

Calendar No. 290

113TH CONGRESS
2D SESSION**S. 1562**

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2013

Mr. SANDERS (for himself, Mr. ALEXANDER, Mr. HARKIN, Mr. BEGICH, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JANUARY 6, 2014

Reported by Mr. HARKIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]**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 2013”.

1 **SEC. 2. 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 (4) and inserting the
12 following:

13 “(4) The term ‘Aging and Disability Resource
14 Center’ means an entity, network, or consortium es-
15 tablished by a State as part of the State system of
16 long-term care, to provide a coordinated and inte-
17 grated system for older individuals and individuals
18 with disabilities (as defined in section 3 of the Amer-
19 icans with Disabilities Act of 1990 (42 U.S.C.
20 12102)), and the caregivers of older individuals and
21 individuals with disabilities, that provides—

22 “(A) comprehensive information on the full
23 range of available public and private long-term
24 care programs, options, service providers, and
25 resources within a community, including infor-
26 mation on the availability of integrated long-

1 term care services; and Federal or State pro-
2 grams that provide long-term care services and
3 supports through home and community-based
4 service programs;

5 “(B) person-centered counseling to assist
6 individuals in assessing their existing or antici-
7 pated long-term care needs and goals; and de-
8 veloping and implementing a person-centered
9 plan for long-term care that is consistent with
10 the desires of such an individual and designed
11 to meet the individual’s specific needs, goals,
12 and circumstances;

13 “(C) access for individuals to the full
14 range of publicly supported long-term care serv-
15 ices and supports for which the individuals may
16 be eligible; including home and community-
17 based service options; by serving as a conven-
18 ient point of entry for such programs and sup-
19 ports; and

20 “(D) in cooperation with area agencies on
21 aging; centers for independent living described
22 in part C of title VII of the Rehabilitation Act
23 of 1973 (29 U.S.C. 796f et seq.); and other
24 community-based entities; information and re-
25 ferrals regarding available home and commu-

1 nity-based services for individuals who are at
 2 risk for residing in, or who reside in, institu-
 3 tional settings, so that the individuals have the
 4 choice to remain in or to return to the commu-
 5 nity.”;

6 (3) in paragraph (14)(B), by inserting “oral
 7 health,” after “bone density,”;

8 (4) by striking paragraph (17) and inserting
 9 the following:

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

11 “(A) from a societal perspective, efforts
 12 to—

13 “(i) prevent, detect, treat, intervene
 14 in, and prosecute elder abuse, neglect, and
 15 exploitation; and

16 “(ii) protect older individuals with di-
 17 minished capacity while maximizing their
 18 autonomy; and

19 “(B) from an individual perspective, the
 20 recognition of an older individual’s rights, in-
 21 cluding the right to be free of abuse, neglect,
 22 and exploitation.”;

23 (5) in paragraph (18)(A), by striking “term ‘ex-
 24 ploitation’ means” and inserting “terms ‘exploit-
 25 tation’ and ‘financial exploitation’ mean”; and

1 (6) by adding at the end the following:

2 ~~“(55) The term ‘adult protective services’~~
 3 ~~means such services provided to adults as the Sec-~~
 4 ~~retary may specify and includes services such as—~~

5 ~~“(A) receiving reports of adult abuse, ne-~~
 6 ~~glect, or exploitation;~~

7 ~~“(B) investigating the reports described in~~
 8 ~~subparagraph (A);~~

9 ~~“(C) case planning, monitoring, evaluation,~~
 10 ~~and other casework and services; and~~

11 ~~“(D) providing, arranging for, or facili-~~
 12 ~~tating the provision of medical, social service,~~
 13 ~~economic, legal, housing, law enforcement, or~~
 14 ~~other protective, emergency, or support serv-~~
 15 ~~ices.”.~~

16 **SEC. 3. ADMINISTRATION ON AGING.**

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

19 (1) in subsection (d)(3)—

20 (A) in subparagraph (K), by striking
 21 “and” at the end;

22 (B) in subparagraph (L)—

23 (i) by striking “Older Americans Act
 24 Amendments of 1992” and inserting

1 “Older Americans Act Reauthorization Act
2 of 2013”; and

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

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

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

10 (2) in subsection (c)(2), in the matter preceding
11 subparagraph (A), by inserting “; and in coordina-
12 tion with the heads of State adult protective services
13 programs and the Director of the Office of Long-
14 Term Care Ombudsman Programs” after “and serv-
15 ices”.

16 (b) TRAINING.—Section 202 of the Older Americans
17 Act of 1965 (42 U.S.C. 3012) is amended—

18 (1) in subsection (a)—

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

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

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

4 (D) in paragraph (27), by striking “and”
5 at the end;

6 (E) in paragraph (28), by striking the pe-
7 riod and inserting a semicolon; and

8 (F) by adding at the end the following:

9 “(29) provide information and technical assist-
10 ance to States, area agencies on aging, and service
11 providers, in collaboration with relevant Federal
12 agencies, on providing efficient, person-centered
13 transportation services, including across geographic
14 boundaries;

15 “(30) identify model programs and provide in-
16 formation and technical assistance to States, area
17 agencies on aging, and service providers (including
18 providers operating multipurpose senior centers); to
19 support the modernization of multipurpose senior
20 centers; and

21 “(31) provide technical assistance to and share
22 best practices with States, area agencies on aging,
23 and Aging and Disability Resource Centers, on how
24 to collaborate and coordinate services with health
25 care entities, such as Federally-qualified health cen-

ters, as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B)), in order to improve care coordination for individuals with multiple chronic illnesses.”;

(2) in subsection (b)—

(A) in paragraph (5)—

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

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

(iii) by adding at the end the following:

“(D) when feasible, developing, in consultation with States and national organizations, a consumer-friendly tool to assist older individuals and their families in choosing home and community-based services, with a particular focus on ways for consumers to assess how providers protect the health, safety, welfare, and rights, including the rights provided under section 314, of older individuals;” and

(B) in paragraph (8)—

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

1 (ii) in subparagraph (D)—

2 (I) by inserting “respond to or”
3 before “plan”; and

4 (II) by striking “future long-term
5 care needs; and” and inserting “long-
6 term care needs.”;

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

9 (iv) by adding at the end the fol-
10 lowing:

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

18 “(g) The Assistant Secretary shall, as appropriate,
19 ensure that programs authorized under this Act include
20 appropriate training in the prevention of abuse, neglect,
21 and exploitation and provision of services that address
22 elder justice and the exploitation of older individuals.”.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
24 216 of the Older Americans Act of 1965 (42 U.S.C.
25 3020f) is amended—

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

4 (2) in subsection (b)—

5 (A) by striking “202(a)(24)” and inserting
6 “202(a)(21)”; and

7 (B) by striking “2007, 2008, 2009, 2010,
8 and 2011” and inserting “2014, 2015, 2016,
9 2017, and 2018”; and

10 (3) in subsection (c), by striking “2007, 2008,
11 2009, 2010, and 2011” and inserting “2014, 2015,
12 2016, 2017, and 2018”.

13 **SEC. 4. STATE AND COMMUNITY PROGRAMS ON AGING.**

14 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section
15 303 of the Older Americans Act of 1965 (42 U.S.C. 3023)
16 is amended—

17 (1) in subsection (a)(1), by striking “fiscal
18 years 2007” and all that follows and inserting “each
19 of fiscal years 2014 through 2018.”;

20 (2) in subsection (b)—

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

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

4 (3) in subsection (d), by striking “fiscal years
5 2007” and all that follows and inserting “each of
6 fiscal years 2014 through 2018.”; and

7 (4) in subsection (e)(2), by striking “2011” and
8 inserting “2011 and each of fiscal years 2014
9 through 2018”.

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

13 (c) PLANNING AND SERVICE AREAS.—Section
14 305(b)(5)(C)(i)(III) of the Older Americans Act of 1965
15 (42 U.S.C. 3025(b)(5)(C)(i)(III)) is amended by striking
16 “planning and services areas” and inserting “planning
17 and service areas”.

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

20 (1) in subsection (a)—

21 (A) in paragraph (1), by striking “estab-
22 lishment, maintenance, or construction of multi-
23 purpose senior centers,” and inserting “estab-
24 lishment, maintenance, modernization, or con-
25 struction of multipurpose senior centers (includ-

ing a plan to use the skills and services of older individuals in paid and unpaid work, including multigenerational and older individual to older individual work),” and

(B) in paragraph (6)—

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

(ii) by adding at the end the following:

“(H) in coordination with the State agency and with the State agency responsible for elder abuse prevention services, increase public awareness of elder abuse, neglect, and exploitation, and remove barriers to education, prevention, investigation, and treatment of elder abuse neglect, and exploitation education, as appropriate;” and

(2) in subsection (b)(3)—

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

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

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

1 ~~“(K) protection from elder abuse, neglect,~~
 2 ~~and exploitation; and”.~~

3 ~~(e) NUTRITION SERVICES INCENTIVE PROGRAM.—~~

4 ~~Section 311(e) of the Older Americans Act of 1965 (42~~
 5 ~~U.S.C. 3030a(e)) is amended by striking “fiscal year~~
 6 ~~2007” and all that follows and inserting “each of fiscal~~
 7 ~~years 2014 through 2018.”.~~

8 ~~(f) SUPPORTIVE SERVICES.—Section 321 of the~~
 9 ~~Older Americans Act of 1965 (42 U.S.C. 3030d) is~~
 10 ~~amended—~~

11 ~~(1) in subsection (a)—~~

12 ~~(A) in paragraph (1), by striking “or refer-~~
 13 ~~ral services” and inserting “referral, chronic~~
 14 ~~condition self-care management, or falls preven-~~
 15 ~~tion services”;~~

16 ~~(B) in paragraph (8), by striking “(includ-~~
 17 ~~ing” and all that follows and inserting the fol-~~
 18 ~~lowing: “(including mental and behavioral~~
 19 ~~health screening and falls prevention services~~
 20 ~~screening) to detect or prevent (or both) ill-~~
 21 ~~nesses and injuries that occur most frequently~~
 22 ~~in older individuals;” and~~

23 ~~(C) in paragraph (15), by inserting before~~
 24 ~~the semicolon the following: “; and screening~~
 25 ~~for elder abuse, neglect, and exploitation”;~~

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

3 (3) in subsection (c), by inserting before the pe-
4 riod the following: “; and pursue opportunities for
5 the development of intergenerational shared site
6 models for programs or projects, consistent with the
7 purposes of this Act”.

8 (g) HOME DELIVERED NUTRITION SERVICES PRO-
9 GRAM.—Section 336(a)(1) of the Older Americans Act of
10 1965 (42 U.S.C. 3030f(a)(1)) is amended by striking
11 “canned” and all that follows through “meals” and insert-
12 ing “canned, or fresh foods and, as appropriate, supple-
13 mental foods, and any additional meals”.

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

17 (1) in paragraph (1), by striking “solicit” and
18 inserting “utilize”; and

19 (2) in paragraph (2)—

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

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

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

1 “(L) where feasible, encourages the use of
 2 locally grown foods in meal programs and iden-
 3 tifies potential partnerships and contracts with
 4 local producers and providers of locally grown
 5 foods.”.

6 (i) EVIDENCE-BASED DISEASE PREVENTION AND
 7 HEALTH PROMOTION SERVICES PROGRAM.—Part D of
 8 title III of the Older Americans Act of 1965 (42 U.S.C.
 9 3030m et seq.) is amended—

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

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

14 (j) OLDER RELATIVE CAREGIVERS.—

15 (1) TECHNICAL AMENDMENT.—Part E of title
 16 III of the Older Americans Act of 1965 (42 U.S.C.
 17 3030s et seq.) is amended by striking the subpart
 18 heading for subpart 1.

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

21 (A) in subsection (a)—

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

24 (ii) by striking paragraph (2) and in-
 25 serting the following:

1 “(2) ~~INDIVIDUAL WITH A DISABILITY.~~—The
 2 term ‘individual with a disability’ means an indi-
 3 vidual with a disability, as defined in section 3 of the
 4 Americans with Disabilities Act of 1990 (42 U.S.C.
 5 12102), who is not less than 18 and not more than
 6 59 years of age.

7 “(3) ~~OLDER RELATIVE CAREGIVER.~~—The term
 8 ‘older relative caregiver’ means a caregiver who—

9 “(A)(i) is 55 years of age or older; and

10 “(ii) lives with, is the informal provider of
 11 in-home and community care to, and is the pri-
 12 mary caregiver for, a child or an individual with
 13 a disability;

14 “(B) in the case of a caregiver for a
 15 child—

16 “(i) is the grandparent, stepgrandpar-
 17 ent, or other relative (other than the par-
 18 ent) by blood, marriage, or adoption, of the
 19 child;

20 “(ii) is the primary caregiver of the
 21 child because the biological or adoptive
 22 parents are unable or unwilling to serve as
 23 the primary caregivers of the child; and

24 “(iii) has a legal relationship to the
 25 child, such as legal custody, adoption, or

1 guardianship, or is raising the child infor-
 2 mally; and

3 ~~“(C) in the case of a caregiver for an indi-~~
 4 ~~vidual with a disability, is the parent, grand-~~
 5 ~~parent, or other relative by blood, marriage, or~~
 6 ~~adoption, of the individual with a disability.”;~~
 7 and

8 (B) in subsection (b)—

9 (i) by striking “subpart” and all that
 10 follows through “family caregivers” and in-
 11 serting “part, for family caregivers”;

12 (ii) by striking “; and” and inserting
 13 a period; and

14 (iii) by striking paragraph (2).

15 (k) NATIONAL FAMILY CAREGIVER SUPPORT PRO-
 16 GRAM.—Section 373 of the Older Americans Act of 1965
 17 (42 U.S.C. 3030s-1) is amended—

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

21 (2) in subsection (c)—

22 (A) in paragraph (1), in the matter pre-
 23 ceeding subparagraph (A), by striking “grand-
 24 parents and older individuals who are relative

1 caregivers, and who” and inserting “older rel-
2 ative caregivers, who”; and

3 (B) in paragraph (2)(B), by striking “to
4 older individuals providing care to individuals
5 with severe disabilities, including children with
6 severe disabilities” and inserting “to older rel-
7 ative caregivers of children with severe disabil-
8 ities, or individuals with disabilities who have
9 severe disabilities”;

10 (3) in subsection (c)(3), by striking “grand-
11 parents or older individuals who are relative care-
12 givers” and inserting “older relative caregivers”;

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

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

20 (h) CONFORMING AMENDMENT.—Part E of title III
21 is amended by striking “this subpart” each place it ap-
22 pears and inserting “this part”.

1 **SEC. 5. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND**
 2 **LONGEVITY.**

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

5 (1) in subsection (a)—

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

8 (B) by redesignating paragraph (13) as
 9 paragraph (14); and

10 (C) by inserting after paragraph (12) the
 11 following:

12 “(13) continuing support for program integrity
 13 initiatives concerning the Medicare program under
 14 title XVIII of the Social Security Act (42 U.S.C.
 15 1395 et seq.) that train senior volunteers to prevent
 16 and identify health care fraud and abuse; and”; and

17 (2) in subsection (b), by striking “for fiscal
 18 years 2007” and all that follows through “2011”
 19 and inserting “for each of fiscal years 2014 through
 20 2018”.

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

1 (c) **LEGAL ASSISTANCE FOR OLDER AMERICANS.**—

2 Section 420(e) of the Older Americans Act of 1965 (42
3 U.S.C. 3032i(e)) is amended by striking “national”.

4 (d) **REPEALS.**—Sections 415, 419, and 421 of the
5 Older Americans Act of 1965 (42 U.S.C. 3032d, 3032h,
6 3032j) is repealed.

7 (e) **CONFORMING AMENDMENT.**—Section 417(a)(1)
8 of the Older Americans Act of 1965 (42 U.S.C.
9 3032f(a)(1)) is amended by striking “grandparents and
10 other older individuals who are relative caregivers” and
11 inserting “older relative caregivers (as defined in section
12 372)”.

13 **SEC. 6. COMMUNITY SERVICE SENIOR OPPORTUNITIES.**

14 Section 517(a) of the Older Americans Act of 1965
15 (42 U.S.C. 3056o(a)) is amended by striking “fiscal years
16 2007, 2008, 2009, 2010, and 2011” and inserting “each
17 of fiscal years 2014 through 2018”.

18 **SEC. 7. GRANTS FOR NATIVE AMERICANS.**

19 Section 643(2) of the Older Americans Act of 1965
20 (42 U.S.C. 3057n(2)) is amended by striking “fiscal year
21 2011” and inserting “each of fiscal years 2014 through
22 2018”.

1 **SEC. 8. VULNERABLE ELDER RIGHTS PROTECTION ACTIVI-**
 2 **TIES.**

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

6 (b) OMBUDSMAN PROGRAMS.—Section 712 of the
 7 Older Americans Act of 1965 (42 U.S.C. 3058g) is
 8 amended—

9 (1) in subsection (a)—

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

14 (B) in paragraph (3)—

15 (i) in subparagraph (A), by striking
 16 clause (i) and inserting the following:

17 “(i) are made by, or on behalf of, resi-
 18 dents, including residents with limited or
 19 no decision-making capacity and who have
 20 no known legal representative, and if such
 21 a resident is unable to communicate con-
 22 sent for an Ombudsman to work on a com-
 23 plaint directly involving the resident, the
 24 Ombudsman shall seek evidence to indicate
 25 what outcome the resident would have
 26 communicated (and, in the absence of evi-

dence 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 (J); and

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

"(I) when feasible, continue to carry out the functions described in this section on behalf of residents transitioning from a long-term care facility to a home care setting; and"; and

(C) in paragraph (5)(B)—

(i) in clause (vi)—

1 (I) by inserting “, actively en-
 2 courage, and assist in” after “sup-
 3 port”; and

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

6 (ii) by redesignating clause (vii) as
 7 clause (viii); and

8 (iii) by inserting after clause (vi) the
 9 following:

10 “(vii) identify, investigate, and resolve
 11 complaints described in clause (iii) that are
 12 made by or on behalf of residents with lim-
 13 ited or no decision-making capacity and
 14 who have no known legal representative,
 15 and if such a resident is unable to commu-
 16 nicate consent for an Ombudsman to work
 17 on a complaint directly involving the resi-
 18 dent, the Ombudsman shall seek evidence
 19 to indicate what outcome the resident
 20 would have communicated (and, in the ab-
 21 sence of evidence to the contrary, shall as-
 22 sume that the resident wishes to have the
 23 resident’s health, safety, welfare, and
 24 rights protected) and shall work to accom-
 25 plish that outcome; and”;

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (A), by striking
4 “access” and inserting “private and
5 unimpeded access”; and

6 (ii) in subparagraph (B)—

7 (I) in clause (i)—

8 (aa) in the matter preceding
9 subclause (I), by striking “the
10 medical and social records of a”
11 and inserting “all files, records,
12 and other information concerning
13 a”; and

14 (bb) in subclause (II), by
15 striking “to consent” and insert-
16 ing “to communicate consent”;
17 and

18 (II) in clause (ii), in the matter
19 before subclause (I), by striking “the
20 records” and inserting “the files,
21 records, and information”; and

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

23 “(3) HEALTH OVERSIGHT AGENCY.—For pur-
24 poses of section 264(e) of the Health Insurance
25 Portability and Accountability Act of 1996 (includ-

ing regulations issued under that section) (42 U.S.C.
 1320d-2 note), the Ombudsman and a representa-
 tive of the Office shall be considered a ‘health over-
 sight agency,’ so that release of residents’ individ-
 ually identifiable health information to the Ombuds-
 man or representative is not precluded in cases in
 which the requirements of clause (i) or (ii) of para-
 graph (1)(B), or the requirements of paragraph
 (1)(D), are otherwise met.”;

(3) in subsection (d)—

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

(B) in paragraph (2)—

(i) in subparagraph (A)—

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

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

(ii) in subparagraph (B)—

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

1 (II) in clause (iii), by striking the
 2 period at the end and inserting “;
 3 and”; and

4 (iii) by adding at the end the fol-
 5 lowing:

6 “(C) notwithstanding subparagraph (B),
 7 ensure that the Ombudsman may disclose infor-
 8 mation as needed in order to best serve resi-
 9 dents with limited or no decision-making capac-
 10 ity who have no known legal representative and
 11 are unable to communicate consent, in order for
 12 the Ombudsman to carry out the functions and
 13 duties described in paragraphs (3)(A)(i) and
 14 (5)(B)(vi) of subsection (a).”;

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

17 “(f) CONFLICT OF INTEREST.—

18 “(1) INDIVIDUAL CONFLICT OF INTEREST.—

19 The State agency shall—

20 “(A) ensure that no individual, or member
 21 of the immediate family of an individual, in-
 22 volved in the designation of the Ombudsman
 23 (whether by appointment or otherwise) or the
 24 designation of an entity designated under sub-

1 section (a)(5), is subject to a conflict of inter-
2 est;

3 “(B) ensure that no officer or employee of
4 the Office, representative of a local Ombudsman
5 entity, or member of the immediate family of
6 the officer, employee, or representative, is sub-
7 ject to a conflict of interest; and

8 “(C) ensure that the Ombudsman—

9 “(i) does not have a direct involve-
10 ment in the licensing or certification of a
11 long-term care facility or of a provider of
12 a long-term care service;

13 “(ii) does not have an ownership or
14 investment interest (represented by equity,
15 debt, or other financial relationship) in a
16 long-term care facility or a long-term care
17 service;

18 “(iii) is not employed by, or partici-
19 pating in the management of, a long-term
20 care facility or a related organization; and
21 has not been employed by such a facility or
22 organization within 1 year before the date
23 of the determination involved;

24 “(iv) does not receive, or have the
25 right to receive, directly or indirectly, re-

muneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility;

“(v) does not have management responsibility for, or operate under the supervision of an individual with management responsibility for, adult protective services; and

“(vi) does not serve as a guardian or in another fiduciary capacity for residents of long-term care facilities in an official capacity (as opposed to serving as a guardian or fiduciary for a family member, in a personal capacity).

“(2) ORGANIZATIONAL CONFLICT OF INTEREST.—

“(A) IN GENERAL.—The State agency shall comply with subparagraph (B)(i) in a case in which the Office poses an organizational conflict of interest, including a situation in which the Office is placed in an organization that—

“(i) is responsible for licensing, certifying or surveying long-term care services in the State;

1 “(ii) is an association (or an affiliate
2 of such an association) of long-term care
3 facilities, or of any other residential facili-
4 ties for older individuals;

5 “(iii) provides long-term care services,
6 including programs carried out under a
7 Medicaid waiver approved under section
8 1115 of the Social Security Act (42 U.S.C.
9 1315) or under subsection (c) or (b) of
10 section 1915 of the Social Security Act (42
11 U.S.C. 1396n), or under a Medicaid State
12 plan amendment under subsection (i), (j),
13 or (k) of section 1915 of the Social Secu-
14 rity Act (42 U.S.C. 1396n);

15 “(iv) provides long-term care case
16 management;

17 “(v) sets rates for long-term care
18 services;

19 “(vi) provides adult protective serv-
20 ices;

21 “(vii) is responsible for eligibility de-
22 terminations for the Medicaid program
23 carried out under title XIX, of the Social
24 Security Act (42 U.S.C. 1395 et seq., 1396
25 et seq.);

1 ~~“(viii) conducts preadmission screen-~~
 2 ~~ing for placements in facilities described in~~
 3 ~~clause (ii); or~~

4 ~~“(ix) makes decisions regarding ad-~~
 5 ~~mission or discharge of individuals to or~~
 6 ~~from such facilities.~~

7 ~~“(B) IDENTIFYING, REMOVING, AND REM-~~
 8 ~~EDYING ORGANIZATIONAL CONFLICT.—~~

9 ~~“(i) IN GENERAL.—The State agency~~
 10 ~~may not operate the Office or carry out the~~
 11 ~~program, directly, or by contract or other~~
 12 ~~arrangement with any public agency or~~
 13 ~~nonprofit private organization, in a case in~~
 14 ~~which there is an organizational conflict of~~
 15 ~~interest (within the meaning of subpara-~~
 16 ~~graph (A)) unless such conflict of interest~~
 17 ~~has been—~~

18 ~~“(I) identified by the State agen-~~

19 ~~cy;~~

20 ~~“(II) disclosed by the State agen-~~
 21 ~~cy to the Assistant Secretary in writ-~~
 22 ~~ing; and~~

23 ~~“(III) remedied in accordance~~
 24 ~~with this subparagraph.~~

1 “(ii) ACTION BY ASSISTANT SEC-
 2 RETARY.—In a case in which a potential or
 3 actual organizational conflict of interest
 4 (within the meaning of subparagraph (A))
 5 involving the Office is disclosed or reported
 6 to the Assistant Secretary by any person
 7 or entity, the Assistant Secretary shall re-
 8 quire that the State agency, in accordance
 9 with the policies and procedures estab-
 10 lished by the State agency under section
 11 705(a)(5)(D)(iii)—

12 “(I) remove the conflict; or
 13 “(II) submit, and obtain the ap-
 14 proval of the Assistant Secretary for,
 15 an adequate remedial plan that indi-
 16 cates how the Ombudsman will be
 17 unencumbered in fulfilling all of the
 18 functions specified in subsection
 19 (a)(3).”; and

20 (5) in subsection (h)—

21 (A) in paragraph (3)(A)(i), by striking
 22 “older”;

23 (B) in paragraph (4), by striking all that
 24 precedes “procedures” and inserting the fol-
 25 lowing:

1 “~~(4)~~ strengthen and update”;

2 (C) by redesignating paragraphs ~~(4)~~
3 through ~~(9)~~ as paragraphs ~~(5)~~ through ~~(10)~~, re-
4 spectively;

5 (D) by inserting after paragraph ~~(3)~~ the
6 following:

7 “~~(4)~~ ensure that the Ombudsman or a designee
8 participates in training provided by the National
9 Ombudsman Resource Center established in section
10 ~~202(a)(18)~~.”;

11 (E) in paragraph ~~(6)~~(A), as redesignated
12 by subparagraph (B) of this paragraph, by
13 striking “paragraph ~~(4)~~” and inserting “para-
14 graph ~~(5)~~”;

15 (F) in paragraph ~~(7)~~(A), as redesignated
16 by subparagraph (B) of this paragraph, by
17 striking “subtitle C of the” and inserting “sub-
18 title C of title I of the”; and

19 (G) in paragraph ~~(10)~~, as redesignated by
20 subparagraph (B) of this paragraph, by striking
21 “~~(6)~~, or ~~(7)~~” and inserting “~~(7)~~, or ~~(8)~~”.

22 (c) OMBUDSMAN REGULATIONS.—Section ~~713~~ of the
23 Older Americans Act of 1965 (~~42 U.S.C. 3058h~~) is
24 amended—

1 (1) in paragraph (1), by striking “paragraphs
 2 (1) and (2) of section 712(f)” and inserting “sub-
 3 paragraphs (A) and (B) of section 712(f)(1)”; and
 4 (2) in paragraph (2), by striking “subpara-
 5 graphs (A) through (D) of section 712(f)(3)” and
 6 inserting “clauses (i) through (vi) of section
 7 712(f)(1)(C)”.

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

11 (1) in subsection (b)—

12 (A) by redesignating paragraphs (5)
 13 through (12) as paragraphs (6) through (13),
 14 respectively;

15 (B) by inserting after paragraph (4) the
 16 following:

17 “~~(5)~~ promoting the submission of data on elder
 18 abuse, neglect, and exploitation for the appropriate
 19 database of the Administration or another database
 20 specified by the Assistant Secretary;”;

21 (C) in paragraph (10)(C), as redesignated
 22 by paragraph (1) of this subsection—

23 (i) in clause (ii), by inserting “, such
 24 as forensic specialists,” after “such per-
 25 sonnel”; and

1 (ii) in clause (v), by inserting before
 2 the comma the following: “, including pro-
 3 grams and arrangements that protect
 4 against financial exploitation”; and
 5 (D) in paragraph (12), as redesignated by
 6 paragraph (1) of this subsection—

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

9 (ii) by adding at the end the fol-
 10 lowing:

11 “(F) supporting and studying innovative
 12 practices in communities to develop partner-
 13 ships across disciplines for the prevention, in-
 14 vestigation, and prosecution of abuse, neglect,
 15 and exploitation; and”; and

16 (2) in subsection (c)(2), in the matter preceding
 17 subparagraph (A)—

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

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

22 **SEC. 9. BEHAVIORAL HEALTH.**

23 The Older Americans Act of 1965 is amended—

24 (1) in section 102 (42 U.S.C. 3002)—

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

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

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

7 (2) in section 201(f)(1) (42 U.S.C. 3011(f)(1)),
8 by inserting “and behavioral” after “mental”;

9 (3) in section 202(a)(5) (42 U.S.C.
10 3012(a)(5)), by inserting “and behavioral” after
11 “mental”;

12 (4) in section 306(a) (42 U.S.C. 3026(a))—

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

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

19 (5) in section 321(a) (42 U.S.C. 3030d)—

20 (A) in paragraph (1), as amended by sec-
21 tion 4(f), by inserting “and behavioral” after
22 “mental”;

23 (B) in paragraph (8), as amended by sec-
24 tion 4(f), by inserting “and behavioral” after
25 “mental”;

1 (C) in paragraph (14)(B), by inserting
2 “and behavioral” after “mental”; and

3 (D) in paragraph (23), by inserting “and
4 behavioral” after “mental”.

5 **SEC. 10. STUDY ON TRANSPORTATION SERVICES.**

6 (a) STUDY.—

7 (1) IN GENERAL.—Because access to transpor-
8 tation services is critical for millions of older individ-
9 uals in the United States, to allow them to maintain
10 independence, health, and quality of life, the Comp-
11 troller General of the United States shall conduct a
12 study of transportation services for older individuals.

13 (2) CONTENTS.—In conducting the study, the
14 Comptroller General—

15 (A) shall identify challenges and barriers
16 affecting the aging network in providing, ac-
17 cessing, or coordinating efficient and effective
18 transportation services, including challenges
19 and barriers in coordinating services with Fed-
20 eral agencies and programs such as the Depart-
21 ment of Transportation and Medicaid program
22 under title XIX of the Social Security Act (42
23 U.S.C. 1396 et seq.); and

24 (B) shall examine any Federal program re-
25 quirements that may result in challenges or

1 barriers to the coordination of transportation
2 services within the aging network at the local
3 level.

4 (b) REPORT.—Not later than 18 months after the
5 date of enactment of this Act, the Comptroller General
6 shall issue a report. The report shall contain a detailed
7 description of the findings and conclusions of the study,
8 including any recommendations for administrative and
9 other changes to enhance transportation services provided
10 by the aging network. The Comptroller General shall sub-
11 mit the report to the Committee on Education and the
12 Workforce of the House of Representatives and the Com-
13 mittee on Health, Education, Labor, and Pensions of the
14 Senate.

15 **SEC. 11. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.**

16 (a) IN GENERAL.—Because the services under the
17 Older Americans Act of 1965 (42 U.S.C. 3001 et seq.)
18 are critical to meeting the urgent needs of Holocaust sur-
19 vivors to age in place with dignity, comfort, security, and
20 quality of life, the Assistant Secretary for Aging shall
21 issue guidance to States, that shall be applicable to States,
22 area agencies on aging, and providers of services for older
23 individuals, with respect to serving Holocaust survivors,
24 including guidance on promising practices for conducting
25 outreach to that population. In developing the guidance,

1 the Assistant Secretary for Aging shall consult with ex-
2 perts and organizations serving Holocaust survivors, and
3 shall take into account the possibility that the needs of
4 Holocaust survivors may differ based on geography.

5 (b) CONTENTS.—The guidance shall include the fol-
6 lowing:

7 (1) How nutrition service providers may meet
8 the special health-related or other dietary needs of
9 participants in programs under the Older Americans
10 Act of 1965, including needs based on religious, cul-
11 tural, or ethnic requirements.

12 (2) How transportation service providers may
13 address the urgent transportation needs of Holo-
14 caust survivors.

15 (3) How State long-term care ombudsmen may
16 address the unique needs of residents of long-term
17 care facilities for whom institutional settings may
18 produce sights, sounds, smells, emotions, and rou-
19 tines, that can induce panic, anxiety, and retrauma-
20 tization as a result of experiences from the Holo-
21 caust.

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

1 ~~(5) How other services provided under that Act,~~
 2 ~~as determined by the Assistant Secretary for Aging,~~
 3 ~~may serve Holocaust survivors.~~

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

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Older Americans Act*
 9 *Reauthorization Act of 2014”.*

10 **SEC. 2. DEFINITIONS.**

11 *Section 102 of the Older Americans Act of 1965 (42*
 12 *U.S.C. 3002) is amended—*

13 *(1) by striking paragraph (1) and inserting the*
 14 *following:*

15 *“(1) The term ‘abuse’ means the knowing inflic-*
 16 *tion of physical or psychological harm or the knowing*
 17 *deprivation of goods or services that are necessary to*
 18 *meet essential needs or to avoid physical or psycho-*
 19 *logical harm.”;*

20 *(2) by striking paragraph (3) and inserting the*
 21 *following:*

22 *“(3) The term ‘adult protective services’ means*
 23 *such services provided to adults as the Secretary may*
 24 *specify and includes services such as—*

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

3 “(B) investigating the reports described in
4 subparagraph (A);

5 “(C) case planning, monitoring, evaluation,
6 and other casework and services; and

7 “(D) providing, arranging for, or facili-
8 tating the provision of medical, social service,
9 economic, legal, housing, law enforcement, or
10 other protective, emergency, or support services.”;

11 (3) by striking paragraph (4) and inserting the
12 following:

13 “(4) The term ‘Aging and Disability Resource
14 Center’ means an entity, network, or consortium es-
15 tablished by a State as part of the State system of
16 long-term care, to provide a coordinated and inte-
17 grated system for older individuals and individuals
18 with disabilities (as defined in section 3 of the Ameri-
19 cans with Disabilities Act of 1990 (42 U.S.C.
20 12102)), and the caregivers of older individuals and
21 individuals with disabilities, that provides—

22 “(A) comprehensive information on the full
23 range of available public and private long-term
24 care programs, options, service providers, and re-
25 sources within a community, including informa-

1 *tion on the availability of integrated long-term*
2 *care services, and Federal or State programs*
3 *that provide long-term care services and supports*
4 *through home and community-based service pro-*
5 *grams;*

6 *“(B) person-centered counseling to assist in-*
7 *dividuals in assessing their existing or antici-*
8 *pated long-term care needs and goals, and devel-*
9 *oping and implementing a person-centered plan*
10 *for long-term care that is consistent with the de-*
11 *sires of such an individual and designed to meet*
12 *the individual’s specific needs, goals, and cir-*
13 *cumstances;*

14 *“(C) access for individuals to the full range*
15 *of publicly-supported long-term care services and*
16 *supports for which the individuals may be eligi-*
17 *ble, including home and community-based serv-*
18 *ice options, by serving as a convenient point of*
19 *entry for such programs and supports; and*

20 *“(D) in cooperation with area agencies on*
21 *aging, centers for independent living described in*
22 *part C of title VII of the Rehabilitation Act of*
23 *1973 (29 U.S.C. 796f et seq.), and other commu-*
24 *nity-based entities, information and referrals re-*
25 *garding available home and community-based*

1 *services for individuals who are at risk for resid-*
 2 *ing in, or who reside in, institutional settings, so*
 3 *that the individuals have the choice to remain in*
 4 *or to return to the community.”;*

5 (4) in paragraph (14)(B), by inserting “oral
 6 *health,” after “bone density,”;*

7 (5) by striking paragraph (17) and inserting the
 8 *following:*

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

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

11 “(i) prevent, detect, treat, intervene in,
 12 and prosecute elder abuse, neglect, and ex-
 13 ploitation; and

14 “(ii) protect older individuals with di-
 15 minished capacity while maximizing their
 16 autonomy; and

17 “(B) from an individual perspective, the
 18 recognition of an older individual’s rights, in-
 19 cluding the right to be free of abuse, neglect, and
 20 exploitation.”; and

21 (6) in paragraph (18)(A), by striking “term ‘ex-
 22 ploitation’ means” and inserting “terms ‘exploitation’
 23 and ‘financial exploitation’ mean”.

1 **SEC. 3. ADMINISTRATION ON AGING.**

2 (a) *BEST PRACTICES.*—Section 201 of the Older Amer-
 3 icans Act of 1965 (42 U.S.C. 3011) is amended—

4 (1) in subsection (d)(3)—

5 (A) in subparagraph (K), by striking “and”
 6 at the end;

7 (B) in subparagraph (L)—

8 (i) by striking “Older Americans Act
 9 Amendments of 1992” and inserting “Older
 10 Americans Act Reauthorization Act of
 11 2014”; and

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

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

15 “(M) collect and analyze best practices related to
 16 responding to elder abuse, neglect, and exploitation in
 17 long-term care facilities, and publish a report of such
 18 best practices.”; and

19 (2) in subsection (e)(2), in the matter preceding
 20 subparagraph (A), by inserting “, and in coordina-
 21 tion with the heads of State adult protective services
 22 programs and the Director of the Office of Long-Term
 23 Care Ombudsman Programs” after “and services”.

24 (b) *TRAINING.*—Section 202 of the Older Americans
 25 Act of 1965 (42 U.S.C. 3012) is amended—

26 (1) in subsection (a)—

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

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

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

9 (D) in paragraph (27), by striking “and”
10 at the end;

11 (E) in paragraph (28), by striking the pe-
12 riod and inserting a semicolon; and

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

14 “(29) provide information and technical assist-
15 ance to States, area agencies on aging, and service
16 providers, in collaboration with relevant Federal
17 agencies, on providing efficient, person-centered trans-
18 portation services, including across geographic bound-
19 aries;

20 “(30) identify model programs and provide in-
21 formation and technical assistance to States, area
22 agencies on aging, and service providers (including
23 providers operating multipurpose senior centers), to
24 support the modernization of multipurpose senior
25 centers; and

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

10 (2) in subsection (b)—

11 (A) in paragraph (5)—

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

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

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

18 “(D) when feasible, developing, in consulta-
 19 tion with States and national organizations, a
 20 consumer-friendly tool to assist older individuals
 21 and their families in choosing home and commu-
 22 nity-based services, with a particular focus on
 23 ways for consumers to assess how providers pro-
 24 tect the health, safety, welfare, and rights, in-

1 *cluding the rights provided under section 314, of*
 2 *older individuals;”;*

3 *(B) in paragraph (8)—*

4 *(i) in subparagraph (B), by inserting*
 5 *“to identify and articulate goals of care*
 6 *and” after “individuals”;*

7 *(ii) in subparagraph (D)—*

8 *(I) by inserting “respond to or”*
 9 *before “plan”; and*

10 *(II) by striking “future long-term*
 11 *care needs; and” and inserting “long-*
 12 *term care needs;”;*

13 *(iii) in subparagraph (E), by adding*
 14 *“and” at the end; and*

15 *(iv) by adding at the end the following:*

16 *“(F) to provide information and referrals*
 17 *regarding available home and community-based*
 18 *services for individuals who are at risk for resid-*
 19 *ing in, or who reside in, institutional settings, so*
 20 *that the individuals have the choice to remain in*
 21 *or to return to the community;”;* and

22 *(3) by adding at the end the following:*

23 *“(g) The Assistant Secretary shall, as appropriate, en-*
 24 *sure that programs authorized under this Act include ap-*
 25 *propriate training in the prevention of abuse, neglect, and*

1 *exploitation and provision of services that address elder jus-*
 2 *tice and the exploitation of older individuals.”.*

3 (c) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 4 *216 of the Older Americans Act of 1965 (42 U.S.C. 3020f)*
 5 *is amended—*

6 (1) *in subsection (a), by striking “2007, 2008,*
 7 *2009, 2010, and 2011” and inserting “2014, 2015,*
 8 *2016, 2017, and 2018”;*

9 (2) *in subsection (b)—*

10 (A) *by striking “202(a)(24)” and inserting*
 11 *“202(a)(21)”;* and

12 (B) *by striking “2007, 2008, 2009, 2010,*
 13 *and 2011” and inserting “2014, 2015, 2016,*
 14 *2017, and 2018”;* and

15 (3) *in subsection (c), by striking “2007, 2008,*
 16 *2009, 2010, and 2011” and inserting “2014, 2015,*
 17 *2016, 2017, and 2018”.*

18 **SEC. 4. STATE AND COMMUNITY PROGRAMS ON AGING.**

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

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

25 (2) *in subsection (b)—*

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

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

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

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

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

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

21 (d) *AREA PLANS.*—Section 306 of the Older Americans
22 Act of 1965 (42 U.S.C. 3026) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1), by striking “estab-
25 lishment, maintenance, or construction of multi-

1 *purpose senior centers,” and inserting “establish-*
 2 *ment, maintenance, modernization, or construc-*
 3 *tion of multipurpose senior centers (including a*
 4 *plan to use the skills and services of older indi-*
 5 *viduals in paid and unpaid work, including*
 6 *multigenerational and older individual to older*
 7 *individual work),”; and*

8 *(B) in paragraph (6)—*

9 *(i) in subparagraph (G), by adding*
 10 *“and” at the end; and*

11 *(ii) by adding at the end the following:*

12 *“(H) in coordination with the State agency*
 13 *and with the State agency responsible for elder*
 14 *abuse prevention services, increase public aware-*
 15 *ness of elder abuse, neglect, and exploitation, and*
 16 *remove barriers to education, prevention, inves-*
 17 *tigation, and treatment of elder abuse, neglect,*
 18 *and exploitation, as appropriate;”; and*

19 *(2) in subsection (b)(3)—*

20 *(A) in subparagraph (J), by striking “and”*
 21 *at the end;*

22 *(B) by redesignating subparagraph (K) as*
 23 *subparagraph (L); and*

24 *(C) by inserting after subparagraph (J) the*
 25 *following:*

1 “(K) protection from elder abuse, neglect,
2 and exploitation; and”.

3 (e) *NUTRITION SERVICES INCENTIVE PROGRAM*.—Sec-
4 tion 311(e) of the Older Americans Act of 1965 (42 U.S.C.
5 3030a(e)) is amended by striking “fiscal year 2007” and
6 all that follows and inserting “each of fiscal years 2014
7 through 2018.”.

8 (f) *SUPPORTIVE SERVICES*.—Section 321 of the Older
9 Americans Act of 1965 (42 U.S.C. 3030d) is amended—
10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “or refer-
12 ral services” and inserting “referral, chronic con-
13 dition self-care management, or falls prevention
14 services”;

15 (B) in paragraph (8), by striking “(includ-
16 ing” and all that follows and inserting the fol-
17 lowing: “(including mental and behavioral
18 health screening and falls prevention services
19 screening) to detect or prevent (or both) illnesses
20 and injuries that occur most frequently in older
21 individuals;” and

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

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

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

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

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

11 “(1) is age 18 or older;

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

14 “(3) has a disability.”.

15 (g) *HOME DELIVERED NUTRITION SERVICES PRO-*
16 *GRAM.*—Section 336(1) of the Older Americans Act of 1965
17 (42 U.S.C. 3030f(1)) is amended by striking “canned” and
18 all that follows through “meals” and inserting “canned, or
19 fresh foods and, as appropriate, supplemental foods, and
20 any additional meals”.

21 (h) *NUTRITION SERVICES.*—Section 339 of the Older
22 Americans Act of 1965 (42 U.S.C. 3030g–21) is amended

23 (1) in paragraph (1), by striking “solicit” and
24 inserting “utilize”; and

25 (2) in paragraph (2)—

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

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

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

6 “(L) where feasible, encourages the use of lo-
7 cally grown foods in meal programs and identi-
8 fies potential partnerships and contracts with
9 local producers and providers of locally grown
10 foods.”.

11 (i) *EVIDENCE-BASED DISEASE PREVENTION AND*
12 *HEALTH PROMOTION SERVICES PROGRAM.*—Part D of title
13 *III of the Older Americans Act of 1965 (42 U.S.C. 3030m*
14 *et seq.) is amended—*

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

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

19 (j) *OLDER RELATIVE CAREGIVERS.*—

20 (1) *TECHNICAL AMENDMENT.*—Part E of title
21 *III of the Older Americans Act of 1965 (42 U.S.C.*
22 *3030s et seq.) is amended by striking the subpart*
23 *heading for subpart 1.*

24 (2) *DEFINITIONS.*—Section 372 of such Act (42
25 *U.S.C. 3030s) is amended—*

1 (A) in subsection (a)—

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

5 (ii) by striking paragraph (2) and in-
6 serting the following:

7 “(2) *INDIVIDUAL WITH A DISABILITY*.—The term
8 ‘individual with a disability’ means an individual
9 with a disability, as defined in section 3 of the Amer-
10 icans with Disabilities Act of 1990 (42 U.S.C.
11 12102), who is not less than age 18 and not more
12 than age 59.

13 “(3) *OLDER RELATIVE CAREGIVER*.—The term
14 ‘older relative caregiver’ means a caregiver who—

15 “(A)(i) is age 55 or older; and

16 “(ii) lives with, is the informal provider of
17 in-home and community care to, and is the pri-
18 mary caregiver for, a child or an individual
19 with a disability;

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

21 “(i) is the grandparent,
22 stepgrandparent, or other relative (other
23 than the parent) by blood, marriage, or
24 adoption, of the child;

1 “(ii) is the primary caregiver of the
2 child because the biological or adoptive par-
3 ents are unable or unwilling to serve as the
4 primary caregivers of the child; and

5 “(iii) has a legal relationship to the
6 child, such as legal custody, adoption, or
7 guardianship, or is raising the child infor-
8 mally; and

9 “(C) in the case of a caregiver for an indi-
10 vidual with a disability, is the parent, grand-
11 parent, or other relative by blood, marriage, or
12 adoption, of the individual with a disability.”;
13 and

14 (B) in subsection (b)—

15 (i) by striking “subpart” and all that
16 follows through “family caregivers” and in-
17 serting “part, for family caregivers”;

18 (ii) by striking “; and” and inserting
19 a period; and

20 (iii) by striking paragraph (2).

21 (k) NATIONAL FAMILY CAREGIVER SUPPORT PRO-
22 GRAM.—Section 373 of the Older Americans Act of 1965
23 (42 U.S.C. 3030s-1) is amended—

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

4 (2) in subsection (c)—

5 (A) in paragraph (1), in the matter pre-
 6 ceding subparagraph (A), by striking “grand-
 7 parents and older individuals who are relative
 8 caregivers, and who” and inserting “older rel-
 9 ative caregivers, who”; and

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

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

20 (4) in subsection (f)(1)(A), by striking “for fiscal
 21 years 2007, 2008, 2009, 2010, and 2011” and insert-
 22 ing “for a fiscal year”; and

23 (5) in subsection (g)(2)(C), by striking “grand-
 24 parents and older individuals who are relative care-

6 SEC. 5. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND
7 LONGEVITY.

10 (1) *in subsection (a)*—

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

17 “(13) continuing support for program integrity
18 initiatives concerning the Medicare program under
19 title XVIII of the Social Security Act (42 U.S.C. 1395
20 et seq.) that train senior volunteers to prevent and
21 identify health care fraud and abuse; and”;

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1 (b) *NATIVE AMERICAN PROGRAMS.*—Section 418(b) of
 2 the Older Americans Act of 1965 (42 U.S.C. 3032g(b)) is
 3 amended by striking “a national meeting to train” and in-
 4 serting “national trainings for”.

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

8 (d) *REPEALS.*—Sections 415, 419, and 421 of the
 9 Older Americans Act of 1965 (42 U.S.C. 3032d, 3032h,
 10 3032j) are repealed.

11 (e) *CONFORMING AMENDMENT.*—Section 417(a)(1)(A)
 12 of the Older Americans Act of 1965 (42 U.S.C.
 13 3032f(a)(1)(A)) is amended by striking “grandparents and
 14 other older individuals who are relative caregivers” and in-
 15 serting “older relative caregivers (as defined in section
 16 372)”.

17 **SEC. 6. COMMUNITY SERVICE SENIOR OPPORTUNITIES.**

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

22 **SEC. 7. GRANTS FOR NATIVE AMERICANS.**

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

1 **SEC. 8. VULNERABLE ELDER RIGHTS PROTECTION ACTIVI-**
 2 **TIES.**

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

6 (b) *OMBUDSMAN PROGRAMS.*—Section 712 of the *Older*
 7 *Americans Act of 1965* (42 U.S.C. 3058g) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (2), by adding at the end
 10 the following: “The Ombudsman shall be respon-
 11 sible for the management, including the fiscal
 12 management, of the Office.”;

13 (B) in paragraph (3)—

14 (i) in subparagraph (A), by striking
 15 clause (i) and inserting the following:

16 “(i) are made by, or on behalf of, resi-
 17 dents, including residents with limited or
 18 no decisionmaking capacity and who have
 19 no known legal representative, and if such
 20 a resident is unable to communicate consent
 21 for an Ombudsman to work on a complaint
 22 directly involving the resident, the Ombuds-
 23 man shall seek evidence to indicate what
 24 outcome the resident would have commu-
 25 nicated (and, in the absence of evidence to
 26 the contrary, shall assume that the resident

1 *wishes to have the resident's health, safety,*
 2 *welfare, and rights protected) and shall*
 3 *work to accomplish that outcome; and”;*

4 *(ii) in subparagraph (D), by striking*
 5 *“regular and timely” and inserting “reg-*
 6 *ular, timely, private, and unimpeded”;*

7 *(iii) in subparagraph (H)(iii)—*

8 *(I) by inserting “, actively en-*
 9 *courage, and assist in” after “provide*
 10 *technical support for”; and*

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

13 *(iv) by redesignating subparagraph (I)*
 14 *as subparagraph (J); and*

15 *(v) by inserting after subparagraph*
 16 *(H) the following:*

17 *“(I) when feasible, continue to carry out the*
 18 *functions described in this section on behalf of*
 19 *residents transitioning from a long-term care fa-*
 20 *cility to a home care setting; and”;*

21 *(C) in paragraph (5)(B)—*

22 *(i) in clause (vi)—*

23 *(I) by inserting “, actively en-*
 24 *courage, and assist in” after “sup-*
 25 *port”; and*

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

3 (ii) by redesignating clause (vii) as
4 clause (viii); and

5 (iii) by inserting after clause (vi) the
6 following:

7 “(vii) identify, investigate, and resolve
8 complaints described in clause (iii) that are
9 made by or on behalf of residents with lim-
10 ited or no decisionmaking capacity and who
11 have no known legal representative, and if
12 such a resident is unable to communicate
13 consent for an Ombudsman to work on a
14 complaint directly involving the resident,
15 the Ombudsman shall seek evidence to indi-
16 cate what outcome the resident would have
17 communicated (and, in the absence of evi-
18 dence to the contrary, shall assume that the
19 resident wishes to have the resident’s health,
20 safety, welfare, and rights protected) and
21 shall work to accomplish that outcome;
22 and”;

23 (2) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking
 2 “access” and inserting “private and
 3 unimpeded access”; and

4 (ii) in subparagraph (B)—

5 (I) in clause (i)—

6 (aa) in the matter preceding
 7 subclause (I), by striking “the
 8 medical and social records of a”
 9 and inserting “all files, records,
 10 and other information concerning
 11 a”; and

12 (bb) in subclause (II), by
 13 striking “to consent” and insert-
 14 ing “to communicate consent”;
 15 and

16 (II) in clause (ii), in the matter
 17 before subclause (I), by striking “the
 18 records” and inserting “the files,
 19 records, and information”; and

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

21 “(3) *HEALTH OVERSIGHT AGENCY*.—For pur-
 22 poses of section 264(c) of the Health Insurance Port-
 23 ability and Accountability Act of 1996 (including
 24 regulations issued under that section) (42 U.S.C.
 25 1320d–2 note), the Ombudsman and a representative

1 *of the Office shall be considered a ‘health oversight*
 2 *agency,’ so that release of residents’ individually*
 3 *identifiable health information to the Ombudsman or*
 4 *representative is not precluded in cases in which the*
 5 *requirements of clause (i) or (ii) of paragraph (1)(B),*
 6 *or the requirements of paragraph (1)(D), are other-*
 7 *wise met.”;*

8 *(3) in subsection (d)—*

9 *(A) in paragraph (1), by striking “files”*
 10 *and inserting “files, records, and other informa-*
 11 *tion”;* *and*

12 *(B) in paragraph (2)—*

13 *(i) in subparagraph (A)—*

14 *(I) by striking “files and records”*
 15 *each place such term appears and in-*
 16 *serting “files, records, and other infor-*
 17 *mation”;* *and*

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

20 *(ii) in subparagraph (B)—*

21 *(I) by striking “files or records”*
 22 *and inserting “files, records, or other*
 23 *information”;* *and*

1 (II) in clause (iii), by striking the
 2 period at the end and inserting “;
 3 and”; and
 4 (iii) by adding at the end the fol-
 5 lowing:

6 “(C) notwithstanding subparagraph (B),
 7 ensure that the Ombudsman may disclose infor-
 8 mation as needed in order to best serve residents
 9 with limited or no decisionmaking capacity who
 10 have no known legal representative and are un-
 11 able to communicate consent, in order for the
 12 Ombudsman to carry out the functions and du-
 13 ties described in paragraphs (3)(A) and (5)(B)
 14 of subsection (a).”; and

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

17 “(f) *CONFLICT OF INTEREST.*—

18 “(1) *INDIVIDUAL CONFLICT OF INTEREST.*—The
 19 State agency shall—

20 “(A) ensure that no individual, or member
 21 of the immediate family of an individual, in-
 22 volved in the designation of the Ombudsman
 23 (whether by appointment or otherwise) or the
 24 designation of an entity designated under sub-
 25 section (a)(5), is subject to a conflict of interest;

1 “(B) ensure that no officer or employee of
2 the Office, representative of a local Ombudsman
3 entity, or member of the immediate family of the
4 officer, employee, or representative, is subject to
5 a conflict of interest; and

6 “(C) ensure that the Ombudsman—

7 “(i) does not have a direct involvement
8 in the licensing or certification of a long-
9 term care facility or of a provider of a long-
10 term care service;

11 “(ii) does not have an ownership or in-
12 vestment interest (represented by equity,
13 debt, or other financial relationship) in a
14 long-term care facility or a long-term care
15 service;

16 “(iii) is not employed by, or partici-
17 pating in the management of, a long-term
18 care facility or a related organization, and
19 has not been employed by such a facility or
20 organization within 1 year before the date
21 of the determination involved;

22 “(iv) does not receive, or have the right
23 to receive, directly or indirectly, remunera-
24 tion (in cash or in kind) under a compensa-

tion arrangement with an owner or operator of a long-term care facility;

“(v) does not have management responsibility for, or operate under the supervision of an individual with management responsibility for, adult protective services; and

“(vi) does not serve as a guardian or in another fiduciary capacity for residents of long-term care facilities in an official capacity (as opposed to serving as a guardian or fiduciary for a family member, in a personal capacity).

“(2) ORGANIZATIONAL CONFLICT OF INTEREST.—

“(A) IN GENERAL.—The State agency shall comply with subparagraph (B)(i) in a case in which the Office poses an organizational conflict of interest, including a situation in which the Office is placed in an organization that—

“(i) is responsible for licensing, certifying, or surveying long-term care services in the State;

“(ii) is an association (or an affiliate of such an association) of long-term care fa-

1 *cilities, or of any other residential facilities*
2 *for older individuals;*

3 “(iii) provides long-term care services,
4 including programs carried out under a
5 Medicaid waiver approved under section
6 1115 of the Social Security Act (42 U.S.C.
7 1315) or under subsection (b) or (c) of sec-
8 tion 1915 of the Social Security Act (42
9 U.S.C. 1396n), or under a Medicaid State
10 plan amendment under subsection (i), (j),
11 or (k) of section 1915 of the Social Security
12 Act (42 U.S.C. 1396n);

13 “(iv) provides long-term care case
14 management;

15 “(v) sets rates for long-term care serv-
16 ices;

17 “(vi) provides adult protective services;

18 “(vii) is responsible for eligibility de-
19 terminations for the Medicaid program car-
20 ried out under title XIX of the Social Secu-
21 rity Act (42 U.S.C. 1396 et seq.);

22 “(viii) conducts preadmission screen-
23 ing for placements in facilities described in
24 clause (ii); or

1 “(ix) makes decisions regarding admis-
 2 sion or discharge of individuals to or from
 3 such facilities.

4 “(B) IDENTIFYING, REMOVING, AND REM-
 5 EDYING ORGANIZATIONAL CONFLICT.—

6 “(i) IN GENERAL.—The State agency
 7 may not operate the Office or carry out the
 8 program, directly, or by contract or other
 9 arrangement with any public agency or
 10 nonprofit private organization, in a case in
 11 which there is an organizational conflict of
 12 interest (within the meaning of subpara-
 13 graph (A)) unless such conflict of interest
 14 has been—

15 “(I) identified by the State agen-
 16 cy;

17 “(II) disclosed by the State agency
 18 to the Assistant Secretary in writing;
 19 and

20 “(III) remedied in accordance
 21 with this subparagraph.

22 “(ii) ACTION BY ASSISTANT SEC-
 23 RETARY.—In a case in which a potential or
 24 actual organizational conflict of interest
 25 (within the meaning of subparagraph (A))

1 *involving the Office is disclosed or reported*
 2 *to the Assistant Secretary by any person or*
 3 *entity, the Assistant Secretary shall require*
 4 *that the State agency, in accordance with*
 5 *the policies and procedures established by*
 6 *the State agency under subsection*
 7 *(a)(5)(D)(iii)—*

8 *“(I) remove the conflict; or*

9 *“(II) submit, and obtain the ap-*
 10 *proval of the Assistant Secretary for,*
 11 *an adequate remedial plan that indi-*
 12 *cates how the Ombudsman will be*
 13 *unencumbered in fulfilling all of the*
 14 *functions specified in subsection*
 15 *(a)(3).”;* and

16 *(5) in subsection (h)—*

17 *(A) in paragraph (3)(A)(i), by striking*
 18 *“older”;*

19 *(B) in paragraph (4), by striking all that*
 20 *precedes “procedures” and inserting the fol-*
 21 *lowing:*

22 *“(4) strengthen and update”;*

23 *(C) by redesignating paragraphs (4)*
 24 *through (9) as paragraphs (5) through (10), re-*
 25 *spectively;*

1 (D) by inserting after paragraph (3) the fol-
 2 lowing:

3 “(4) ensure that the Ombudsman or a designee
 4 participates in training provided by the National
 5 Ombudsman Resource Center established in section
 6 202(a)(18);”;

7 (E) in paragraph (6)(A), as redesignated by
 8 subparagraph (B) of this paragraph, by striking
 9 “paragraph (4)” and inserting “paragraph (5)”;

10 (F) in paragraph (7)(A), as redesignated by
 11 subparagraph (B) of this paragraph, by striking
 12 “subtitle C of the” and inserting “subtitle C of
 13 title I of the”; and

14 (G) in paragraph (10), as redesignated by
 15 subparagraph (B) of this paragraph, by striking
 16 “(6), or (7)” and inserting “(7), or (8)”.

17 (c) OMBUDSMAN REGULATIONS.—Section 713 of the
 18 Older Americans Act of 1965 (42 U.S.C. 3058h) is amend-
 19 ed—

20 (1) in paragraph (1), by striking “paragraphs
 21 (1) and (2) of section 712(f)” and inserting “subpara-
 22 graphs (A) and (B) of section 712(f)(1)”;

23 (2) in paragraph (2), by striking “subpara-
 24 graphs (A) through (D) of section 712(f)(3)” and in-

1 serting “clauses (i) through (vi) of section
2 712(f)(1)(C)”.

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

6 (1) in subsection (b)—

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

9 (B) by redesignating paragraphs (5)
10 through (12) as paragraphs (6) through (13), re-
11 spectively;

12 (C) by inserting after paragraph (4) the fol-
13 lowing:

14 “(5) promoting the submission of data on elder
15 abuse, neglect, and exploitation for the appropriate
16 database of the Administration or another database
17 specified by the Assistant Secretary;”;

18 (D) in paragraph (10)(C), as redesignated
19 by subparagraph (B) of this paragraph—

20 (i) in clause (ii), by inserting “, such
21 as forensic specialists,” after “such per-
22 sonnel”; and

23 (ii) in clause (v), by inserting before
24 the comma the following: “, including pro-

1 grams and arrangements that protect
2 against financial exploitation”; and

3 (E) in paragraph (12), as redesignated by
4 subparagraph (B) of this paragraph—

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

7 (ii) by adding at the end the following:

8 “(F) supporting and studying innovative
9 practices in communities to develop partnerships
10 across disciplines for the prevention, investiga-
11 tion, and prosecution of abuse, neglect, and ex-
12 ploitation; and”; and

13 (2) in subsection (e)(2), in the matter preceding
14 subparagraph (A)—

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

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

19 **SEC. 9. BEHAVIORAL HEALTH.**

20 *The Older Americans Act of 1965 is amended—*

21 (1) in section 102 (42 U.S.C. 3002)—

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

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

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

3 (2) in section 201(f)(1) (42 U.S.C. 3011(f)(1)),
4 by inserting “and behavioral” after “mental”;

5 (3) in section 202(a)(5) (42 U.S.C. 3012(a)(5)),
6 by inserting “and behavioral” after “mental”;

7 (4) in section 306(a) (42 U.S.C. 3026(a))—

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

10 (B) in paragraph (6)(F), by striking “men-
11 tal health services” each place such term appears
12 and inserting “mental and behavioral health
13 services”; and

14 (5) in section 321(a) (42 U.S.C. 3030d)—

15 (A) in paragraph (1), as amended by sec-
16 tion 4(f), by inserting “and behavioral” after
17 “mental”;

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

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

22 **SEC. 10. STUDY ON TRANSPORTATION SERVICES.**

23 (a) *STUDY*.—

24 (1) *IN GENERAL*.—Because access to transpor-
25 tation services is critical for millions of older individ-

1 uals in the United States, to allow them to maintain
 2 independence, health, and quality of life, the Comp-
 3 troller General of the United States shall conduct a
 4 study of transportation services for older individuals.

5 (2) *CONTENTS.*—In conducting the study, the
 6 Comptroller General—

7 (A) shall identify challenges and barriers
 8 affecting the aging network in providing, access-
 9 ing, or coordinating efficient and effective trans-
 10 portation services, including challenges and bar-
 11 riers in coordinating services with Federal agen-
 12 cies and programs such as the Department of
 13 Transportation and the Medicaid program under
 14 title XIX of the Social Security Act (42 U.S.C.
 15 1396 *et seq.*); and

16 (B) shall examine any Federal program re-
 17 quirements that may result in challenges or bar-
 18 riers to the coordination of transportation serv-
 19 ices within the aging network at the local level.

20 (b) *REPORT.*—Not later than 18 months after the date
 21 of enactment of this Act, the Comptroller General shall issue
 22 a report. The report shall contain a detailed description of
 23 the findings and conclusions of the study, including any
 24 recommendations for administrative and other changes to
 25 enhance transportation services provided by the aging net-

1 *work. The Comptroller General shall submit the report to*
 2 *the Committee on Education and the Workforce of the*
 3 *House of Representatives and the Committee on Health,*
 4 *Education, Labor, and Pensions of the Senate.*

5 **SEC. 11. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.**

6 (a) *IN GENERAL.*—*Because the services under the*
 7 *Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) are*
 8 *critical to meeting the urgent needs of Holocaust survivors*
 9 *to age in place with dignity, comfort, security, and quality*
 10 *of life, the Assistant Secretary for Aging shall issue guid-*
 11 *ance to States, that shall be applicable to States, area agen-*
 12 *cies on aging, and providers of services for older individ-*
 13 *uals, with respect to serving Holocaust survivors, including*
 14 *guidance on promising practices for conducting outreach to*
 15 *that population. In developing the guidance, the Assistant*
 16 *Secretary for Aging shall consult with experts and organi-*
 17 *zations serving Holocaust survivors, and shall take into ac-*
 18 *count the possibility that the needs of Holocaust survivors*
 19 *may differ based on geography.*

20 (b) *CONTENTS.*—*The guidance shall include the fol-*
 21 *lowing:*

22 (1) *How nutrition service providers may meet*
 23 *the special health-related or other dietary needs of*
 24 *participants in programs under the Older Americans*

1 *Act of 1965, including needs based on religious, cul-*
2 *tural, or ethnic requirements.*

3 *(2) How transportation service providers may*
4 *address the urgent transportation needs of Holocaust*
5 *survivors.*

6 *(3) How State long-term care ombudsmen may*
7 *address the unique needs of residents of long-term care*
8 *facilities for whom institutional settings may produce*
9 *sights, sounds, smells, emotions, and routines, that*
10 *can induce panic, anxiety, and retraumatization as*
11 *a result of experiences from the Holocaust.*

12 *(4) How supportive services providers may con-*
13 *sider the unique needs of Holocaust survivors.*

14 *(5) How other services provided under that Act,*
15 *as determined by the Assistant Secretary for Aging,*
16 *may serve Holocaust survivors.*

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

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2^D Session

S. 1562

A BILL

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

JANUARY 6, 2014

Reported with an amendment