

S 333

John Breaux Elder Justice Act

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Social Welfare

Introduced: Feb 10, 2003

Current Status: Sponsor introductory remarks on measure. (CR S12047-12048)

Latest Action: Sponsor introductory remarks on measure. (CR S12047-12048) (Dec 8, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/333>

Sponsor

Name: Sen. Breaux, John B. [D-LA]

Party: Democratic • **State:** LA • **Chamber:** Senate

Cosponsors (44 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baucus, Max [D-MT]	D · MT		Feb 10, 2003
Sen. Bond, Christopher S. [R-MO]	R · MO		Feb 10, 2003
Sen. Burns, Conrad R. [R-MT]	R · MT		Feb 10, 2003
Sen. Collins, Susan M. [R-ME]	R · ME		Feb 10, 2003
Sen. Harkin, Tom [D-IA]	D · IA		Feb 10, 2003
Sen. Hatch, Orrin G. [R-UT]	R · UT		Feb 10, 2003
Sen. Jeffords, James M. [I-VT]	I · VT		Feb 10, 2003
Sen. Kohl, Herb [D-WI]	D · WI		Feb 10, 2003
Sen. Landrieu, Mary L. [D-LA]	D · LA		Feb 10, 2003
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Feb 10, 2003
Sen. Miller, Zell [D-GA]	D · GA		Feb 10, 2003
Sen. Nelson, Bill [D-FL]	D · FL		Feb 10, 2003
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Feb 10, 2003
Sen. Santorum, Rick [R-PA]	R · PA		Feb 10, 2003
Sen. Smith, Gordon H. [R-OR]	R · OR		Feb 10, 2003
Sen. Stabenow, Debbie [D-MI]	D · MI		Feb 10, 2003
Sen. Fitzgerald, Peter [R-IL]	R · IL		Feb 12, 2003
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 13, 2003
Sen. Bingaman, Jeff [D-NM]	D · NM		Mar 26, 2003
Sen. Domenici, Pete V. [R-NM]	R · NM		Mar 26, 2003
Sen. Schumer, Charles E. [D-NY]	D · NY		Mar 26, 2003
Sen. Bunning, Jim [R-KY]	R · KY		May 20, 2003
Sen. Hollings, Ernest F. [D-SC]	D · SC		May 22, 2003
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jun 3, 2003
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jun 18, 2003
Sen. Chambliss, Saxby [R-GA]	R · GA		Jul 8, 2003
Sen. Voinovich, George V. [R-OH]	R · OH		Jul 16, 2003
Sen. Pryor, Mark L. [D-AR]	D · AR		Jul 23, 2003
Sen. Murray, Patty [D-WA]	D · WA		Sep 11, 2003
Sen. Graham, Lindsey [R-SC]	R · SC		Sep 30, 2003
Sen. Boxer, Barbara [D-CA]	D · CA		Oct 1, 2003
Sen. Dayton, Mark [D-MN]	D · MN		Oct 21, 2003
Sen. Specter, Arlen [R-PA]	R · PA		Feb 9, 2004
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Feb 23, 2004
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Mar 2, 2004
Sen. Reed, Jack [D-RI]	D · RI		Mar 8, 2004
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Mar 25, 2004
Sen. Craig, Larry E. [R-ID]	R · ID		Apr 20, 2004
Sen. DeWine, Mike [R-OH]	R · OH		May 18, 2004
Sen. Warner, John [R-VA]	R · VA		May 21, 2004
Sen. Bayh, Evan [D-IN]	D · IN		Jun 21, 2004

Cosponsor	Party / State	Role	Date Joined
Sen. Snowe, Olympia J. [R-ME]	R · ME		Sep 7, 2004
Sen. Wyden, Ron [D-OR]	D · OR		Sep 20, 2004
Sen. Cantwell, Maria [D-WA]	D · WA		Sep 22, 2004

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Reported By	Sep 28, 2004

Subjects & Policy Tags

Policy Area:

Social Welfare

Related Bills

Bill	Relationship	Last Action
108 HR 2490	Identical bill	Jul 21, 2003: Referred to the Subcommittee on Select Education.

John Breaux Elder Justice Act - **Title I: Department of Health and Human Services** - (Sec. 101) Amends the Social Security Act (SSA) to add a new title XXII (Elder Justice) to establish: (1) within the Office of the Secretary of Health and Human Services (HHS) the Elder Justice Coordinating Council to make recommendations to the Secretary and Attorney General for the coordination of activities of HHS, the Department of Justice, and other relevant Federal, State, local, and private agencies and entities relating to elder abuse, neglect, and exploitation and other crimes against elders; and (2) the Advisory Board on Elder Abuse, Neglect, and Exploitation.

Directs the Secretary, acting through the Director of the National Institute on Aging, to promulgate guidelines to assist researchers in the area of elder abuse, neglect, and exploitation with issues relating to human subject protections.

Authorizes appropriations through FY 2009.

Directs the Secretary to provide for specified incentives for individuals to train for, seek, and maintain employment providing direct care in a long-term care facility.

Authorizes the Secretary to award various grants, including for: (1) assisting long-term care facilities with respect to purchasing, leasing, developing, and implementing standardized clinical health care informatics systems designed to improve patient safety and reduce adverse events and health care complications resulting from medical errors; (2) establishing pilot projects to develop collaborative and innovative approaches to improve the quality of long-term care; (3) establishing multidisciplinary panels to address, and develop consensus on, subjects relating to improving the quality of long-term care; (4) enhancing adult protective services; and (5) conducting demonstration programs that test methods to detect or prevent financial exploitation of elders or elder abuse. Authorizes appropriations through FY 2009.

Directs the Secretary to: (1) develop a method for collecting national data regarding elder abuse, neglect, and exploitation; (2) develop uniform national data reporting forms adapted to each relevant entity or discipline (such as health, public safety, social and protective services, and law enforcement); (3) ensure that such forms and methods are pilot tested in at least six States; and (4) distribute such forms to specified Federal and State officials. Authorizes the Secretary to award grants to States to improve data collection activities relating to elder abuse, neglect, and exploitation. Authorizes appropriations through FY 2009.

Requires the Secretary to: (1) establish a long-term care consumer clearinghouse to provide comprehensive detailed information to consumers about choices relating to long-term care providers; and (2) study and report to all appropriate congressional committees on consumer concerns relating to residential long-term care facilities other than nursing facilities.

Requires grant applicants to provide information regarding elder justice programs to State or local government agencies, Indian tribes, or any other public or private entities that are engaged in and have expertise in issues relating to elder justice or in a field necessary to promote elder justice efforts (eligible entities) conducting evaluations of activities funded under such programs.

Requires each individual who is an owner, operator, employee, manager, agent, or contractor of a long-term care facility that received at least \$10,000 in Federal funds during the preceding year to report to the Secretary and one or more local law enforcement entities any reasonable suspicion of crimes against any person residing in or receiving care from the

facility. Prescribes civil penalties for failure to meet such requirement. Prohibits such a facility from retaliating against an employee for filing a complaint or report or performing other lawful acts.

Requires a facility owner or operator to notify the Secretary and appropriate State regulatory agency of an impending closure, together with a plan for the transfer and adequate relocation of facility residents.

Title II: Department of Justice - (Sec. 201) Authorizes the Attorney General to award grants to eligible entities to: (1) study the special needs of victims of elder abuse, neglect, and exploitation; (2) provide training, technical assistance, policy development, multidisciplinary coordination, and other types of support to State and local prosecutors handling elder justice-related cases, as well as to law enforcement responders; and (3) establish and operate stationary and mobile forensic centers to develop forensic expertise regarding, and provide services relating to, elder abuse, neglect, and exploitation. Authorizes appropriations through FY 2009.

(Sec. 203) Directs the Attorney General to hire additional Federal prosecutors, and make funding available to them to enter into contracts with nurse investigators or other experts needed to identify, assist with, or pursue cases related to elder justice.

(Sec. 206) Requires the Attorney General to analyze State laws and practices relating to elder abuse, neglect, and exploitation and recommend models for them to Congress.

(Sec. 207) Directs the Attorney General to assist eligible entities to evaluate activities funded under each program carried out under this title.

Requires an applicant for assistance under this title to agree to provide necessary information to the eligible entity conducting an evaluation. Requires a recipient of assistance to use the funds made available to conduct a validated evaluation of the effectiveness of such activities.

Actions Timeline

- **Dec 8, 2004:** Sponsor introductory remarks on measure. (CR S12047-12048)
- **Sep 28, 2004:** Committee on Finance. Reported by Senator Grassley with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Sep 28, 2004:** Committee on Finance. Reported by Senator Grassley with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Sep 28, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 740.
- **Sep 20, 2004:** Committee on Finance. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 15, 2004:** Committee on Finance. Committee consideration and Mark Up Session held.
- **Feb 10, 2003:** Introduced in Senate
- **Feb 10, 2003:** Sponsor introductory remarks on measure. (CR S2120-2121)
- **Feb 10, 2003:** Read twice and referred to the Committee on Finance.