

113TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Older Americans Act
5 Reauthorization Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 Section 102 of the Older Americans Act of 1965 (42
8 U.S.C. 3002) is amended—

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

1 “(1) The term ‘abuse’ means the knowing in-
2 fliction of physical or psychological harm or the
3 knowing deprivation of goods or services that are
4 necessary to meet essential needs or to avoid phys-
5 ical or psychological harm.”;

6 (2) by striking paragraph (4) and inserting the
7 following:

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

16 “(A) comprehensive information on the full
17 range of available public and private long-term
18 care programs, options, service providers, and
19 resources within a community, including infor-
20 mation on the availability of integrated long-
21 term care services, and Federal or State pro-
22 grams that provide long-term care services and
23 supports through home and community-based
24 service programs;

1 “(B) personal options counseling to assist
2 individuals in assessing their existing or antici-
3 pated long-term care needs and goals, and de-
4 veloping and implementing a plan for long-term
5 care that is consistent with the desires of such
6 an individual and designed to meet the individ-
7 ual’s specific needs, goals, and circumstances;

8 “(C) access for individuals to the full
9 range of publicly-supported long-term care pro-
10 grams and supports for which the individuals
11 may be eligible, including home and community-
12 based service options, by serving as a conven-
13 ient point of entry for such programs and sup-
14 ports; and

15 “(D) in cooperation with area agencies on
16 aging, centers for independent living described
17 in part C of title VII of the Rehabilitation Act
18 of 1973 (29 U.S.C. 796f et seq.), and other
19 community-based entities, information and re-
20 ferrals regarding available home and commu-
21 nity-based services for individuals who are at
22 risk for residing in, or who reside in, institu-
23 tional settings, so that the individuals have the
24 choice to remain in or to return to the commu-
25 nity.”;

1 (3) by striking paragraph (17) and inserting
2 the following:

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

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

6 “(i) prevent, detect, treat, intervene
7 in, and prosecute elder abuse, neglect, and
8 exploitation; and

9 “(ii) protect older individuals with di-
10 minished capacity while maximizing their
11 autonomy; and

12 “(B) from an individual perspective, the
13 recognition of an older individual’s rights, in-
14 cluding the right to be free of abuse, neglect,
15 and exploitation.”;

16 (4) in paragraph (18)(A), by striking “term ‘ex-
17 ploitation’ means” and inserting “terms ‘exploit-
18 ation’ and ‘financial exploitation’ mean”; and

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

20 “(55) The term ‘adult protective services’
21 means such services provided to adults as the Sec-
22 retary may specify and includes services such as—

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

1 “(B) investigating the reports described in
2 subparagraph (A);

3 “(C) case planning, monitoring, evaluation,
4 and other casework and services; and

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

10 **SEC. 3. ADMINISTRATION ON AGING.**

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

13 (1) in subsection (d)(3)—

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

16 (B) in subparagraph (L)—

17 (i) by striking “Older Americans Act
18 Amendments of 1992” and inserting
19 “Older Americans Act Reauthorization Act
20 of 2013”; and

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

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

24 “(M) collect and analyze best practices related
25 to responding to elder abuse, neglect, and exploi-

1 tation in long-term care facilities, and publish a re-
2 port of such best practices.”; and

3 (2) in subsection (e)(2), in the matter preceding
4 subparagraph (A), by inserting “, and in coordina-
5 tion with the heads of State adult protective services
6 programs and the State Long-Term Care Ombuds-
7 men” after “and services”.

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

10 (1) in subsection (a)—

11 (A) in paragraph (5), by inserting “health
12 and economic” before “needs of older individ-
13 uals”;

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

16 (C) in paragraph (27), by striking “and”
17 at the end;

18 (D) in paragraph (28), by striking the pe-
19 riod and inserting a semicolon; and

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

21 “(29) provide information and technical assist-
22 ance to States, area agencies on aging, and service
23 providers on providing efficient, person-centered
24 transportation services, including across geographic
25 boundaries;

1 “(30) identify model programs and provide in-
2 formation and technical assistance to States, area
3 agencies on aging, and service providers to support
4 the modernization of multipurpose senior centers;

5 “(31) provide technical assistance to and share
6 best practices with States, area agencies on aging,
7 and Aging and Disability Resource Centers, on how
8 to collaborate and coordinate services with health
9 care entities, such as Federally qualified health cen-
10 ters, as defined in sections 1861(aa)(4) and
11 1905(l)(2)(B) of the Social Security Act (42 U.S.C.
12 1395x(aa)(4), 1396d(l)(2)(B)), in order to improve
13 care coordination for individuals with multiple
14 chronic illnesses; and

15 “(32) **provide information for older individuals**
16 **seeking home care.】**”;

17 (2) in subsection (b)(8)—

18 (A) in subparagraph (D)—

19 (i) by inserting “respond to or” before
20 “plan”; and

21 (ii) by striking “future long-term care
22 needs; and” and inserting “long-term care
23 needs;”; and

24 (B) in subparagraph (E), by adding “and”
25 at the end; and

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

2 “(F) to provide information and referrals
3 regarding available home and community-based
4 services for individuals who are at risk for re-
5 siding in, or who reside in, institutional set-
6 tings, so that the individuals have the choice to
7 remain in or to return to the community.”; and

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

9 “(g) The Assistant Secretary shall, as appropriate,
10 ensure that programs funded under this Act include ap-
11 propriate training in the prevention of abuse, neglect, and
12 exploitation and provision of services that address elder
13 justice and the exploitation of older individuals.”.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
15 216 of the Older Americans Act of 1965 (42 U.S.C.
16 3020f) is amended—

17 (1) in subsection (a), by striking “2007, 2008,
18 2009, 2010, and 2011” and inserting “2014, 2015,
19 2016, 2017, and 2018”;

20 (2) in subsection (b), by striking “2007, 2008,
21 2009, 2010, and 2011” and inserting “2014, 2015,
22 2016, 2017, and 2018”; and

23 (3) in subsection (c), by striking “2007, 2008,
24 2009, 2010, and 2011” and inserting “2014, 2015,
25 2016, 2017, and 2018”.

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

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
3 303 of the Older Americans Act of 1965 (42 U.S.C. 3023)
4 is amended—

5 (1) in subsection (a)(1), by striking “2007” and
6 all that follows and inserting “2014 through 2018.”;

7 (2) in subsection (b)—

8 (A) in paragraph (1), by striking “2007”
9 and all that follows and inserting “2014
10 through 2018.”; and

11 (B) in paragraph (2), by striking “2007”
12 and all that follows and inserting “2014
13 through 2018.”;

14 (3) in subsection (d), by striking “2007” and
15 all that follows and inserting “2014 through 2018.”;
16 and

17 (4) in subsection (e)(2), by striking “2011” and
18 inserting “2011 and each of fiscal years 2014
19 through 2018”.

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

23 (c) PLANNING AND SERVICE AREAS.—Section 305(b)
24 of the Older Americans Act of 1965 (42 U.S.C. 3025(b))
25 is amended by adding at the end the following:

1 “(6)(A) Nothing in this Act shall be construed to pro-
2 hibit a planning and service area from delegating its au-
3 thority to enter into a contract for legal assistance to the
4 State agency. If the area so delegates that authority, the
5 State agency shall use all funds from the proportion for
6 legal assistance described in section 307(a)(2)(C) for that
7 planning and service area, to enter into a contract for legal
8 assistance.

9 “(B) Nothing in this paragraph shall be construed
10 to require all planning and service areas in a State to act
11 uniformly in deciding whether to delegate authority under
12 subparagraph (A).”.

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

15 (1) in subsection (a)—

16 (A) in paragraph (1), by striking “estab-
17 lishment, maintenance, or construction of multi-
18 purpose senior centers,” and inserting “estab-
19 lishment, maintenance, modernization, or con-
20 struction of multipurpose senior centers (includ-
21 ing a plan to use the skills and services of older
22 individuals in paid and unpaid work, including
23 multigenerational and older individual to older
24 individual work),”; and

25 (B) in paragraph (6)—

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

3 (ii) by adding at the end the fol-
4 lowing:

5 “(H) in coordination with the State agency
6 and with the State agency responsible for elder
7 abuse prevention services, increase public
8 awareness of elder abuse, neglect, and exploi-
9 tation, and remove barriers to education, pre-
10 vention, investigation, and treatment of elder
11 abuse neglect, and exploitation education, as
12 appropriate;”; and

13 (2) in subsection (b)(3)—

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

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

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

20 “(K) protection from elder abuse, neglect,
21 and exploitation; and”.

22 (e) NUTRITION SERVICES INCENTIVE PROGRAM.—

23 Section 311(e) of the Older Americans Act of 1973 (42
24 U.S.C. 3030a(e)) is amended by striking “fiscal year

1 2007” and all that follows and inserting “each of fiscal
2 years 2014 through 2018.”.

3 (f) SUPPORTIVE SERVICES.—Section 321 of the
4 Older Americans Act of 1965 (42 U.S.C. 3030d) is
5 amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1), inserting before the
8 semicolon the following: “or chronic condition
9 self-care management, or falls prevention serv-
10 ices”;

11 (B) in paragraph (8), by striking “ill-
12 nesses, or both” and inserting “(or both) ill-
13 nesses and injuries”; and

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

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

19 (3) in subsection (c), by inserting before the pe-
20 riod the following: “, and pursue opportunities for
21 the development of intergenerational shared site
22 models for programs or projects, consistent with the
23 purposes of this Act”.

1 (g) NUTRITION SERVICES.—Section 339(2) of the
2 Older Americans Act of 1965 (42 U.S.C. 3030g–21(2))
3 is amended—

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

6 (2) in subparagraph (K), by striking the period
7 and inserting “; and”; and

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

9 “(L) where feasible, encourages the use of
10 locally grown foods in meal programs and iden-
11 tifies potential partnerships and contracts with
12 local producers and providers of locally grown
13 foods.”.

14 (h) EVIDENCE-BASED DISEASE PREVENTION AND
15 HEALTH PROMOTION SERVICES PROGRAM.—Part D of
16 title III of the Older Americans Act of 1965 (42 U.S.C.
17 3030m et seq.) is amended—

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

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

22 (i) OLDER RELATIVE CAREGIVERS.—

23 (1) TECHNICAL AMENDMENT.—Part E of title
24 III of the Older Americans Act of 1965 (42 U.S.C.

1 3030s et seq.) is amended by striking the subpart
2 heading for subpart 1.

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

5 (A) in subsection (a)—

6 (i) by striking “this subpart:” and in-
7 serting “this part:”;

8 (ii) in paragraph (1), by striking “or
9 who is an individual with a disability”;

10 (iii) by striking paragraph (2) and in-
11 serting the following:

12 “(2) INDIVIDUAL WITH A DISABILITY.—The
13 term ‘individual with a disability’ means an indi-
14 vidual with a disability, as defined in section 3 of the
15 Americans with Disabilities Act of 1990 (42 U.S.C.
16 12102), who is not less than 19 and not more than
17 59 years of age.

18 “(3) OLDER RELATIVE CAREGIVER.—The term
19 ‘older relative caregiver’ means a caregiver who—

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

21 “(ii) lives with, is the informal provider of
22 in-home and community care to, and is the pri-
23 mary caregiver for, a child or an individual with
24 a disability;

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

3 “(i) is the grandparent,
4 stepgrandparent, or other relative (other
5 than the parent) by blood, marriage, or
6 adoption, of the child;

7 “(ii) is the primary caregiver of the
8 child because the biological or adoptive
9 parents are unable or unwilling to serve as
10 the primary caregivers of the child; and

11 “(iii) has a legal relationship to the
12 child, such as legal custody or guardian-
13 ship, or is raising the child informally; and

14 “(C) in the case of a caregiver for an indi-
15 vidual with a disability, is the parent, grand-
16 parent, or other relative by blood, marriage, or
17 adoption, of the individual with a disability.”;
18 and

19 (B) in subsection (b)—

20 (i) by striking “subpart” and all that
21 follows through “family caregivers” and in-
22 serting “subpart, for family caregivers”;

23 (ii) by striking “; and” and inserting
24 a period; and

25 (iii) by striking paragraph (2).

1 (j) NATIONAL FAMILY CAREGIVER SUPPORT PRO-
2 GRAM.—Section 373 of the Older Americans Act of 1965
3 (42 U.S.C. 3030s–1) is amended—

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

7 (2) in subsection (c)—

8 (A) in paragraph (1), in the matter pre-
9 ceeding subparagraph (A), by striking “grand-
10 parents and older individuals who are relative
11 caregivers, and who” and inserting “older rel-
12 ative caregivers, who”; and

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

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

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

1 givers of a child who is not more than 18 years of
2 age” and inserting “older relative caregivers”.

3 (k) CONFORMING AMENDMENT.—Part E of title III
4 is amended by striking “this subpart” each place it ap-
5 pears and inserting “this part”.

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

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

10 (1) in subsection (a)—

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

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

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

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

23 (2) in subsection (b), by striking “for fiscal
24 years 2007” and all that follows through “2011”

1 and inserting “for each of fiscal years 2014 through
2 2018”.

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

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

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

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

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

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

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

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

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

9 (1) in subsection (a)—

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

14 (B) in paragraph (3)—

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

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

1 dence to the contrary, shall assume that
2 the resident wishes to have the resident’s
3 health, safety, welfare, and rights pro-
4 tected) and shall work to accomplish that
5 outcome; and”;

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

9 (iii) in subparagraph (H)(iii), by in-
10 serting “, actively encourage, and assist
11 in” after “provide technical support for”;
12 and

13 (C) in paragraph (5)(B)(vi), by inserting
14 “, actively encourage, and assist in” after “sup-
15 port”;

16 (2) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) in subparagraph (A), by striking
19 “access” and inserting “private and
20 unimpeded access”; and

21 (ii) in subparagraph (B)—

22 (I) in clause (i)—

23 (aa) in the matter preceding
24 subclause (I), by striking “the
25 medical and social records of a”

1 and inserting “all files, records,
2 and other information concerning
3 a”; and

4 (bb) in subclause (II), by
5 striking “to consent” and insert-
6 ing “to communicate consent”;
7 and

8 (II) in clause (ii), in the matter
9 before subclause (I), by striking “the
10 records” and inserting “the files,
11 records, and information”; and

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

13 “(3) HEALTH OVERSIGHT AGENCY.—For pur-
14 poses of section 264(c) of the Health Insurance
15 Portability and Accountability Act of 1996 (includ-
16 ing regulations issued under that section) (42 U.S.C.
17 1320d–2 note), the Ombudsman and a representa-
18 tive of the Office shall be considered a ‘health over-
19 sight agency,’ so that release of residents’ individ-
20 ually identifiable health information to the Ombuds-
21 man or representative is not precluded in cases in
22 which the requirements of clause (i) or (ii) of para-
23 graph (1)(B), or the requirements of paragraph
24 (1)(D), are otherwise met.”;

25 (3) in subsection (d)—

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

4 (B) in paragraph (2)—

5 (i) in subparagraph (A), by striking
6 “files and records” each place such term
7 appears and inserting “files, records, and
8 other information”; and

9 (ii) in subparagraph (B), by striking
10 “files or records” and inserting “files,
11 records, or other information”;

12 (4) by striking subsection (f) and inserting the
13 following:

14 “(f) CONFLICT OF INTEREST.—

15 “(1) INDIVIDUAL CONFLICT OF INTEREST.—

16 The State agency shall—

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

24 “(B) ensure that no officer or employee of
25 the Office, representative of a local Ombudsman

1 entity, or member of the immediate family of
2 the officer, employee, or representative, is sub-
3 ject to a conflict of interest; and

4 “(C) ensure that the Ombudsman—

5 “(i) does not have a direct involve-
6 ment in the licensing or certification of a
7 long-term care facility or of a provider of
8 a long-term care service;

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

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

20 “(iv) does not receive, or have the
21 right to receive, directly or indirectly, re-
22 muneration (in cash or in kind) under a
23 compensation arrangement with an owner
24 or operator of a long-term care facility;

1 “(v) does not have management re-
2 sponsibility for, or operate under the su-
3 pervision of, an agency with responsibility
4 for adult protective services; and

5 “(vi) does not serve as a guardian or
6 in another fiduciary capacity for residents
7 of long-term care facilities in an official ca-
8 pacity (as opposed to serving as a guardian
9 or fiduciary for a family member, in a per-
10 sonal capacity).

11 “(2) ORGANIZATIONAL CONFLICT OF INTER-
12 EST.—

13 “(A) IN GENERAL.—The State agency
14 shall comply with subparagraph (B)(i) in a case
15 in which the Office poses an organizational con-
16 flict of interest, including a situation in which
17 the Office is placed in an organization that—

18 “(i) is responsible for licensing, certi-
19 fying or surveying long-term care services
20 in the State;

21 “(ii) is an association (or an affiliate
22 of such an association) of long-term care
23 facilities, or of any other residential facili-
24 ties for older individuals;

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

11 “(iv) provides long-term care case
12 management;

13 “(v) sets rates for long-term care
14 services;

15 “(vi) provides adult protective serv-
16 ices;

17 “(vii) is responsible for eligibility de-
18 terminations for the Medicare program
19 carried out under title XVIII, or the Med-
20 icaid program carried out under title XIX,
21 of the Social Security Act (42 U.S.C. 1395
22 et seq., 1396 et seq.);

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

1 involving the Office is disclosed or reported
2 to the Assistant Secretary by any person
3 or entity, the Assistant Secretary shall re-
4 quire that the State agency—

5 “(I) remove the conflict; or

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

13 (5) in subsection (h)—

14 (A) in paragraph (4), by striking all that
15 precedes “procedures” and inserting the fol-
16 lowing:

17 “(4) strengthen and update”;

18 (B) by redesignating paragraphs (4)
19 through (9) as paragraphs (5) through (10), re-
20 spectively;

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

23 “(4) ensure that the Ombudsman or a designee
24 participates in training provided by the National

1 Ombudsman Resource Center established in section
2 202(a)(18);”;

3 (D) in paragraph (6)(A), as redesignated
4 by subparagraph (B) of this paragraph, by
5 striking “paragraph (4)” and inserting “para-
6 graph (5)”;

7 (E) in paragraph (7)(A), as redesignated
8 by subparagraph (B) of this paragraph, by
9 striking “subtitle C of the” and inserting “sub-
10 title C of title I of the”; and

11 (F) in paragraph (10), as redesignated by
12 subparagraph (B) of this paragraph, by striking
13 “(6), or (7)” and inserting “(7), or (8)”.

14 (c) OMBUDSMAN REGULATIONS.—Section 713 of the
15 Older Americans Act of 1965 (42 U.S.C. 3058h) is
16 amended—

17 (1) in paragraph (1), by striking “paragraphs
18 (1) and (2) of section 712(f)” and inserting “sub-
19 paragraphs (A) and (B) of section 712(f)(1)”;

20 (2) in paragraph (2), by striking “subpara-
21 graphs (A) through (D) of section 712(f)(3)” and
22 inserting “clauses (i) through (vi) of section
23 712(f)(1)(C)”.

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

4 (1) in subsection (b)—

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

8 (B) by inserting after paragraph (4) the
9 following:

10 “(5) promoting the submission of data on the
11 prevalence of elder abuse, neglect, and exploitation
12 for the appropriate database of the Administration
13 or another database specified by the Assistant Sec-
14 retary;”;

15 (C) in paragraph (10)(C), as redesignated
16 by paragraph (1) of this subsection—

17 (i) in clause (ii), by inserting “, such
18 as forensic accountants,” after “such per-
19 sonnel”; and

20 (ii) in clause (v), by inserting before
21 the comma the following: “, including pro-
22 grams and arrangements that protect
23 against financial exploitation”; and

24 (D) in paragraph (12), as redesignated by
25 paragraph (1) of this subsection—

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

3 (ii) by adding at the end the fol-
4 lowing:

5 “(F) supporting and studying innovative
6 practices in communities to develop partner-
7 ships across disciplines for the prevention, in-
8 vestigation, and prosecution of abuse, neglect,
9 and exploitation; and”;

10 (2) in subsection (e)(2), in the matter preceding
11 subparagraph (A)—

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

14 (B) by striking “subsection (b)(9)(B)(ii)”
15 and inserting “subsection (b)(10)(B)(ii)”.

16 **SEC. 9. BEHAVIORAL HEALTH.**

17 The Older Americans Act of 1965 is amended—

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

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

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

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

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

3 (3) in section 202(a)(5) (42 U.S.C.
4 3012(a)(5)), by inserting “and behavioral” after
5 “mental”;

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

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

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

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

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

17 (B) in paragraph (8), as amended by sec-
18 tion 4(f), by inserting “and behavioral” after
19 “mental”;

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

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

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

25 (a) STUDY.—

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

7 (2) CONTENTS.—In conducting the study, the
8 Comptroller General—

9 (A) shall identify challenges and barriers
10 affecting the aging network in providing or ac-
11 cessing efficient and effective transportation
12 services, including challenges and barriers in co-
13 ordinating services with Federal agencies and
14 programs such as the Department of Transpor-
15 tation and Medicaid program under title XIX of
16 the Social Security Act (42 U.S.C. 1396 et
17 seq.); and

18 (B) shall examine any Federal program re-
19 quirements that may result in challenges or
20 barriers to the coordination of transportation
21 services within the aging network at the local
22 level.

23 (b) REPORT.—Not later than 18 months after the
24 date of enactment of this Act, the Comptroller General
25 shall issue a report. The report shall contain a detailed

1 description of the findings and conclusions of the study,
2 including any recommendations for administrative and
3 other changes to enhance transportation services provided
4 by the aging network. The Comptroller General shall sub-
5 mit the report to the Committee on Education and the
6 Workforce of the House of Representatives and the Com-
7 mittee on Health, Education, Labor, and Pensions of the
8 Senate.