

In the House of Representatives, U. S.,

March 21, 2016.

Resolved, That the bill from the Senate (S. 192) entitled “An Act to reauthorize the Older Americans Act of 1965, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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 inflic-*
10 *tion of physical or psychological harm or the knowing*
11 *deprivation of goods or services that are necessary to*
12 *meet essential needs or to avoid physical or psycho-*
13 *logical harm.”;*

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

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

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

6 “(B) *investigating the reports described in*
7 *subparagraph (A);*

8 “(C) *case planning, monitoring, evaluation,*
9 *and other casework and services; and*

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

14 (3) *by striking paragraph (4) and inserting the*
15 *following:*

16 “(4) *The term ‘Aging and Disability Resource*
17 *Center’ means an entity, network, or consortium es-*
18 *tablished by a State as part of the State system of*
19 *long-term care, to provide a coordinated and inte-*
20 *grated system for older individuals and individuals*
21 *with disabilities (as defined in section 3 of the Ameri-*
22 *cans with Disabilities Act of 1990 (42 U.S.C.*
23 *12102)), and the caregivers of older individuals and*
24 *individuals with disabilities, that provides—*

1 “(A) comprehensive information on the full
2 range of available public and private long-term
3 care programs, options, service providers, and re-
4 sources within a community, including informa-
5 tion on the availability of integrated long-term
6 care services, and Federal or State programs
7 that provide long-term care services and supports
8 through home and community-based service pro-
9 grams;

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

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

24 “(D) in cooperation with area agencies on
25 aging, centers for independent living described in

1 *part C of title VII of the Rehabilitation Act of*
 2 *1973 (29 U.S.C. 796f et seq.), and other commu-*
 3 *nity-based entities, information and referrals re-*
 4 *garding available home and community-based*
 5 *services for individuals who are at risk for resid-*
 6 *ing in, or who reside in, institutional settings, so*
 7 *that the individuals have the choice to remain in*
 8 *or to return to the community.”;*

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

11 (5) *by striking paragraph (17) and inserting the*
 12 *following:*

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

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

15 “(i) *prevent, detect, treat, intervene in,*
 16 *and prosecute elder abuse, neglect, and ex-*
 17 *ploitation; and*

18 “(ii) *protect older individuals with di-*
 19 *minished capacity while maximizing their*
 20 *autonomy; and*

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

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

4 **SEC. 3. ADMINISTRATION ON AGING.**

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

7 (1) in subsection (d)(3)—

8 (A) in subparagraph (H), by striking
9 “202(a)(21)” and inserting “202(a)(18)”;

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

12 (C) in subparagraph (L)—

13 (i) by striking “Older Americans Act
14 Amendments of 1992” and inserting “Older
15 Americans Act Reauthorization Act of
16 2016”; and

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

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

20 “(M) collect and analyze best practices related to
21 responding to elder abuse, neglect, and exploitation in
22 long-term care facilities, and publish a report of such
23 best practices.”; and

24 (2) in subsection (e)(2), in the matter preceding
25 subparagraph (A), by inserting “, and in coordina-

1 *tion with the heads of State adult protective services*
2 *programs and the Director of the Office of Long-Term*
3 *Care Ombudsman Programs” after “and services”.*

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

6 *(1) in subsection (a)—*

7 *(A) in paragraph (5), by inserting “health*
8 *and economic” before “needs of older individ-*
9 *uals”;*

10 *(B) in paragraph (7), by inserting “health*
11 *and economic” before “welfare”;*

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

15 *(D) in paragraph (27), by striking “and”*
16 *at the end;*

17 *(E) in paragraph (28), by striking the pe-*
18 *riod and inserting a semicolon; and*

19 *(F) by adding at the end the following:*

20 *“(29) provide information and technical assist-*
21 *ance to States, area agencies on aging, and service*
22 *providers, in collaboration with relevant Federal*
23 *agencies, on providing efficient, person-centered trans-*
24 *portation services, including across geographic bound-*
25 *aries;*

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

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

16 (2) in subsection (b)—

17 (A) in paragraph (5)—

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

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

22 (iii) by adding at the end the fol-
23 lowing:

24 “(D) when feasible, developing, in consulta-
25 tion with States and national organizations, a

1 *consumer-friendly tool to assist older individuals*
2 *and their families in choosing home and commu-*
3 *nity-based services, with a particular focus on*
4 *ways for consumers to assess how providers pro-*
5 *tect the health, safety, welfare, and rights, in-*
6 *cluding the rights provided under section 314, of*
7 *older individuals;”;*

8 *(B) in paragraph (8)—*

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

12 *(ii) in subparagraph (D)—*

13 *(I) by inserting “respond to or”*
14 *before “plan”; and*

15 *(II) by striking “future long-term*
16 *care needs; and” and inserting “long-*
17 *term care needs;”;*

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

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

21 *“(F) to provide information and referrals*
22 *regarding available home and community-based*
23 *services for individuals who are at risk for resid-*
24 *ing in, or who reside in, institutional settings, so*

1 *that the individuals have the choice to remain in*
2 *or to return to the community;”*; and

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

4 “(g) *The Assistant Secretary shall, as appropriate, en-*
5 *sure that programs authorized under this Act include ap-*
6 *propriate training in the prevention of abuse, neglect, and*
7 *exploitation and provision of services that address elder jus-*
8 *tice and the exploitation of older individuals.”.*

9 (c) *AUTHORIZATION OF APPROPRIATIONS.—Section*
10 *205 of the Older Americans Act of 1965 (42 U.S.C.3016)*
11 *is amended by striking subsection (c).*

12 (d) *REPORTS.—Section 207(a) of the Older Americans*
13 *Act of 1965 (42 U.S.C. 3018(a)) is amended—*

14 (1) *in paragraph (2), by striking “202(a)(19)”*
15 *and inserting “202(a)(16)”*; and

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

18 (e) *AUTHORIZATION OF APPROPRIATIONS.—Section*
19 *216 of the Older Americans Act of 1965 (42 U.S.C. 3020f)*
20 *is amended—*

21 (1) *in subsection (a), by striking “such sums”*
22 *and all that follows through the period at the end,*
23 *and inserting “\$40,063,000 for each of the fiscal years*
24 *2017, 2018, and 2019.”*;

1 (2) *by amending subsection (b) to read as fol-*
 2 *lows:*

3 “(b) *There are authorized to be appropriated—*

4 *“(1) to carry out section 202(a)(21) (relating to*
 5 *the National Eldercare Locator Service), \$2,088,758*
 6 *for fiscal year 2017, \$2,132,440 for fiscal year 2018,*
 7 *and \$2,176,121 for fiscal year 2019;*

8 *“(2) to carry out section 215, \$1,904,275 for fis-*
 9 *cal year 2017, \$1,944,099 for fiscal year 2018, and*
 10 *\$1,983,922 for fiscal year 2019;*

11 *“(3) to carry out section 202 (relating to Elder*
 12 *Rights Support Activities under this title), \$1,312,904*
 13 *for fiscal year 2017, \$1,340,361 for fiscal year 2018,*
 14 *and \$1,367,817 for fiscal year 2019; and*

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

19 *(3) by striking subsection (c).*

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

21 (a) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 22 *303 of the Older Americans Act of 1965 (42 U.S.C. 3023)*
 23 *is amended—*

24 (1) *in subsection (a)(1), by striking “such sums”*
 25 *and all that follows through the period at the end,*

1 and inserting “\$356,717,276 for fiscal year 2017,
2 \$364,456,847 for fiscal year 2018, and \$372,196,069
3 for fiscal year 2019.”;

4 (2) in subsection (b)—

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

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

15 (3) in subsection (d), by striking “such sums”
16 and all that follows through the period at the end,
17 and inserting “\$20,361,334 for fiscal year 2017,
18 \$20,803,107 for fiscal year 2018, and \$21,244,860 for
19 fiscal year 2019.”;

20 (4) in subsection (e)—

21 (A) by striking “(1)” and all that follows
22 through “(2)”; and

23 (B) by striking “\$166,500,000” and all that
24 follows through the period at the end, and insert-
25 ing “\$154,336,482 for fiscal year 2017,

1 \$157,564,066 for fiscal year 2018, and
2 \$160,791,658 for fiscal year 2019.”

3 (b) *ALLOTMENT*.—Section 304 of the Older Americans
4 Act of 1965 (42 U.S.C. 3024) is amended—

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

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

11 “(ii) For fiscal year 2020 and each subsequent fiscal
12 year, no State shall be allotted an amount that is less than
13 100 percent of the amount allotted to such State for fiscal
14 year 2019.”; and

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

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

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

23 (1) in subsection (a)—

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

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

8 *(B) in paragraph (6)—*

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

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

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

19 *(2) in subsection (b)(3)—*

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

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

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

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

3 (e) *STATE PLANS*.—Section 307(a)(2)(A) of the Older
4 *Americans Act of 1965* (42 U.S.C. 3027(a)(2)(A)) is amend-
5 *ed by striking “202(a)(29)” and inserting “202(a)(26)”*.

6 (f) *NUTRITION SERVICES INCENTIVE PROGRAM*.—Sec-
7 *tion 311(e) of the Older Americans Act of 1965* (42 U.S.C.
8 *3030a(e)) is amended by striking “such sums” and all that*
9 *follows through the period at the end, and inserting*
10 *“\$164,055,664 for fiscal year 2017, \$167,486,502 for fiscal*
11 *year 2018, and \$170,917,349 for fiscal year 2019.”*.

12 (g) *SUPPORTIVE SERVICES*.—Section 321 of the Older
13 *Americans Act of 1965* (42 U.S.C. 3030d) is amended—

14 (1) *in subsection (a)—*

15 (A) *in paragraph (1), by striking “or refer-*
16 *ral services” and inserting “referral, chronic con-*
17 *dition self-care management, or falls prevention*
18 *services”;*

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

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

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

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

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

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

14 “(1) is age 18 or older;

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

17 “(3) has a disability.”.

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

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

1 (1) *in paragraph (1), by striking “solicit” and*
 2 *inserting “utilize”; and*

3 (2) *in paragraph (2)—*

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

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

8 (C) *by adding at the end the following:*

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

14 (j) *EVIDENCE-BASED DISEASE PREVENTION AND*
 15 *HEALTH PROMOTION SERVICES PROGRAM.—Part D of title*
 16 *III of the Older Americans Act of 1965 (42 U.S.C. 3030m*
 17 *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 (k) *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) in paragraph (1), by striking “or
7 who is an individual with a disability”;
8 and

9 (ii) by striking paragraph (2) and in-
10 serting the following:

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

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

19 “(A)(i) is age 55 or older; and

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

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

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

5 “(ii) is the primary caregiver of the
6 child because the biological or adoptive par-
7 ents are unable or unwilling to serve as the
8 primary caregivers of the child; and

9 “(iii) has a legal relationship to the
10 child, such as legal custody, adoption, or
11 guardianship, or is raising the child infor-
12 mally; and

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

18 (B) in subsection (b)—

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

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

24 (iii) by striking paragraph (2).

1 *(l) 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 *ceding 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”;*

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”;*

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

1 (2) *in subsection (b), by striking “out” and all*
2 *that follows through the period at the end, and insert-*
3 *ing the following:*

4 “out—

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

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

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

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

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

23 (e) *CONFORMING AMENDMENT.—Section 417(a)(1)(A)*
24 *of the Older Americans Act of 1965 (42 U.S.C.*
25 *3032f(a)(1)(A)) is amended by striking “grandparents and*

1 *other older individuals who are relative caregivers” and in-*
 2 *serting “older relative caregivers (as defined in section*
 3 *372)”.*

4 **SEC. 6. AMENDMENTS TO COMMUNITY SERVICE SENIOR OP-**
 5 **PORTUNITIES ACT.**

6 *(a) OLDER AMERICAN COMMUNITY SERVICE EMPLOY-*
 7 *MENT PROGRAM.—Section 502 of the Community Service*
 8 *Senior Opportunities Act (42 U.S.C. 3056) is amended—*

9 *(1) in subsection (b)(1)—*

10 *(A) in subparagraph (C)(ii), by striking*
 11 *“513(a)(2)(D)” and inserting “513(a)(2)(E)”;*
 12 *and*

13 *(B) in subparagraph (N)(i) by striking*
 14 *“Workforce Investment Act of 1998 (29 U.S.C.*
 15 *2801 et seq.)” and inserting “Workforce Innova-*
 16 *tion and Opportunity Act (29 U.S.C. 3101 et*
 17 *seq.)”;*

18 *(2) in subsection (d)—*

19 *(A) by inserting “and the local workforce*
 20 *development board” after “service area”; and*

21 *(B) by striking “and” after “State agency”*
 22 *and inserting “, the local workforce development*
 23 *board, and”; and*

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

4 (b) ADMINISTRATION.—Section 503 of the Community
5 Service Senior Opportunities Act (42 U.S.C. 3056a) is
6 amended—

7 (1) in subsection (a)—

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

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

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

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

1 (D) by inserting after paragraph (5) the fol-
2 lowing:

3 “(6) *COMBINED STATE PLAN.*—In lieu of the
4 plan described in paragraph (1), a State may develop
5 and submit a combined State plan in accordance
6 with section 103 of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3113). For a State that ob-
8 tains approval of such a combined State plan, that
9 section 103 shall apply in lieu of this subsection and
10 a reference in any other provision of this title (other
11 than this subsection) to a State plan shall be consid-
12 ered to be a reference to that combined State plan.”;
13 and

14 (2) in subsection (b)(2)(B)(i), by striking “Work-
15 force Investment Act of 1998” and inserting “Work-
16 force Innovation and Opportunity Act”.

17 (c) *COORDINATION.*—The heading of section 511 of the
18 Community Service Senior Opportunities Act (42 U.S.C.
19 3056i) is amended by striking “**WORKFORCE INVEST-**
20 **MENT ACT OF 1998**” and inserting “**WORKFORCE INNO-**
21 **VATION AND OPPORTUNITY ACT**”.

22 (d) *PERFORMANCE.*—Section 513 of the Community
23 Service Senior Opportunities Act (42 U.S.C. 3056k) is
24 amended—

25 (1) in subsection (a)—

1 (A) in the subsection heading, by striking
2 “AND INDICATORS”;

3 (B) in paragraph (1)—

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

6 (ii) by striking “and additional indi-
7 cators of performance” each place it ap-
8 pears;

9 (C) in paragraph (2)—

10 (i) in subparagraph (A)—

11 (I) by striking “(A)” and all that
12 follows through “The” and inserting
13 “(A) COMPOSITION OF MEASURES.—
14 The”;

15 (II) by striking clause (ii);

16 (ii) by striking subparagraph (B);

17 (iii) in subparagraph (C)—

18 (I) by striking “(C)” and insert-
19 ing “(B)”;

20 (II) in the first sentence, by strik-
21 ing “(A)(i)” and inserting “(A)”;

22 (III) by striking the second sen-
23 tence; and

24 (iv) by striking subparagraphs (D)

25 and (E) and inserting the following:

1 “(C) *AGREEMENT ON EXPECTED LEVELS OF*
2 *PERFORMANCE.—*

3 “(i) *FIRST 2 YEARS.—Each grantee*
4 *shall reach agreement with the Secretary on*
5 *levels of performance for each measure de-*
6 *scribed in subparagraph (A)(i), for each of*
7 *the first 2 program years covered by the*
8 *grant agreement. In reaching the agreement,*
9 *the grantee and the Secretary shall take*
10 *into account the expected levels proposed by*
11 *the grantee and the factors described in sub-*
12 *paragraph (D). The levels agreed to shall be*
13 *considered to be the expected levels of per-*
14 *formance for the grantee for such program*
15 *years.*

16 “(ii) *THIRD AND FOURTH YEAR.—*
17 *Each grantee shall reach agreement with the*
18 *Secretary, prior to the third program year*
19 *covered by the grant agreement, on levels of*
20 *performance for each measure described in*
21 *subparagraph (A), for each of the third and*
22 *fourth program years so covered. In reach-*
23 *ing the agreement, the grantee and the Sec-*
24 *retary shall take into account the expected*
25 *levels proposed by the grantee and the fac-*

1 *tors described in subparagraph (D). The*
2 *levels agreed to shall be considered to be the*
3 *expected levels of performance for the grant-*
4 *ee for such program years.*

5 *“(D) FACTORS.—In reaching the agree-*
6 *ments described in subparagraph (B), each*
7 *grantee and the Secretary shall—*

8 *“(i) take into account how the levels*
9 *involved compare with the expected levels of*
10 *performance established for other grantees;*

11 *“(ii) ensure that the levels involved are*
12 *adjusted, using an objective statistical*
13 *model based on the model established by the*
14 *Secretary in accordance with section*
15 *116(a)(3)(A)(viii) of the Workforce Invest-*
16 *ment and Opportunity Act (29 U.S.C.*
17 *3141(a)(3)(A)(viii)); and*

18 *“(iii) take into account the extent to*
19 *which the levels involved promote contin-*
20 *uous improvement in performance account-*
21 *ability on the core measures and ensure op-*
22 *timal return on the investment of Federal*
23 *funds.*

24 *“(E) ADJUSTMENTS BASED ON ECONOMIC*
25 *CONDITIONS AND INDIVIDUALS SERVED DURING*

1 *THE PROGRAM YEAR.*—*The Secretary shall, in*
2 *accordance with the objective statistical model*
3 *developed pursuant to subparagraph (D)(i), ad-*
4 *just the expected levels of performance for a pro-*
5 *gram year for grantees, to reflect the actual eco-*
6 *nomical conditions and characteristics of partici-*
7 *pants in the corresponding projects during such*
8 *program year.”; and*

9 *(D) in paragraph (3), by striking “and to*
10 *report information on the additional indicators*
11 *of performance”;*

12 *(2) in subsection (b)—*

13 *(A) in paragraph (1)—*

14 *(i) in the matter preceding subpara-*
15 *graph (A), by striking “(a)(2)(A)(i)” and*
16 *inserting “(a)(2)(A)”;* and

17 *(ii) by striking subparagraphs (B)*
18 *through (E) and inserting the following:*

19 *“(B) the percentage of project participants*
20 *who are in unsubsidized employment during the*
21 *second quarter after exit from the project;*

22 *“(C) the percentage of project participants*
23 *who are in unsubsidized employment during the*
24 *fourth quarter after exit from the project;*

1 “(D) the median earnings of project partici-
2 pants who are in unsubsidized employment dur-
3 ing the second quarter after exit from the project;

4 “(E) indicators of effectiveness in serving
5 employers, host agencies, and project partici-
6 pants; and

7 “(F) the number of eligible individuals
8 served, including the number of participating in-
9 dividuals described in subsection (a)(3)(B)(ii) or
10 (b)(2) of section 518.”;

11 (B) by striking paragraph (2);

12 (C) by redesignating paragraph (3) as
13 paragraph (2); and

14 (D) in paragraph (2), as so redesignated, by
15 striking “paragraphs (1) and (2)” and inserting
16 “paragraph (1)”;

17 (3) in subsection (c)—

18 (A) by striking “shall—” and all that fol-
19 lows through “annually evaluate” and inserting
20 “shall annually evaluate”;

21 (B) by striking “(a)(2)(C)” and inserting
22 “(a)(2)(B)”;

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

25 (D) by striking paragraph (2);

1 (4) *in subsection (d)*—

2 (A) *in paragraph (1)*—

3 (i) *in subparagraph (A)*—

4 (I) *by striking “2007” and insert-*
5 *ing “2016”;*

6 (II) *in clause (i)*—

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

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

11 (cc) *by striking “described”*
12 *and all that follows and inserting*
13 *a period;*

14 (III) *by striking clause (ii); and*

15 (IV) *by striking “2006” and all*
16 *that follows through “(i) met” and in-*
17 *serting “2016, met”;* and

18 (ii) *in subparagraph (B)*—

19 (I) *in clause (i), by striking*
20 *“(A)(i); or” at the end and inserting*
21 *“(A),”;*

22 (II) *by striking clause (ii);*

23 (III) *by striking “2006—” and*
24 *all that follows through “(i) failed”*
25 *and inserting “2016, failed”;* and

1 (IV) by striking “and achieve the
2 applicable percentage”;

3 (B) in paragraph (2)—

4 (i) in subparagraph (A)—

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

7 (II) by striking “(a)(2)(D)” and
8 inserting “(a)(2)(E)”; and

9 (ii) in subparagraph (B)(iii)—

10 (I) by striking “(beginning with
11 program year 2007)”; and

12 (II) by adding at the end the fol-
13 lowing:

14 “(iv) USE OF CORE INDICATORS.—For
15 purposes of assessing grantee performance
16 under this subparagraph before program
17 year 2017, the Secretary shall use the core
18 indicators of performance in effect at the
19 time of the award and the most recent cor-
20 responding expected levels of performance.”;

21 (C) in paragraph (3)—

22 (i) in subparagraph (A)—

23 (I) by striking “(a)(2)(C)” and
24 inserting “(a)(2)(B)”; and

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

3 (ii) in subparagraph (B)(iii), by strik-
4 ing “(beginning with program year 2007)”;
5 and

6 (D) by amending paragraph (4) to read as
7 follows:

8 “(4) *SPECIAL RULE FOR IMPLEMENTATION.*—*The*
9 *Secretary shall implement the core measures of per-*
10 *formance described in this section not later than De-*
11 *cember 31, 2017.*”; and

12 (5) by amending subsection (e) to read as fol-
13 lows:

14 “(e) *IMPACT ON GRANT COMPETITION.*—*Effective on*
15 *January 1, 2018, the Secretary may not publish a notice*
16 *announcing a grant competition under this title, or solicit*
17 *proposals for grants, until the day on which the Secretary*
18 *implements the core measures of performance.*”.

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

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

24 (2) by striking “and additional indicators of
25 performance”.

1 (f) *AUTHORIZATION OF APPROPRIATIONS.*—Section
2 *517 of the Older Americans Act of 1965 (42 U.S.C. 3056o)*
3 *is amended—*

4 (1) *in subsection (a), by striking “such sums”*
5 *and all that follows through the period at the end,*
6 *and inserting “\$445,189,405 for fiscal year 2017,*
7 *\$454,499,494 for fiscal year 2018, and \$463,809,605*
8 *for fiscal year 2019.”; and*

9 (2) *in subsection (b)—*

10 (A) *in the 1st sentence—*

11 (i) *by inserting “Federal” after “avail-*
12 *able for”;* and

13 (ii) *by striking “July” and inserting*
14 *“April”;* and

15 (B) *by inserting after the 1st sentence the*
16 *following:*

17 *“Such amounts obligated to grantees shall be available for*
18 *obligation and expenditure by grantees during the program*
19 *year that begins on July 1 of the calendar year immediately*
20 *following the beginning of the fiscal year in which the*
21 *amounts are appropriated and that ends on June 30 of the*
22 *following calendar year.”.*

23 (g) *DEFINITIONS.*—Section *518(a) of the Community*
24 *Service Senior Opportunities Act (42 U.S.C. 3056p(a)) is*
25 *amended—*

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

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

5 “(5) LOCAL WORKFORCE DEVELOPMENT BOARD;
6 STATE WORKFORCE DEVELOPMENT BOARD.—The
7 terms ‘local workforce development board’ and ‘State
8 workforce development board’ have the meanings
9 given the terms ‘local board’ and ‘State board’, respec-
10 tively, in section 3 of the Workforce Innovation and
11 Opportunity Act (29 U.S.C. 3102).”.

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

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

15 (1) in paragraph (1), by striking “such sums”
16 and all that follows through the semicolon, and insert-
17 ing “\$31,934,018 for fiscal year 2017, \$32,601,843 for
18 fiscal year 2018, and \$33,269,670 for fiscal year
19 2019;”; and

20 (2) in paragraph (2), by striking “such sums”
21 and all that follows through the period at the end,
22 and inserting “\$7,718,566 for fiscal year 2017,
23 \$7,879,982 for fiscal year 2018, and \$8,041,398 for
24 fiscal year 2019.”.

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

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
4 702 of the Older Americans Act of 1965 (42 U.S.C. 3058a)
5 is amended—

6 (1) in subsection (a), by striking “such sums”
7 and all that follows through the period at the end,
8 and inserting “\$16,280,630 for fiscal year 2017,
9 \$16,621,101 for fiscal year 2018, and \$16,961,573 for
10 fiscal year 2019.”;

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

13 “(b) *OTHER PROGRAMS.*—There are authorized to be
14 appropriated to carry out chapters 3 and 4, \$4,891,876 for
15 fiscal year 2017, \$4,994,178 for fiscal year 2018, and
16 \$5,096,480 for fiscal year 2019.”; and

17 (3) by striking subsection (c).

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

21 (c) *OMBUDSMAN PROGRAMS.*—Section 712 of the Older
22 Americans Act of 1965 (42 U.S.C. 3058g) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (2), by adding at the end
25 the following: “The Ombudsman shall be respon-

1 sible for the management, including the fiscal
2 management, of the Office.”;

3 (B) in paragraph (3)—

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

6 “(i) are made by, or on behalf of, resi-
7 dents, including residents with limited or
8 no decisionmaking capacity and who have
9 no known legal representative, and if such
10 a resident is unable to communicate consent
11 for an Ombudsman to work on a complaint
12 directly involving the resident, the Ombuds-
13 man shall seek evidence to indicate what
14 outcome the resident would have commu-
15 nicated (and, in the absence of evidence to
16 the contrary, shall assume that the resident
17 wishes to have the resident’s health, safety,
18 welfare, and rights protected) and shall
19 work to accomplish that outcome; and”;

20 (ii) in subparagraph (D), by striking
21 “regular and timely” and inserting “reg-
22 ular, timely, private, and unimpeded”;

23 (iii) in subparagraph (H)(iii)—

1 (I) by inserting “, actively en-
2 courage, and assist in” after “provide
3 technical support for”; and

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

6 (iv) by redesignating subparagraph (I)
7 as subparagraph (J); and

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

10 “(I) when feasible, continue to carry out the
11 functions described in this section on behalf of
12 residents transitioning from a long-term care fa-
13 cility to a home care setting; and”;

14 (C) in paragraph (5)(B)—

15 (i) in clause (vi)—

16 (I) by inserting “, actively en-
17 courage, and assist in” after “sup-
18 port”; and

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

21 (ii) by redesignating clause (vii) as
22 clause (viii); and

23 (iii) by inserting after clause (vi) the
24 following:

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

17 (2) in subsection (b)—

18 (A) in paragraph (1)—

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

22 (ii) in subparagraph (B)—

23 (I) in clause (i)—

24 (aa) in the matter preceding
25 subclause (I), by striking “the

1 *medical and social records of a”*
2 *and inserting “all files, records,*
3 *and other information concerning*
4 *a”;* and

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

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

13 *(B) by adding at the end the following:*

14 *“(3) HEALTH OVERSIGHT AGENCY.—For pur-*
15 *poses of section 264(c) of the Health Insurance Port-*
16 *ability and Accountability Act of 1996 (including*
17 *regulations issued under that section) (42 U.S.C.*
18 *1320d–2 note), the Ombudsman and a representative*
19 *of the Office shall be considered a ‘health oversight*
20 *agency,’ so that release of residents’ individually*
21 *identifiable health information to the Ombudsman or*
22 *representative is not precluded in cases in which the*
23 *requirements of clause (i) or (ii) of paragraph (1)(B),*
24 *or the requirements of paragraph (1)(D), are other-*
25 *wise met.”;*

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

3 (4) in subsection (d)—

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

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) by striking “files and records”
10 each place such term appears and in-
11 serting “files, records, and other infor-
12 mation”; and

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

15 (ii) in subparagraph (B)—

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

19 (II) in clause (iii), by striking the
20 period at the end and inserting “;
21 and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(C) notwithstanding subparagraph (B),
25 ensure that the Ombudsman may disclose infor-

1 *mation as needed in order to best serve residents*
 2 *with limited or no decisionmaking capacity who*
 3 *have no known legal representative and are un-*
 4 *able to communicate consent, in order for the*
 5 *Ombudsman to carry out the functions and du-*
 6 *ties described in paragraphs (3)(A) and (5)(B)*
 7 *of subsection (a).”; and*

8 *(5) by striking subsection (f) and inserting the*
 9 *following:*

10 *“(f) CONFLICT OF INTEREST.—*

11 *“(1) INDIVIDUAL CONFLICT OF INTEREST.—The*
 12 *State agency shall—*

13 *“(A) ensure that no individual, or member*
 14 *of the immediate family of an individual, in-*
 15 *volved in the designation of the Ombudsman*
 16 *(whether by appointment or otherwise) or the*
 17 *designation of an entity designated under sub-*
 18 *section (a)(5), is subject to a conflict of interest;*

19 *“(B) ensure that no officer or employee of*
 20 *the Office, representative of a local Ombudsman*
 21 *entity, or member of the immediate family of the*
 22 *officer, employee, or representative, is subject to*
 23 *a conflict of interest; and*

24 *“(C) ensure that the Ombudsman—*

1 “(i) does not have a direct involvement
2 in the licensing or certification of a long-
3 term care facility or of a provider of a long-
4 term care service;

5 “(ii) does not have an ownership or in-
6 vestment interest (represented by equity,
7 debt, or other financial relationship) in a
8 long-term care facility or a long-term care
9 service;

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

16 “(iv) does not receive, or have the right
17 to receive, directly or indirectly, remunera-
18 tion (in cash or in kind) under a compensa-
19 tion arrangement with an owner or oper-
20 ator of a long-term care facility;

21 “(v) does not have management respon-
22 sibility for, or operate under the supervision
23 of an individual with management respon-
24 sibility for, adult protective services; and

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

7 “(2) ORGANIZATIONAL CONFLICT OF INTER-
8 EST.—

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

14 “(i) is responsible for licensing, certi-
15 fying, or surveying long-term care services
16 in the State;

17 “(ii) is an association (or an affiliate
18 of such an association) of long-term care fa-
19 cilities, or of any other residential facilities
20 for older individuals;

21 “(iii) provides long-term care services,
22 including programs carried out under a
23 Medicaid waiver approved under section
24 1115 of the Social Security Act (42 U.S.C.
25 1315) or under subsection (b) or (c) of sec-

1 *tion 1915 of the Social Security Act (42*
 2 *U.S.C. 1396n), or under a Medicaid State*
 3 *plan amendment under subsection (i), (j),*
 4 *or (k) of section 1915 of the Social Security*
 5 *Act (42 U.S.C. 1396n);*

6 *“(iv) provides long-term care case*
 7 *management;*

8 *“(v) sets rates for long-term care serv-*
 9 *ices;*

10 *“(vi) provides adult protective services;*

11 *“(vii) is responsible for eligibility de-*
 12 *terminations for the Medicaid program car-*
 13 *ried out under title XIX of the Social Secu-*
 14 *rity Act (42 U.S.C. 1396 et seq.);*

15 *“(viii) conducts preadmission screen-*
 16 *ing for placements in facilities described in*
 17 *clause (i); or*

18 *“(ix) makes decisions regarding admis-*
 19 *sion or discharge of individuals to or from*
 20 *such facilities.*

21 *“(B) IDENTIFYING, REMOVING, AND REM-*
 22 *EDYING ORGANIZATIONAL CONFLICT.—*

23 *“(i) IN GENERAL.—The State agency*
 24 *may not operate the Office or carry out the*
 25 *program, directly, or by contract or other*

1 *arrangement with any public agency or*
2 *nonprofit private organization, in a case in*
3 *which there is an organizational conflict of*
4 *interest (within the meaning of subpara-*
5 *graph (A)) unless such conflict of interest*
6 *has been—*

7 *“(I) identified by the State agen-*
8 *cy;*

9 *“(II) disclosed by the State agency*
10 *to the Assistant Secretary in writing;*
11 *and*

12 *“(III) remedied in accordance*
13 *with this subparagraph.*

14 *“(ii) ACTION BY ASSISTANT SEC-*
15 *RETARY.—In a case in which a potential or*
16 *actual organizational conflict of interest*
17 *(within the meaning of subparagraph (A))*
18 *involving the Office is disclosed or reported*
19 *to the Assistant Secretary by any person or*
20 *entity, the Assistant Secretary shall require*
21 *that the State agency, in accordance with*
22 *the policies and procedures established by*
23 *the State agency under subsection*
24 *(a)(5)(D)(iii)—*

25 *“(I) remove the conflict; or*

1 “(II) submit, and obtain the ap-
2 proval of the Assistant Secretary for,
3 an adequate remedial plan that indi-
4 cates how the Ombudsman will be
5 unencumbered in fulfilling all of the
6 functions specified in subsection
7 (a)(3).”; and
8 (6) in subsection (h)—
9 (A) in paragraph (3)(A)(i), by striking
10 “older”;
11 (B) in paragraph (4), by striking all that
12 precedes “procedures” and inserting the fol-
13 lowing:
14 “(4) strengthen and update”;
15 (C) by redesignating paragraphs (4)
16 through (9) as paragraphs (5) through (10), re-
17 spectively;
18 (D) by inserting after paragraph (3) the fol-
19 lowing:
20 “(4) ensure that the Ombudsman or a designee
21 participates in training provided by the National
22 Ombudsman Resource Center established in section
23 202(a)(18);”;

1 (E) in paragraph (6)(A), as redesignated by
 2 subparagraph (C) of this paragraph, by striking
 3 “paragraph (4)” and inserting “paragraph (5)”;

4 (F) in paragraph (7)(A), as redesignated by
 5 subparagraph (C) of this paragraph, by striking
 6 “subtitle C of the” and inserting “subtitle C of
 7 title I of the”; and

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

11 (d) *OMBUDSMAN REGULATIONS*.—Section 713 of the
 12 *Older Americans Act of 1965 (42 U.S.C. 3058h)* is amend-
 13 *ed*—

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

17 (2) in paragraph (2), by striking “subpara-
 18 graphs (A) through (D) of section 712(f)(3)” and in-
 19 serting “clauses (i) through (vi) of section
 20 712(f)(1)(C)”.

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

24 (1) in subsection (b)—

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

3 (B) by redesignating paragraphs (5)
4 through (12) as paragraphs (6) through (13), re-
5 spectively;

6 (C) by inserting after paragraph (4) the fol-
7 lowing:

8 “(5) promoting the submission of data on elder
9 abuse, neglect, and exploitation for the appropriate
10 database of the Administration or another database
11 specified by the Assistant Secretary;”;

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

14 (i) in clause (ii), by inserting “, such
15 as forensic specialists,” after “such per-
16 sonnel”; and

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

21 (E) in paragraph (12), as redesignated by
22 subparagraph (B) of this paragraph—

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

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

1 “(F) supporting and studying innovative
2 practices in communities to develop partnerships
3 across disciplines for the prevention, investiga-
4 tion, and prosecution of abuse, neglect, and ex-
5 ploitation; and”;

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

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

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

12 **SEC. 9. BEHAVIORAL HEALTH.**

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

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

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

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

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

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

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

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

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

3 (B) in paragraph (6)(F), by striking “men-
4 tal health services” each place such term appears
5 and inserting “mental and behavioral health
6 services”; and

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

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

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

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

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

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

1 *Secretary for Aging shall consult with experts and organi-*
2 *zations serving Holocaust survivors, and shall take into ac-*
3 *count the possibility that the needs of Holocaust survivors*
4 *may differ based on geography.*

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

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

12 (2) *How transportation service providers may*
13 *address the urgent transportation needs of Holocaust*
14 *survivors.*

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

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

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

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

Attest:

Clerk.

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AMENDMENT