

**Suspend the Rules and Pass the Bill (S. 192) With an Amendment**  
**(The amendment strikes all after the enacting clause and inserts a**  
**new text.)**

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 192

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IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2015

Referred to the Committee on Education and the Workforce

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Older Americans Act  
3 Reauthorization Act of 2016”.

4 **SEC. 2. DEFINITIONS.**

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

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

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

14 (2) by striking paragraph (3) and inserting the  
15 following:

16 “(3) The term ‘adult protective services’ means  
17 such services provided to adults as the Secretary  
18 may specify and includes services such as—

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

21 “(B) investigating the reports described in  
22 subparagraph (A);

23 “(C) case planning, monitoring, evaluation,  
24 and other casework and services; and

25 “(D) providing, arranging for, or facili-  
26 tating the provision of medical, social service,

1 economic, legal, housing, law enforcement, or  
2 other protective, emergency, or support serv-  
3 ices.”;

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

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

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

24 “(B) person-centered counseling to assist  
25 individuals in assessing their existing or antici-

1           pated long-term care needs and goals, and de-  
2           veloping and implementing a person-centered  
3           plan for long-term care that is consistent with  
4           the desires of such an individual and designed  
5           to meet the individual's specific needs, goals,  
6           and circumstances;

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

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

1 (4) in paragraph (14)(B), by inserting “oral  
2 health,” after “bone density,”;

3 (5) by striking paragraph (17) and inserting  
4 the following:

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

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

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

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

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

18 (6) in paragraph (18)(A), by striking “term ‘ex-  
19 ploitation’ means” and inserting “terms ‘exploit-  
20 ation’ and ‘financial exploitation’ mean”.

21 **SEC. 3. ADMINISTRATION ON AGING.**

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

24 (1) in subsection (d)(3)—

1 (A) in subparagraph (H), by striking  
2 “202(a)(21)” and inserting “202(a)(18)”;

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

5 (C) in subparagraph (L)—

6 (i) by striking “Older Americans Act  
7 Amendments of 1992” and inserting  
8 “Older Americans Act Reauthorization Act  
9 of 2016”; and

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

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

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

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

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

25 (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

10           (2) in subsection (b)—

11           (A) in paragraph (5)—

12           (i) in subparagraph (B), by striking

13           “and” after the semicolon;

14           (ii) in subparagraph (C), by inserting

15           “and” after the semicolon; and

16           (iii) by adding at the end the fol-

17           lowing:

18           “(D) when feasible, developing, in con-  
19           sultation with States and national organiza-  
20           tions, a consumer-friendly tool to assist older  
21           individuals and their families in choosing home  
22           and community-based services, with a particular  
23           focus on ways for consumers to assess how pro-  
24           viders protect the health, safety, welfare, and

1 rights, including the rights provided under sec-  
2 tion 314, of older individuals;”;

3 (B) in paragraph (8)—

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

7 (ii) in subparagraph (D)—

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

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

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

15 (iv) by adding at the end the fol-  
16 lowing:

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

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

24 “(g) The Assistant Secretary shall, as appropriate,  
25 ensure that programs authorized under this Act include

1 appropriate training in the prevention of abuse, neglect,  
2 and exploitation and provision of services that address  
3 elder justice and the exploitation of older individuals.”.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
5 205 of the Older Americans Act of 1965 (42 U.S.C.3016)  
6 is amended by striking subsection (c).

7 (d) REPORTS.—Section 207(a) of the Older Ameri-  
8 cans Act of 1965 (42 U.S.C. 3018(a)) is amended—

9 (1) in paragraph (2), by striking “202(a)(19)”  
10 and inserting “202(a)(16)”; and

11 (2) in paragraph (4), by striking “202(a)(17)”  
12 and inserting “202(a)(14)”.

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

16 (1) in subsection (a), by striking “such sums”  
17 and all that follows through the period at the end,  
18 and inserting “\$40,063,000 for each of the fiscal  
19 years 2017, 2018, and 2019.”;

20 (2) by amending subsection (b) to read as fol-  
21 lows:

22 “(b) There are authorized to be appropriated—

23 “(1) to carry out section 202(a)(21) (relating to  
24 the National Eldercare Locator Service), \$2,088,758

1 for fiscal year 2017, \$2,132,440 for fiscal year  
2 2018, and \$2,176,121 for fiscal year 2019;

3 “(2) to carry out section 215, \$1,904,275 for  
4 fiscal year 2017, \$1,944,099 for fiscal year 2018,  
5 and \$1,983,922 for fiscal year 2019;

6 “(3) to carry out section 202 (relating to Elder  
7 Rights Support Activities under this title),  
8 \$1,312,904 for fiscal year 2017, \$1,340,361 for fis-  
9 cal year 2018, and \$1,367,817 for fiscal year 2019;  
10 and

11 “(4) to carry out section 202(b) (relating to the  
12 Aging and Disability Resource Centers), \$6,271,399  
13 for fiscal year 2017, \$6,402,551 for fiscal year  
14 2018, and \$6,533,703 for fiscal year 2019.”; and

15 (3) by striking subsection (c).

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

17 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
18 303 of the Older Americans Act of 1965 (42 U.S.C. 3023)  
19 is amended—

20 (1) in subsection (a)(1), by striking “such  
21 sums” and all that follows through the period at the  
22 end, and inserting “\$356,717,276 for fiscal year  
23 2017, \$364,456,847 for fiscal year 2018, and  
24 \$372,196,069 for fiscal year 2019.”;

25 (2) in subsection (b)—

1 (A) in paragraph (1), by striking “such  
2 sums” and all that follows through the period  
3 at the end, and inserting “\$459,937,586 for fis-  
4 cal year 2017, \$469,916,692 for fiscal year  
5 2018, and \$479,895,348 for fiscal year 2019.”;  
6 and

7 (B) in paragraph (2), by striking “such  
8 sums” and all that follows through the period  
9 at the end, and inserting “\$232,195,942 for fis-  
10 cal year 2017, \$237,233,817 for fiscal year  
11 2018, and \$242,271,465 for fiscal year 2019.”;

12 (3) in subsection (d), by striking “such sums”  
13 and all that follows through the period at the end,  
14 and inserting “\$20,361,334 for fiscal year 2017,  
15 \$20,803,107 for fiscal year 2018, and \$21,244,860  
16 for fiscal year 2019.”;

17 (4) in subsection (e)—

18 (A) by striking “(1)” and all that follows  
19 through “(2)”; and

20 (B) by striking “\$166,500,000” and all  
21 that follows through the period at the end, and  
22 inserting “\$154,336,482 for fiscal year 2017,  
23 \$157,564,066 for fiscal year 2018, and  
24 \$160,791,658 for fiscal year 2019.”

1 (b) ALLOTMENT.—Section 304 of the Older Ameri-  
2 cans Act of 1965 (42 U.S.C. 3024) is amended—

3 (1) in subsection (a)(3), by striking subpara-  
4 graph (D) and inserting the following:

5 “(D)(i) For each of fiscal years 2017 through 2019,  
6 no State shall be allotted an amount that is less than 99  
7 percent of the amount allotted to such State for the pre-  
8 vious fiscal year.

9 “(ii) For fiscal year 2020 and each subsequent fiscal  
10 year, no State shall be allotted an amount that is less than  
11 100 percent of the amount allotted to such State for fiscal  
12 year 2019.”; and

13 (2) in subsection (b), by striking “subpart 1  
14 of”.

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

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

22 (1) in subsection (a)—

23 (A) in paragraph (1), by striking “estab-  
24 lishment, maintenance, or construction of multi-  
25 purpose senior centers,” and inserting “estab-

1 lishment, maintenance, modernization, or con-  
2 struction of multipurpose senior centers (includ-  
3 ing a plan to use the skills and services of older  
4 individuals in paid and unpaid work, including  
5 multigenerational and older individual to older  
6 individual work),”; and

7 (B) in paragraph (6)—

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

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

12 “(H) in coordination with the State agency  
13 and with the State agency responsible for elder  
14 abuse prevention services, increase public  
15 awareness of elder abuse, neglect, and exploi-  
16 tation, and remove barriers to education, pre-  
17 vention, investigation, and treatment of elder  
18 abuse, neglect, and exploitation, as appro-  
19 priate;”; and

20 (2) in subsection (b)(3)—

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

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

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

3 “(K) protection from elder abuse, neglect,  
4 and exploitation; and”.

5 (e) STATE PLANS.—Section 307(a)(2)(A) of the  
6 Older Americans Act of 1965 (42 U.S.C. 3027(a)(2)(A))  
7 is amended by striking “202(a)(29)” and inserting  
8 “202(a)(26)”.

9 (f) NUTRITION SERVICES INCENTIVE PROGRAM.—  
10 Section 311(e) of the Older Americans Act of 1965 (42  
11 U.S.C. 3030a(e)) is amended by striking “such sums” and  
12 all that follows through the period at the end, and insert-  
13 ing “\$164,055,664 for fiscal year 2017, \$167,486,502 for  
14 fiscal year 2018, and \$170,917,349 for fiscal year 2019.”.

15 (g) SUPPORTIVE SERVICES.—Section 321 of the  
16 Older Americans Act of 1965 (42 U.S.C. 3030d) is  
17 amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1), by striking “or refer-  
20 ral services” and inserting “referral, chronic  
21 condition self-care management, or falls preven-  
22 tion services”;

23 (B) in paragraph (8), by striking “(includ-  
24 ing)” and all that follows and inserting the fol-  
25 lowing: “(including mental and behavioral

1 health screening and falls prevention services  
2 screening) to detect or prevent (or both) ill-  
3 nesses and injuries that occur most frequently  
4 in older individuals;” and

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

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

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

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

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

18 “(1) is age 18 or older;

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

21 “(3) has a disability.”.

22 (h) HOME DELIVERED NUTRITION SERVICES PRO-  
23 GRAM.—Section 336(1) of the Older Americans Act of  
24 1965 (42 U.S.C. 3030f(1)) is amended by striking  
25 “canned” and all that follows through “meals” and insert-

1 ing “canned, or fresh foods and, as appropriate, supple-  
2 mental foods, and any additional meals”.

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

5 (1) in paragraph (1), by striking “solicit” and  
6 inserting “utilize”; and

7 (2) in paragraph (2)—

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

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

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

13 “(L) where feasible, encourages the use of  
14 locally grown foods in meal programs and iden-  
15 tifies potential partnerships and contracts with  
16 local producers and providers of locally grown  
17 foods.”.

18 (j) EVIDENCE-BASED DISEASE PREVENTION AND  
19 HEALTH PROMOTION SERVICES PROGRAM.—Part D of  
20 title III of the Older Americans Act of 1965 (42 U.S.C.  
21 3030m et seq.) is amended—

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

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

1 (k) OLDER RELATIVE CAREGIVERS.—

2 (1) TECHNICAL AMENDMENT.—Part E of title  
3 III of the Older Americans Act of 1965 (42 U.S.C.  
4 3030s et seq.) is amended by striking the subpart  
5 heading for subpart 1.

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

8 (A) in subsection (a)—

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

11 (ii) by striking paragraph (2) and in-  
12 serting the following:

13 “(2) INDIVIDUAL WITH A DISABILITY.—The  
14 term ‘individual with a disability’ means an indi-  
15 vidual with a disability, as defined in section 3 of the  
16 Americans with Disabilities Act of 1990 (42 U.S.C.  
17 12102), who is not less than age 18 and not more  
18 than age 59.

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

21 “(A)(i) is age 55 or older; and

22 “(ii) lives with, is the informal provider of  
23 in-home and community care to, and is the pri-  
24 mary caregiver for, a child or an individual with  
25 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, adoption, or  
13 guardianship, or is raising the child infor-  
14 mally; and

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

20           (B) in subsection (b)—

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

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

1 (iii) by striking paragraph (2).

2 (l) NATIONAL FAMILY CAREGIVER SUPPORT PRO-  
3 GRAM.—Section 373 of the Older Americans Act of 1965  
4 (42 U.S.C. 3030s–1) is amended—

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

8 (2) in subsection (c)—

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

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

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



1 1395 et seq.) that train senior volunteers to prevent  
2 and identify health care fraud and abuse; and”;

3 (2) in subsection (b), by striking “out” and all  
4 that follows through the period at the end, and in-  
5 serting the following:

6 “out—

7 “(1) aging network support activities under this  
8 section, \$6,216,054 for fiscal year 2017, \$6,346,048  
9 for fiscal year 2018, and \$6,476,043 for fiscal year  
10 2019; and

11 “(2) elder rights support activities under this  
12 section, \$10,856,828 for fiscal year 2017,  
13 \$11,083,873 for fiscal year 2018, and \$11,310,919  
14 for fiscal year 2019.”.

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

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

22 (d) REPEALS.—Sections 415, 419, and 421 of the  
23 Older Americans Act of 1965 (42 U.S.C. 3032d, 3032h,  
24 3032j) are repealed.

1 (e) CONFORMING AMENDMENT.—Section  
2 417(a)(1)(A) of the Older Americans Act of 1965 (42  
3 U.S.C. 3032f(a)(1)(A)) is amended by striking “grand-  
4 parents and other older individuals who are relative care-  
5 givers” and inserting “older relative caregivers (as defined  
6 in section 372)”.

7 **SEC. 6. AMENDMENTS TO COMMUNITY SERVICE SENIOR**  
8 **OPPORTUNITIES ACT.**

9 (a) OLDER AMERICAN COMMUNITY SERVICE EM-  
10 PLOYMENT PROGRAM.—Section 502 of the Community  
11 Service Senior Opportunities Act (42 U.S.C. 3056) is  
12 amended—

13 (1) in subsection (b)(1)—

14 (A) in subparagraph (C)(ii), by striking  
15 “513(a)(2)(D)” and inserting “513(a)(2)(E)”;

16 and

17 (B) in subparagraph (N)(i) by striking  
18 “Workforce Investment Act of 1998 (29 U.S.C.  
19 2801 et seq.)” and inserting “Workforce Inno-  
20 vation and Opportunity Act (29 U.S.C. 3101 et  
21 seq.)”;

22 (2) in subsection (d)—

23 (A) by inserting “and the local workforce  
24 development board” after “service area”; and

1 (B) by striking “and” after “State agen-  
2 cy” and inserting “, the local workforce devel-  
3 opment board, and”; and

4 (3) in subsection (e)(3), by inserting “, with the  
5 State workforce development board and local work-  
6 force development board,” after “aging”.

7 (b) ADMINISTRATION.—Section 503 of the Commu-  
8 nity Service Senior Opportunities Act (42 U.S.C. 3056a)  
9 is amended—

10 (1) in subsection (a)—

11 (A) by redesignating paragraphs (6), (7),  
12 and (8) as paragraphs (7), (8), and (9), respec-  
13 tively;

14 (B) in paragraph (3), by striking “para-  
15 graph (7)” and inserting “paragraph (8)”;

16 (C) in paragraph (4), by striking subpara-  
17 graph (F) and inserting the following:

18 “(F) how the activities of grantees in the  
19 State under this title will be coordinated with  
20 activities carried out in the State under title I  
21 of the Workforce Innovation and Opportunity  
22 Act (29 U.S.C. 3111 et seq.) and other related  
23 programs (referred to in this subparagraph as  
24 ‘WIOA and related activities’), and how the  
25 State will reduce unnecessary duplication be-

1           tween the activities carried out under this title  
2           and the WIOA and related activities.”; and

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

5           “(6) COMBINED STATE PLAN.—In lieu of the  
6           plan described in paragraph (1), a State may de-  
7           velop and submit a combined State plan in accord-  
8           ance with section 103 of the Workforce Innovation  
9           and Opportunity Act (29 U.S.C. 3113). For a State  
10          that obtains approval of such a combined State plan,  
11          that section 103 shall apply in lieu of this subsection  
12          and a reference in any other provision of this title  
13          (other than this subsection) to a State plan shall be  
14          considered to be a reference to that combined State  
15          plan.”; and

16                  (2) in subsection (b)(2)(B)(i), by striking  
17          “Workforce Investment Act of 1998” and inserting  
18          “Workforce Innovation and Opportunity Act”.

19          (c) COORDINATION.—The heading of section 511 of  
20          the Community Service Senior Opportunities Act (42  
21          U.S.C. 3056i) is amended by striking “**WORKFORCE IN-**  
22          **VESTMENT ACT OF 1998**” and inserting “**WORKFORCE**  
23          **INNOVATION AND OPPORTUNITY ACT**”.

1 (d) PERFORMANCE.—Section 513 of the Community  
2 Service Senior Opportunities Act (42 U.S.C. 3056k) is  
3 amended—

4 (1) in subsection (a)—

5 (A) in the subsection heading, by striking  
6 “AND INDICATORS”;

7 (B) in paragraph (1)—

8 (i) in the paragraph heading, by strik-  
9 ing “AND INDICATORS”; and

10 (ii) by striking “and additional indica-  
11 tors of performance” each place it appears;

12 (C) in paragraph (2)—

13 (i) in subparagraph (A)—

14 (I) by striking “(A)” and all that  
15 follows through “The” and inserting  
16 “(A) COMPOSITION OF MEASURES.—  
17 The”; and

18 (II) by striking clause (ii);

19 (ii) by striking subparagraph (B);

20 (iii) in subparagraph (C)—

21 (I) by striking “(C)” and insert-  
22 ing “(B)”; and

23 (II) in the first sentence, by  
24 striking “(A)(i)” and inserting “(A)”;

25 and

1 (III) by striking the second sen-  
2 tence; and

3 (iv) by striking subparagraphs (D)  
4 and (E) and inserting the following:

5 “(C) AGREEMENT ON EXPECTED LEVELS  
6 OF PERFORMANCE.—

7 “(i) FIRST 2 YEARS.—Each grantee  
8 shall reach agreement with the Secretary  
9 on levels of performance for each measure  
10 described in subparagraph (A)(i), for each  
11 of the first 2 program years covered by the  
12 grant agreement. In reaching the agree-  
13 ment, the grantee and the Secretary shall  
14 take into account the expected levels pro-  
15 posed by the grantee and the factors de-  
16 scribed in subparagraph (D). The levels  
17 agreed to shall be considered to be the ex-  
18 pected levels of performance for the grant-  
19 ee for such program years.

20 “(ii) THIRD AND FOURTH YEAR.—  
21 Each grantee shall reach agreement with  
22 the Secretary, prior to the third program  
23 year covered by the grant agreement, on  
24 levels of performance for each measure de-  
25 scribed in subparagraph (A), for each of

1 the third and fourth program years so cov-  
2 ered. In reaching the agreement, the  
3 grantee and the Secretary shall take into  
4 account the expected levels proposed by the  
5 grantee and the factors described in sub-  
6 paragraph (D). The levels agreed to shall  
7 be considered to be the expected levels of  
8 performance for the grantee for such pro-  
9 gram years.

10 “(D) FACTORS.—In reaching the agree-  
11 ments described in subparagraph (B), each  
12 grantee and the Secretary shall—

13 “(i) take into account how the levels  
14 involved compare with the expected levels  
15 of performance established for other grant-  
16 ees;

17 “(ii) ensure that the levels involved  
18 are adjusted, using an objective statistical  
19 model based on the model established by  
20 the Secretary in accordance with section  
21 116(a)(3)(A)(viii)) of the Workforce In-  
22 vestment and Opportunity Act (29 U.S.C.  
23 3141(a)(3)(A)(viii)); and

24 “(iii) take into account the extent to  
25 which the levels involved promote contin-

1 uous improvement in performance account-  
2 ability on the core measures and ensure  
3 optimal return on the investment of Fed-  
4 eral funds.

5 “(E) ADJUSTMENTS BASED ON ECONOMIC  
6 CONDITIONS AND INDIVIDUALS SERVED DURING  
7 THE PROGRAM YEAR.—The Secretary shall, in  
8 accordance with the objective statistical model  
9 developed pursuant to subparagraph (D)(ii), ad-  
10 just the expected levels of performance for a  
11 program year for grantees, to reflect the actual  
12 economic conditions and characteristics of par-  
13 ticipants in the corresponding projects during  
14 such program year.”; and

15 (D) in paragraph (3), by striking “and to  
16 report information on the additional indicators  
17 of performance”;

18 (2) in subsection (b)—

19 (A) in paragraph (1)—

20 (i) in the matter preceding subpara-  
21 graph (A), by striking “(a)(2)(A)(i)” and  
22 inserting “(a)(2)(A)”;

23 (ii) by striking subparagraphs (B)  
24 through (E) and inserting the following:

1           “(B) the percentage of project participants  
2 who are in unsubsidized employment during the  
3 second quarter after exit from the project;

4           “(C) the percentage of project participants  
5 who are in unsubsidized employment during the  
6 fourth quarter after exit from the project;

7           “(D) the median earnings of project par-  
8 ticipants who are in unsubsidized employment  
9 during the second quarter after exit from the  
10 project;

11           “(E) indicators of effectiveness in serving  
12 employers, host agencies, and project partici-  
13 pants; and

14           “(F) the number of eligible individuals  
15 served, including the number of participating  
16 individuals described in subsection (a)(3)(B)(ii)  
17 or (b)(2) of section 518.”;

18           (B) by striking paragraph (2);

19           (C) by redesignating paragraph (3) as  
20 paragraph (2); and

21           (D) in paragraph (2), as so redesignated,  
22 by striking “paragraphs (1) and (2)” and in-  
23 serting “paragraph (1)”;

24           (3) in subsection (c)—

1 (A) by striking “shall—” and all that fol-  
2 lows through “annually evaluate” and inserting  
3 “shall annually evaluate”;

4 (B) by striking “(a)(2)(C)” and inserting  
5 “(a)(2)(B)”;

6 (C) by striking “(a)(2)(D)); and” and in-  
7 serting “(a)(2)(E)).”; and

8 (D) by striking paragraph (2);  
9 (4) in subsection (d)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (A)—

12 (I) by striking “2007” and in-  
13 serting “2016”;

14 (II) in clause (i)—

15 (aa) by striking “(a)(2)(C)”  
16 and inserting “(a)(2)(B)”;

17 (bb) by striking “(a)(2)(D)”  
18 and inserting “(a)(2)(E)”;

19 (cc) by striking “described”  
20 and all that follows and inserting  
21 a period;

22 (III) by striking clause (ii); and

23 (IV) by striking “2006” and all  
24 that follows through “(i) met” and in-  
25 serting “2016, met”; and

- 1 (ii) in subparagraph (B)—
- 2 (I) in clause (i), by striking
- 3 “(A)(i); or” at the end and inserting
- 4 “(A),”;
- 5 (II) by striking clause (ii);
- 6 (III) by striking “2006—” and
- 7 all that follows through “(i) failed”
- 8 and inserting “2016, failed”; and
- 9 (IV) by striking “and achieve the
- 10 applicable percentage”;
- 11 (B) in paragraph (2)—
- 12 (i) in subparagraph (A)—
- 13 (I) by striking “(a)(2)(C)” and
- 14 inserting “(a)(2)(B)”; and
- 15 (II) by striking “(a)(2)(D)” and
- 16 inserting “(a)(2)(E)”; and
- 17 (ii) in subparagraph (B)(iii)—
- 18 (I) by striking “(beginning with
- 19 program year 2007)”; and
- 20 (II) by adding at the end the fol-
- 21 lowing:
- 22 “(iv) USE OF CORE INDICATORS.—
- 23 For purposes of assessing grantee perform-
- 24 ance under this subparagraph before pro-
- 25 gram year 2017, the Secretary shall use

1 the core indicators of performance in effect  
2 at the time of the award and the most re-  
3 cent corresponding expected levels of per-  
4 formance.”;

5 (C) in paragraph (3)—

6 (i) in subparagraph (A)—

7 (I) by striking “(a)(2)(C)” and  
8 inserting “(a)(2)(B)”;

9 (II) by striking “(a)(2)(D)” and  
10 inserting “(a)(2)(E)”;

11 (ii) in subparagraph (B)(iii), by strik-  
12 ing “(beginning with program year 2007)”;

13 and

14 (D) by amending paragraph (4) to read as  
15 follows:

16 “(4) SPECIAL RULE FOR IMPLEMENTATION.—

17 The Secretary shall implement the core measures of  
18 performance described in this section not later than

19 December 31, 2017.”;

20 (5) by amending subsection (e) to read as fol-  
21 lows:

22 “(e) IMPACT ON GRANT COMPETITION.—Effective on  
23 January 1, 2018, the Secretary may not publish a notice  
24 announcing a grant competition under this title, or solicit

1 proposals for grants, until the day on which the Secretary  
2 implements the core measures of performance.”.

3 (e) COMPETITIVE REQUIREMENTS.—Section  
4 514(c)(4) of the Community Service Senior Opportunities  
5 Act (42 U.S.C. 3056l(c)(4)) is amended—

6 (1) by striking “and addressing additional indi-  
7 cators of performance”; and

8 (2) by striking “and additional indicators of  
9 performance”.

10 (f) AUTHORIZATION OF APPROPRIATIONS.—Section  
11 517 of the Older Americans Act of 1965 (42 U.S.C.  
12 3056o) is amended—

13 (1) in subsection (a), by striking “such sums”  
14 and all that follows through the period at the end,  
15 and inserting “\$445,189,405 for fiscal year 2017,  
16 \$454,499,494 for fiscal year 2018, and  
17 \$463,809,605 for fiscal year 2019.”; and

18 (2) in subsection (b)—

19 (A) in the 1st sentence—

20 (i) by inserting “Federal” after  
21 “available for”; and

22 (ii) by striking “July” and inserting  
23 “April”; and

24 (B) by inserting after the 1st sentence the  
25 following:

1 “Such amounts obligated to grantees shall be available for  
2 obligation and expenditure by grantees during the pro-  
3 gram year that begins on July 1 of the calendar year im-  
4 mediately following the beginning of the fiscal year in  
5 which the amounts are appropriated and that ends on  
6 June 30 of the following calendar year.”.

7 (g) DEFINITIONS.—Section 518(a) of the Community  
8 Service Senior Opportunities Act (42 U.S.C. 3056p(a)) is  
9 amended—

10 (1) by redesignating paragraphs (5) through  
11 (8) as paragraphs (6) through (9), respectively; and

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

14 “(5) LOCAL WORKFORCE DEVELOPMENT  
15 BOARD; STATE WORKFORCE DEVELOPMENT  
16 BOARD.—The terms ‘local workforce development  
17 board’ and ‘State workforce development board’ have  
18 the meanings given the terms ‘local board’ and  
19 ‘State board’, respectively, in section 3 of the Work-  
20 force Innovation and Opportunity Act (29 U.S.C.  
21 3102).”.

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

23 Section 643 of the Older Americans Act of 1965 (42  
24 U.S.C. 3057n) is amended—



1 for fiscal year 2017, \$4,994,178 for fiscal year 2018, and  
2 \$5,096,480 for fiscal year 2019.”; and

3 (3) by striking subsection (c).

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

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

10 (1) in subsection (a)—

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

15 (B) in paragraph (3)—

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

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

1           what outcome the resident would have  
2           communicated (and, in the absence of evi-  
3           dence to the contrary, shall assume that  
4           the resident wishes to have the resident’s  
5           health, safety, welfare, and rights pro-  
6           tected) and shall work to accomplish that  
7           outcome; and”;

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

11                   (iii) in subparagraph (H)(iii)—

12                           (I) by inserting “, actively en-  
13                           courage, and assist in” after “provide  
14                           technical support for”; and

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

17                           (iv) by redesignating subparagraph (I)  
18                           as subparagraph (J); and

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

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

25                           (C) in paragraph (5)(B)—

1 (i) in clause (vi)—

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

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

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

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

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

1 rights protected) and shall work to accom-  
2 plish that outcome; and”;

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

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

8 (ii) in subparagraph (B)—

9 (I) in clause (i)—

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

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

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

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

1           “(3) HEALTH OVERSIGHT AGENCY.—For pur-  
2           poses of section 264(c) of the Health Insurance  
3           Portability and Accountability Act of 1996 (includ-  
4           ing regulations issued under that section) (42 U.S.C.  
5           1320d–2 note), the Ombudsman and a representa-  
6           tive of the Office shall be considered a ‘health over-  
7           sight agency,’ so that release of residents’ individ-  
8           ually identifiable health information to the Ombuds-  
9           man or representative is not precluded in cases in  
10          which the requirements of clause (i) or (ii) of para-  
11          graph (1)(B), or the requirements of paragraph  
12          (1)(D), are otherwise met.”;

13           (3) in subsection (c)(2)(D), by striking  
14          “202(a)(21)” and inserting “202(a)(18)”;

15           (4) in subsection (d)—

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

19           (B) in paragraph (2)—

20           (i) in subparagraph (A)—

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

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

3 (ii) in subparagraph (B)—

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

7 (II) in clause (iii), by striking the  
8 period at the end and inserting “;  
9 and”; and

10 (iii) by adding at the end the fol-  
11 lowing:

12 “(C) notwithstanding subparagraph (B),  
13 ensure that the Ombudsman may disclose infor-  
14 mation as needed in order to best serve resi-  
15 dents with limited or no decisionmaking capac-  
16 ity who have no known legal representative and  
17 are unable to communicate consent, in order for  
18 the Ombudsman to carry out the functions and  
19 duties described in paragraphs (3)(A) and  
20 (5)(B) of subsection (a).”; and

21 (5) by striking subsection (f) and inserting the  
22 following:

23 “(f) CONFLICT OF INTEREST.—

24 “(1) INDIVIDUAL CONFLICT OF INTEREST.—

25 The State agency shall—

1           “(A) ensure that no individual, or member  
2 of the immediate family of an individual, in-  
3 volved in the designation of the Ombudsman  
4 (whether by appointment or otherwise) or the  
5 designation of an entity designated under sub-  
6 section (a)(5), is subject to a conflict of inter-  
7 est;

8           “(B) ensure that no officer or employee of  
9 the Office, representative of a local Ombudsman  
10 entity, or member of the immediate family of  
11 the officer, employee, or representative, is sub-  
12 ject to a conflict of interest; and

13           “(C) ensure that the Ombudsman—

14           “(i) does not have a direct involve-  
15 ment in the licensing or certification of a  
16 long-term care facility or of a provider of  
17 a long-term care service;

18           “(ii) does not have an ownership or  
19 investment interest (represented by equity,  
20 debt, or other financial relationship) in a  
21 long-term care facility or a long-term care  
22 service;

23           “(iii) is not employed by, or partici-  
24 pating in the management of, a long-term  
25 care facility or a related organization, and

1 has not been employed by such a facility or  
2 organization within 1 year before the date  
3 of the determination involved;

4 “(iv) does not receive, or have the  
5 right to receive, directly or indirectly, re-  
6 muneration (in cash or in kind) under a  
7 compensation arrangement with an owner  
8 or operator of a long-term care facility;

9 “(v) does not have management re-  
10 sponsibility for, or operate under the su-  
11 pervision of an individual with manage-  
12 ment responsibility for, adult protective  
13 services; and

14 “(vi) does not serve as a guardian or  
15 in another fiduciary capacity for residents  
16 of long-term care facilities in an official ca-  
17 pacity (as opposed to serving as a guardian  
18 or fiduciary for a family member, in a per-  
19 sonal capacity).

20 “(2) ORGANIZATIONAL CONFLICT OF INTER-  
21 EST.—

22 “(A) IN GENERAL.—The State agency  
23 shall comply with subparagraph (B)(i) in a case  
24 in which the Office poses an organizational con-

1           flict of interest, including a situation in which  
2           the Office is placed in an organization that—

3                   “(i) is responsible for licensing, certi-  
4                   fying, or surveying long-term care services  
5                   in the State;

6                   “(ii) is an association (or an affiliate  
7                   of such an association) of long-term care  
8                   facilities, or of any other residential facili-  
9                   ties for older individuals;

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

20                   “(iv) provides long-term care case  
21                   management;

22                   “(v) sets rates for long-term care  
23                   services;

24                   “(vi) provides adult protective serv-  
25                   ices;

1 “(vii) is responsible for eligibility de-  
2 terminations for the Medicaid program  
3 carried out under title XIX of the Social  
4 Security Act (42 U.S.C. 1396 et seq.);

5 “(viii) conducts preadmission screen-  
6 ing for placements in facilities described in  
7 clause (ii); or

8 “(ix) makes decisions regarding ad-  
9 mission or discharge of individuals to or  
10 from such facilities.

11 “(B) IDENTIFYING, REMOVING, AND REM-  
12 EDYING ORGANIZATIONAL CONFLICT.—

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

22 “(I) identified by the State agen-  
23 cy;

1                   “(II) disclosed by the State agen-  
2                   cy to the Assistant Secretary in writ-  
3                   ing; and

4                   “(III) remedied in accordance  
5                   with this subparagraph.

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

17                           “(I) remove the conflict; or

18                           “(II) submit, and obtain the ap-  
19                           proval of the Assistant Secretary for,  
20                           an adequate remedial plan that indi-  
21                           cates how the Ombudsman will be  
22                           unencumbered in fulfilling all of the  
23                           functions specified in subsection  
24                           (a)(3).”; and

25                           (6) in subsection (h)—

1 (A) in paragraph (3)(A)(i), by striking  
2 “older”;

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

6 “(4) strengthen and update”;

7 (C) by redesignating paragraphs (4)  
8 through (9) as paragraphs (5) through (10), re-  
9 spectively;

10 (D) by inserting after paragraph (3) the  
11 following:

12 “(4) ensure that the Ombudsman or a designee  
13 participates in training provided by the National  
14 Ombudsman Resource Center established in section  
15 202(a)(18);”;

16 (E) in paragraph (6)(A), as redesignated  
17 by subparagraph (C) of this paragraph, by  
18 striking “paragraph (4)” and inserting “para-  
19 graph (5)”;

20 (F) in paragraph (7)(A), as redesignated  
21 by subparagraph (C) of this paragraph, by  
22 striking “subtitle C of the” and inserting “sub-  
23 title C of title I of the”; and

1 (G) in paragraph (10), as redesignated by  
2 subparagraph (C) of this paragraph, by striking  
3 “(6), or (7)” and inserting “(7), or (8)”.

4 (d) OMBUDSMAN REGULATIONS.—Section 713 of the  
5 Older Americans Act of 1965 (42 U.S.C. 3058h) is  
6 amended—

7 (1) in paragraph (1), by striking “paragraphs  
8 (1) and (2) of section 712(f)” and inserting “sub-  
9 paragraphs (A) and (B) of section 712(f)(1)”; and  
10 (2) in paragraph (2), by striking “subpara-  
11 graphs (A) through (D) of section 712(f)(3)” and  
12 inserting “clauses (i) through (vi) of section  
13 712(f)(1)(C)”.

14 (e) PREVENTION OF ELDER ABUSE, NEGLECT, AND  
15 EXPLOITATION.—Section 721 of the Older Americans Act  
16 of 1965 (42 U.S.C. 3058i) is amended—

17 (1) in subsection (b)—

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

20 (B) by redesignating paragraphs (5)  
21 through (12) as paragraphs (6) through (13),  
22 respectively;

23 (C) by inserting after paragraph (4) the  
24 following:

1           “(5) promoting the submission of data on elder  
2           abuse, neglect, and exploitation for the appropriate  
3           database of the Administration or another database  
4           specified by the Assistant Secretary;”;

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

7                   (i) in clause (ii), by inserting “, such  
8                   as forensic specialists,” after “such per-  
9                   sonnel”; and

10                   (ii) in clause (v), by inserting before  
11                   the comma the following: “, including pro-  
12                   grams and arrangements that protect  
13                   against financial exploitation”; and

14           (E) in paragraph (12), as redesignated by  
15           subparagraph (B) of this paragraph—

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

18                   (ii) by adding at the end the fol-  
19                   lowing:

20                   “(F) supporting and studying innovative  
21                   practices in communities to develop partner-  
22                   ships across disciplines for the prevention, in-  
23                   vestigation, and prosecution of abuse, neglect,  
24                   and exploitation; and”; and

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

3                 (A) by striking “subsection (b)(9)(B)(i)”  
4                 and inserting “subsection (b)(10)(B)(i)”; and  
5                 (B) by striking “subsection (b)(9)(B)(ii)”  
6                 and inserting “subsection (b)(10)(B)(ii)”.

7   **SEC. 9. BEHAVIORAL HEALTH.**

8           The Older Americans Act of 1965 is amended—

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

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

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

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

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

18                 (3) in section 202(a)(5) (42 U.S.C.  
19                 3012(a)(5)), by inserting “and behavioral” after  
20                 “mental”;

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

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

24                 (B) in paragraph (6)(F), by striking “men-  
25                 tal health services” each place such term ap-

1           pears and inserting “mental and behavioral  
2           health services”; and

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

4                 (A) in paragraph (1), as amended by sec-  
5           tion 4(g), by inserting “and behavioral” after  
6           “mental”;

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

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

11 **SEC. 10. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.**

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

1 (b) CONTENTS.—The guidance shall include the fol-  
2 lowing:

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

8 (2) How transportation service providers may  
9 address the urgent transportation needs of Holo-  
10 caust survivors.

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

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

20 (5) How other services provided under that Act,  
21 as determined by the Assistant Secretary for Aging,  
22 may serve Holocaust survivors.

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