

(c) Eligible entity

An entity eligible to receive assistance under this section shall be—

- (1) an Indian tribe; or
- (2) a public agency, or a nonprofit organization, serving older individuals who are Native Americans.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2007, and such sums as may be necessary for subsequent fiscal years.

(Pub. L. 89-73, title VII, §751, as added Pub. L. 102-375, title VII, §706, Sept. 30, 1992, 106 Stat. 1290; amended Pub. L. 103-171, §3(a)(10), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 106-501, title VII, §707, Nov. 13, 2000, 114 Stat. 2291; Pub. L. 109-365, title VII, §703, Oct. 17, 2006, 120 Stat. 2592.)

Editorial Notes

AMENDMENTS

2006—Subsec. (a)(3). Pub. L. 109-365, §703(1), added par. (3).

Subsec. (b). Pub. L. 109-365, §703(2), substituted “this section” for “this part”.

Subsec. (d). Pub. L. 109-365, §703(3), substituted “this part” for “this section” and “2007” for “2001”.

2000—Subsec. (d). Pub. L. 106-501 amended heading and text of subsec. (d) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this section, \$5,000,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995.”

1993—Subsecs. (a), (b). Pub. L. 103-171 substituted “Assistant Secretary” for “Commissioner” and “Director of the Office for” for “Associate Commissioner on” in subsec. (a) and “Assistant Secretary” for “Commissioner” in two places in subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section inapplicable with respect to fiscal year 1993, see section 4(b) of Pub. L. 103-171, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

Section inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

§ 3058aa-1. Grants to promote comprehensive State elder justice systems**(a) Purpose and authority**

For each fiscal year, the Assistant Secretary may make grants to States, on a competitive basis, in accordance with this section, to promote the development and implementation, within each such State, of a comprehensive elder justice system, as defined in subsection (b).

(b) Comprehensive elder justice system defined

In this section, the term “comprehensive elder justice system” means an integrated, multidisciplinary, and collaborative system for preventing, detecting, and addressing elder abuse, neglect, and exploitation in a manner that—

- (1) provides for widespread, convenient public access to the range of available elder justice information, programs, and services;

- (2) coordinates the efforts of public health, social service, and law enforcement authorities, as well as other appropriate public and private entities, to identify and diminish duplication and gaps in the system;

- (3) provides a uniform method for the standardization, collection, management, analysis, and reporting of data; and

- (4) provides such other elements as the Assistant Secretary determines appropriate.

(c) Applications

To be eligible to receive a grant under this section for a fiscal year, a State shall submit an application to the Assistant Secretary, at such time, in such manner, and containing such information and assurances as the Assistant Secretary determines appropriate.

(d) Amount of grants

The amount of a grant to a State with an application approved under this section for a fiscal year shall be such amount as the Assistant Secretary determines appropriate.

(e) Use of funds**(1) In general**

A State that receives a grant under this section shall use funds made available through such grant to promote the development and implementation of a comprehensive elder justice system by—

(A) establishing formal working relationships among public and private providers of elder justice programs, service providers, and stakeholders in order to create a unified elder justice network across such State to coordinate programmatic efforts;

(B) facilitating and supporting the development of a management information system and standard data elements;

(C) providing for appropriate education (including educating the public about the range of available elder justice information, programs, and services), training, and technical assistance; and

(D) taking such other steps as the Assistant Secretary determines appropriate.

(2) Maintenance of effort

Funds made available to States pursuant to this section shall be used to supplement and not supplant other Federal, State, and local funds expended to support activities described in paragraph (1).

(Pub. L. 89-73, title VII, §752, as added Pub. L. 109-365, title VII, §704(2), Oct. 17, 2006, 120 Stat. 2593.)

PART C—GENERAL PROVISIONS

§ 3058bb. Definitions

As used in this subchapter:

(1) Elder right

The term “elder right” means a right of an older individual.

(2) Vulnerable elder rights protection activity

The term “vulnerable elder rights protection activity” means an activity funded under part A.

(Pub. L. 89-73, title VII, §761, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 106-501, title VIII, §801(e)(4), Nov. 13, 2000, 114 Stat. 2293.)

Editorial Notes

AMENDMENTS

2000—Par. (2). Pub. L. 106-501 substituted “part A” for “subpart II, III, IV, or V of this subchapter”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

§ 3058cc. Administration

A State agency may carry out vulnerable elder rights protection activities either directly or through contracts or agreements with public or nonprofit private agencies or organizations, such as—

- (1) other State agencies;
- (2) area agencies on aging;
- (3) county governments;
- (4) institutions of higher education;
- (5) Indian tribes; or
- (6) nonprofit service providers or volunteer organizations.

(Pub. L. 89-73, title VII, §762, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 106-501, title VIII, §801(e)(5), Nov. 13, 2000, 114 Stat. 2293.)

Editorial Notes

AMENDMENTS

2000—Pub. L. 106-501 struck out “or an entity described in section 3058aa(c) of this title” after “A State agency” in introductory provisions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

§ 3058dd. Technical assistance

(a) Other agencies

In carrying out the provisions of this subchapter, the Assistant Secretary may request the technical assistance and cooperation of such Federal entities as may be appropriate.

(b) Assistant Secretary

The Assistant Secretary shall provide technical assistance and training (by contract, grant, or otherwise) to persons and entities that administer programs established under this subchapter.

(Pub. L. 89-73, title VII, §763, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 103-171, §3(a)(11), (13), Dec. 2, 1993, 107 Stat. 1990.)

Editorial Notes

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-171, §3(a)(13), substituted “Assistant Secretary” for “Commissioner”.

Subsec. (b). Pub. L. 103-171, §13(a)(11), (13), substituted “Assistant Secretary” for “Commissioner” in heading and text.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section inapplicable with respect to fiscal year 1993, see section 4(b) of Pub. L. 103-171, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

Section inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

§ 3058ee. Audits

(a) Access

The Assistant Secretary, the Comptroller General of the United States, and any duly authorized representative of the Assistant Secretary or the Comptroller shall have access, for the purpose of conducting an audit or examination, to any books, documents, papers, and records that are pertinent to financial assistance received under this subchapter.

(b) Limitation

State agencies and area agencies on aging shall not request information or data from providers that is not pertinent to services furnished under this subchapter or to a payment made for the services.

(Pub. L. 89-73, title VII, §764, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 106-501, title VIII, §801(e)(6), Nov. 13, 2000, 114 Stat. 2293.)

Editorial Notes

AMENDMENTS

2000—Subsec. (b). Pub. L. 106-501 substituted “and area agencies on aging” for “, area agencies on aging, and entities described in section 3058aa(c) of this title”.

1993—Subsec. (a). Pub. L. 103-171 substituted “Assistant Secretary” for “Commissioner” in two places.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section inapplicable with respect to fiscal year 1993, see section 4(b) of Pub. L. 103-171, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

Section inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

§ 3058ff. Rule of construction

Nothing in this subchapter shall be construed to interfere with or abridge the right of an older individual to practice the individual’s religion through reliance on prayer alone for healing, in a case in which a decision to so practice the religion—

(1) is contemporaneously expressed by the older individual—

(A) either orally or in writing;

(B) with respect to a specific illness or injury that the older individual has at the time of the decision; and