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113TH CONGRESS
1ST SESSION

S. 1028

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

IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Mr. SANDERS (for himself, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Mrs. BOXER, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. JOHNSON of South Dakota, Mr. CARDIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. CASEY, and Mr. NELSON) 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 reauthorize and improve the Older Americans Act of 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Older Americans Act Amendments of 2013''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—DECLARATION OF OBJECTIVES; DEFINITIONS

Sec. 101. Declaration of objectives.
Sec. 102. Definitions.

TITLE II—ADMINISTRATION ON AGING

Sec. 201. Establishment of Administration on Aging.
Sec. 202. Functions of Assistant Secretary.
Sec. 203. Federal agency consultation.
Sec. 204. Evaluation.
Sec. 205. Reports.
Sec. 206. Conforming amendments.
Sec. 207. Authorization of appropriations.
Sec. 208. Advisory Committee to Assess, Coordinate, and Improve Legal Assistance Activities.
Sec. 209. Consumer Price Index.
Sec. 210. Sense of the Senate regarding appropriation levels.

TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

Sec. 301. Purpose; administration.
Sec. 302. Definition.
Sec. 303. Authorization of appropriations.
Sec. 304. Allotments.
Sec. 305. Organization.
Sec. 306. Area plans.
Sec. 307. State plans.
Sec. 308. Planning, coordination, evaluation, and administration of State plans.
Sec. 309. Nutrition services incentive program.
Sec. 310. Consumer contributions.
Sec. 311. Supportive services and senior centers program.
Sec. 312. Nutrition services.
Sec. 313. Disease prevention and health promotion services.
Sec. 314. National family caregiver support program.

TITLE IV—ACTIVITIES FOR HEALTH, INDEPENDENCE, AND LONGEVITY

Sec. 401. Grant programs.
Sec. 402. Community innovations for aging in place.
Sec. 403. Multipurpose senior center modernization, training, and support.
Sec. 404. Demonstration program on care coordination and service delivery.
Sec. 405. Grants or contracts to facilitate low-income access to dental care.
Sec. 406. National Resource Center on Family Caregiving.
Sec. 407. Conforming amendment.

TITLE V—COMMUNITY SERVICE SENIOR OPPORTUNITIES

Sec. 501. Older American Community Service Employment Program.
Sec. 502. Interagency cooperation.
Sec. 503. Authorization of appropriations.
Sec. 504. Study on feasibility of transfer of program.

TITLE VI—GRANTS FOR NATIVE AMERICANS

Sec. 601. Technical amendment.
Sec. 602. Conforming amendment.

Sec. 603. Reauthorization of funding for grants for Native Americans.

TITLE VII—VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

Sec. 701. Establishment.
Sec. 702. Authorization of appropriations.
Sec. 703. Grants.
Sec. 704. Eligibility.
Sec. 705. Additional State plan requirements.
Sec. 706. Definitions.
Sec. 707. State Long-Term Care Ombudsman program.
Sec. 708. Prevention of elder abuse, neglect, and exploitation.
Sec. 709. State legal assistance development.
Sec. 710. State Home Care Ombudsman Programs.

TITLE VIII—GERIATRICS AND GERONTOLOGY

Sec. 801. Primary health services.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Older adults are the fastest growing segment of the Nation's population.

(2) Every day, 10,000 Baby Boomers turn 65.

(3) One in 5 of those individuals age 65 and older survives on an average of $7,500 a year.

(4) Federal funding to support older adults and their caregivers has not kept pace with inflation.

(5) Only 7 percent of individuals who are food insecure get a home-delivered meal.

(6) For every reported incident of elder abuse, neglect, exploitation, or self-neglect, approximately 25 go unreported.

(7) By making significant improvements through the Older Americans Act Amendments of 2013, it is possible to improve the lives of millions

of older adults, and ensure that they receive the supports and services that they need to stay healthy and active in their homes and communities.

TITLE I—DECLARATION OF OBJECTIVES; DEFINITIONS

SEC. 101. DECLARATION OF OBJECTIVES.

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

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

''(1) An adequate income and economic security in later life in accordance with the American standard of living.'';

(2) in paragraph (4), by inserting ''care coordination and'' after ''including'';

(3) by striking paragraphs (9) and (10) and inserting the following:

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

''(10) Freedom, independence, economic security, and the free exercise of individual initiative for older individuals in planning and managing their own lives, full participation in the planning and operation of community-based services and programs

provided for their benefit, and protection against abuse, neglect, and exploitation.''; and

(4) by adding at the end the following:

''(11) Acquiring high-quality services in a manner that is culturally and linguistically responsive to older individuals and family caregivers.''.

SEC. 102. DEFINITIONS.

(a) IN GENERAL.—Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) The term 'abuse' means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm.'';

(2) by redesignating paragraphs (4) through (14) and (15) through (54) as paragraphs (5) through (15) and (17) through (56), respectively;

(3) by inserting after paragraph (3) the following:

''(4) The term 'adult protective services' means such services provided to adults as the Secretary may specify and includes services such as—

''(A) receiving reports of adult abuse, neglect, or exploitation;

''(B) investigating the reports described in subparagraph (A);

''(C) case planning, monitoring, evaluation, and other case work and services; and

''(D) providing, arranging for, or facilitating the provision of services, such as medical, social, economic, legal, housing, law enforcement, or other protective, emergency, or support services.'';

(4) in subparagraph (B)(i) of paragraph (12), as redesignated by paragraph (2) of this subsection, by striking ''comprehensive'' and all that follows through ''psychological,'' and inserting ''comprehensive person-centered assessment of the older individual (including the physical, psychological, economic,'';

(5) in subparagraph (C) of paragraph (15), as redesignated by paragraph (1) of this subsection, by inserting '', their family members,'' before ''and their primary'';

(6) by inserting after that paragraph (15) the following:

''(16)(A) The term 'economic security' means access to the assets, income, and community-based services necessary to provide for adequate and unsubsidized housing, health care, transportation, food and adequate nutrition, long-term care, and goods and services to meet other basic human needs. Such access shall be measured in a manner that shall be geographically based, and take into account an individual's life circumstances.

''(B) The term 'economic security and benefits counseling' means a supportive service that provides, to an older individual, a comprehensive assessment of the Federal, State, and community benefits and services for which the individual qualifies, along with assistance in applying for and obtaining benefits and services.'';

(7) by amending paragraph (19), as redesignated by paragraph (2) of this subsection, to read as follows:

''(19) The term 'elder justice' means—

''(A) from a societal perspective, efforts to—

''(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

''(ii) protect older individuals with diminished capacity while maximizing their autonomy; and

''(B) from an individual perspective, the recognition of an older individual's rights, including the right to be free of abuse, neglect, and exploitation.'';

(8) in paragraph (20)(A), as redesignated by paragraph (2) of this subsection, by striking ''The term 'exploitation' means'' and inserting ''The terms 'exploitation' and 'financial exploitation' mean'';

(9) in paragraph (25), as redesignated by paragraph (2) of this subsection, by striking ''at or below the poverty line.'' and inserting ''that is not more than 200 percent of the poverty line.'';

(10) by striking paragraph (26), as redesignated by paragraph (2) of this subsection, and inserting the following:

''(26) The term 'greatest social need' means need caused by noneconomic factors—

''(A) that—

''(i) restrict the ability of an individual to perform normal daily tasks; or

''(ii) threaten the capacity of the individual to live independently; and

''(B) which include—

''(i) physical and mental disabilities;

''(ii) language barriers including limited English proficiency;

''(iii) cultural, social, or geographic isolation (such as residence in a rural area), including isolation caused by racial, minority, or ethnic status, or status as an LGBT individual;

''(iv) HIV-positive health status or Alzheimer's disease or a related disorder with neurological and organic brain dysfunction;

''(v) greatest health service need, particularly a need posed by multiple chronic health conditions or a condition that places an individual at risk for falls;

''(vi) abuse, neglect (including self-neglect), or financial exploitation, including factors that are the basis of a referral to adult protective services;

''(vii) status as a veteran; and

''(viii) status as a Holocaust survivor.'';

(11) in paragraph (30), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (C), by inserting ", including opportunities for paid work and volunteer service in the community" after "available"; and

(B) in subparagraph (E)—

(i) in the matter preceding clause (i), by inserting ", in a culturally and linguistically competent manner," before "the entire community of older individuals"; and

(ii) in clause (i), by inserting after "social need" the following: "(with particular attention to individuals with factors listed in paragraph (26)(B))";

(12) in paragraph (31), as redesignated by paragraph (2) of this subsection, by striking "information and referral" and inserting "information and referral assistance";

(13) in paragraph (35), as redesignated by paragraph (2) of this subsection—

(A) by redesignating clauses (i) and (ii) of subparagraph (B) as subclauses (I) and (II), respectively, and aligning the margins of the subclauses with the margins of subclause (I) of

subparagraph (A)(i) of paragraph (34), as so redesignated;

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and aligning the margins of the clauses with the margins of clause (ii) of subparagraph (A) of that paragraph (34);

(C) by inserting ''(A)'' before ''The term''; and

(D) by adding at the end the following:

''(B) The term 'integrated legal assistance delivery system' means a collaboratively run, statewide network that is established to provide direct legal assistance, in the most efficient and impactful manner possible, targeted at older individuals with greatest economic need and older individuals with greatest social need (with particular attention to individuals with factors listed in paragraph (26)(B)), in coordination with the legal assistance developer for the State and all State, regional, and local service providers engaged in promoting or supporting elder rights.'';

(14) in paragraph (36), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C);

(15) in paragraph (37), as redesignated by paragraph (2) of this subsection, by striking ''sections 307(a)(12) and'' and inserting ''the activities carried out under section 307(a)(9)'';

(16) in paragraph (38), as redesignated by paragraph (2) of this subsection, by inserting ''(including elder abuse and neglect screening)'' after ''educational services'';

(17) in paragraph (50)(B), as redesignated by paragraph (2) of this subsection, by striking ''subparagraphs (A) through (G) of paragraph (8)'' and inserting ''subparagraphs (A) through (I) of paragraph (14)''; and

(18) by adding at the end the following:

''(57) The term 'care coordination' means a person- and family-centered, assessment-based, and interdisciplinary approach, to meet the needs and preferences of an older individual and a family caregiver while enhancing the capabilities of the older individual (including the ability to self-direct services),

that integrates health care, long-term services and supports, and social services in a high-quality and cost-effective manner.

''(58) The term 'cultural and linguistic competence' means competence in a set of behaviors, attitudes, and policies that is—

''(A) used by an organization or among professionals; and

''(B) enables effective work in cross-cultural situations.

''(59) The term 'family caregiver' means an adult family member, or another individual, who is an informal provider of in-home and community care to an older individual or to an individual with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.

''(60) The term 'Holocaust survivor' means an individual who—

''(A) lived in or fled from, between 1933 and 1945, a country under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators;

''(B) was persecuted between 1933 and 1945 on the basis of race, religion, physical or

mental disability, sexual orientation, political affiliation, ethnicity, or other basis; and

''(C) was a member of a group that was persecuted by the Nazis.

''(61) The term 'LGBT', used with respect to an individual, means a lesbian, gay, bisexual, or transgender individual.

''(62) The term 'person-centered', used with respect to a service for an individual, means a service provided with an approach designed to ensure that an outcome reflects the needs, preferences, and situations of the individual.

''(63) The term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.''.

(b) CONFORMING AMENDMENTS.—Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002), as redesignated by subsection (a)(2), is amended—

(1) in paragraph (39)(A), by striking ''as defined in paragraph (5)'' and inserting ''as defined in paragraph (28)'';

(2) in paragraph (40), by striking ''(as defined in paragraph (18)(B))'' and inserting ''(as defined in paragraph (20)(B))''; and

(3) in paragraph (48)(D), by striking ''(as defined in paragraph (18)(B))'' and inserting ''(as defined in paragraph (20)(B))''.

TITLE II—ADMINISTRATION ON AGING

SEC. 201. ESTABLISHMENT OF ADMINISTRATION ON AGING.

Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended—

(1) in subsection (d)(3)—

(A) in subparagraph (K), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (L)—

(i) by striking ''Older Americans Act Amendments of 1992'' and inserting ''Older Americans Act Amendments of 2013''; and

(ii) by striking ''712(h)(4).'' and inserting ''712(h)(5); and''; and

(C) by adding at the end the following:

''(M) collect and analyze best practices related to screening for elder abuse and publish a report of such best practices.'';

(2) in subsection (e)(2)—

(A) in the matter preceding subparagraph (A), by inserting '', and in coordination with

the heads of State adult protective services programs and the State Long-Term Care Ombudsmen'' after ''and services'';

(B) in subparagraph (A), by striking ''and'' at the end;

(C) in subparagraph (B), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(C) to assist States with the development of Home Care Consumer Bills of Rights and Plans for Enforcement, to ensure that home care consumers, as defined in section 736, have basic protections as outlined in subsections (b) and (c) of section 705.''; and

(3) by adding at the end the following:

''(g) The Assistant Secretary is authorized to use funds appropriated to carry out this Act to implement activities authorized under part I of subtitle B of title XX of the Social Security Act (42 U.S.C. 1397k et seq.), including the establishment of the Advisory Board on Elder Abuse, Neglect, and Exploitation, and to continue the work of the Elder Justice Coordinating Council.''.

SEC. 202. FUNCTIONS OF ASSISTANT SECRETARY.

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

(1) in subsection (a)—

(A) in paragraph (5), by inserting ''economic security,'' after ''nutrition,'';

(B) in paragraph (7), by inserting '', including economic security trends among such individuals'' after ''older individuals'';

(C) in paragraph (8), by striking ''older individuals'' and inserting ''the health and economic security of older individuals'';

(D) in paragraph (14), by inserting ''for working with the Administrator of the Health Resources and Services Administration and the Secretary of Labor to identify and address workforce shortages involving such personnel,'' after ''field of aging,'';

(E) by striking paragraph (15) and inserting the following:

''(15)(A) as needed, provide technical assistance, training through training packages, and other forms of instruction to entities consisting of State agencies, area agencies on aging, service providers, and community-based organizations, to ensure that the entities develop and implement, in a culturally and linguistically competent manner, programming, services, and outreach for older individuals with

greatest economic need and older individuals with greatest social need (with particular attention to providing services to individuals with factors listed in section 102(26)(B); and

''(B) consult with national and community-based organizations representing minority individuals to develop the capacity of the Administration to provide such technical assistance, training, and instruction.'';

(F) in paragraph (16)(C), by striking ''paragraphs (2) and (5)(A)'' and inserting ''paragraphs (2) and (4)(A)'';

(G) in paragraph (18), by amending subparagraph (B) to read as follows:

''(B) make available to the Center—

''(i) for fiscal year 2014, not less than $2,000,000; and

''(ii) for each subsequent fiscal year, not less than the amount made available under this subparagraph for fiscal year 2014.'';

(H) by striking paragraph (22) and inserting the following:

''(22) develop guidelines for area agencies on aging to follow in choosing and evaluating providers

of legal assistance with the capacity to work within an integrated legal assistance delivery system;'';

(I) in paragraph (23), by striking all text following ''developers'' and inserting ''referred to in section 307(a)(13) and section 731;'';

(J) in paragraph (27), by striking ''and'' at the end;

(K) in paragraph (28), by striking the period and inserting a semicolon; and

(L) by adding at the end the following:

''(29)(A) encourage, provide technical assistance to and share best practices with, States, area agencies on aging, Aging and Disability Resource Centers, and service providers to carry out outreach and coordinate activities with health care entities, such as Federally qualified health centers, in order to assure better care coordination for individuals with multiple chronic illnesses; and

''(B) coordinate activities with other Federal agencies that are working to improve care coordination and developing new models and best practices for that coordination.'';

(2) in subsection (b)—

(A) in paragraph (8)—

(i) in subparagraph (D)—

(I) by inserting ", and with future planning for eligible care recipients (as defined in section 372(a)) who are individuals with disabilities described in section 372(a)(2)(B) and who are living with older relative caregivers (as so defined)'' after ''needs''; and

(II) by striking ''and'' at the end;

(ii) in subparagraph (E), by striking the semicolon at the end and inserting "; and''; and

(iii) by adding at the end the following:

''(F) to provide information relating to the quality measures identified under paragraph (11)(A), using the methods described in paragraph (11)(B), about home and community-based long-term care programs, service providers, and resources, when referring consumers to those programs, providers, or resources;'';

(B) in paragraph (10), by striking ''and'' at the end;

(C) by redesignating paragraph (11) as paragraph (12); and

(D) by inserting after paragraph (10) the following:

''(11) identify, in consultation with States (either directly or by entering into a contract under this subparagraph and considering the recommendation of the contract recipient) quality measures for home and community-based long-term care programs, service providers, and resources that—

''(A) protect the health, safety, and welfare of consumers who are referred to such programs; and

''(B) shall be identified after the Assistant Secretary takes into account, at a minimum, information regarding—

''(i) background checks of service providers;

''(ii) licensure of agencies and certification and training of service providers; and

''(iii) consumer satisfaction regarding programs, service providers, and resources, in cases in which consumer satisfaction information is available; and'';

(3) in subsection (e)(2)(B)—

(A) in clause (viii), by striking ''and'';

(B) by redesignating clause (ix) as clause (x); and

(C) by inserting after clause (viii) the following:

''(ix) organizations with expertise on economic security, asset accumulation, and retirement planning; and''; and

(4) by adding at the end the following:

''(g) The Assistant Secretary shall ensure, where appropriate, that all programs funded under this Act include appropriate training in the prevention of abuse, neglect, and exploitation and provision of services that address elder justice and the exploitation of older individuals.

''(h)(1) The Assistant Secretary shall establish and operate a National Resource Center for Women and Retirement (referred to in this subsection as the 'Center').

''(2) The Assistant Secretary shall make available to the Center such resources as are necessary for the Center to carry out effectively the functions of the Center under this Act, which shall be an amount not less than $279,000 for fiscal year 2014. In subsequent fiscal years, the Assistant Secretary shall make available to the Center not less than the amount of resources made available to the Center under this paragraph for fiscal year 2014.

''(i)(1) Aging and Disability Resource Centers implemented under subsection (b)(8) may carry out an assessment program, with respect to informal caregivers and care recipients, that shall be modeled on the family caregiver assessment program established under section 373(b).

''(2) For purposes of an informal caregiver assessment carried out in accordance with paragraph (1), the following definitions shall apply:

''(A) The term 'care recipient' means—

''(i) an older individual;

''(ii) an individual with a disability; or

''(iii) an individual with a special need.

''(B) The term 'informal caregiver' means an adult family member, or another individual, who is an informal provider of in-home and community care to a care recipient.

''(j)(1) The Assistant Secretary shall, directly or by grant or contract, establish and operate the National Resource Center on Lesbian, Gay, Bisexual, and Transgender Aging.

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

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

''(k) The Assistant Secretary shall, directly or by grant or contract, establish and operate a National Adult Protective Services Resource Center.''.

SEC. 203. FEDERAL AGENCY CONSULTATION.

Section 203 of the Older Americans Act of 1965 (42 U.S.C. 3013) is amended—

(1) in subsection (a)(3)(A), by striking ''older individuals (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)'' and inserting ''older individuals, older individuals with greatest economic need, older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)),'';

(2) in subsection (b)—

(A) in paragraph (18), by striking ‘‘, and’’ and inserting a comma;

(B) in paragraph (19), by striking the period at the end and inserting ‘‘, and’’; and

(C) by adding at the end the following:

‘‘(20) the Patient Protection and Affordable Care Act, including the amendments made by that Act (Public Law 111–148), including programs that increase integration with community health centers, as practicable.’’; and

(3) in subsection (c)(6)—

(A) in subparagraph (A)—

(i) in clause (iii)—

(I) by inserting ‘‘and economic’’ after ‘‘demographic’’; and

(II) by striking ‘‘and’’ at the end;

(ii) in clause (iv), by adding ‘‘and’’ at the end; and

(iii) by adding at the end the following:

‘‘(v) identifying and addressing workforce shortages related to services and supports for older individuals, and leveraging the resources of Federal programs that are related to the pro-

grams carried out under this Act, to address the shortages;'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by inserting ''economic security,'' after ''housing,''; and

(ii) in clause (i), by inserting ''economic security,'' after ''housing,'';

(C) in subparagraph (D), by inserting ''economic security,'' after ''housing,'';

(D) in subparagraph (E), by inserting ''and economic security'' after ''public health'';

(E) in subparagraph (F), by striking ''and'' at the end;

(F) in subparagraph (G)—

(i) in the matter preceding clause (i), by inserting ''economic security,'' after ''health care,''; and

(ii) in clause (iii), by striking the period at the end and inserting ''; and''; and

(G) by adding at the end the following:

''(H)(i) identify model Federal programs to assist older individuals with achieving economic security; and

''(ii) propose greater coordination of efforts to provide such assistance, including by creating an inventory of all Federal programs aimed at reducing poverty and increasing the economic security of older adults.''.

SEC. 204. EVALUATION.

Section 206 of the Older Americans Act of 1965 (42 U.S.C. 3017) is amended—

(1) in subsection (a), by striking ''greatest economic need'' and all that follows through ''areas),'' and inserting ''greatest economic need and unserved older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)),'';

(2) in subsection (c), by striking ''minority individuals'' and all that follows through ''disabilities'' and inserting ''individuals with greatest economic need and greatest social need (with particular attention to individuals with factors listed in section 102(26)(B))'';

(3) in subsection (d), by striking ''including, as appropriate, health and nutrition education demonstration projects conducted under section 307(f) the full contents of which shall be'' and inserting

''and the full contents of those summaries and analyses shall be'';

(4) by redesignating subsections (e) through (g) as subsections (f) through (h), respectively;

(5) by inserting after paragraph (d) the following:

''(e) The Secretary shall prepare and submit to Congress an annual report evaluating the impact of the programs and services provided under this Act on the economic security of older individuals.''; and

(6) in subsection (h), as redesignated by paragraph (2), by striking ''½ of''.

SEC. 205. REPORTS.

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

(1) in subsection (a)—

(A) in paragraph (2), by striking ''section 202(a)(19)'' and inserting ''section 202(a)(16)'';

(B) in paragraph (3), by striking '', with particular attention'' and all that follows through the semicolon and inserting ''(with particular attention to individuals with factors listed in section 102(26)(B));''; and

(C) in paragraph (4), by striking ''section 202(a)(17)'' and inserting ''section 202(a)(14)'';

(2) in subsection (b)—

(A) in paragraph (1)(C), by inserting ''and the adult protection services programs of the States'' after ''of the States''; and

(B) in paragraph (3)(A), by striking ''Health Care Finance Administration'' and inserting ''Centers for Medicare & Medicaid Services'';

(3) in subsection (c)(5)—

(A) by striking ''economic need (including low-income minority individuals and older individuals residing in rural areas)'' and inserting ''economic need''; and

(B) by striking ''social need (including low-income minority individuals and older individuals residing in rural areas)'' and inserting ''social need (with particular attention to individuals with factors listed in section 102(26)(B))''; and

(4) by adding at the end the following:

''(d) The Assistant Secretary shall ensure that no individual will be required to provide information regarding

the sexual orientation or gender identity of the individual as a condition of participating in activities or receiving services under this Act.''.

SEC. 206. CONFORMING AMENDMENTS.

(a) APPROPRIATE USE OF FUNDS.—Section 212(b)(3) of the Older Americans Act of 1965 (42 U.S.C. 3020c(b)(3)) is amended—

(1) by striking ''social need,'' and inserting ''social need (with particular attention to individuals with factors listed in section 102(26)(B)) or''; and

(2) by striking '', or an older'' and all that follows through ''placement''.

(b) ADMINISTRATIVE EXPENSES.—Section 215(j) of the Older Americans Act of 1965 (42 U.S.C. 3020e–1(j)) is amended by striking ''section 216'' and inserting ''section 217''.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

Section 216 of the Older Americans Act of 1965 (42 U.S.C. 3020f) is amended—

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

(2) in subsection (b)—

(A) by striking ''section 202(a)(24)'' and inserting ''section 202(a)(21)''; and

(B) by striking ''2007, 2008, 2009, 2010, and 2011'' and inserting ''2014, 2015, 2016, 2017, and 2018'';

(3) in subsection (c), by striking ''2007, 2008, 2009, 2010, and 2011'' and inserting ''2014, 2015, 2016, 2017, and 2018''; and

(4) by adding at the end the following:

''(d) NATIONAL ADULT PROTECTIVE SERVICES RESOURCE CENTER.—There are authorized to be appropriated to carry out section 201(i) (relating to the National Adult Protective Services Resource Center), such sums as may be necessary for fiscal years 2014, 2015, 2016, 2017, and 2018.

''(e) ADVISORY COMMITTEE TO ASSESS, COORDINATE, AND IMPROVE LEGAL ASSISTANCE ACTIVITIES.—There is authorized to be appropriated to carry out section 216, not less than $300,000 for fiscal year 2014.''.

SEC. 208. ADVISORY COMMITTEE TO ASSESS, COORDINATE, AND IMPROVE LEGAL ASSISTANCE ACTIVITIES.

Title II of the Older Americans Act of 1965 is amended—

(1) by redesignating section 216 (42 U.S.C. 3020f) as section 217; and

(2) by inserting after section 215 (42 U.S.C. 3020e–1) the following:

"SEC. 216. ADVISORY COMMITTEE TO ASSESS, COORDINATE, AND IMPROVE LEGAL ASSISTANCE ACTIVITIES.

''(a) ESTABLISHMENT.—There is established an Advisory Committee to Assess, Coordinate, and Improve Legal Assistance Activities (referred to in this section as the 'Committee').

''(b) MEMBERSHIP; DUTIES.—The Assistant Secretary shall appoint members to the Committee and determine the activities of the Committee (which shall include the study and report described in subsection (c)).

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

''(d) REGULATIONS.—Not later than 180 days after receiving the report described in subsection (c), the Assist-

ant Secretary shall issue regulations or guidance taking into consideration the recommendations of the Committee.

''(e) DEFINITION.—In this subsection, the term 'legal assistance activities' includes—

''(1) legal assistance made available to older individuals with greatest economic need or with greatest social need;

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

''(3) State legal assistance developer activities carried out under section 731; and

''(4) any other directly related activity or program as determined appropriate by the Assistant Secretary.''.

SEC. 209. CONSUMER PRICE INDEX.

(a) IN GENERAL.—The Secretary of Labor, through the Bureau of Labor Statistics and in consultation with the Assistant Secretary for Aging, shall revise and improve the Experimental Price Index for the Elderly published by the Bureau of Labor Statistics (commonly referred to as the ''CPI–E'') in order for the CPI–E to be considered a reliable measure in determining future cost of living adjustments that impact Americans who are 62 years of age or older.

(b) REVISION REQUIREMENTS.—In carrying out subsection (a), the Secretary of Labor shall—

(1) increase the number of individuals in the United States who are 62 years of age and older (referred to in this section as ''older adults'') sampled in the consumer expenditure survey used to establish the CPI–E;

(2) establish samples of market-based items, stores, and prices to represent the purchasing patterns of older adults; and

(3) examine the medical care component, including the cost and usage of prescription drugs, of the CPI–E taking into account that older adults have different illnesses and health care expenses, including dental expenses, than individuals in the United States who are under 62 years of age.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Labor shall submit to Congress a report that describes the revised CPI–E and the activities carried out by the Secretary under this section.

SEC. 210. SENSE OF THE SENATE REGARDING APPROPRIATION LEVELS.

Title II of the Older Americans Act of 1965 (42 U.S.C. 3011 et seq.), as amended by section 208, is further amended by adding at the end the following:

''SEC. 218. SENSE OF THE SENATE REGARDING APPROPRIATION LEVELS.

''It is the sense of the Senate that the amount appropriated under this Act should be not less than $2,675,000,000 for fiscal year 2014 and each subsequent year.''.

TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

SEC. 301. PURPOSE; ADMINISTRATION.

Section 301(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3021(a)(2)) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(G) Federally qualified health centers, as defined in sections 1861(aa)(4) and 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(4), 1396d(l)(2)(B)).''.

SEC. 302. DEFINITION.

Section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) There are authorized to be appropriated to carry out part B (relating to supportive services) such sums as may be necessary for each of fiscal years 2014 through 2018.'';

(2) by striking subsection (b) and inserting the following:

''(b)(1) There are authorized to be appropriated to carry out subpart 1 of part C (relating to congregate nutrition services) such sums as may be necessary for each of fiscal years 2014 through 2018.

''(2) There are authorized to be appropriated to carry out subpart 2 of part C (relating to home delivered nutrition services) such sums as may be necessary for fiscal years 2014 through 2018.'';

(3) by striking subsection (d) and inserting the following:

''(d) There are authorized to be appropriated to carry out part D (relating to disease prevention and health promotion services) such sums as may be necessary for each of fiscal years 2014 through 2018.''; and

(4) by striking subsection (e) and inserting the following:

''(e) There are authorized to be appropriated to carry out part E (relating to family caregiver support) such sums as may be necessary for each of fiscal years 2014 through 2018.''.

SEC. 304. ALLOTMENTS.

Section 304(b) of such Act (42 U.S.C. 3024(b)) is amended, in the first sentence, by striking ''part B'' and all that follows through ''part E,'' and inserting ''part B, C, or E''.

SEC. 305. ORGANIZATION.

Section 305 of the Older Americans Act of 1965 (42 U.S.C. 3025) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(E)—

(i) by striking ''greatest economic need'' and all that follows through ''rural

areas)'' the first place it appears and inserting ''greatest economic need''; and

(ii) by striking ''greatest social need'' and all that follows through ''rural areas)'' and inserting ''greatest social need (with particular attention to individuals with factors listed in section 102(26)(B))''; and

(B) in paragraph (2)—

(i) in subparagraph (C)(ii), by striking ''areas'' and all that follows and inserting ''areas of older individuals with greatest economic need and older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)); and'';

(ii) in subparagraph (E), by striking ''services to'' and all that follows through ''rural areas)'' and inserting ''services to older individuals with greatest economic need and older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)''; and

(iii) in subparagraph (G), by striking clause (ii) and inserting the following:

''(ii) provide an assurance that the State agency will undertake specific program development, advocacy, and outreach efforts focused on the needs of older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)) and older individuals with greatest economic need; and'';

(2) in subsection (b)(5)(C)(i)(III), by striking ''planning and services areas'' and inserting ''planning and service areas''; and

(3) in subsection (d)(1), by striking ''greatest economic or social need'' and inserting ''greatest economic need and greatest social need (with particular attention to individuals with factors listed in section 102(26)(B))''.

SEC. 306. AREA PLANS.

Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''maintenance, or construction of multipurpose senior centers'' and inserting ''maintenance, moderniza-

tion, or construction of multipurpose senior centers (which system includes a plan to use the skills and services of older individuals in paid and unpaid work, including multigenerational work and older individual-to-older individual service activities, relating to such maintenance, modernization, or construction, or activities at the centers)'';

(ii) by striking ''greatest economic need'' and all that follows through ''rural areas)'' the first place it appears and inserting ''greatest economic need''; and

(iii) by striking ''greatest social need'' and all that follows through ''rural areas) residing in such area,'' and inserting ''greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)) residing in such area,'';

(B) in paragraph (2)(A)—

(i) by striking ''mental health services'' and inserting ''evidence-based behavioral health services, evidence-based chronic condition self-care management pro-

grams, and evidence-based falls prevention programs''; and

(ii) by striking ''eligible)'' and inserting ''eligible and shall include information on paid and unpaid work opportunities for older individuals, as available)'';

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)(I), by striking ''will—'' and all that follows and inserting ''will set specific objectives, consistent with State policy, for providing services to older individuals with greatest economic need, older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)), and older individuals at risk for institutional placement; and'';

(II) in clause (i)(II), by striking ''items (aa) and (bb) of''; and

(III) in subclauses (I), (II), and (III) of clause (ii), by striking ''low-income'' and all that follows through ''rural areas'' and inserting ''individ-

uals with greatest economic need and individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B))''; and

(ii) in subparagraph (B)(i)—

(I) in subclause (II), by striking ''economic need'' and all that follows through ''rural areas)'' and inserting ''economic need'';

(II) in subclause (III), by striking ''social need'' and all that follows through ''rural areas)'' and inserting ''social need (with particular attention to individuals with factors listed in section 102(26)(B))''; and

(III) in subclause (VII), by inserting ''with multiple chronic illnesses or'' after ''older individuals'';

(D) in paragraph (6)—

(i) in subparagraph (D), by inserting ''(including acute care providers)'' after ''service providers'';

(ii) in subparagraph (E)(ii), by inserting ''and Federally qualified health cen-

ters, as defined in sections 1861(aa)(4) and 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(4), 1396d(l)(2)(B))'' after ''203(b)''; and

(iii) 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 elder abuse education, prevention, investigation, and treatment; and

''(I) serve as an advocate in the corresponding planning and service area for evidence-based falls prevention programs and policies for older individuals and, if possible, enter into partnerships with State government agencies (such as the State health agency and State transportation agency), local agencies, and community-based organizations that implement evidence-based falls prevention programs and policies;'';

(E) in paragraph (7)—

(i) in subparagraph (B)(iii), by striking ''placement, to permit such individuals'' and inserting ''placement, with particular attention to individuals with factors listed in section 102(26)(B), to permit such at-risk individuals'';

(ii) in subparagraph (C)—

(I) by inserting ''(including falls)'' after ''injury''; and

(II) by striking ''and'' at the end; and

(iii) in subparagraph (D), by adding ''and'' at the end;

(F) by striking paragraph (9) and inserting the following:

''(9) provide assurances that the area agency on aging, in carrying out the State Long-Term Care Ombudsman program described in section 307(a)(9), will—

''(A) provide adequate funding to carry out an effective Ombudsman program in compliance with this Act; and

''(B) expend to carry out the program not less than the total amount of funds appropriated under this Act or made available

through other resources, and expended by the agency in fiscal year 2010, in carrying out such a program under this Act;'';

(G) in paragraph (16), by striking ''and'' at the end;

(H) in paragraph (17)—

(i) by inserting ''and revise'' after ''develop'';

(ii) by inserting ''and health'' after ''State emergency response''; and

(iii) by striking the period and inserting ''; and''; and

(I) by adding at the end the following:

''(18) include information describing—

''(A) how the area agency on aging will engage in outreach to veterans who are eligible for services under this Act; and

''(B) effective and efficient procedures for the coordination of services provided under this Act with services provided to veterans by the Department of Veterans Affairs and other providers.''; and

(2) in subsection (b)—

(A) in paragraph (2)(B), by striking ''including individuals'' and all that follows and in-

serting ''including older individuals with greatest economic need and older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B));''; and

(B) in paragraph (3)—

(i) in subparagraph (J), by striking ''and'';

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

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

''(K) protection from elder abuse, neglect, and exploitation; and''.

SEC. 307. STATE PLANS.

Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

(1) in paragraph (2), by striking subparagraph (A) and inserting the following:

''(A) evaluate, using uniform procedures described in section 202(a)(26), the need for supportive services (including legal assistance pursuant to paragraph (11), information and assistance services, care coordination, and transportation services), nutrition services, eco-

nomic security and benefits counseling, and multipurpose senior centers within the State;'';

(2) in paragraph (4), by striking ''provided to individuals'' and all that follows and inserting ''provided to individuals with greatest economic need and individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)).'';

(3) by striking paragraph (9) and inserting the following:

''(9) The plan shall provide assurances that the State agency will carry out, through the Office of the State Long-Term Care Ombudsman, a State Long-Term Care Ombudsman program in accordance with section 712 and this title, and, in carrying out the program, will—

''(A) provide adequate funding to carry out an effective Ombudsman program in compliance with this Act; and

''(B) expend to carry out the program not less than the total amount of funds appropriated under this Act or made available through other resources, and expended by the agency in fiscal year 2010, in carrying out such a program under this Act.'';

(4) in paragraph (11)—

(A) in the matter preceding subparagraph (A), by striking ''legal assistance—'' and inserting ''legal assistance, which shall be provided through an integrated legal assistance delivery system—''; and

(B) in subparagraph (B), by striking ''individuals with the greatest such need;'' and inserting ''individuals with greatest economic need and individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)),'';

(5) by striking paragraph (15) and inserting the following:

''(15) The plan shall provide assurances that programming and services will be provided in a culturally and linguistically competent manner to older individuals with greatest social need.'';

(6) in paragraph (16)—

(A) in subparagraph (A), by striking clauses (i) through (vi) and inserting the following:

''(i) older individuals with greatest economic need;

''(ii) older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)); and

''(iii) caregivers of individuals described in clause (i) or (ii); and''; and

(B) in subparagraph (B)—

(i) by striking ''through (vi)'' and inserting ''and (ii)''; and

(ii) by striking ''caretakers'' and inserting ''caregivers'';

(7) in paragraph (23)(A), by striking ''with other State services'' and inserting ''with other Federal and State health care programs and services'';

(8) in paragraph (28)(B)—

(A) by striking clause (i) and inserting the following:

''(i) the projected change in the number of older individuals in the State, and information indicating the dispersal and growth in the number of older individuals with greatest social need in each planning and service area in the State;''; and

(B) in clause (ii), by striking ''including individuals'' and all that follows and inserting

''including older individuals with greatest economic need and older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B));''; and

(9) by adding at the end the following:

''(31) The plan shall include information describing—

''(A) how the State agency will engage in outreach to veterans who are eligible for services under this Act; and

''(B) effective and efficient procedures for the coordination of services provided under this Act with services provided to veterans by the Department of Veterans Affairs and other providers.

''(32) The plan shall include an assurance that the State has made efforts to train relevant staff to recognize the common signs and symptoms of possible dementia.''.

SEC. 308. PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF STATE PLANS.

Section 308(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3028(a)(1)) is amended—

(1) by striking ''this Act, and'' and inserting ''this Act,''; and

(2) by inserting before the period the following: '', and the modernization of such senior centers''.

SEC. 309. NUTRITION SERVICES INCENTIVE PROGRAM.

Section 311(e) of the Older Americans Act of 1973 (42 U.S.C. 3030a(e)) is amended by striking ''fiscal year 2007'' and all that follows and inserting ''each of fiscal years 2014 through 2018''.

SEC. 310. CONSUMER CONTRIBUTIONS.

Section 315 of the Older Americans Act of 1965 (42 U.S.C. 3030c–2) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''185 percent'' and inserting ''200 percent''; and

(B) in paragraph (3), by adding at the end the following: ''Contributions under this section shall be used to supplement, and not to supplant, any other funds expended for activities described in this Act.'';

(2) in subsection (c)(2), by striking ''participation of'' and all that follows through ''rural areas)'' and inserting ''participation of older individuals with greatest economic need and older individuals with greatest social need (with particular attention to in-

dividuals with factors listed in section 102(26)(B))''; and

(3) in subsection (d)—

(A) by striking ''Not later'' and all that follows through ''shall conduct'' and inserting ''Not later than January 1, 2015, and annually thereafter, the Assistant Secretary shall conduct, and submit to the appropriate committees of Congress a report containing the results of,''; and

(B) by striking ''(with particular'' and all that follows through ''rural areas)'' and inserting '', including participation rates for individuals with greatest economic need and individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B))''.

SEC. 311. SUPPORTIVE SERVICES AND SENIOR CENTERS PROGRAM.

Section 321 of the Older Americans Act of 1965 (42 U.S.C. 3030d) is amended—

(1) in subsection (a)—

(A) in paragraph (5)(C), by striking ''and letter writing services'' and inserting ''evidence-based chronic condition self-care management,

letter writing services, and evidence-based falls prevention programs'';

(B) in paragraph (8)—

(i) by inserting '', screening for elder abuse and neglect, and falls prevention screening'' after ''mental health screening''; and

(ii) by striking ''illness, or both,'' and inserting ''illnesses and injuries''; and

(C) in paragraph (15), by inserting before the semicolon the following: ''and elder abuse and neglect screening, chronic condition self-care management, and falls prevention services''; and

(2) in subsection (b)(1), by inserting ''or modernization'' after ''construction''.

SEC. 312. NUTRITION SERVICES.

(a) IN GENERAL.—Section 339 of the Older Americans Act of 1965 (42 U.S.C. 3030g–21) is amended—

(1) in paragraph (1)—

(A) by striking ''solicit'' and inserting ''utilize''; and

(B) by inserting '', to help achieve development of evidenced-based and cost-effective nu-

trition services'' after ''nutritional services''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by amending clause (iii) to read as follows:

''(iii) to the maximum extent practicable, are adjusted and appropriately funded to meet any special health-related or other dietary needs of program participants, including needs based on religious, cultural, or ethnic requirements,'';

(B) in subparagraph (J), by striking ''and'' at the end;

(C) in subparagraph (K), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(L) where feasible, encourages the use of locally grown foods in meal programs and identifies potential partnerships and contracts with local producers and providers of locally grown foods.''.

(b) SPECIAL RULE.—Section 339 of the Older Americans Act of 1965 (42 U.S.C. 3030g–21) is amended—

(1) by inserting before ''A State'' the following: ''(a) IN GENERAL.—''; and

(2) by adding at the end the following:

''(b) TRANSPORTATION.—Funds appropriated to carry out this part may be used for transportation costs that can be demonstrated to be directly related to the provision of services specified in this part.''.

SEC. 313. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES.

(a) PROGRAM.—Section 361 of the Older Americans Act of 1965 (42 U.S.C. 3030m) is amended—

(1) in subsection (a), in the first sentence—

(A) by inserting ''evidence-based'' after ''to provide'';

(B) by inserting ''(including cognitive health promotion services)'' after ''health promotion services''; and

(C) by inserting before ''or at'' the following: ''at Federally qualified health centers (as defined in sections 1861(aa)(4) and 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(4), 1396d(l)(2)(B))),''.

(2) CLINICAL PREVENTIVE SERVICES.—Part D of title III of the Older Americans Act of 1965 (42 U.S.C. 3030m et seq.) is amended by adding at the end the following:

"SEC. 363. CLINICAL PREVENTIVE SERVICES.

''Congress finds that—

''(1) there are clinical preventive services (as defined in a manner consistent with the recommendations of the U.S. Preventive Services Task Force) covered under the Medicare program carried out under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

''(2) older adults should receive the clinical preventive services described in paragraph (1).''.

SEC. 314. NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM.

(a) OLDER RELATIVE CAREGIVER.—Section 372 of such Act (42 U.S.C. 3030s) is amended—

(1) in subsection (a)—

(A) by striking ''this subpart:'' and inserting ''this part:''; and

(B) by striking paragraphs (1) and (2) and inserting the following:

''(1) CHILD.—The term 'child' means an individual who is not more than 18 years of age.

''(2) ELIGIBLE CARE RECIPIENT.—The term 'eligible care recipient' means a relative, of an older relative caregiver, who is—

''(A) a child; or

''(B) an individual with a disability who is not less than 19 and not more than 59 years of age.

''(3) OLDER RELATIVE CAREGIVER.—

''(A) IN GENERAL.—The term 'older relative caregiver' means a caregiver, as defined in subparagraph (B) or (C), who—

''(i) is 55 years of age or older; and

''(ii) lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, an eligible care recipient who is described in subparagraph (B) or (C), respectively.

''(B) CAREGIVER FOR CHILD.—For purposes of subparagraph (A), the term 'caregiver', used with respect to an eligible care recipient who is a child, means an individual who—

''(i) is the grandparent, stepgrandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the eligible care recipient;

''(ii) is the primary caregiver of the eligible care recipient because the biological or adoptive parents are unable or unwilling

to serve as the primary caregiver of the eligible care recipient; and

''(iii) has a legal relationship to the eligible care recipient, such as legal custody or guardianship, or is raising the eligible care recipient informally.

''(C) CAREGIVER OF INDIVIDUAL WITH A DISABILITY.—For purposes of subparagraph (A), the term 'caregiver', used with respect to an eligible care recipient who is an individual with a disability described in paragraph (2)(B) means an individual who is the parent, grandparent, or other relative by blood, marriage, or adoption, of the eligible care recipient.''; and

(2) in subsection (b)(2)—

(A) by striking ''grandparents or older individuals who are relative caregivers'' and inserting ''older relative caregivers''; and

(B) by striking ''children'' and inserting ''eligible care recipients''.

(b) PROGRAM.—Section 373 of the Older Americans Act of 1965 (42 U.S.C. 3030s–1) is amended—

(1) in subsection (a)(2), by striking ''grandparents or older individuals who are relative caregivers.'' and inserting ''older relative caregivers.'';

(2) by redesignating subsections (b) through (g) as subsections (c) through (h), respectively;

(3) by inserting after subsection (a) the following:

''(b) ASSESSMENT PROGRAM OF NEEDS OF FAMILY CAREGIVERS.—

''(1) IN GENERAL.—The Assistant Secretary may make grants to States to establish a program, in accordance with the program requirements described in paragraph (4), to assess the needs of family caregivers for targeted support services.

''(2) APPLICATION BY STATES.—Each State seeking a grant under this subsection 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.

''(3) PROGRAM ADMINISTRATION.—A State receiving a grant under this subsection may enter into an agreement with area agencies on aging in the State, or an Aging and Disability Resource Center in the State, to administer the program, using such grant funds.

''(4) PROGRAM REQUIREMENTS.—

''(A) VOLUNTARY QUESTIONNAIRE.—Assessments under a program established as described in paragraph (1) shall include asking the family caregiver relevant questions in order to determine whether the family caregiver would benefit from any targeted support services.

''(B) REFERRALS.—In the case where a questionnaire completed by a family caregiver under subparagraph (A) indicates that the family caregiver would benefit from 1 or more targeted support services, the agency administering the program established under paragraph (1) shall provide referrals to the family caregiver for State, local, nonprofit, and private-sector caregiver programs and other resources that provide such targeted support services to such caregivers.

''(C) REPORTING REQUIREMENT.—Each State with a program described in paragraph (1) shall periodically submit to the Assistant Secretary a report containing information on the number of caregivers assessed under the program, information on the number of referrals made for targeted support services under the program (disaggregated by type of service),

demographic information on caregivers assessed under the program, and other information required by the Assistant Secretary.'';

(4) in subsection (c), as redesignated by paragraph (2)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(6) the efforts of the Ombudsman to facilitate the activities of, and support, the State Long-Term Care Ombudsman program under title VII and this title, and the efforts of the Ombudsman to facilitate the activities of, and support, family and caregiver councils in long-term care facilities.'';

(5) in subsection (d), as redesignated by paragraph (2)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''and grandparents and older individuals who are relative caregivers,'' and inserting ''and older relative caregivers,'';

(ii) in subparagraph (A), by striking ''paragraph (1) or (2) of''; and

(iii) in subparagraph (B)—

(I) by striking ''subsection (b), in the case of a caregiver described in paragraph (1)'' and inserting ''subsection (c), in the case of a caregiver described in subsection (a)(1)''; and

(II) by striking ''section 102(22).'' and inserting ''section 102(24).''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''(with particular attention to individuals with factors listed in section 102(26)(B))'' after ''social need''; and

(II) by striking ''economic need'' and all that follows and inserting ''economic need; and'';

(6) in subsection (e), as redesignated by paragraph (2), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(7) in subsection (f)(3), as redesignated by paragraph (2), in the second sentence, by striking

''or grandparents or older individuals who are relative caregivers,'' and inserting ''older relative caregivers,'';

(8) in subsection (g)(1), as redesignated by paragraph (2)—

(A) in subparagraph (A), by striking ''for fiscal years 2007, 2008, 2009, 2010, and 2011'' and inserting ''for each of fiscal years 2014 through 2018''; and

(B) in subparagraph (B), by striking ''under section 303'' and inserting ''under section 303(e)''; and

(9) in subsection (h), as redesignated by paragraph (2)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) LIMITATION.—A State may use not more than 10 percent of the total Federal and non-Federal share available to the State under this part to provide support services to—

''(i) older relative caregivers who provide care for children; and

''(ii) older relative caregivers—

"(I) who provide care for individuals described in section 372(a)(2)(B); and

"(II) who are the parents of the individuals."; and

(B) by adding at the end the following:

"(3) USE OF FUNDS FOR OMBUDSMAN PROGRAM.—Amounts made available to a State to carry out the State program under this part may be used to support the Office of the State Long-Term Care Ombudsman, including supporting the development of resident and family councils.".

(c) ELIMINATION OF SUPERFLUOUS SUBPART DESIGNATION.—

(1) HEADING.—Part E of title III of such Act (42 U.S.C. 3030s et seq.) is amended by striking the subpart heading for subpart 1.

(2) CONFORMING AMENDMENTS.—Sections 373 (as amended by subsection (b)) and 374 of such Act (42 U.S.C. 3030s–1, 3030s–2) are further amended by striking "this subpart" in each place it appears and inserting "this part".

TITLE IV—ACTIVITIES FOR HEALTH, INDEPENDENCE, AND LONGEVITY

SEC. 401. GRANT PROGRAMS.

Section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032) is amended—

(1) in subsection (a)—

(A) in paragraph (12), by striking ''; and'' and inserting a semicolon;

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

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

''(13) supporting programs that enable the mobility and self-sufficiency of older individuals with the greatest economic need and older individuals with the greatest social need by providing transportation services and resources; and''; and

(2) in subsection (b), by striking ''for fiscal years 2007'' and all that follows through ''2011'' and inserting ''for each of fiscal years 2014 through 2018''.

SEC. 402. COMMUNITY INNOVATIONS FOR AGING IN PLACE.

Section 422 of the Older Americans Act of 1965 (42 U.S.C. 3032k) is amended by adding at the end the following:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 403. MULTIPURPOSE SENIOR CENTER MODERNIZATION, TRAINING, AND SUPPORT.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3032 et seq.) is amended by adding at the end the following:

''SEC. 423. MULTIPURPOSE SENIOR CENTER MODERNIZATION, TRAINING, AND SUPPORT.

''(a) PROGRAM AUTHORIZED.—The Assistant Secretary shall award grants and enter into contracts with eligible entities to carry out projects to—

''(1) support and promote modern multipurpose senior center models which yield vibrant, multiservice, multigenerational centers for older individuals, families of older individuals, and others in the community to gain skills, resources, and connections needed to meet the challenges that occur with continuum of care and quality of life;

''(2) build an evidence base of modern, replicable practices that allow senior centers to serve

a diverse array of older individuals, as well as their families and other caregivers, leveraging innovative partnerships and public and private resources to develop and expand programs; and

''(3) mobilize services and leverage resources to support the role of multipurpose senior centers as community focal points, as provided in section 306(a)(3), and for the establishment, construction, maintenance, and operation of centers, as described in sections 303(c)(2) and 306(a)(1), including development of intergenerational shared site models, consistent with the purposes of this Act.

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

''(1) carry out a project described in subsection (a); and

''(2) evaluate the project in accordance with subsection (e).

''(c) ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' means—

''(1) a multipurpose senior center that has met national accreditation and fiduciary standards; and

''(2) a regional partnership or collaboration of multipurpose senior centers or State association of

senior centers in which not less than 2 centers are accredited.

''(d) COMPETITIVE GRANTS FOR TECHNICAL ASSISTANCE.—

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

''(A) provide training and technical assistance to recipients of grants under this section and other multipurpose senior centers to adopt and tailor evidence-based modernization strategies and practices to respond to the economic and health needs of the diverse and growing aging populations in their own communities; and

''(B) carry out other duties, as determined by the Assistant Secretary.

''(2) ELIGIBLE NONPROFIT ORGANIZATION.—To be eligible to receive a grant under this subsection, an organization shall be a nonprofit organization (including a partnership of nonprofit organizations), that—

''(A) has experience and expertise in providing technical assistance to a range of multi-

purpose senior centers and experience evaluating and reporting on programs; and

''(B) has demonstrated knowledge of and expertise in multipurpose senior center accreditation or other standards of excellence.

''(e) LOCAL EVALUATION AND REPORT.—

''(1) EVALUATION.—Each entity receiving a grant or a contract under subsection (a) to carry out a project described in subsection (a) shall evaluate the project, leadership, and resources for the modernization of multipurpose senior centers.

''(2) REPORT.—The entity described in paragraph (1) shall submit a report to the Assistant Secretary containing the evaluation not later than 6 months after the expiration of the period for which the grant or contract is in effect.

''(f) REPORT TO CONGRESS.—Not later than 6 months after the Assistant Secretary receives the reports described in subsection (e)(2), the Assistant Secretary shall prepare and submit to Congress a report that describes the results of the evaluations.''.

SEC. 404. DEMONSTRATION PROGRAM ON CARE COORDINATION AND SERVICE DELIVERY.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3032 et seq.), as amended by section 403, is further amended by adding at the end the following:

"SEC. 424. DEMONSTRATION PROGRAM ON CARE COORDINATION AND SERVICE DELIVERY.

"(a) ESTABLISHMENT OF DEMONSTRATION PROGRAM.—

"(1) IN GENERAL.—The Assistant Secretary shall carry out a demonstration program in accordance with this section. The Assistant Secretary shall award grants to eligible entities (as determined by the Secretary) to implement demonstration projects that focus on care coordination and service delivery redesign for older individuals with chronic illness or at risk of institutional placement by—

"(A) designing and testing new models of care coordination and service delivery that thoughtfully and effectively deploy advanced aides to improve efficiency and quality of care for frail older individuals; and

"(B) giving direct-care workers opportunities for career advancement through additional training, an expanded role, and increased compensation.

''(2) DIRECT-CARE WORKER.—In this section, the term 'direct-care worker' has the meaning given that term in the 2010 Standard Occupational Classifications of the Department of Labor for Home Health Aides [31–1011], Psychiatric Aides [31–1013], Nursing Assistants [31–1014], and Personal Care Aides [39–9021].

''(b) PLANNING AND IMPLEMENTATION AWARDS UNDER THE PROGRAM.—

''(1) IN GENERAL.—Each eligible entity that receives a grant under this section shall receive a grant for planning and implementation activities related to the demonstration project to be carried out by the entity.

''(2) AMOUNT.—The amount awarded under paragraph (1) for all grants—

''(A) for planning activities, shall not exceed $600,000; and

''(B) for implementation activities, shall not exceed $2,900,000.

''(3) TERMS.—Planning activities carried out under a grant awarded under paragraph (1) shall be completed not later than 1 year after the grant is awarded. Implementation activities carried out under

such a grant shall be completed not later than 2 years after the grant is awarded.

''(4) EVALUATION AND REPORT.—Each recipient of a grant under paragraph (1), in consultation with an independent evaluation contractor, shall conduct an evaluation and submit to the Secretary a report on the implementation of activities conducted under the demonstration project, including such information as the Secretary may require.''.

SEC. 405. GRANTS OR CONTRACTS TO FACILITATE LOW-INCOME ACCESS TO DENTAL CARE.

Part A of title IV of the Older Americans Act of 1965, as amended by section 404, is further amended by adding at the end the following:

''SEC. 425. GRANTS OR CONTRACTS TO FACILITATE LOW-INCOME ACCESS TO DENTAL CARE.

''(a) DEFINITION.—In this section, the term 'medically recommended dental care' means treatment of an oral disease or other oral condition, on the referral of a physician or other health care professional, to sustain or improve overall health, prevent exacerbation of a co-morbid condition, or as a prerequisite to a required medical therapy.

''(b) GRANTS.—The Secretary shall award competitive grants to, or enter into contracts with, eligible entities

to fund the employment costs of professionals who will use grant or contract funds to—

''(1) coordinate the provision of medically recommended dental care to eligible individuals by volunteer dentists in a manner consistent with State licensing laws; and

''(2) verify the medical, dental, and financial needs of eligible individuals who may be eligible for free medically recommended dental care.

''(c) ELIGIBILITY.—

''(1) ELIGIBLE ENTITY.—To be eligible to receive a grant or contract under subsection (b), an entity shall be a nonprofit organization that provides for the participation of eligible individuals in a free dental services program on a national basis.

''(2) ELIGIBLE INDIVIDUAL.—To be eligible to participate in a program described in paragraph (1), individuals shall be those with greatest economic need and individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)).

''(d) USE OF FUNDS.—An entity shall use amounts received under a grant or contract under this section to establish, expand, or operate a program to coordinate the

provision of free medically recommended dental care through volunteer dentists to eligible individuals.

''(e) EVALUATION AND REPORT.—

''(1) EVALUATION.—Each entity that receives a grant or contract under this section shall evaluate the number of patients served under the grant or contract, and the effectiveness of the program described in subsection (d) in reducing medical expenses associated with the disease or condition for which care described in subsection (d) was provided.

''(2) REPORT.—The entity shall submit a report containing the results of the evaluation to the Assistant Secretary, not later than 6 months after the end of the period of the grant or contract.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 406. NATIONAL RESOURCE CENTER ON FAMILY CAREGIVING.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3032 et seq.), as amended by section 405, is further amended by adding at the end the following:

"SEC. 426. NATIONAL RESOURCE CENTER ON FAMILY CAREGIVING.

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

''(b) DEVELOPMENT.—The Assistant Secretary shall develop and issue operating standards and reporting requirements for the Center established under subsection (a).

''(c) AUTHORIZATION.—There is authorized to be appropriated to carry out this section, $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 407. CONFORMING AMENDMENT.

Section 417(c)(2) of the Older Americans Act of 1965 (42 U.S.C. 3032f(c)(2)) is amended by striking ''older individuals and communities'' and all that follows and inserting ''communities with greatest need, older individuals with greatest economic need, and older individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B));''.

TITLE V—COMMUNITY SERVICE SENIOR OPPORTUNITIES

SEC. 501. OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM.

Section 502 of the Older Americans Act of 1965 (42 U.S.C. 3056) is amended—

(1) in subsection (a)(1)—

(A) by striking ''To foster individual economic self-sufficiency and'' and inserting ''To further the goal of economic security, foster individual economic self-sufficiency, grow local economies, improve the quality of life in local communities, and''; and

(B) by striking ''persons who are age 55'' and inserting ''persons who are not economically secure and who are age 55''; and

(2) in subsection (b)(1)—

(A) in subparagraph (E), by striking ''support for children,'' and inserting ''support for adults, children,''; and

(B) in subparagraph (M), by striking ''and eligible individuals with greatest economic need'' and inserting ''eligible individuals with disabilities, eligible individuals with greatest

economic need, and eligible individuals with greatest social need''.

SEC. 502. INTERAGENCY COOPERATION.

Section 514 of the Older Americans Act of 1965 (42 U.S.C. 3056l) is amended—

(1) in subsection (c)(1), by striking ''individuals with greatest economic need, individuals with greatest social need,'' and inserting ''individuals with greatest economic need, individuals with greatest social need (with particular attention to individuals with factors listed in section 102(26)(B)),''; and

(2) in subsection (e)(1), by striking ''minority'' and all that follows through ''economic need,'' and inserting ''individuals with greatest economic need, individuals with greatest social need,''.

SEC. 503. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 504. STUDY ON FEASIBILITY OF TRANSFER OF PROGRAM.

(a) STUDY.—The Assistant Secretary for Aging of the Department of Health and Human Services, and the Secretary of Labor, shall study the feasibility of transfer-

ring the program carried out under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) to the Administration on Aging.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Assistant Secretary and the Secretary shall submit a report containing the results of the study to the appropriate committees of Congress.

TITLE VI—GRANTS FOR NATIVE AMERICANS

SEC. 601. TECHNICAL AMENDMENT.

Section 611 of such Act (42 U.S.C. 3057b) is amended by striking ''(a)'' in the matter preceding paragraph (1).

SEC. 602. CONFORMING AMENDMENT.

Section 631(b) of the Older Americans Act of 1965 (42 U.S.C. 3057k–11(b)) is amended by striking ''subsections (c), (d), and (e)'' and inserting ''subsections (d), (e), and (f)''.

SEC. 603. REAUTHORIZATION OF FUNDING FOR GRANTS FOR NATIVE AMERICANS.

Section 643(2) of the Older Americans Act of 1965 (42 U.S.C. 3057n(2)) is amended by striking ''part C,'' and all that follows and inserting ''part C, not less than $8,400,000 for each of fiscal years 2014 through 2018.''.

TITLE VII—VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

SEC. 701. ESTABLISHMENT.

Section 701 of the Older Americans Act of 1965 (42 U.S.C. 3058) is amended—

(1) by inserting ''and grants'' after ''allotments''; and

(2) by adding at the end the following: ''The Assistant Secretary, to the maximum extent practicable, shall ensure that education and public awareness activities under this title are fully integrated with programs under this Act.''.

SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

Chapter 1 of subtitle A of title VII of the Older Americans Act of 1965 is amended by inserting after section 702 (42 U.S.C. 3058a) the following:

''SEC. 702A. AUTHORIZATION OF APPROPRIATIONS FOR STATE HOME CARE OMBUDSMAN PROGRAM.

''There are authorized to be appropriated to carry out chapter 5 such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.''.

SEC. 703. GRANTS.

Section 703 of the Older Americans Act of 1965 (42 U.S.C. 3058b) is amended by adding at the end the following:

''(d) GRANTS FOR STATE HOME CARE OMBUDSMAN PROGRAMS.—The Assistant Secretary shall use funds made available under section 702A to award grants, on a competitive basis, to States for State Home Care Ombudsman Programs.''.

SEC. 704. ELIGIBILITY.

Section 704 of the Older Americans Act of 1965 (42 U.S.C. 3058c) is amended, in the matter preceding paragraph (1), by inserting ''or grants'' after ''allotments''.

SEC. 705. ADDITIONAL STATE PLAN REQUIREMENTS.

Section 705 of the Older Americans Act of 1965 (42 U.S.C. 3058d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''or grant'' after ''allotment'';

(B) in paragraph (1), by striking ''requirements of the chapter and this chapter'' and inserting ''requirements of this chapter and this subtitle'';

(C) in paragraph (2), by inserting ''family caregivers,'' after ''title VI,'';

(D) in paragraph (4), by striking ''enactment of this subtitle'' and inserting ''enactment of the chapter'';

(E) in paragraph (6), by striking ''and'' at the end;

(F) in paragraph (7), by striking the period and inserting ''; and''; and

(G) by adding at the end the following:

''(8) an assurance that the State has—

''(A) a Home Care Consumer Bill of Rights and a Plan for Enforcement of such a Bill, developed in accordance with the procedures described under paragraph (2) and as approved by the Assistant Secretary, and the State shall include a copy of the Bill and Plan; or

''(B) a waiver of subparagraph (A) from the Assistant Secretary and a proposal for developing and submitting for approval a Home Care Consumer Bill of Rights and Plan for Enforcement.'';

(2) by redesignating subsection (b) as subsection (d);

(3) by inserting after subsection (a) the following:

''(b) HOME CARE CONSUMER BILL OF RIGHTS.—The Home Care Consumer Bill of Rights referred to in subsection (a)(8) shall, at a minimum—

''(1) address a home care consumer's right to basic safety;

''(2) address a home care consumer's right to access information about the cost of home care services prior to receiving those services;

''(3) address a home care consumer's right to choice, participation, and self-determination;

''(4) address a home care consumer's right to redress grievances; and

''(5) meet any other guidelines determined to be appropriate by the Assistant Secretary.

''(c) PLAN FOR ENFORCEMENT.—The Plan for Enforcement referred to in subsection (a)(8) shall include a description of how State entities with a role in protecting older individuals will coordinate activities to enforce the Home Care Consumer Bill of Rights.''; and

(4) by adding at the end the following:

''(e) DEFINITION.—In this section, the term 'home care consumer' and 'home care services' have the meanings given the terms in section 736.''.

SEC. 706. DEFINITIONS.

Section 711(6) of the Older Americans Act of 1965 (42 U.S.C. 3058f(6)) is amended by striking ''older individual'' and inserting ''individual''.

SEC. 707. STATE LONG-TERM CARE OMBUDSMAN PROGRAM.

Section 712 of the Older Americans Act of 1965 (42 U.S.C. 3058g) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding at the end the following: ''The Ombudsman shall be responsible for the management, including the fiscal management, of the Office.'';

(B) in paragraph (3)—

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

''(i) are made by or on behalf of residents, including residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have desired (and, in the absence of evidence to the contrary, shall assume that the resi-

dent wishes to have the resident's health, safety, welfare, and rights protected) and shall work to accomplish the desired outcome;'';

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

(iii) in subparagraph (H)(iii), by striking ''provide technical support for'' and inserting ''actively encourage and assist in'';

(C) in paragraph (4)—

(i) in the paragraph header, by striking ''CONTRACTS AND ARRANGEMENTS'' and inserting ''ORGANIZATIONAL PLACEMENT''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) IDENTIFYING, REMOVING, AND REMEDYING ORGANIZATIONAL CONFLICT.—

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

which there is an organizational conflict of interest unless such conflict has been—

''(I) identified by the State agency;

''(II) disclosed by the State agency to the Assistant Secretary in writing; and

''(III) remedied in accordance with this subparagraph.

''(ii) ACTION BY ADMINISTRATION.—In a case in which a potential or actual organizational conflict of interest involving the Office is disclosed or reported to the Assistant Secretary by any person or entity, the Assistant Secretary shall require that the State agency—

''(I) remove the conflict; or

''(II) submit, and obtain the approval of the Assistant Secretary for, an adequate remedial plan that indicates how the Ombudsman will be unencumbered in fulfilling all of the functions specified in paragraph (3).

''(C) ORGANIZATIONAL CONFLICT OF INTEREST.—In this paragraph, the term 'organi-

zational conflict of interest' includes a situation in which the Office is placed in an organization that—

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

"(ii) is an association (or an affiliate of such an association) of long-term care facilities, or of any other residential facilities for older individuals;

"(iii) provides long-term care services, including programs carried out under a Medicaid waiver approved under section 1115 of the Social Security Act (42 U.S.C. 1315) or under subsection (c) or (b) of section 1915 of the Social Security Act (42 U.S.C. 1396n), or under a Medicaid State plan amendment under subsection (i), (j), or (k) of section 1915 of the Social Security Act (42 U.S.C. 1396n);

"(iv) provides long-term care case management;

"(v) sets rates for long-term care services;

"(vi) provides adult protective services;

''(vii) is responsible for eligibility determinations for the Medicare program carried out under title XVIII, or the Medicaid program carried out under title XIX, of the Social Security Act (42 U.S.C. 1395 et seq., 1396 et seq.);

''(viii) conducts preadmission screening for placements in facilities described in clause (ii); or

''(ix) makes decisions regarding admission of individuals to such facilities.''; and

(D) in paragraph (5)(B)(vi), by striking ''support'' and inserting ''actively encourage and assist in'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''access'' and inserting ''private and unimpeded access'';

(ii) in subparagraph (B)(i)—

(I) in the matter preceding subclause (I), by striking ''the medical and social records of a'' and inserting ''all records concerning a''; and

(II) in subclause (II), by striking ''to consent'' and inserting ''to communicate consent'';

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (B) the following:

''(C) such access as is necessary to advocate for a resident's desired outcome to the extent that the resident can express the outcome desired, even if the resident is unable to communicate consent;

''(D) access to the records of a resident who is unable to communicate consent in a case in which—

''(i) the access is necessary to investigate and resolve a complaint described in subsection (a)(3);

''(ii) a legal guardian of the resident refuses to give permission for the access;

''(iii) a representative of the Office has reasonable cause to believe that the guardian is not acting in the best interests of the resident by refusing;

''(iv) the resident has no other known legal representative; and

''(v) the representative of the Office obtains the approval of the Ombudsman;''; and

(B) by adding at the end the following:

''(3) HEALTH OVERSIGHT AGENCY.—For purposes of section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (including regulations issued under that section) (42 U.S.C. 1320d–2 note), the Ombudsman and a representative of the Office shall be considered a 'health oversight agency,' so that release of residents' individually identifiable health information to the Ombudsman or representative is not precluded in cases in which the requirements of clause (i) or (ii) of paragraph (1)(B), or the requirements of paragraph (1)(D) are otherwise met.'';

(3) in subsection (c)(2)(D), by striking ''section 202(a)(21)'' and inserting ''section 202(a)(18)'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''files'' and inserting ''information''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''files and records'' each place such term appears and inserting ''information''; and

(ii) in subparagraph (B), by striking ''files or records'' and inserting ''information'';

(5) in subsection (f)(3)—

(A) in subparagraph (C), by striking ''facility; and'' and inserting ''facility or a related organization, and has not been employed by such a facility or organization within 2 years before the date of the determination involved;'';

(B) in subparagraph (D), by striking ''and'' at the end; and

(C) by adding at the end the following:

''(E) does not have management responsibility for, or operate under the supervision of, an agency with responsibility for adult protective services; and

''(F) 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); and'';

(6) in subsection (h)—

(A) in paragraph (4), by striking all that precedes ''procedures'' and inserting the following:

''(4) strengthen and update'';

(B) by redesignating paragraphs (4) through (9) as paragraphs (5) through (10), respectively;

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

''(4) ensure that the Ombudsman or a designee attends training provided by the Administration through the National Ombudsman Resource Center established in section 202(a)(18);'';

(D) in paragraph (7)(A), as redesignated by subparagraph (B) of this paragraph, by striking ''subtitle C of the'' and inserting ''subtitle C of title I of the''; and

(E) in paragraph (10), as redesignated by subparagraph (B) of this paragraph, by striking ''(6), or (7)'' and inserting ''(7), or (8)''; and

(7) by adding at the end the following:

''(k) ENSURING EFFECTIVE PROGRAMS AND RESIDENTS' RIGHTS.—The State agency shall ensure the Office—

''(1) provides long-term care facility residents with private and unimpeded access to the Office, including access to all records concerning the resident; and

''(2) allows all long-term care facility residents to receive services from the Office.''.

SEC. 708. PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.

Section 721(b) of the Older Americans Act of 1965 (42 U.S.C. 3058i(b)) is amended—

(1) in paragraph (2), by striking the semicolon and inserting the following: '', including education and outreach to professionals including postal carriers, employees of financial institutions, firefighters, meter readers, and other community professionals who are in a position to observe an older individual on a daily or regular basis;'';

(2) in paragraph (4), by inserting before the semicolon the following: ''and submit data on the prevalence of elder abuse, neglect, and exploitation for the appropriate database of the Administration or another database specified by the Assistant Secretary'';

(3) by redesignating paragraphs (8) through (12) as paragraphs (9) through (13), respectively;

(4) by inserting after paragraph (7) the following:

''(8) conducting appropriate training to ensure cultural sensitivity in the provision of elder rights services, including training in cultural issues associated with abuse;'';

(5) in subparagraph (C) of paragraph (10), as redesignated by paragraph (3) of this section—

(A) in clause (ii), by inserting '', such as forensic accountants,'' after ''such personnel''; and

(B) in clause (v), by striking the comma at the end and inserting '', including programs and arrangements that will safeguard victims' or potential victims' finances, such as daily money management programs and conservatorships,'';

(6) in paragraph (12), as redesignated by paragraph (3) of this section—

(A) in subparagraph (D), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(F) supporting and studying innovative practices in local communities, to develop part-

nerships across disciplines for the prevention, investigation, and prosecution of exploitation;'';

(7) in paragraph (13), as redesignated by paragraph (3) of this section—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(D) older individuals who are Holocaust survivors; and''; and

(8) by adding at the end the following:

''(14) developing a State Home Care Consumer Bill of Rights and Plan for Enforcement (as described in section 705) to protect home care consumers (as defined in section 736) from abuse, neglect, and exploitation.''.

SEC. 709. STATE LEGAL ASSISTANCE DEVELOPMENT.

Section 731 of the Older Americans Act of 1965 (42 U.S.C. 3058j) is amended by striking ''A State agency'' and all that follows through ''to ensure—'' and inserting the following:

''(a) STATE LEGAL SERVICES DEVELOPER.—A State agency shall provide the services of an individual who shall be known as a State legal services developer, who shall

promote, and may facilitate, the development and operation of an integrated legal assistance delivery system for the State. To the maximum extent practicable, the individual selected to serve as the developer shall—

''(1) agree to serve as the developer on a full-time basis;

''(2) have a law degree from an accredited law school or have been admitted to practice law in any jurisdiction in the United States; and

''(3) possess other knowledge, skills, training, and education that reflect a comprehensive understanding of legal services for older individuals.

''(b) OTHER PERSONNEL.—In addition to the State legal services developer, the State agency shall provide the services of other personnel, sufficient to ensure—''.

SEC. 710. STATE HOME CARE OMBUDSMAN PROGRAMS.

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

''CHAPTER 5—STATE HOME CARE OMBUDSMAN PROGRAMS

''SEC. 736. DEFINITIONS.

''In this chapter:

''(1) HOME CARE CONSUMER.—The term 'home care consumer' means a person who receives services

in the person's home or community, which may include home care services provided through this Act, the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or another public or private funding source.

''(2) HOME CARE OMBUDSMAN PROGRAM.—The term 'home care ombudsman program' means a State Home Care Ombudsman Program described in section 737(a)(1).

''(3) HOME CARE SERVICES.—The term 'home care services' means home and community-based services, including personal care services designed to assist an individual in the activities of daily living such as bathing, exercising, personal grooming, and getting in and out of bed.

''SEC. 737. PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—In order to be eligible to receive a grant under section 703(d) from funds appropriated under section 702A and made available to carry out this chapter, a State agency shall, in accordance with this section, agree to carry out a

State Home Care Ombudsman Program within the Office of the State Long-Term Care Ombudsman.

''(2) HOME CARE OMBUDSMAN PROGRAM.—The home care ombudsman program shall be carried out by the State Long-Term Care Ombudsman. The Ombudsman and other entities carrying out the home care ombudsman program shall have authorities, requirements, and functions with respect to that program, and home care services provided and home care consumers served under that program, that are equivalent (as determined by the Secretary) to the authorities, requirements, and functions the Ombudsman and other entities have in carrying out the State Long-Term Care Ombudsman Program under chapter 2, and long-term care provided and long-term care consumers served under that program.

''(b) MAINTENANCE OF EFFORT.—A State, in using the funds made available for a fiscal year through a grant received under section 703(d), shall maintain the expenditures of the State for home care ombudsman services at a level that is not less than the level of such expenditures maintained by the State for the preceding fiscal year.

''(c) EVALUATION.—The Assistant Secretary shall—

''(1) in conjunction with the Director of the Office of Long-Term Care Ombudsman Programs and the heads of other entities determined to be necessary by the Assistant Secretary, collect from the States and analyze data from the home care ombudsman programs relating to complaints and conditions concerning home care services and home care consumers and within 1 year after receipt of the data, submit a report to Congress outlining best practices for carrying out a home care ombudsman program; and

''(2) make the report available to States.''.

TITLE VIII—GERIATRICS AND GERONTOLOGY

SEC. 801. PRIMARY HEALTH SERVICES.

Section 331(a)(3)(D) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(D)) is amended by inserting ''geriatrics, gerontology,'' after ''pediatrics,''.

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