

117TH CONGRESS  
1ST SESSION

# S. 2106

To amend the Older Americans Act of 1965 to authorize a national network of statewide senior legal hotlines, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 17, 2021

Mr. CASEY (for himself and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Older Americans Act of 1965 to authorize a national network of statewide senior legal hotlines, 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 “Senior Legal Hotline  
5 Act of 2021”.

6 **SEC. 2. STATEWIDE SENIOR LEGAL HOTLINES.**

7 Subtitle B of title VII of the Older Americans Act  
8 of 1965 (42 U.S.C. 3058aa et seq.) is amended by adding  
9 at the end the following:

1 **“SEC. 753. STATEWIDE SENIOR LEGAL HOTLINES.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) ELIGIBLE ENTITY.—

4 “(A) IN GENERAL.—The term ‘eligible en-  
5 tity’ means a nonprofit organization or a part-  
6 nership described in subparagraph (B) that—

7 “(i) provides legal assistance to older  
8 individuals at no cost to such individuals;  
9 and

10 “(ii)(I) operates a senior legal hotline  
11 in existence on the date on which the enti-  
12 ty submits an application under subsection  
13 (c); or

14 “(II) demonstrates the capacity to  
15 provide legal assistance to older individuals  
16 through a statewide senior legal hotline.

17 “(B) PARTNERSHIP.—A partnership de-  
18 scribed in this subparagraph is a partnership  
19 between—

20 “(i) multiple nonprofit organizations;  
21 or

22 “(ii) one or more nonprofit organiza-  
23 tions with one or more State or local gov-  
24 ernments.

1           “(2) SENIOR LEGAL HOTLINE.—The term ‘sen-  
2       ior legal hotline’ means a program or partnership of  
3       programs that—

4           “(A) provides legal services, such as coun-  
5       seling, advice, advocacy, information, referrals,  
6       and other services, as appropriate, to older indi-  
7       viduals on a broad range of civil legal issues;

8           “(B) provides such services by telephone  
9       (and may provide such services by additional  
10      forms of communication), regardless of whether  
11      such services are provided 24 hours a day and  
12      7 days a week;

13          “(C) provides such services at no cost to  
14      the older individuals receiving such services;

15          “(D) serves older individuals with the  
16      greatest social need and greatest economic need  
17      as a target population for such services; and

18          “(E) develops partnerships with other pro-  
19      grams and legal assistance providers to ensure  
20      that older individuals who need more extensive  
21      services, including representation, have access  
22      to such services.

23          “(3) STATEWIDE SENIOR LEGAL HOTLINE.—  
24      The term ‘statewide senior legal hotline’ means a

1       senior legal hotline that serves older individuals  
2       throughout a State.

3       “(b) AUTHORIZATION.—The Assistant Secretary may  
4       award grants, on a competitive basis, to eligible entities  
5       that submit an application under subsection (c) to estab-  
6       lish or operate a statewide senior legal hotline in accord-  
7       ance with the requirements under subsection (d).

8       “(c) APPLICATION PROCESS.—

9               “(1) IN GENERAL.—An eligible entity seeking a  
10       grant under this section shall submit to the Assist-  
11       ant Secretary an application at such time, in such  
12       manner, and containing such information as the As-  
13       sistant Secretary may reasonably require, including  
14       the contents described in paragraph (2).

15              “(2) CONTENTS.—An application submitted  
16       under paragraph (1) shall contain, at a minimum,  
17       each of the following:

18                   “(A) An identification of the State to be  
19       served by the statewide senior legal hotline.

20                   “(B) A plan indicating how the eligible en-  
21       tity will satisfy each requirement under sub-  
22       section (d) with respect to establishing or oper-  
23       ating a statewide senior legal hotline.

24                   “(C) An assurance that the eligible entity  
25       will be able to provide, from non-Federal funds,

1 an amount equal to not less than 25 percent of  
2 the estimated amount awarded through the  
3 grant under this section. An eligible entity may  
4 use in-kind contributions to meet the matching  
5 requirement under this subparagraph.

6 “(D) A description of the certification  
7 process the eligible entity has in place to ensure  
8 that staff members of and volunteers serving  
9 the statewide senior legal hotline will have no  
10 conflict of interest (including any financial or  
11 substantive conflict of interest) in providing  
12 services through the hotline.

13 “(3) SELECTION.—The Assistant Secretary  
14 shall, in selecting eligible entities to receive a grant  
15 under this section—

16 “(A) consider—

17 “(i) the extent to which the applica-  
18 tion submitted by the eligible entity under  
19 paragraph (2) meets the requirements of  
20 such paragraph; and

21 “(ii) the demonstrated capacity of the  
22 eligible entity to administer a statewide  
23 senior legal hotline, including the experi-  
24 ence and history of the eligible entity in  
25 delivering high quality advice, assistance,

1                   and other legal services, to older individ-  
 2                   uals through low-cost and innovative meth-  
 3                   ods; and

4                   “(B) ensure that no 2 eligible entities re-  
 5                   ceiving a grant under this section for a fiscal  
 6                   year are planning to establish or operate a  
 7                   statewide senior legal hotline that serves the  
 8                   same State for such fiscal year.

9                   “(d) REQUIREMENTS.—Each eligible entity receiving  
 10 a grant under this section shall, in establishing or oper-  
 11 ating a statewide senior legal hotline supported by such  
 12 grant—

13                   “(1) provide for a sufficient number of appro-  
 14                   priately trained attorneys, paralegals, other staff  
 15                   members, and volunteers to ensure effective delivery  
 16                   of the services described in subsection (a)(2)(A);

17                   “(2) collaborate with the appropriate State unit  
 18                   on aging, including any legal assistance developer,  
 19                   and free or low-cost legal service providers through-  
 20                   out the State, including those who provide free legal  
 21                   assistance to older individuals, to maximize coordi-  
 22                   nation and cost-effective delivery of legal assistance  
 23                   to older individuals;

24                   “(3) strive to maximize coordination in the de-  
 25                   livery of legal assistance to older individuals in the

1 State, including legal assistance funded by the Legal  
 2 Services Corporation under the Legal Services Cor-  
 3 poration Act (42 U.S.C. 2996 et seq.), legal assist-  
 4 ance supported by a grant under part B of title III  
 5 of this Act, legal assistance provided by a law school  
 6 clinic, and any other legal assistance provided at no-  
 7 cost to the persons receiving the assistance;

8 “(4) build effective communication within the  
 9 aging network operating in the State to provide co-  
 10 ordinated assistance and referrals as appropriate;

11 “(5) establish mechanisms to make referrals for  
 12 representation and other assistance beyond the scope  
 13 of the hotline to—

14 “(A) other divisions or projects of the  
 15 same legal aid agency of which the hotline is a  
 16 division or project;

17 “(B) other legal aid agencies;

18 “(C) private attorneys, including those pro-  
 19 viding pro bono legal services;

20 “(D) providers included in the aging net-  
 21 work operating in the State;

22 “(E) advocacy and assistance programs for  
 23 older individuals; or

24 “(F) any other individuals or entities, as  
 25 appropriate; and

1           “(6) conduct outreach through the aging net-  
2           work operating in the State, and by other means, to  
3           inform older individuals about the availability of the  
4           services provided by the hotline, specifically tar-  
5           geting older individuals with the greatest economic  
6           need and greatest social need.

7           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
8           is authorized to be appropriated to carry out this section  
9           \$10,000,000 for each of fiscal years 2022 through 2026.”.

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