a variety of other health care services that are medically necessary. Certain preventive services may also be eligible for coverage. Enrollment in Part A is available to most senior citizens at no charge. Part B, however, must be purchased by paying a monthly premium of \$78.20 in 2005. It should be noted that under certain circumstances some individuals may have to pay more than this premium amount and in other cases the cost may be covered for certain recipients with Medicaid eligibility. Individuals may choose to receive their health care coverage from the original Medicare plan or from Medicare + Choice (i.e., a Medicare managed-care plan).

Medigap policies, otherwise known as Medicare supplemental insurance policies, are available for purchase from private insurance companies and may provide coverage for benefits that the original Medicare plan does not. You do not need to purchase a Medigap policy if you are enrolled in a Medicare Advantage. All Medigap policies are sold in ten standardized plans known as Plans A through J and each has a different set of benefits. Plan A covers only the basic (core) benefits, while Plans B through J cover basic and the offered extra benefits.

For further information about Medicare and Medigap policies, or to request and receive a variety of Medicare and related

booklets, call 1-800-MEDICARE (1-800-633-4227, TTY/TDD 1-877-486-2048 for the hearing and speech impaired) or access the Medicare website at www.medicare.gov. Individuals can also call the Medicare/Medicaid Assistance Program at 1-800-803-7174 to get help with their questions.

Medicaid Program

Medicaid, on the other hand, is funded by both the state and federal governments and helps needy individuals pay their medical bills, depending on their income, family size, and assets. This program may supplement Medicare services after Medicare coverage is exhausted and can also pick up co-insurance and/or deductibles for Medicare or other insurance. Medicaid is available to those who are eligible for Supplemental Security Income (SSI) or who are financially or medically needy. A senior with questions about Medicaid should call a local community health department. Further information about Medicaid can be obtained by calling 1-800-642-3195 or the Medicare/Medicaid Assistance Program at 1-800-803-7174.

Qualified Medicare Beneficiaries (QMB)

QMB (pronounced "Quimby") is a program for persons age 65 and older (or those under 65 who are disabled and on Medicare) who are eligible to receive Medicare Part A (Hospitalization) and/or Part B (Physician Services and Medical Equipment) who have resources and assets at or below the following levels:

2004 Income	Assets
Individual	
\$796 / month (\$9,552 / year)	\$4,000
Couple	
\$1,061 / month (\$12,732 / year)	\$6,000

6 Services for Seniors

This program provides government payment of Medicare Part B premiums of \$78.20 per month (\$938.40 per year); Medicare Part A and Part B deductibles of \$876 and \$110 per year, respectively; and substantial copayments for doctor bills, outpatient care, hospital stays over 60 days, and skilled nursing home care over 21 days.

A program, Specified Low-Income Medicare Beneficiaries, or SLMB (pronounced “Slimby”), is available for those with incomes and assets at or below the following levels:

2004 Income	Assets
<i>Individual</i>	
\$951 / month (\$11,412 / year)	\$4,000
<i>Couple</i>	
\$1,269 / month (\$15,228 / year)	\$6,000

QMB and SLMB are administered by the Michigan Department of Community Health. Persons interested in applying for QMB or SLMB coverage should contact their county Family Independence Agency (Department of Human Services).

Additional Low - Income Medicare Beneficiaries (ALMB)

ALMB pays Medicare Part B premiums for persons whose income is at least 120 percent of poverty but not more than 135 percent of poverty level. This federal benefit is funded by a block grant which is scheduled to expire on September 30, 2005. The program is available until the funds are exhausted.

2004 Income	Assets
<i>Individual</i>	
\$1,068 / month (\$12,816 / year)	\$4,000
<i>Couple</i>	
\$1,426 / month (\$17,112 / year)	\$6,000

The asset limit is \$4,000 for individuals and \$6,000 for couples. Local Family Independence Agency offices determine eligibility for benefits. The Department of Community Health determines if funds are available.

Michigan Medicare/Medicaid Assistance Program

Michigan MMAP is a statewide health insurance education counseling and assistance program which responds to the concerns of seniors regarding Medicare, Medicare Advantage, Medicaid, supplemental insurance, long-term care insurance, Medicare and Medicaid funds for long-term care, and other related benefit issues. Direct counseling services are provided by volunteers trained to help seniors understand the increasing complexities of health care coverage. Service is provided at senior citizen centers, churches, community centers, over the phone, and through home visits for those individuals with mobility limitations. Persons in need of assistance with their Medicare benefits or managed care, with problems enrolling in QMB or SLMB (see description of programs), and / or with understanding supplemental (Medigap) or long-term care insurance, should contact the MMAP toll-free at 1-800-803-7174.

Additional Programs

The State of Michigan further supplements federal funding of numerous services to aid in the health and well-being of senior citizens. These services include congregate meals, home-delivered meals, home health care, and staffing of senior centers. Over 12 million meals are provided to Michigan senior citizens annually. The Senior Nutrition Program provides meals in congregate settings such as churches or senior centers and, daily in the State of Michigan, the Home-Delivered Meals Program provides nutritious meals to more than 18,000 homebound senior citizens.

Food Assistance Program

The Food Assistance Program (formerly Food Stamp Program) is another means to help reduce the high cost of meals. Food Assistance benefits are used to buy food or seeds and plants to grow food. Electronic Benefit Transfer (EBT) is the way Michigan distributes Food Assistance benefits. Benefits are issued into a food account using electronic technology and a debit card known as the Michigan Bridge Card. The EBT card can be used at USDA-certified retailers with Point-of-Sale (POS) devices. Only the recipient and their authorized representative can access the EBT account. Many senior citizens are eligible for Food Assistance benefits which help low-income households buy proper food for good health. This program is administered through the Family Independence Agency (Department of Human Services) in cooperation with the U.S. Department of Agriculture. The following income deductions are allowed for households: a standard deduction, a 20 percent deduction from any earned income, a deduction for dependent care up to a set limit, a deduction for high shelter expenses, and a deduction for child support expenses. Households with anyone 60 years of age or older, with a member who receives Social Security Disability (SSD) or Supplemental Security Income (SSI), or with a disabled veteran can also claim monthly medical expenses exceeding \$35 for the senior and/or disabled veteran member of the household. For additional information on the Food Assistance Program, contact your local Family Independence Agency (Department of Human Services).

Additional Health Programs

Health maintenance and preservation are further promoted through various other state programs. As people grow older, they require increased medical and personal care assistance. The State of Michigan has

responded to these needs by providing help with homemaking, home health aides, personal and day care, and preventive services to assist seniors with substance abuse problems.

Nursing Facilities

Other important legislation that protects Michigan's senior population concerns nursing facilities. The law prohibits physical, mental, and emotional abuse, mistreatment, or harmful neglect of patients. It further establishes standards of care and provides for remedies and penalties for violations of the law. Especially important to seniors and their families are the law's provisions guarding a patient's rights. These safeguards include the right to appropriate care on a nondiscriminatory basis, the right to be informed of medical conditions and to refuse treatment, to send and receive mail unopened, to manage one's own financial affairs, to exercise one's rights as a citizen, to have visitors, and to retain personal belongings. Additionally, the Michigan Department of Community Health is empowered to impose certain sanctions if homes are judged substandard. Admissions or readmissions may be suspended, a nursing home's allowed capacity may be reduced, patients may be transferred to other homes, and nursing homes may be placed in receivership. The Department of Community Health may send correction notices to the nursing home licensee and the Family Independence Agency (Department of Human Services) specifying what must be done to remedy violations of the law.

State Long Term Care Ombudsman Program

The Long Term Care Ombudsman Program was created by the Older Americans Act and authorized by the Older Michiganians Act to address the quality of

8 Services *for* Seniors

care and quality of life experienced by residents of licensed nursing homes, homes for the aged, and adult foster care homes. Ombudsmen advocate on behalf of long-term care residents no matter what their age, diagnosis, or condition. Local ombudsmen work with individual residents and their families and friends to resolve problems and promote high-quality care. They provide a community presence by routinely visiting residents of long-term care facilities, explaining residents' rights, empowering residents to communicate their concerns individually or collectively, assisting in the resolution of resident concerns, promoting community education regarding long-term care, promoting best practices, and seeking solutions to identified problems within the long-term care system.

Local ombudsmen provide information regarding alternatives to long-term care facilities; issues in particular facilities; sources of payment for care services; and federal and state regulations regarding care.

Those needing ombudsman services should call 1-866-485-9393. In-state calls are automatically routed to the local ombudsman office closest to the caller. The State Long Term Care Ombudsman handles out of state calls and matters that are not resolved at the local level.

Respite Care

Respite refers to a short time of rest or relief. Respite care services allow a caregiver to take a break from day-to-day duties while the person in their care receives assistance from qualified individuals. There are many

different ways and settings in which respite care can be provided. Respite care can be very beneficial to the health and well being of the person providing care as well as the person needing care.

Respite care can be provided in-home or in other settings. In-home respite may be provided by an agency staff person or trained volunteer. Adult day care programs allow older adults to participate in social activities with others and have the benefit of varied recreational opportunities. Other types of respite include overnight respite, emergency respite, and extended respite of up to two weeks' duration.

Fees for respite care will vary. The ability to care for a more physically or cognitively impaired individual will also vary by provider. For more information, check: the Office of Services to the Aging website (www.MiSeniors.net); contact the local Area Agency on Aging; call the Michigan Helpline for Alzheimer's Disease (1-800-337-3827); or contact the Michigan Association of Adult Day Services (1-877-362-2322).

Care Management

Care Management is a program that locates, mobilizes, and manages a variety of home care and other services needed by persons 60 years of age or older at risk of nursing facility placement. An assessment is conducted to identify needs, and appropriate services are secured to enable the client to remain at home. Grants are made to the area agencies on aging which administer the program locally. Eligibility for Care

Information about nursing facility and other long-term care facility certification can be obtained from the Michigan Department of Community Health's Division of Nursing Home Monitoring at (517) 334-8408. Those wishing to know which nursing homes can accept Medicaid patients may contact a county Family Independence Agency (Department of Human Services).

Management services is based on an individual's functional limitations in performing daily living activities. There are no financial eligibility requirements, but a client may be asked to share in the cost of the program according to their ability to pay. An individual will not be denied services due to inability to pay.

Home and Community-Based Services Waiver Program

Available in all Michigan counties, the Home and Community-Based Services for the Elderly and Disabled Waiver Program, also known as MI Choice, provides individual assessment and coordination of services such as assistance with activities of daily living, home-

delivered meals, respite care, and other specialized services to the elderly and disabled adults (age 18 and older) who medically qualify for nursing facility placement but wish to continue living at home. Financial and medical eligibility requirements apply. A Medicaid-funded program, MI Choice is currently administered by waiver agents across the state. To access the program in your community, contact your local area agency on aging or visit the Michigan Department of Community Health web page: www.michigan.gov/mdch/. Click on “health care coverage” and then “services for seniors.”

Consumer Protection

Legislation

Consumer protection is a serious concern to all citizens, but particularly to the many senior citizens who have limited incomes and must live frugally in order to survive. The State of Michigan has enacted a considerable amount of legislation to ensure that people are not victimized by deception or fraud in purchasing goods and services.



The Michigan Consumer Protection Act (1976 PA 331) prohibits 33 unfair or deceptive trade methods, acts, or practices. Most importantly, however, it provides consumers, including senior citizens, with the opportunity to seek redress by filing a lawsuit in court or a complaint with the county prosecuting attorney or the state attorney general. The law further allows for an award of actual damages or \$250, whichever is greater, together with reasonable attorney's fees for a consumer who can prove violations of the law. Moreover, county prosecutors and the attorney general are empowered to conduct investigations, seek a subpoena through the courts, and bring legal action against those charged with deceptive trade practices.

In addition, the Pricing and Advertising of Consumer Items Act (1976 PA 449) requires, with certain exemptions, that retail merchandise be individually price-marked. It allows consumers to comparison shop more easily. It also provides a specific remedy for situations in which a price charged as a result of an identification or calculation by an automated checkout system exceeds the marked price.

Legal Assistance (Title III-B)

Legal assistance is also available to seniors 60 years of age and older through programs funded under the Older Americans Act. Services are targeted to seniors who are considered most economically and socially needy. Services include, at a minimum, representation, advice / counsel, and legal education. The Older Americans Act has established the following priorities for Title III-B legal services: income, health care, long-term care, nutrition, housing and utilities, defense of guardianship, abuse and neglect, and age discrimination. Priorities may vary between programs depending on staff expertise and contractual agreements with the area agency on aging they serve. There are no income eligibility guidelines or fees charged for services, however, donations are accepted. Seniors should contact their local area agency on aging for the nearest senior legal assistance program.

Legal Hotline for Michigan Seniors 1-800-347-5297

The Legal Hotline for Michigan Seniors, staffed by specially-trained attorneys, is available to all Michigan residents 60 years of age and older regardless of income. Hotline attorneys determine if callers have a legal problem, give free legal information over the phone, and provide brief service such as calling a third party or writing a letter to resolve a legal problem. Problems that cannot be resolved by the hotline are referred to legal aid organizations for low-income clients, legal assistance programs serving seniors, pro bono panels, or to a specially-created panel of attorneys in private practice who agree to charge reduced fees.

Additional information about consumer protection can be obtained by contacting the Michigan Department of the Attorney General's Consumer Protection Division toll-free at 1-877-765-8388, or by visiting the Attorney General's website (<http://www.michigan.gov/ag>).



Housing

Although most Michigan seniors own their own homes, it would be a mistake to assume that is the end of senior housing problems. Maintenance of the home, both physically and financially, presents a challenge that increases as the senior grows older. While all agree that most seniors prefer to remain in their homes, among friends and in familiar settings, rather than move to an apartment or institutional setting, it is sometimes difficult for a senior to continue to support the home. Both for homeowners and for renters, there is a range of options to allow seniors to live in an independent housing arrangement as long as possible.



The best single source of housing information for a senior is the “shelter advisor” network. These individuals, working mostly through your local area agency on aging, maintain up-to-date knowledge on a wide range of housing options and resources in your community. A list of local area agencies on aging begins on page 20.

Home Repair

To help with home repairs, loan and grant funds are available from a number of sources. Your local shelter advisor may know of resources through the local unit of government or neighborhood organization, the community action agency, the Michigan State Housing Development Authority (MSHDA), the Family Independence Agency (Department of Human Services) State Emergency Relief Program, or, in rural areas, the U.S. Department of Agriculture’s Rural Economic and Community Development Service.

Senior Residential Arrangements

Senior housing is an important issue, especially for older adults who are in need

of supervision or assistance with daily activities. Currently in Michigan, there are two licensed forms of residences: adult foster care homes and homes for the aged. Either of these settings may be called “assisted living.” Lists of adult foster care homes and homes for the aged are available on the Family Independence Agency (Department of Human Services) website: <http://michigan.gov/fia> (<http://michigan.gov/dhs>).

Unlicensed residential options exist and may also be called “assisted living.” Older adults are advised to read residential contracts carefully and to have a full understanding of costs and services before signing a contract. The Office of Services to the Aging web page has a checklist for consumers interested in assisted living: www.MiSeniors.net.

Rental Lease Breaking

Michigan law allows low-income senior citizens to terminate rental agreements if they qualify and are offered the opportunity for subsidized senior housing. Tenants who qualify must have occupied their rental unit for more than 13 months and must provide a 60-day written notice. The law also applies to tenants who can no longer live independently. To be released from rental agreements under these circumstances, a notarized statement from a physician is necessary.

Specific Legal Protections for Senior Housing

Seniors whose rental units are being converted to condominiums and seniors with disabilities living in rental units, including apartments and mobile home parks, are covered by special legislation. Contact the Michigan Office of Services to the Aging at (517) 373-8230 for details.



Transportation

For many elderly citizens, accessible and affordable public transportation means full mobility and access to services in the community. The lack of transportation, especially in rural areas, is a serious barrier that significantly affects the lifestyle of the elderly. Depending on geographical location and specific transportation needs, an elderly citizen can use either fixed-route bus service (designated routes with bus stops) or demand response bus service that provides curb-to-curb or door-to-door service with an advance reservation.



As of fiscal year 2004, there were 16 public transit agencies providing urban transportation in cities such as Detroit, Flint, and Lansing. In addition, 58 nonurban local systems provided valuable services to their residents. Many of Michigan's older adults and people with disabilities look to specialized services as a means of

transportation. One hundred and thirty-seven (137) private, nonprofit agencies were the recipients of state specialized services funds distributed throughout 56 counties and townships. In addition, the regional transportation program is designed to provide seamless transportation by facilitating travel across county lines in specific areas of the state. Many of the transportation services mentioned above provide transportation for the elderly to and from their homes to the nearest intercity rail or bus terminal.

For further information about public transportation availability, an elderly citizen should contact the local transit agency or seek advice from the area agency on aging serving his or her community. A listing of the state's public transit agencies can be obtained by calling the Michigan Department of Transportation (MDOT) at (517) 373-2835 or on their website at <http://www.mdot.state.mi.us/uptran/ptd/providers>.



Energy

In addition to Michigan's home heating credit, energy assistance is provided to low-income senior citizens through both federal and state funds. The State Emergency Relief Program helps low-income households with emergency heating assistance, as well as other non-heating energy needs that cause a threat to life or health. Eligibility is based on income, household assets, and the need for emergency service. For more information, contact your local Family Independence Agency (Department of Human Services) office, call the Home Heating Energy Assistance Hotline at 1-800-292-5650, or contact their website at <http://www.michigan.gov/heatingassistance>.

Certain utility companies also provide special services for senior citizens. The services may include winter shut-off protection, special rates, discounts on labor and diagnostic charges for appliance repairs, exemptions from late payment charges, free home energy analysis, and emergency fuse replacement. Other energy conservation programs are also available for residential customers. For more information concerning these services, check with your local utility company.





Senior Community Service Employment Program



Community service employment for mature Americans was initially authorized in 1973 under Title V of the Older Americans Act. The purpose of the program is to promote part-time public service and private-

sector employment opportunities for persons aged 55 and older who have low incomes, i.e., 125 percent of poverty level. In order to further the purpose and goals of the program, the Secretary of Labor is authorized to enter into agreements with national organizations and agencies of a state government. Not more than 90 percent of the cost of any project may be supported with federal funds. The remaining 10 percent must come from other sources.

Significantly, Senior Community Service Employment Program (SCSEP) projects contribute not only to the general welfare of communities, i.e., through public service in hospitals, schools, social service agencies, historical sites, etc., but also result in an increase in employment opportunities over and beyond what otherwise would be available. To the fullest extent possible, such projects provide training opportunities and community assignments for minorities, Indians, and limited English-speaking individuals in proportion to their total numbers in the state.

In addition to the grant to the Office of Services to the Aging, the United States Department of Labor funds seven national contractors in Michigan. They are:

- (1) Experience Works!
- (2) AARP Foundation
- (3) The U.S. Forest Service
- (4) The National Caucus and Center on Black Aged, Inc.

- (5) Senior Service America, Inc.
- (6) SER-Jobs for Progress, Inc.
- (7) The National Indian Council on Aging

For the 2004-05 program year, 2,005, positions were authorized for projects in Michigan. Twenty percent of the positions were administered through the grant to the Office of Services to the Aging. Projects are to cooperate in efforts to assure that the positions are distributed equitably to each county in the state.

The program is viewed as an employment and training program, through community service assignments. The United States Department of Labor has set an annual goal for Michigan to transition 23 percent of program participants into unsubsidized, private employment. The major focus of the program is giving participants the opportunity, through subsidized employment, to learn or regain skills that will make them marketable.

More than 53 percent of the Office of Services to the Aging SCSEP participants are placed in agencies that provide services to the mature population. The largest service area is Senior Center / Nutrition Programs. Senior center placements and nutrition service placements each comprise 13 percent of SCSEP assignments.

The United States Department of Labor / Office of Services to the Aging grant provides services through subcontracts. Each of the 13 participating area agencies on aging operate subprojects. They assist mature persons who are seeking employment through the One-Stop Career Centers. Information for job seekers and employers may be obtained by contacting the Office of Services to the Aging at 517-373-8230.



Money

Most senior citizens live on fixed incomes. Although many earn additional money by working, the majority receive financial support through such means as Social Security, pensions, Supplemental Security Income payments, veterans benefits, and personal savings.



The State of Michigan funds and administers five retirement plans. They include:

- (1) the Michigan Public School Employees Retirement System
- (2) the State Employees Retirement System
- (3) the Judges Retirement System
- (4) the State Police Retirement System
- (5) the Legislative Retirement System

These retirement systems are designed to provide employees or their beneficiaries with security in their senior years through a retirement income, as well as benefits for disabled employees. Information on state retirement plans may be obtained by contacting the Michigan Department of Management and Budget's Office of Retirement Systems, P.O. Box 30171, Lansing, MI 48909-7671, at (517) 322-5103 or 1-800-381-5111.

Individual Retirement Accounts

Another method that may be available to increase income for seniors is through savings accrued in individual retirement accounts (IRAs) for employed individuals and their spouses, which, under certain

conditions, are tax deductible until they are withdrawn at age 59-1/2 or older. Moreover, the Federal Taxpayer Relief Act of 1997 expanded the types of IRAs available for savings.

Senior Discount Programs

Senior discount programs, operated by many service provider organizations, are yet other means for stretching limited incomes. Numerous benefits are available to resident seniors when they apply for certain licenses. Persons 65 years and older are eligible for free identification cards issued by the Michigan Department of State. Additionally, a person in this age bracket is currently charged a reduced rate for certain hunting and fishing licenses. The senior license discount lowers regular license fees for a small game license, firearm deer license, archery deer license, bear hunting license, wild turkey hunting license, fur harvester's license, restricted fishing license, or all-species fishing license fees by 60 percent. The senior annual state park permit fee is one fourth the amount of the annual park permit.

Direct Deposit of Social Security Payments

One of the conveniences offered to senior citizens is direct deposit of Social Security payments. Each month your whole check may be deposited automatically with your financial institution. In addition, you can designate that the funds be placed in either your checking or savings account.

This service is offered to people with a savings or checking account in a bank, savings and loan, or federal- or state-chartered credit union. The United States

government will forward payments to the institution you specify and authorizes deposits but not withdrawals. You can take advantage of this type of deposit if you receive Social Security payments, Supplemental Security Income payments, or Coal Miners' Health Benefit payments.

Direct deposit is a security measure as well as a convenience. Many people in areas with a high crime rate prefer using the direct deposit service. The service helps to protect the intended deposit and the depositor from theft.

For further information, contact your local bank or credit union. You may also contact the Social Security Administration toll-free, at 1-800-772-1213.

Direct Deposit of Income Tax Refunds

In Michigan, most taxpayers have the option of having their income tax refund deposited directly into their bank accounts. To have your refund deposited directly into the U.S. financial institution of your choice, attach the Direct Deposit of Refund form 3174 to your MI-1040 tax form. If you are not filing a MI-1040, attach the form to your property tax credit claim (MI-1040CR or MI-1040CR2) or your home heating credit claim (MI-1040 CR-7). Do not request direct

deposit if you are filing a home heating credit claim from which an energy draft will be issued.

Some taxpayers may not be eligible for direct deposit. If for some reason the Department of Treasury cannot deposit your refund directly, they will send you a check. When requesting direct deposit, be sure that your financial institution will accept direct deposit, that the name(s) on the return match the name(s) on the bank account, and that your account number and routing transit number are correct.

At the federal level, the IRS offers direct deposit of tax refunds on electronic filing returns and TeleFile returns. Direct deposit is also available on paper forms 1040, 1040PC, 1040NR, 1040A, and 1040EZ. Request direct deposit on nonelectronic returns by filling out the requested information (routing transit number, bank account number, and account type) in the refund area of the return.

Direct deposit refunds offer taxpayers many advantages over a refund check, including speed, security, and convenience. Direct deposit refunds are also less expensive for the government to issue than paper checks. Taxpayers selecting the direct deposit option will be helping to hold down the cost of government.

Personal Needs

Personal relationships change as we grow older and this is especially true for senior citizens. Some seniors may find themselves subject to abuse or exploitation. Solving these problems is often difficult, but two Michigan laws can help.



A remedy for abuse of senior citizens is provided by 1982 PA 519. This law requires human services providers to report to the Michigan Family Independence Agency (Department of Human Services) any suspected incidents of abuse, neglect, exploitation, or endangerment involving an adult. This legislation was strengthened by the enactment of 1990 PA 122, which

established a measure by which the caretaker of an abused adult could be held accountable for abusing an adult for whom he or she is responsible. Moreover, this 1990 law requires county Family Independence Agencies (County Departments of Human Services) to collaborate with appropriate local substance abuse agencies in cases where the abuse, neglect, or exploitation of an adult involves substance abuse.

Another set of laws, highly beneficial to many seniors, passed when the Michigan Estates and Protected Individuals Code was amended in 2000 by a comprehensive package of legislation to protect those persons served by guardians. These laws (2000 PAs 463-469), in part, offer alternatives to full guardianship, require minimum visitation schedules, and provide certain protections against unapproved actions taken in regard to a ward's property.

Volunteer Programs

Retired and Senior Volunteer Program

The Retired and Senior Volunteer Program (RSVP) offers senior citizens a meaningful life in retirement through volunteer service that is responsive to community needs.

RSVP provides opportunities for persons age 55 and older to serve on a regular basis in a variety of settings throughout their communities. RSVP is available in 40 of Michigan's 83 counties. RSVP functions under the auspices of an established community service organization with funding, support, and technical assistance from the Corporation for National Service, the State of Michigan, and the local community. Senior volunteers serve without compensation, but may be reimbursed for such expenses as transportation and meals. Insurance protection is provided to volunteers while on assignment. Contact the Michigan Office of Services to the Aging at (517) 373-8230 for additional information.



Foster Grandparent Program

The Foster Grandparent Program (FGP) offers low-income men and women age 60 and older the opportunity to provide

companionship and guidance to children with special and exceptional needs. Volunteers serve on average 20 hours per week and, in return, receive a modest tax-free stipend to cover the cost of volunteering, accident and liability insurance, assistance with transportation, an annual physical examination, training, and a meal on service days. Potential volunteers must have income at or below the established guidelines to be eligible for the FGP. Fifty-nine of Michigan's 83 counties are served by FGP. Contact the Michigan Office of Services to the Aging at (517) 373-8230 for additional information.

Senior Companion Program

The Senior Companion Program (SCP) offers low-income men and women age 60 and older the opportunity to provide individualized care and assistance to other adults, especially seniors living at home or in institutions. Senior companions serve an average of 20 hours per week and, in return, receive a modest tax-free stipend to cover the cost of volunteering, accident and liability insurance, assistance with transportation, an annual physical examination, training, and a meal on service days. Potential volunteers must have income at or below the established guidelines to be eligible for the SCP. Forty-seven of Michigan's 83 counties are served by SCP. Contact the Michigan Office of Services to the Aging at (517) 373-8230 for additional information.



Agencies of Government Which Assist Seniors

The Michigan Office of Services to the Aging (OSA) is the lead agency in state government for services for older adults. Although numerous state departments have programs aimed at assisting older adults, OSA's enabling legislation, the federal Older Americans Act of 1965 as revised and the Older Michiganians Act (PA 180 of 1981), gives OSA a clear mandate for providing services to and advocating on behalf of older adults.

In 1965, the Older Americans Act passed Congress, creating the Administration on Aging as a federal unit and requiring states to designate state units on aging. With federal funds for services to older adults becoming available, a national structure was created, tying local aging, state departments, and federal programs together. The Michigan Office of Services to the Aging was created in 1973 PA 106. Through various statutes, the Office of Services to the Aging has moved from the governor's office to state departments. In 1981 PA 180, the Older Michiganians Act made advocacy and administering state and federal programs serving older adults a primary responsibility of the Office of Services to the Aging, the Commission on Services to the Aging, and the area agencies on aging designated by the commission. Executive Order No. 1997-5 moved the office to the Michigan Department of Community Health as a Type 1 agency.

The office receives federal funds for services designated by the Older Americans Act and the Administration on Aging. In addition, the office administers federal senior volunteer programs, such as the Foster Grandparent and Senior Companion programs. State funds are allocated to the office for service priorities such as nutrition programs and respite care service. The office of

Services to the Aging is responsible for the creation, coordination, and administration of service plans, monitoring the performance of the 16 area agencies on aging, and advocating on behalf of older adults with all levels of government and private and public agencies.

The Commission on Services to the Aging consists of 15 members appointed by the governor with the advice and consent of the Senate. The commission's responsibilities include advocacy for older adults; review and approval of grants administered by the office of Services to the Aging; designation of planning and service areas and area agencies on aging within the service areas; and participation and approval of the annual state plan as required by the Older Americans Act of 1965.

Further information about the office, the commission, and their functions and resources for older adults and their families can be obtained by contacting the office of Services to the Aging at 517-373-8230 and at the OSA website: www.MiSeniors.net.



Area Agencies on Aging

At the local level, area agencies on aging, which are authorized by both the federal and state government, are designated by the Commission on Services to the Aging to serve the needs of senior citizens within specified planning and service areas. There are now 16 such area agencies on aging in Michigan to serve as focal points for community services and programs for senior citizens. These agencies are particularly helpful to seniors in need of information about services available to them in their local communities. They are as follows:

Detroit Area Agency on Aging

1333 Brewery Park Boulevard
Suite 200

Detroit, Michigan 48207

Phone: (313) 446-4444

Fax: (313) 446-4445

www.daaa1a.org

Serves: Cities of Detroit, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Shores, Grosse Pointe Woods, Hamtramck, Harper Woods, Highland Park

Area Agency on Aging 1-B

29100 Northwestern Highway, Suite 400

Southfield, Michigan 48034

Phone: (248) 357-2255 or 1-800-852-7795

TDD: (248) 263-1455

Fax: (248) 948-9691

www.aaal1b.com

Serves: Counties of Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw

Region 1-C

The Senior Alliance, Inc.

3850 Second Street, Suite 201

Wayne, Michigan 48184

Phone: (734) 722-2830 or 1-800-815-1112

Fax: (734) 722-2836

www.aaa1c.org

Serves: All of Wayne County excluding those communities served by the Detroit Agency on Aging

Region II Area Agency on Aging

8363 U.S. Highway 12

Onsted, Michigan 49265

Phone: (517) 467-2204 or 1-800-335-7881

Fax: (517) 467-9113

www.r2aaa.org

Serves: Counties of Hillsdale, Jackson, Lenawee

Region III-A Kalamazoo County Human Services Department

Older Adult Services

3299 Gull Road

Kalamazoo, Michigan 49001-1295

Phone: (269) 373-5147

Fax: (269) 373-5109

www.kalcounty.com/aaa

Serves: Kalamazoo County

Region III-B Area Agency on Aging

Senior Resources of Southwest Michigan

200 West Michigan Avenue, Suite 100

Battle Creek, Michigan 49017

Phone: (269) 966-2475 or 1-800-626-6719

Fax: (269) 966-2493

Serves: Counties of Barry, Calhoun

Region III-C Branch-St. Joseph Area Agency on Aging

Branch-Hillsdale-St. Joseph District Health
Department

570 Marshall Road

Coldwater, Michigan 49036

Phone: (517) 279-9561 or 1-888-615-8009

Fax: (517) 278-2923

www.bhsj.org/aaa

Serves: Counties of Branch, St. Joseph

Region IV Area Agency on Aging, Inc.

2900 Lakeview Avenue

St. Joseph, Michigan 49085

Phone: (269) 983-7058 or 1-800-442-2803

Fax: (269) 983-7879

www.region-iv.org

Serves: Counties of Berrien, Cass, Van Buren

Valley Area Agency on Aging

711 North Saginaw, Suite 111
Flint, Michigan 48503
Phone: (810) 239-7671 or 1-800-978-6275
Fax: (810) 239-8869

www.valleyaaa.org

Serves: Counties of Genesee, Lapeer, Shiawassee

Region VI Tri-County Office on Aging

5303 S. Cedar Street, Building No. 1
Lansing, Michigan 48911-3800
Phone: (517) 887-1440 or 1-800-405-9141
Fax: (517) 887-8071

www.tcoa.org

Serves: Counties of Clinton, Eaton, Ingham

Region VII Area Agency on Aging

1615 South Euclid Avenue
Bay City, Michigan 48706
Phone: (989) 893-4506 or 1-800-858-1637
Fax: (989) 893-2651

www.region7aaa.org

Serves: Counties of Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Saginaw, Sanilac, Tuscola

***Area Agency on Aging
of Western Michigan, Inc.***

1279 Cedar Street, N.E.
Grand Rapids, Michigan 49503-1378
Phone: (616) 456-5664 or 1-888-456-5664
Fax: (616) 456-5692

www.aaawm.org

Serves: Counties of Allegan, Ionia, Kent, Lake, Mason, Mecosta, Montcalm, Newaygo, Osceola

Region IX Area Agency on Aging

Northeast Michigan Community
Service Agency, Inc.
2375 Gordon Road
Alpena, Michigan 49707
Phone: (989) 356-3474 or 1-800-219-2273
Fax: (989) 354-6604

www.nemcsa.org

Serves: Counties of Alcona, Alpena, Arenac, Cheboygan, Crawford, Iosco, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon

***Area Agency on Aging
of Northwest Michigan***

Northwest Senior Resources, Inc.
1609 Park Drive
P.O. Box 5946
Traverse City, Michigan 49696
Phone: (231) 947-8920 or 1-800-442-1713
Fax: (231) 947-6401

Serves: Counties of Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska, Leelanau, Manistee, Missaukee, Wexford

Region XI Area Agency on Aging

UPCAP Services, Inc.
2501 14th Avenue, South
P.O. Box 606
Escanaba, Michigan 49829
Phone: (906) 786-4701 or 1-800-338-7227
Fax: (906) 786-5853

www.upcapservices.com

Serves: Counties of Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft

***Region XIV Senior Resources
of West Michigan***

255 West Sherman Boulevard
Muskegon Heights, Michigan 49444
Phone: (231) 739-5858 or 1-800-442-0054
Fax: (231) 739-4452

www.seniorresources.us

Serves: Counties of Muskegon, Oceana, Ottawa

*The information in this publication is available,
upon request, in an alternative, accessible format.*
