

109TH CONGRESS
1ST SESSION

H. R. 1374

To amend the Immigration and Nationality Act to permit aliens who are independent living assistants to be accorded status as J nonimmigrants to provide in-home living and home support services to adults with disabilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2005

Mr. COOPER (for himself, Mr. FOLEY, Mr. WAMP, and Mr. GORDON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to permit aliens who are independent living assistants to be accorded status as J nonimmigrants to provide in-home living and home support services to adults with disabilities.

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 “Independent Living
5 Assistance Access Act of 2005”.

1 **SEC. 2. ACCORDING OF STATUS AS J NONIMMIGRANTS TO**
2 **ALIENS WHO ARE INDEPENDENT LIVING AS-**
3 **SISTANTS TO PROVIDE IN-HOME LIVING AND**
4 **HOME SUPPORT SERVICES TO ADULTS WITH**
5 **DISABILITIES.**

6 (a) IN GENERAL.—Paragraph (15)(J) of section
7 101(a) of the Immigration and Nationality Act (8 U.S.C.
8 1101(a)) is amended by inserting “independent living as-
9 sistant,” after “specialist,”.

10 (b) DEFINITION.—Such section is further amended
11 by adding at the end the following new paragraphs:

12 “(51) The term ‘independent living assistant’
13 means an individual who provides in-home living and
14 home support services to an adult with disabilities.

15 “(52) The term ‘in-home living and home sup-
16 port services’ means services related to personal care
17 (including assistance with walking, bathing, dress-
18 ing, and eating), homemaker services (including as-
19 sistance with shopping, meal preparation, and light
20 housekeeping), and the performance of routine
21 household chores (including house cleaning and yard
22 work). Such term does not include medical care or
23 any other health service required to be provided by
24 a licensed health professional or provided under the
25 direction of a physical or occupational therapist.”.

1 (c) TRAINING.—An alien who is accorded status as
2 a nonimmigrant under section 101(a)(15)(J) of the Immi-
3 gration and Nationality Act (8 U.S.C. 1101(a)(15)(J)) as
4 an independent living assistant (as defined in section
5 101(a)(51) of such Act (8 U.S.C. 1101 et seq.), as added
6 by subsection (b)), shall receive, prior to placement, appro-
7 priate training related to the provision of in-home living
8 and home support services (as defined in section
9 101(a)(52) of such Act, as added by such subsection).
10 Such training shall include training for specific specialized
11 in-home living and home support services in the case of
12 an independent living assistant who is assisting an adult
13 with a disability who requires such specific specialized
14 services.

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