

113TH CONGRESS  
2D SESSION

# H. R. 4122

To reauthorize the Older Americans Act of 1965, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2014

Ms. BONAMICI (for herself, Mr. HINOJOSA, and Mr. GEORGE MILLER of California) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To reauthorize the Older Americans Act of 1965, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Older Americans Act  
5       Reauthorization Act of 2014”.

6       **SEC. 2. OBJECTIVES.**

7       Section 101 of the Older Americans Act of 1965 (42  
8       U.S.C. 3001) is amended—

9               (1) by amending paragraph (1) to read as fol-  
10       lows:

1           “(1) An adequate income and economic security  
2           in later life in accordance with the American stand-  
3           ard of living.”;

4           (2) in paragraph (4), by inserting “care coordi-  
5           nation and” after “including”;

6           (3) in paragraph (8), by inserting “and sup-  
7           ports, offered in a culturally and linguistically com-  
8           petent manner” after “community services,”;

9           (4) by striking paragraphs (9) and (10) and in-  
10          serting the following:

11          “(9) Immediate benefit from proven research  
12          knowledge which can sustain and improve health,  
13          happiness, and economic security.

14          “(10) Freedom, independence, economic secu-  
15          rity, and the free exercise of individual initiative for  
16          older individuals in planning and managing their  
17          own lives, full participation in the planning and op-  
18          eration of community-based services and programs  
19          provided for their benefit, and protection against  
20          abuse, neglect, and exploitation.”; and

21          (5) by adding at the end the following:

22          “(11) Acquiring high-quality services in a man-  
23          ner that is culturally and linguistically responsive to  
24          older individuals and family caregivers.”.

1 **SEC. 3. DEFINITIONS.**

2 Section 102 of the Older Americans Act of 1965 (42  
3 U.S.C. 3002) is amended—

4 (1) by striking paragraph (1) and inserting the  
5 following:

6 “(1) The term ‘abuse’ means the knowing in-  
7 fliction of physical or psychological harm or the  
8 knowing deprivation of goods or services that are  
9 necessary to meet essential needs or to avoid phys-  
10 ical or psychological harm.”;

11 (2) by striking paragraph (3) and inserting the  
12 following:

13 “(3) The term ‘adult protective services’ means  
14 such services provided to adults as the Secretary  
15 may specify and includes services such as—

16 “(A) receiving reports of adult abuse, ne-  
17 glect, or exploitation;

18 “(B) investigating the reports described in  
19 subparagraph (A);

20 “(C) case planning, monitoring, evaluation,  
21 and other casework and services; and

22 “(D) providing, arranging for, or facili-  
23 tating the provision of medical, social service,  
24 economic, legal, housing, law enforcement, or  
25 other protective, emergency, or support serv-  
26 ices.”;

1           (3) by striking paragraph (4) and inserting the  
2           following:

3           “(4) The term ‘Aging and Disability Resource  
4           Center’ means an entity, network, or consortium es-  
5           tablished by a State as part of the State system of  
6           long-term care, to provide a coordinated and inte-  
7           grated system for older individuals and individuals  
8           with disabilities (as defined in section 3 of the Amer-  
9           icans with Disabilities Act of 1990 (42 U.S.C.  
10          12102)), and the caregivers of older individuals and  
11          individuals with disabilities, that provides—

12                 “(A) comprehensive information on the full  
13                 range of available public and private long-term  
14                 care programs, options, service providers, and  
15                 resources within a community, including infor-  
16                 mation on the availability of integrated long-  
17                 term care services, and Federal or State pro-  
18                 grams that provide long-term care services and  
19                 supports through home and community-based  
20                 service programs;

21                 “(B) person-centered counseling to assist  
22                 individuals in assessing their existing or antici-  
23                 pated long-term care needs and goals, and de-  
24                 veloping and implementing a person-centered  
25                 plan for long-term care that is consistent with

1 the desires of such an individual and designed  
2 to meet the individual's specific needs, goals,  
3 and circumstances;

4 “(C) access for individuals to the full  
5 range of publicly-supported long-term care serv-  
6 ices and supports for which the individuals may  
7 be eligible, including home and community-  
8 based service options, by serving as a conven-  
9 ient point of entry for such programs and sup-  
10 ports; and

11 “(D) in cooperation with area agencies on  
12 aging, centers for independent living described  
13 in part C of title VII of the Rehabilitation Act  
14 of 1973 (29 U.S.C. 796f et seq.), and other  
15 community-based entities, information and re-  
16 ferrals regarding available home and commu-  
17 nity-based services for individuals who are at  
18 risk for residing in, or who reside in, institu-  
19 tional settings, so that the individuals have the  
20 choice to remain in or to return to the commu-  
21 nity.”;

22 (4) in paragraph (14)(B), by inserting “oral  
23 health,” after “bone density,”;

24 (5) by amending paragraph (17) to read as fol-  
25 lows:

1 “(17) The term ‘elder justice’ means—

2 “(A) from a societal perspective, efforts  
3 to—

4 “(i) prevent, detect, treat, intervene  
5 in, and prosecute elder abuse, neglect, and  
6 exploitation; and

7 “(ii) protect older individuals with di-  
8 minished capacity while maximizing their  
9 autonomy; and

10 “(B) from an individual perspective, the  
11 recognition of an older individual’s rights, in-  
12 cluding the right to be free of abuse, neglect,  
13 and exploitation.”;

14 (6) in paragraph (18)(A), by striking “term ‘ex-  
15 ploitation’ means” and inserting “terms ‘exploit-  
16 ation’ and ‘financial exploitation’ mean”;

17 (7) in paragraph (24)—

18 (A) in subparagraph (B), by striking  
19 “and” at the end;

20 (B) in subparagraph (C), by striking the  
21 period at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(D) status as an LGBT individual.”;

24 (8) by redesignating paragraphs (34) through  
25 (54) as paragraphs (36) through (56), respectively;

1           (9) by redesignating paragraphs (13) through  
 2           (33) as paragraphs (14) through (34), respectively;  
 3           (10) by inserting after paragraph (12) the fol-  
 4           lowing:

5           “(13) The term ‘cultural and linguistic com-  
 6           petence’ means competence in a set of behaviors, at-  
 7           titudes, and policies that—

8                   “(A) is used by an organization or among  
 9                   professionals; and

10                   “(B) enables effective work in cross-cul-  
 11                   tural situations.”; and

12           (11) by inserting after paragraph (34), as so  
 13           redesignated the following:

14           “(35) The term ‘LGBT’, used with respect to  
 15           an individual, means a lesbian, gay, bisexual, or  
 16           transgender individual.”.

17 **SEC. 4. ADMINISTRATION ON AGING.**

18           (a) BEST PRACTICES.—Section 201 of the Older  
 19           Americans Act of 1965 (42 U.S.C. 3011) is amended—

20                   (1) in subsection (d)(3)—

21                           (A) in subparagraph (J), by inserting be-  
 22                           fore the semicolon the following: “, including  
 23                           the effectiveness of such services in meeting the  
 24                           needs of LGBT older individuals”;

1 (B) in subparagraph (K), by striking  
2 “and” at the end;

3 (C) in subparagraph (L)—

4 (i) by striking “Older Americans Act  
5 Amendments of 1992” and inserting  
6 “Older Americans Act Reauthorization Act  
7 of 2014”; and

8 (ii) by striking “712(h)(4).” and in-  
9 serting “712(h)(5); and”; and

10 (D) by adding at the end the following:

11 “(M) collect and analyze best practices related  
12 to responding to elder abuse, neglect, and exploi-  
13 tation in long-term care facilities, and publish a re-  
14 port of such best practices.”; and

15 (2) in subsection (e)(2)—

16 (A) in the matter preceding subparagraph  
17 (A), by inserting “, and in coordination with  
18 the heads of State adult protective services pro-  
19 grams and the Director of the Office of Long-  
20 Term Care Ombudsman Programs” after “and  
21 services”; and

22 (B) in subparagraph (A)(iv) by inserting  
23 “(including data and statistics on the incidence  
24 and prevalence of elder abuse, neglect, and ex-  
25 ploitation)” after “exploitation”.



1 (b) FUNCTIONS OF ASSISTANT SECRETARY.—Section  
2 202 of the Older Americans Act of 1965 (42 U.S.C. 3012)  
3 is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (5), by inserting “health  
6 and economic” before “needs of older individ-  
7 uals”;

8 (B) in paragraph (7), by inserting “health  
9 and economic” before “welfare”;

10 (C) in paragraph (14), by inserting “(in-  
11 cluding the Health Resources and Services Ad-  
12 ministration)” after “other agencies”;

13 (D) by amending paragraph (15) to read  
14 as follows:

15 “(15)(A) as needed, provide technical assist-  
16 ance, training through training packages, and other  
17 forms of instruction to entities consisting of State  
18 agencies, area agencies on aging, service providers,  
19 and community-based organizations, to ensure that  
20 the entities develop and implement, in a culturally  
21 and linguistically competent manner, programming,  
22 services, and outreach for older individuals with  
23 greatest economic need and older individuals with  
24 greatest social need, with particular attention to and  
25 specific objectives for providing services to low-in-

1 come minority individuals and older individuals re-  
2 siding in rural areas; and

3 “(B) consult with national and community-  
4 based organizations representing minority individ-  
5 uals to develop the capacity of the Administration to  
6 provide such technical assistance, training, and in-  
7 struction.”;

8 (E) in paragraph (16)(A)(ii), by inserting  
9 “, and separately specifying the number of such  
10 individuals who are LGBT individuals” before  
11 the semicolon;

12 (F) in paragraph (27), by striking “and”  
13 at the end;

14 (G) in paragraph (28), by striking the pe-  
15 riod and inserting a semicolon; and

16 (H) by adding at the end the following:

17 “(29) provide information and technical assist-  
18 ance to States, area agencies on aging, and service  
19 providers, in collaboration with relevant Federal  
20 agencies, on providing efficient, person-centered  
21 transportation services, including across geographic  
22 boundaries;

23 “(30) identify model programs and provide in-  
24 formation and technical assistance to States, area  
25 agencies on aging, and service providers (including

1 providers operating multipurpose senior centers), to  
2 support the modernization of multipurpose senior  
3 centers;

4 “(31) provide technical assistance to and share  
5 best practices with States, area agencies on aging,  
6 and Aging and Disability Resource Centers, on how  
7 to collaborate and coordinate services with health  
8 care entities, such as Federally-qualified health cen-  
9 ters, as defined in section 1905(l)(2)(B) of the So-  
10 cial Security Act (42 U.S.C. 1396d(l)(2)(B)), in  
11 order to improve care coordination for individuals  
12 with multiple chronic illnesses;

13 “(32) conduct studies and collect data to deter-  
14 mine the services that are needed by LGBT older in-  
15 dividuals; and

16 “(33) ensure through regulation (or other com-  
17 munications with programs carried out under this  
18 Act) and through oversight that all programs funded  
19 through this Act where staff, including volunteers,  
20 come into direct contact with older adults, have re-  
21 ceived appropriate training in elder abuse prevention  
22 and detection, and to regularly evaluate the need for  
23 and benefit of such training related to abuse, ne-  
24 glect, and exploitation of older adults.”;

25 (2) in subsection (b)—

1 (A) in paragraph (5)—

2 (i) in subparagraph (B), by striking  
3 “and” after the semicolon;

4 (ii) in subparagraph (C), by inserting  
5 “and” after the semicolon; and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(D) when feasible, developing, in con-  
9 sultation with States and national organiza-  
10 tions, a consumer-friendly tool to assist older  
11 individuals and their families in choosing home  
12 and community-based services, with a particular  
13 focus on ways for consumers to assess how pro-  
14 viders protect the health, safety, welfare, and  
15 rights, including the rights provided under sec-  
16 tion 314, of older individuals;”; and

17 (B) in paragraph (8)—

18 (i) in subparagraph (B), by inserting  
19 “to identify and articulate goals of care  
20 and” after “individuals”;

21 (ii) in subparagraph (D)—

22 (I) by inserting “respond to or”  
23 before “plan”; and

1 (II) by striking “future long-term  
2 care needs; and” and inserting “long-  
3 term care needs;”;

4 (iii) in subparagraph (E), by adding  
5 “and” at the end; and

6 (iv) by adding at the end the fol-  
7 lowing:

8 “(F) to provide information and referrals  
9 regarding available home and community-based  
10 services for individuals who are at risk for re-  
11 siding in, or who reside in, institutional set-  
12 tings, so that the individuals have the choice to  
13 remain in or to return to the community;”; and  
14 (3) by adding at the end the following:

15 “(g) The Assistant Secretary shall ensure, where ap-  
16 propriate, that all programs funded under this Act include  
17 appropriate training in the prevention of abuse, neglect,  
18 and exploitation and provision of services that address  
19 elder justice and the exploitation of older individuals.

20 “(h)(1) The Assistant Secretary shall establish and  
21 operate a National Resource Center for Women and Re-  
22 tirement (referred to in this subsection as the ‘Center’).

23 “(2) The Assistant Secretary shall make available to  
24 the Center such resources as are necessary for the Center  
25 to carry out effectively the functions of the Center under

1 this Act, which shall be an amount not less than \$279,000  
2 for fiscal year 2014. In subsequent fiscal years, the Assist-  
3 ant Secretary shall make available to the Center not less  
4 than the amount of resources made available to the Center  
5 under this paragraph for fiscal year 2014.

6 “(i) The Assistant Secretary shall, directly or by  
7 grant or contract, establish and operate a National Adult  
8 Protective Services Resource Center.

9 “(j)(1) The Assistant Secretary shall, directly or by  
10 grant or contract, establish and operate the National Re-  
11 source Center on Lesbian, Gay, Bisexual, and  
12 Transgender Aging.

13 “(2) The Assistant Secretary shall develop and issue  
14 operating standards and reporting requirements for the  
15 Center established under paragraph (1).

16 “(3) The Assistant Secretary shall make available to  
17 the Center such resources as are necessary for the Center  
18 to carry out effectively the functions of the Center under  
19 this Act for fiscal year 2014. In subsequent fiscal years,  
20 the Assistant Secretary shall make available to the Center  
21 not less than the amount of resources made available to  
22 the Center under this paragraph for fiscal year 2014.”.

23 (c) REPORTS.—Section 207 of the Older Americans  
24 Act of 1965 (42 U.S.C. 3018) is amended—

1 (1) in subsection (a)(3), by inserting “LGBT  
2 individuals,” after “low-income individuals,”;

3 (2) in subsection (c)—

4 (A) in paragraph (1), by inserting “, and  
5 separately specify the number of such individ-  
6 uals who are LGBT individuals” before the  
7 semicolon;

8 (B) by redesignating paragraphs (4) and  
9 (5) as paragraphs (5) and (6), respectively; and

10 (C) by inserting after paragraph (3) the  
11 following:

12 “(4) the effectiveness of such activities in as-  
13 sisting LGBT individuals;”; and

14 (3) by adding at the end the following:

15 “(d) The Assistant Secretary shall ensure that—

16 “(1) no individual will be required to provide in-  
17 formation regarding the sexual orientation or gender  
18 identity of the individual as a condition of partici-  
19 pating in activities or receiving services under this  
20 Act; and

21 “(2) no agency or other entity providing activi-  
22 ties or services under this Act, that receives, for the  
23 purposes of this Act, information regarding the sex-  
24 ual orientation or gender identity of an individual

1 will disclose the information in any form that would  
2 permit such individual to be identified.

3 “(e) The Assistant Secretary shall develop appro-  
4 priate protocols, demonstrations, tools, or guidance for use  
5 by State agencies and area agencies on aging, to ensure  
6 successful implementation of data collection requirements  
7 under section 201(d)(3)(J), paragraphs (16)(A)(ii) and  
8 (29) of section 202(a), subsections (a)(3), (c)(1), and  
9 (c)(4), and section 307(a)(6), relating to LGBT individ-  
10 uals.

11 “(f) The Assistant Secretary shall determine when  
12 such data collection requirements shall apply, taking into  
13 consideration the complexity and importance of each re-  
14 quirement, but each requirement shall apply not later than  
15 1 year after the date of enactment of the Older Americans  
16 Act Reauthorization Act of 2014.”.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
18 216 of the Older Americans Act of 1965 (42 U.S.C.  
19 3020f) is amended—

20 (1) in subsection (a), by striking “2007, 2008,  
21 2009, 2010, and 2011” and inserting “2014, 2015,  
22 2016, 2017, and 2018”;

23 (2) in subsection (b)—

24 (A) by striking “202(a)(24)” and inserting  
25 “202(a)(21)”; and



1 (B) by striking “2007, 2008, 2009, 2010,  
 2 and 2011” and inserting “2014, 2015, 2016,  
 3 2017, and 2018”; and

4 (3) in subsection (c), by striking “2007, 2008,  
 5 2009, 2010, and 2011” and inserting “2014, 2015,  
 6 2016, 2017, and 2018”.

7 (e) ADVISORY COMMITTEE TO ASSESS, COORDINATE,  
 8 AND IMPROVE LEGAL ASSISTANCE ACTIVITIES.—

9 (1) ADVISORY COMMITTEE.—Title II of the  
 10 Older Americans Act of 1965 (42 U.S.C. 3011–  
 11 3020f) is amended—

12 (A) by redesignating section 216 as section  
 13 217; and

14 (B) by inserting after section 215 the fol-  
 15 lowing:

16 **“SEC. 216. ADVISORY COMMITTEE TO ASSESS, COORDI-**  
 17 **NATE, AND IMPROVE LEGAL ASSISTANCE AC-**  
 18 **TIVITIES.**

19 “(a) ESTABLISHMENT.—There is established an Ad-  
 20 visory Committee to Assess, Coordinate, and Improve  
 21 Legal Assistance Activities (referred to in this section as  
 22 the ‘Committee’).

23 “(b) MEMBERSHIP; DUTIES.—The Assistant Sec-  
 24 retary shall appoint members to the Committee and deter-

1 mine the activities of the Committee (which shall include  
2 the study and report described in subsection (c)).

3 “(c) STUDY; REPORT.—The Committee shall conduct  
4 a study on the legal services activities assistance system  
5 for older individuals. Not later than 1 year after the date  
6 of the establishment of the Committee, the Committee  
7 shall submit to the President, Congress, and the Assistant  
8 Secretary a report that contains a detailed statement of  
9 the findings and conclusions of such study, including the  
10 Committee’s recommendations improving the legal services  
11 activities assistance system for older individuals.

12 “(d) REGULATIONS.—Not later than 180 days after  
13 receiving the report described in subsection (c), the Assist-  
14 ant Secretary shall issue regulations or guidance taking  
15 into consideration the recommendations of the Committee.

16 “(e) DEFINITION.—In this subsection, the term ‘legal  
17 assistance activities’ includes—

18 “(1) legal assistance made available to older in-  
19 dividuals with greatest economic need or with great-  
20 est social need;

21 “(2) activities of the National Legal Resource  
22 Center carried out under section 420(a);

23 “(3) State legal assistance developer activities  
24 carried out under section 731; and

1           “(4) any other directly related activity or pro-  
 2           gram as determined appropriate by the Assistant  
 3           Secretary.”.

4           (2) CONFORMING AMENDMENT.—Section 215(j)  
 5           of the Older Americans Act of 1965 (42 U.S.C.  
 6           3020e–1(j)) is amended by striking “section 216”  
 7           and inserting “section 217”.

8           (3) AUTHORIZATION OF APPROPRIATIONS.—  
 9           Section 217 of the Older Americans Act of 1965 (42  
 10          U.S.C. 3020f), as so redesignated by subsection (c),  
 11          is amended by adding at the end the following:

12          “(d) ADVISORY COMMITTEE TO ASSESS, COORDI-  
 13          NATE, AND IMPROVE LEGAL ASSISTANCE ACTIVITIES.—  
 14          There is authorized to be appropriated to carry out section  
 15          216 \$300,000 for each of the fiscal years 2014, 2015,  
 16          2016, 2017, and 2018.”.

17       **SEC. 5. STATE AND COMMUNITY PROGRAMS ON AGING.**

18          (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
 19          303 of the Older Americans Act of 1965 (42 U.S.C. 3023)  
 20          is amended—

21               (1) in subsection (a)(1), by striking “fiscal  
 22               years 2007” and all that follows and inserting “each  
 23               of the fiscal years 2014 through 2018.”;

24               (2) in subsection (b)—

1 (A) in paragraph (1), by striking “fiscal  
2 years 2007” and all that follows and inserting  
3 “each of the fiscal years 2014 through 2018.”;  
4 and

5 (B) in paragraph (2), by striking “fiscal  
6 years 2007” and all that follows and inserting  
7 “each of the fiscal years 2014 through 2018.”;

8 (3) in subsection (d), by striking “fiscal years  
9 2007” and all that follows and inserting “each of  
10 the fiscal years 2014 through 2018.”; and

11 (4) in subsection (e)(2), by striking “2011” and  
12 inserting “2011 and each of the fiscal years 2014  
13 through 2018”.

14 (b) CONFORMING AMENDMENT.—Section 304(b) of  
15 the Older Americans Act of 1965 (42 U.S.C. 3024(b)) is  
16 amended by striking “subpart 1 of”.

17 (c) PLANNING AND SERVICE AREAS.—Section  
18 305(b)(5)(C)(i)(III) of the Older Americans Act of 1965  
19 (42 U.S.C. 3025(b)(5)(C)(i)(III)) is amended by striking  
20 “planning and services areas” and inserting “planning  
21 and service areas”.

22 (d) AREA PLANS.—Section 306 of the Older Ameri-  
23 cans Act of 1965 (42 U.S.C. 3026) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (1), by striking “estab-  
2 lishment, maintenance, or construction of multi-  
3 purpose senior centers,” and inserting “estab-  
4 lishment, maintenance, modernization, or con-  
5 struction of multipurpose senior centers (includ-  
6 ing a plan to use the skills and services of older  
7 individuals in paid and unpaid work, including  
8 multigenerational and older individual to older  
9 individual work),”; and

10 (B) in paragraph (6)—

11 (i) in subparagraph (G), by adding  
12 “and” at the end; and

13 (ii) by adding at the end the fol-  
14 lowing:

15 “(H) in coordination with the State agency  
16 and with the State agency responsible for elder  
17 abuse prevention services, increase public  
18 awareness of elder abuse, neglect, and exploi-  
19 tation, and remove barriers to education, pre-  
20 vention, investigation, and treatment of elder  
21 abuse, neglect, and exploitation, as appro-  
22 priate;”; and

23 (2) in subsection (b)(3)—

24 (A) in subparagraph (J), by striking “and”  
25 at the end;

1 (B) by redesignating subparagraph (K) as  
2 subparagraph (L); and

3 (C) by inserting after subparagraph (J)  
4 the following:

5 “(K) protection from elder abuse, neglect,  
6 and exploitation; and”.

7 (e) NUTRITION SERVICES INCENTIVE PROGRAM.—  
8 Section 311(e) of the Older Americans Act of 1965 (42  
9 U.S.C. 3030a(e)) is amended by striking “fiscal year  
10 2007” and all that follows and inserting “each of the fiscal  
11 years 2014 through 2018.”.

12 (f) SUPPORTIVE SERVICES.—Section 321 of the  
13 Older Americans Act of 1965 (42 U.S.C. 3030d) is  
14 amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by striking “or refer-  
17 ral services” and inserting “referral, chronic  
18 condition self-care management, or falls preven-  
19 tion services”;

20 (B) in paragraph (8), by striking “(includ-  
21 ing” and all that follows and inserting the fol-  
22 lowing: “(including mental and behavioral  
23 health screening and falls prevention services  
24 screening) to detect or prevent (or both) ill-

1 nesses and injuries that occur most frequently  
 2 in older individuals;” and

3 (C) in paragraph (15), by inserting before  
 4 the semicolon the following: “, and screening  
 5 for elder abuse, neglect, and exploitation”;

6 (2) in subsection (b)(1), by inserting “or mod-  
 7 ernization” after “construction”;

8 (3) in subsection (c), by inserting before the pe-  
 9 riod the following: “, and pursue opportunities for  
 10 the development of intergenerational shared site  
 11 models for programs or projects, consistent with the  
 12 purposes of this Act”; and

13 (4) by adding at the end the following:

14 “(e) In this section, the term ‘adult child with a dis-  
 15 ability’ means a child who—

16 “(1) is age 18 or older;

17 “(2) is financially dependent on an older indi-  
 18 vidual who is a parent of the child; and

19 “(3) has a disability.”.

20 (g) HOME DELIVERED NUTRITION SERVICES PRO-  
 21 GRAM.—Section 336(1) of the Older Americans Act of  
 22 1965 (42 U.S.C. 3030f(1)) is amended by striking  
 23 “canned” and all that follows through “meals” and insert-  
 24 ing “canned, or fresh foods and, as appropriate, supple-  
 25 mental foods and any additional meals”.

1 (h) NUTRITION SERVICES.—Section 339 of the Older  
2 Americans Act of 1965 (42 U.S.C. 3030g–21) is amend-  
3 ed—

4 (1) in paragraph (1), by striking “solicit” and  
5 inserting “utilize”; and

6 (2) in paragraph (2)—

7 (A) in subparagraph (J)—

8 (i) by striking “if appropriate”; and

9 (ii) by striking “and” at the end;

10 (B) in subparagraph (K), by striking the  
11 period and inserting “, and”; and

12 (C) by adding at the end the following:

13 “(L) where feasible, encourages the use of  
14 organic or locally grown foods in meal programs  
15 and identifies potential partnerships and con-  
16 tracts with local producers and providers of or-  
17 ganic or locally grown foods.”.

18 (i) EVIDENCE-BASED DISEASE PREVENTION AND  
19 HEALTH PROMOTION SERVICES PROGRAM.—Part D of  
20 title III of the Older Americans Act of 1965 (42 U.S.C.  
21 3030m et seq.) is amended—

22 (1) in the part heading, by inserting “EVI-  
23 DENCE-BASED” before “DISEASE”; and

24 (2) in section 361(a), by inserting “evidence-  
25 based” after “to provide”.



1 (j) OLDER RELATIVE CAREGIVERS.—

2 (1) TECHNICAL AMENDMENT.—Part E of title  
3 III of the Older Americans Act of 1965 (42 U.S.C.  
4 3030s et seq.) is amended by striking the subpart  
5 heading for subpart 1.

6 (2) DEFINITIONS.—Section 372 of such Act (42  
7 U.S.C. 3030s) is amended—

8 (A) in subsection (a)—

9 (i) in paragraph (1), by striking “or  
10 who is an individual with a disability”; and

11 (ii) by striking paragraph (2) and in-  
12 serting the following:

13 “(2) INDIVIDUAL WITH A DISABILITY.—The  
14 term ‘individual with a disability’ means an indi-  
15 vidual with a disability, as defined in section 3 of the  
16 Americans with Disabilities Act of 1990 (42 U.S.C.  
17 12102), who is not less than age 18 and not more  
18 than age 59.

19 “(3) OLDER RELATIVE CAREGIVER.—The term  
20 ‘older relative caregiver’ means a caregiver who—

21 “(A)(i) is age 55 or older; and

22 “(ii) lives with, is the informal provider of  
23 in-home and community care to, and is the pri-  
24 mary caregiver for, a child or an individual with  
25 a disability;

1 “(B) in the case of a caregiver for a  
2 child—

3 “(i) is the grandparent,  
4 stepgrandparent, or other relative (other  
5 than the parent) by blood, marriage, or  
6 adoption, of the child;

7 “(ii) is the primary caregiver of the  
8 child because the biological or adoptive  
9 parents are unable or unwilling to serve as  
10 the primary caregivers of the child; and

11 “(iii) has a legal relationship to the  
12 child, such as legal custody, adoption, or  
13 guardianship, or is raising the child infor-  
14 mally; and

15 “(C) in the case of a caregiver for an indi-  
16 vidual with a disability, is the parent, grand-  
17 parent, or other relative by blood, marriage, or  
18 adoption, of the individual with a disability.”;  
19 and

20 (B) in subsection (b)—

21 (i) by striking “subpart” and all that  
22 follows through “family caregivers” and in-  
23 serting “part, for family caregivers”;

24 (ii) by striking “; and” and inserting  
25 a period; and

1 (iii) by striking paragraph (2).

2 (k) NATIONAL FAMILY CAREGIVER SUPPORT PRO-  
3 GRAM.—Section 373 of the Older Americans Act of 1965  
4 (42 U.S.C. 3030s–1) is amended—

5 (1) in subsection (a)(2), by striking “grand-  
6 parents or older individuals who are relative care-  
7 givers.” and inserting “older relative caregivers.”;

8 (2) in subsection (c)—

9 (A) in paragraph (1), in the matter pre-  
10 ceeding subparagraph (A), by striking “grand-  
11 parents and older individuals who are relative  
12 caregivers, and who” and inserting “older rel-  
13 ative caregivers, who”; and

14 (B) in paragraph (2)(B), by striking “to  
15 older individuals providing care to individuals  
16 with severe disabilities, including children with  
17 severe disabilities” and inserting “to older rel-  
18 ative caregivers of children with severe disabil-  
19 ities, or individuals with disabilities who have  
20 severe disabilities”;

21 (3) in subsection (e)(3), by striking “grand-  
22 parents or older individuals who are relative care-  
23 givers” and inserting “older relative caregivers”;

1 (4) in subsection (f)(1)(A), by striking “for fis-  
 2 cal years 2007, 2008, 2009, 2010, and 2011” and  
 3 inserting “for a fiscal year”; and

4 (5) in subsection (g)(2)(C), by striking “grand-  
 5 parents and older individuals who are relative care-  
 6 givers of a child who is not more than 18 years of  
 7 age” and inserting “older relative caregivers”.

8 (l) CONFORMING AMENDMENT.—Part E of title III  
 9 is amended by striking “this subpart” each place it ap-  
 10 pears and inserting “this part”.

11 **SEC. 6. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND**  
 12 **LONGEVITY.**

13 (a) GRANT PROGRAMS.—Section 411 of the Older  
 14 Americans Act of 1965 (42 U.S.C. 3032) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (12), by striking “and”  
 17 at the end;

18 (B) by redesignating paragraph (13) as  
 19 paragraph (14); and

20 (C) by inserting after paragraph (12) the  
 21 following:

22 “(13) continuing support for program integrity  
 23 initiatives concerning the Medicare program under  
 24 title XVIII of the Social Security Act (42 U.S.C.

1       1395 et seq.) that train senior volunteers to prevent  
 2       and identify health care fraud and abuse; and”; and  
 3       (2) in subsection (b), by striking “for fiscal  
 4       years 2007” and all that follows through “2011”  
 5       and inserting “for each of the fiscal years 2014  
 6       through 2018”.

7       (b) NATIVE AMERICAN PROGRAMS.—Section 418(b)  
 8       of the Older Americans Act of 1965 (42 U.S.C. 3032g(b))  
 9       is amended by striking “a national meeting to train” and  
 10       inserting “national trainings for”.

11       (c) LEGAL ASSISTANCE FOR OLDER AMERICANS.—  
 12       Section 420(c) of the Older Americans Act of 1965 (42  
 13       U.S.C. 3032i(c)) is amended by striking “national”.

14       (d)       CONFORMING       AMENDMENT.—Section  
 15       417(a)(1)(A) of the Older Americans Act of 1965 (42  
 16       U.S.C. 3032f(a)(1)(A)) is amended by striking “grand-  
 17       parents and other older individuals who are relative care-  
 18       givers” and inserting “older relative caregivers (as defined  
 19       in section 372)”.

20       **SEC. 7. NATIONAL RESOURCE CENTER ON FAMILY**  
 21       **CAREGIVING.**

22       Part A of title IV of the Older Americans Act of 1965  
 23       (42 U.S.C. 3032–3032k) is amended by adding at the end  
 24       the following:

1 **“SEC. 423. NATIONAL RESOURCE CENTER ON FAMILY**  
 2 **CAREGIVING.**

3 “(a) ESTABLISHMENT.—The Secretary of Health  
 4 and Human Services shall award a grant to or enter into  
 5 a cooperative agreement with a public or private nonprofit  
 6 entity to establish a National Resource Center on Family  
 7 Caregiving (referred to in this section as the ‘Center’).

8 “(b) DEVELOPMENT.—The Assistant Secretary shall  
 9 develop and issue operating standards and reporting re-  
 10 quirements for the Center established under subsection  
 11 (a).

12 “(c) AUTHORIZATION.—There is authorized to be ap-  
 13 propriated to carry out this section, \$2,000,000 for each  
 14 of the fiscal years 2014 through 2018.”.

15 **SEC. 8. MULTIPURPOSE SENIOR CENTER MODERNIZATION,**  
 16 **TRAINING, AND SUPPORT.**

17 Part A of title IV of the Older Americans Act of 1965  
 18 (42 U.S.C. 3032–3032k), as amended by section 7, is  
 19 amended by adding at the end the following:

20 **“SEC. 424. MULTIPURPOSE SENIOR CENTER MODERNIZA-**  
 21 **TION, TRAINING, AND SUPPORT.**

22 “(a) PROGRAM AUTHORIZED.—The Assistant Sec-  
 23 retary shall award grants and enter into contracts with  
 24 eligible entities to carry out projects to—

25 “(1) support and promote modern multipurpose  
 26 senior center models which yield vibrant, multi-

1 service, multigenerational centers for older individ-  
2 uals, families of older individuals, and others in the  
3 community to gain skills, resources, and connections  
4 needed to meet the challenges that occur with con-  
5 tinuum of care and quality of life;

6 “(2) build an evidence base of modern,  
7 replicable practices that allow senior centers to serve  
8 a diverse array of older individuals, as well as their  
9 families and other caregivers, leveraging innovative  
10 partnerships and public and private resources to de-  
11 velop and expand programs; and

12 “(3) mobilize services and leverage resources to  
13 support the role of multipurpose senior centers as  
14 community focal points, as provided in section  
15 306(a)(3), and for the establishment, construction,  
16 maintenance, and operation of centers, as described  
17 in sections 303(c)(2) and 306(a)(1), including devel-  
18 opment of intergenerational shared site models, con-  
19 sistent with the purposes of this Act.

20 “(b) USE OF FUNDS.—An eligible entity shall use  
21 funds made available under a grant awarded, or a contract  
22 entered into, under subsection (a) to—

23 “(1) carry out a project described in subsection  
24 (a); and

1           “(2) evaluate the project in accordance with  
2           subsection (f).

3           “(c) APPLICATION.—To be eligible to receive a grant  
4 or enter into a contract under subsection (a), an eligible  
5 entity shall submit an application to the Assistant Sec-  
6 retary at such time, in such manner, and accompanied by  
7 such information as the Assistant Secretary may reason-  
8 ably require.

9           “(d) ELIGIBLE ENTITY.—For purposes of this sec-  
10 tion, the term ‘eligible entity’ means—

11           “(1) a multipurpose senior center that has met  
12           national accreditation and fiduciary standards; or

13           “(2) a regional partnership or collaboration of  
14           multipurpose senior centers or State association of  
15           senior centers in which not less than 2 centers are  
16           accredited.

17           “(e) COMPETITIVE GRANTS FOR TECHNICAL ASSIST-  
18 ANCE.—

19           “(1) GRANTS.—The Assistant Secretary shall  
20           make a grant, on a competitive basis, to an eligible  
21           nonprofit organization described in paragraph (2), to  
22           enable the organization to—

23           “(A) provide training and technical assist-  
24           ance to recipients of grants under this section  
25           and other multipurpose senior centers to adopt



1 and tailor evidence-based modernization strate-  
2 gies and practices to respond to the economic  
3 and health needs of the diverse and growing  
4 aging populations in their own communities;  
5 and

6 “(B) carry out other duties, as determined  
7 by the Assistant Secretary.

8 “(2) ELIGIBLE NONPROFIT ORGANIZATION.—  
9 To be eligible to receive a grant under this sub-  
10 section, an organization shall be a nonprofit organi-  
11 zation (including a partnership of nonprofit organi-  
12 zations), that—

13 “(A) has experience and expertise in pro-  
14 viding technical assistance to a range of multi-  
15 purpose senior centers and experience evalu-  
16 ating and reporting on programs; and

17 “(B) has demonstrated knowledge of and  
18 expertise in multipurpose senior center accredi-  
19 tation or other standards of excellence.

20 “(3) APPLICATION.—To be eligible to receive a  
21 grant under this subsection, an organization (includ-  
22 ing a partnership of nonprofit organizations) shall  
23 submit an application to the Assistant Secretary at  
24 such time, in such manner, and containing such in-  
25 formation as the Assistant Secretary may require,

1 including an assurance that the organization will  
2 submit to the Assistant Secretary such evaluations  
3 and reports as the Assistant Secretary may require.

4 “(f) LOCAL EVALUATION AND REPORT.—

5 “(1) EVALUATION.—Each entity receiving a  
6 grant or a contract under subsection (a) to carry out  
7 a project described in subsection (a) shall evaluate  
8 the project, leadership, and resources for the mod-  
9 ernization of multipurpose senior centers to deter-  
10 mine—

11 “(A) the effectiveness of the project in pro-  
12 ducing innovations and mobilizing resources;

13 “(B) the impact on older individuals, fami-  
14 lies of older individuals, and the community  
15 being served; and

16 “(C) the potential for the project to be rep-  
17 licated by other multipurpose senior centers,  
18 noting the necessary resources and partnerships  
19 and the types of populations and communities  
20 best suited for the model.

21 “(2) REPORT.—The entity described in para-  
22 graph (1) shall submit a report to the Assistant Sec-  
23 retary containing the evaluation not later than 6  
24 months after the expiration of the period for which  
25 the grant or contract is in effect.

1       “(g) REPORT TO CONGRESS.—Not later than 6  
 2 months after the Assistant Secretary receives the reports  
 3 described in subsection (f)(2), the Assistant Secretary  
 4 shall prepare and submit to Congress a report that as-  
 5 sesses the evaluations and includes, at a minimum—

6               “(1) a description of the nature and operation  
 7 of the projects funded under this section and other  
 8 activities conducted in support of such projects;

9               “(2) the findings resulting from the evaluations  
 10 of the model projects conducted under this section;

11              “(3) a description of recommended best prac-  
 12 tices of modern multipurpose senior centers;

13              “(4) a strategy for disseminating the findings  
 14 resulting from the projects described in paragraph  
 15 (1); and

16              “(5) recommendations for legislative or admin-  
 17 istrative action, as the Assistant Secretary deter-  
 18 mines appropriate.”.

19 **SEC. 9. COMMUNITY SERVICE SENIOR OPPORTUNITIES.**

20       Section 517(a) of the Older Americans Act of 1965  
 21 (42 U.S.C. 3056o(a)) is amended by striking “fiscal years  
 22 2007, 2008, 2009, 2010, and 2011” and inserting “each  
 23 of the fiscal years 2014 through 2018”.

1 **SEC. 10. GRANTS FOR NATIVE AMERICANS.**

2 Section 643(2) of the Older Americans Act of 1965  
3 (42 U.S.C. 3057n(2)) is amended by striking “fiscal year  
4 2011” and inserting “each of the fiscal years 2014  
5 through 2018”.

6 **SEC. 11. VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.**  
7

8 (a) OMBUDSMAN DEFINITIONS.—Section 711(6) of  
9 the Older Americans Act of 1965 (42 U.S.C. 3058f(6))  
10 is amended by striking “older”.

11 (b) OMBUDSMAN PROGRAMS.—Section 712 of the  
12 Older Americans Act of 1965 (42 U.S.C. 3058g) is  
13 amended—

14 (1) in subsection (a)—

15 (A) in paragraph (2), by adding at the end  
16 the following: “The Ombudsman shall be re-  
17 sponsible for the management, including the fis-  
18 cal management, of the Office.”;

19 (B) in paragraph (3)—

20 (i) in subparagraph (A), by striking  
21 clause (i) and inserting the following:

22 “(i) are made by, or on behalf of, resi-  
23 dents, including residents with limited or  
24 no decisionmaking capacity and who have  
25 no known legal representative, and if such  
26 a resident is unable to communicate con-

sent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident's health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and”;

(ii) in subparagraph (D), by striking “regular and timely” and inserting “regular, timely, private, and unimpeded”;

(iii) in subparagraph (H)(iii)—

(I) by inserting “, actively encourage, and assist in” after “provide technical support for”; and

(II) by striking “and” after the semicolon;

(iv) by redesignating subparagraph (I) as subparagraph (K); and

(v) by inserting after subparagraph (H) the following:

“(I) when feasible, continue to carry out the functions described in this section on behalf

1 of residents transitioning from a long-term care  
2 facility to a home care setting;

3 “(J) collect and analyze data, relating to  
4 discrimination against LGBT older individuals  
5 on the basis of actual or perceived sexual ori-  
6 entation or gender identity in the admission to,  
7 transfer or discharge from, or lack of adequate  
8 care provided in long-term care settings, and  
9 shall include the analyses in the reports; and”;  
10 and

11 (C) in paragraph (5)(B)—

12 (i) in clause (vi)—

13 (I) by inserting “, actively en-  
14 courage, and assist in” after “sup-  
15 port”; and

16 (II) by striking “and” after the  
17 semicolon;

18 (ii) by redesignating clause (vii) as  
19 clause (viii); and

20 (iii) by inserting after clause (vi) the  
21 following:

22 “(vii) identify, investigate, and resolve  
23 complaints described in clause (iii) that are  
24 made by or on behalf of residents with lim-  
25 ited or no decisionmaking capacity and

1           who have no known legal representative,  
2           and if such a resident is unable to commu-  
3           nicate consent for an Ombudsman to work  
4           on a complaint directly involving the resi-  
5           dent, the Ombudsman shall seek evidence  
6           to indicate what outcome the resident  
7           would have communicated (and, in the ab-  
8           sence of evidence to the contrary, shall as-  
9           sume that the resident wishes to have the  
10          resident’s health, safety, welfare, and  
11          rights protected) and shall work to accom-  
12          plish that outcome; and”;

13          (2) in subsection (b)—

14           (A) in paragraph (1)—

15               (i) in subparagraph (A), by striking  
16               “access” and inserting “private and  
17               unimpeded access”; and

18               (ii) in subparagraph (B)—

19                   (I) in clause (i)—

20                       (aa) in the matter preceding  
21                       subclause (I), by striking “the  
22                       medical and social records of a”  
23                       and inserting “all files, records,  
24                       and other information concerning  
25                       a”; and

1 (bb) in subclause (II), by  
2 striking “to consent” and insert-  
3 ing “to communicate consent”;  
4 and

5 (II) in clause (ii), in the matter  
6 before subclause (I), by striking “the  
7 records” and inserting “the files,  
8 records, and information”; and

9 (B) by adding at the end the following:

10 “(3) HEALTH OVERSIGHT AGENCY.—For pur-  
11 poses of section 264(c) of the Health Insurance  
12 Portability and Accountability Act of 1996 (includ-  
13 ing regulations issued under that section) (42 U.S.C.  
14 1320d–2 note), the Ombudsman and a representa-  
15 tive of the Office shall be considered a ‘health over-  
16 sight agency,’ so that release of residents’ individ-  
17 ually identifiable health information to the Ombuds-  
18 man or representative is not precluded in cases in  
19 which the requirements of clause (i) or (ii) of para-  
20 graph (1)(B), or the requirements of paragraph  
21 (1)(D), are otherwise met.”;

22 (3) in subsection (d)—

23 (A) in paragraph (1), by striking “files”  
24 and inserting “files, records, and other informa-  
25 tion”; and



1 (B) in paragraph (2)—

2 (i) in subparagraph (A)—

3 (I) by striking “files and  
4 records” each place such term appears  
5 and inserting “files, records, and  
6 other information”; and

7 (II) by striking “and” after the  
8 semicolon;

9 (ii) in subparagraph (B)—

10 (I) by striking “files or records”  
11 and inserting “files, records, or other  
12 information”; and

13 (II) in clause (iii), by striking the  
14 period at the end and inserting “;  
15 and”; and

16 (iii) by adding at the end the fol-  
17 lowing:

18 “(C) notwithstanding subparagraph (B),  
19 ensure that the Ombudsman may disclose infor-  
20 mation as needed in order to best serve resi-  
21 dents with limited or no decisionmaking capac-  
22 ity who have no known legal representative and  
23 are unable to communicate consent, in order for  
24 the Ombudsman to carry out the functions and

1 duties described in paragraphs (3)(A) and  
2 (5)(B) of subsection (a).”;

3 (4) by striking subsection (f) and inserting the  
4 following:

5 “(f) CONFLICT OF INTEREST.—

6 “(1) INDIVIDUAL CONFLICT OF INTEREST.—

7 The State agency shall—

8 “(A) ensure that no individual, or member  
9 of the immediate family of an individual, in-  
10 volved in the designation of the Ombudsman  
11 (whether by appointment or otherwise) or the  
12 designation of an entity designated under sub-  
13 section (a)(5), is subject to a conflict of inter-  
14 est;

15 “(B) ensure that no officer or employee of  
16 the Office, representative of a local Ombudsman  
17 entity, or member of the immediate family of  
18 the officer, employee, or representative, is sub-  
19 ject to a conflict of interest; and

20 “(C) ensure that the Ombudsman—

21 “(i) does not have a direct involve-  
22 ment in the licensing or certification of a  
23 long-term care facility or of a provider of  
24 a long-term care service;

1           “(ii) does not have an ownership or  
2           investment interest (represented by equity,  
3           debt, or other financial relationship) in a  
4           long-term care facility or a long-term care  
5           service;

6           “(iii) is not employed by, or partici-  
7           pating in the management of, a long-term  
8           care facility or a related organization, and  
9           has not been employed by such a facility or  
10          organization within 1 year before the date  
11          of the determination involved;

12          “(iv) does not receive, or have the  
13          right to receive, directly or indirectly, re-  
14          muneration (in cash or in kind) under a  
15          compensation arrangement with an owner  
16          or operator of a long-term care facility;

17          “(v) does not have management re-  
18          sponsibility for, or operate under the su-  
19          pervision of an individual with manage-  
20          ment responsibility for, adult protective  
21          services; and

22          “(vi) does not serve as a guardian or  
23          in another fiduciary capacity for residents  
24          of long-term care facilities in an official ca-  
25          pacity (as opposed to serving as a guardian

1 or fiduciary for a family member, in a per-  
2 sonal capacity).

3 “(2) ORGANIZATIONAL CONFLICT OF INTER-  
4 EST.—

5 “(A) IN GENERAL.—The State agency  
6 shall comply with subparagraph (B)(i) in a case  
7 in which the Office poses an organizational con-  
8 flict of interest, including a situation in which  
9 the Office is placed in an organization that—

10 “(i) is responsible for licensing, certi-  
11 fying, or surveying long-term care services  
12 in the State;

13 “(ii) is an association (or an affiliate  
14 of such an association) of long-term care  
15 facilities, or of any other residential facili-  
16 ties for older individuals;

17 “(iii) provides long-term care services,  
18 including programs carried out under a  
19 Medicaid waiver approved under section  
20 1115 of the Social Security Act (42 U.S.C.  
21 1315) or under subsection (b) or (c) of  
22 section 1915 of the Social Security Act (42  
23 U.S.C. 1396n), or under a Medicaid State  
24 plan amendment under subsection (i), (j),

1 or (k) of section 1915 of the Social Secu-  
2 rity Act (42 U.S.C. 1396n);

3 “(iv) provides long-term care case  
4 management;

5 “(v) sets rates for long-term care  
6 services;

7 “(vi) provides adult protective serv-  
8 ices;

9 “(vii) is responsible for eligibility de-  
10 terminations for the Medicaid program  
11 carried out under title XIX of the Social  
12 Security Act (42 U.S.C. 1396 et seq.);

13 “(viii) conducts preadmission screen-  
14 ing for placements in facilities described in  
15 clause (ii); or

16 “(ix) makes decisions regarding ad-  
17 mission or discharge of individuals to or  
18 from such facilities.

19 “(B) IDENTIFYING, REMOVING, AND REM-  
20 EDYING ORGANIZATIONAL CONFLICT.—

21 “(i) IN GENERAL.—The State agency  
22 may not operate the Office or carry out the  
23 program, directly, or by contract or other  
24 arrangement with any public agency or  
25 nonprofit private organization, in a case in

1 which there is an organizational conflict of  
2 interest (within the meaning of subpara-  
3 graph (A)) unless such conflict of interest  
4 has been—

5 “(I) identified by the State agen-  
6 cy;

7 “(II) disclosed by the State agen-  
8 cy to the Assistant Secretary in writ-  
9 ing; and

10 “(III) remedied in accordance  
11 with this subparagraph.

12 “(ii) ACTION BY ASSISTANT SEC-  
13 RETARY.—In a case in which a potential or  
14 actual organizational conflict of interest  
15 (within the meaning of subparagraph (A))  
16 involving the Office is disclosed or reported  
17 to the Assistant Secretary by any person  
18 or entity, the Assistant Secretary shall re-  
19 quire that the State agency, in accordance  
20 with the policies and procedures estab-  
21 lished by the State agency under sub-  
22 section (a)(5)(D)(iii)—

23 “(I) remove the conflict; or

24 “(II) submit, and obtain the ap-  
25 proval of the Assistant Secretary for,

1 an adequate remedial plan that indi-  
2 cates how the Ombudsman will be  
3 unencumbered in fulfilling all of the  
4 functions specified in subsection  
5 (a)(3).”; and

6 (5) in subsection (h)—

7 (A) in paragraph (3)(A)(i), by striking  
8 “older”;

9 (B) in paragraph (4), by striking all that  
10 precedes “procedures” and inserting the fol-  
11 lowing:

12 “(4) strengthen and update”;

13 (C) by redesignating paragraphs (4)  
14 through (9) as paragraphs (5) through (10), re-  
15 spectively;

16 (D) by inserting after paragraph (3) the  
17 following:

18 “(4) ensure that the Ombudsman or a designee  
19 participates in training provided by the National  
20 Ombudsman Resource Center established in section  
21 202(a)(18);”;

22 (E) in paragraph (6)(A), as so redesign-  
23 nated by subparagraph (C) of this paragraph,  
24 by striking “paragraph (4)” and inserting  
25 “paragraph (5)”;

1 (F) in paragraph (7)(A), as so redesign-  
 2 nated by subparagraph (C) of this paragraph,  
 3 by striking “subtitle C of the” and inserting  
 4 “subtitle C of title I of the”; and

5 (G) in paragraph (10), as so redesignated  
 6 by subparagraph (C) of this paragraph, by  
 7 striking “(6), or (7)” and inserting “(7), or  
 8 (8)”.

9 (c) OMBUDSMAN REGULATIONS.—Section 713 of the  
 10 Older Americans Act of 1965 (42 U.S.C. 3058h) is  
 11 amended—

12 (1) in paragraph (1), by striking “paragraphs  
 13 (1) and (2) of section 712(f)” and inserting “sub-  
 14 paragraphs (A) and (B) of section 712(f)(1)”; and  
 15 (2) in paragraph (2), by striking “subpara-  
 16 graphs (A) through (D) of section 712(f)(3)” and  
 17 inserting “clauses (i) through (vi) of section  
 18 712(f)(1)(C)”.

19 (d) PREVENTION OF ELDER ABUSE, NEGLECT, AND  
 20 EXPLOITATION.—Section 721 of the Older Americans Act  
 21 of 1965 (42 U.S.C. 3058i) is amended—

22 (1) in subsection (b)—

23 (A) in the matter preceding paragraph (1),  
 24 by striking “(including financial exploitation)”;



1           (B) by redesignating paragraphs (5)  
2           through (12) as paragraphs (6) through (13),  
3           respectively;

4           (C) by inserting after paragraph (4) the  
5           following:

6           “(5) promoting the submission of data on elder  
7           abuse, neglect, and exploitation for the appropriate  
8           database of the Administration or another database  
9           specified by the Assistant Secretary;”;

10          (D) in paragraph (10)(C), as redesignated  
11          by subparagraph (B)—

12               (i) in clause (ii), by inserting “, such  
13               as forensic specialists,” after “such per-  
14               sonnel”; and

15               (ii) in clause (v), by inserting before  
16               the comma the following: “, including pro-  
17               grams and arrangements that protect  
18               against financial exploitation”; and

19          (E) in paragraph (12), as redesignated by  
20          subparagraph (B)—

21               (i) in subparagraph (D), by striking  
22               “and” at the end; and

23               (ii) by adding at the end the fol-  
24               lowing:

1 “(F) supporting and studying innovative  
 2 practices in communities to develop partner-  
 3 ships across disciplines for the prevention, in-  
 4 vestigation, and prosecution of abuse, neglect,  
 5 and exploitation; and”; and

6 (2) in subsection (e)(2), in the matter preceding  
 7 subparagraph (A)—

8 (A) by striking “subsection (b)(9)(B)(i)”  
 9 and inserting “subsection (b)(10)(B)(i)”; and

10 (B) by striking “subsection (b)(9)(B)(ii)”  
 11 and inserting “subsection (b)(10)(B)(ii)”.

12 **SEC. 12. BEHAVIORAL HEALTH.**

13 The Older Americans Act of 1965 (42 U.S.C. 3011  
 14 et seq.) is amended—

15 (1) in section 102—

16 (A) in paragraph (14)(G), by inserting  
 17 “and behavioral” after “mental”;

18 (B) in paragraph (36), by inserting “and  
 19 behavioral” after “mental”; and

20 (C) in paragraph (47)(B), by inserting  
 21 “and behavioral” after “mental”;

22 (2) in section 201(f)(1), by inserting “and be-  
 23 havioral” after “mental”;

24 (3) in section 202(a)(5), by inserting “and be-  
 25 havioral” after “mental”;

1 (4) in section 306(a)—

2 (A) in paragraph (2)(A), by inserting “and  
3 behavioral” after “mental”; and

4 (B) in paragraph (6)(F), by striking “men-  
5 tal health services” each place such term ap-  
6 pears and inserting “mental and behavioral  
7 health services”; and

8 (5) in section 321(a)—

9 (A) in paragraph (1), as amended by sec-  
10 tion 4(f), by inserting “and behavioral” after  
11 “mental”;

12 (B) in paragraph (14)(B), by inserting  
13 “and behavioral” after “mental”; and

14 (C) in paragraph (23), by inserting “and  
15 behavioral” after “mental”.

16 **SEC. 13. STUDY ON TRANSPORTATION SERVICES.**

17 (a) STUDY.—

18 (1) IN GENERAL.—Because access to transpor-  
19 tation services is critical for millions of older individ-  
20 uals in the United States, to allow them to maintain  
21 independence, health, and quality of life, the Comp-  
22 troller General of the United States shall conduct a  
23 study of transportation services for older individuals.

24 (2) CONTENTS.—In conducting the study, the  
25 Comptroller General—

1 (A) shall identify challenges and barriers  
2 affecting the aging network in providing, ac-  
3 cessing, or coordinating efficient and effective  
4 transportation services, including challenges  
5 and barriers in coordinating services with Fed-  
6 eral agencies and programs such as the Depart-  
7 ment of Transportation and the Medicaid pro-  
8 gram under title XIX of the Social Security Act  
9 (42 U.S.C. 1396 et seq.); and

10 (B) shall examine any Federal program re-  
11 quirements that may result in challenges or  
12 barriers to the coordination of transportation  
13 services within the aging network at the local  
14 level.

15 (b) REPORT.—Not later than 18 months after the  
16 date of enactment of this Act, the Comptroller General  
17 shall issue a report. The report shall contain a detailed  
18 description of the findings and conclusions of the study,  
19 including any recommendations for administrative and  
20 other changes to enhance transportation services provided  
21 by the aging network. The Comptroller General shall sub-  
22 mit the report to the Committee on Education and the  
23 Workforce of the House of Representatives and the Com-  
24 mittee on Health, Education, Labor, and Pensions of the  
25 Senate.

1 **SEC. 14. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.**

2 (a) IN GENERAL.—Because the services under the  
3 Older Americans Act of 1965 (42 U.S.C. 3001 et seq.)  
4 are critical to meeting the urgent needs of Holocaust sur-  
5 vivors to age in place with dignity, comfort, security, and  
6 quality of life, the Assistant Secretary for Aging shall  
7 issue guidance to States, that shall be applicable to States,  
8 area agencies on aging, and providers of services for older  
9 individuals, with respect to serving Holocaust survivors,  
10 including guidance on promising practices for conducting  
11 outreach to that population. In developing the guidance,  
12 the Assistant Secretary for Aging shall consult with ex-  
13 perts and organizations serving Holocaust survivors, and  
14 shall take into account the possibility that the needs of  
15 Holocaust survivors may differ based on geography.

16 (b) CONTENTS.—The guidance shall include the fol-  
17 lowing:

18 (1) How nutrition service providers may meet  
19 the special health-related or other dietary needs of  
20 participants in programs under the Older Americans  
21 Act of 1965, including needs based on religious, cul-  
22 tural, or ethnic requirements.

23 (2) How transportation service providers may  
24 address the urgent transportation needs of Holo-  
25 caust survivors.

1           (3) How State long-term care ombudsmen may  
2       address the unique needs of residents of long-term  
3       care facilities for whom institutional settings may  
4       produce sights, sounds, smells, emotions, and rou-  
5       tines, that can induce panic, anxiety, and retrauma-  
6       tization as a result of experiences from the Holo-  
7       caust.

8           (4) How supportive services providers may con-  
9       sider the unique needs of Holocaust survivors.

10          (5) How other services provided under that Act,  
11       as determined by the Assistant Secretary for Aging,  
12       may serve Holocaust survivors.

13       (c) DATE OF ISSUANCE.—The guidance described in  
14   subsection (a) shall be issued not later than 180 days after  
15   the date of enactment of this Act.

