

S 3562

Older Americans Act Amendments of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Social Welfare

Introduced: Sep 19, 2012

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Sep 19, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3562>

Sponsor

Name: Sen. Sanders, Bernard [I-VT]

Party: Independent • **State:** VT • **Chamber:** Senate

Cosponsors (18 total)

| Cosponsor | Party / State | Role | Date Joined |
|------------------------------------|---------------|------|--------------|
| Sen. Akaka, Daniel K. [D-HI] | D · HI | | Sep 19, 2012 |
| Sen. Begich, Mark [D-AK] | D · AK | | Sep 19, 2012 |
| Sen. Blumenthal, Richard [D-CT] | D · CT | | Sep 19, 2012 |
| Sen. Boxer, Barbara [D-CA] | D · CA | | Sep 19, 2012 |
| Sen. Durbin, Richard J. [D-IL] | D · IL | | Sep 19, 2012 |
| Sen. Franken, Al [D-MN] | D · MN | | Sep 19, 2012 |
| Sen. Gillibrand, Kirsten E. [D-NY] | D · NY | | Sep 19, 2012 |
| Sen. Johnson, Tim [D-SD] | D · SD | | Sep 19, 2012 |
| Sen. Kerry, John F. [D-MA] | D · MA | | Sep 19, 2012 |
| Sen. Klobuchar, Amy [D-MN] | D · MN | | Sep 19, 2012 |
| Sen. Leahy, Patrick J. [D-VT] | D · VT | | Sep 19, 2012 |
| Sen. Menendez, Robert [D-NJ] | D · NJ | | Sep 19, 2012 |
| Sen. Merkley, Jeff [D-OR] | D · OR | | Sep 19, 2012 |
| Sen. Mikulski, Barbara A. [D-MD] | D · MD | | Sep 19, 2012 |
| Sen. Wyden, Ron [D-OR] | D · OR | | Sep 19, 2012 |
| Sen. Schumer, Charles E. [D-NY] | D · NY | | Sep 21, 2012 |
| Sen. Casey, Robert P., Jr. [D-PA] | D · PA | | Nov 14, 2012 |
| Sen. Inouye, Daniel K. [D-HI] | D · HI | | Nov 14, 2012 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-------------|--------------|
| Health, Education, Labor, and Pensions Committee | Senate | Referred To | Sep 19, 2012 |

Subjects & Policy Tags

Policy Area:

Social Welfare

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|---|
| 112 HR 6543 | Related bill | Sep 21, 2012: Referred to the House Committee on Education and the Workforce. |
| 112 S 3619 | Related bill | Sep 21, 2012: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. |
| 112 S 3593 | Related bill | Sep 20, 2012: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. |
| 112 S 3575 | Related bill | Sep 19, 2012: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. |
| 112 S 3465 | Related bill | Aug 1, 2012: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. |
| 112 S 1982 | Related bill | Dec 13, 2011: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. |
| 112 S 1819 | Related bill | Nov 8, 2011: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S7189-7191) |
| 112 S 1750 | Related bill | Oct 20, 2011: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. |

Older Americans Act Amendments of 2012 - Revises the Older Americans Act of 1965 (OAA) to include lesbian, gay, bisexual, and transgendered (LGBT) individuals, HIV-positive individuals, individuals with Alzheimer's disease, veterans, and Holocaust survivors, among others, within the status of greatest social need caused by noneconomic factors.

Changes the status of greatest economic need from at or below the poverty line to 200% of the poverty line.

Requires the Director of the Office of Long-Term Care Ombudsman Programs to recommend to the Assistant Secretary for Aging of the Department of Health and Human Services (HHS) resources (including hardware and software) needed by state Long-Term Care Ombudsmen (LTCOs) to collect and report program data through the National Ombudsman Reporting System.

Expands the duties of the Assistant Secretary to include: (1) assisting the states with the development of Home Care Consumer Bills of Rights and Plans for Enforcement; and (2) establishing a National Adult Protective Services Resource Center.

Authorizes designation within the Administration on Aging of a person responsible for addressing issues affecting LGBT older individuals.

Requires the designated state agency to distribute quality assurance information about home- and community-based long-term care (LTC) programs, service providers, and resources.

Modifies the duties and functions of the Administration on Aging to include: (1) technical assistance to certain state and community entities to ensure they develop programming, services, and outreach for older individuals with greatest economic need and greatest social need; and (2) studies and data collection to determine services needed by LGBT older individuals.

Directs the Assistant Secretary to ensure, where appropriate, that all programs funded under the Act include appropriate training in the prevention of abuse, neglect, and exploitation and provision of services that address elder justice and exploitation.

Directs the Assistant Secretary to establish and operate: (1) the National Resource Center for Women and Retirement; and (2) the National Resource Center on Lesbian, Gay, Bisexual, and Transgendered Aging.

Reauthorizes OAA through FY2017.

Establishes an Advisory Committee to Assess, Coordinate, and Improve Legal Assistance Activities.

Directs the Secretary of Labor, through the Bureau of Labor Statistics (BLS), to revise and improve the Experimental Price Index for the Elderly (CPI-E) published by the BLS to make it a reliable measure in determining future cost-of-living adjustments affecting Americans age 62 or older.

Authorizes the Assistant Secretary to designate within the Administration a person who has specialized training, background, or experience with Holocaust survivor issues to have responsibility for implementing services for older individuals who are Holocaust survivors.

Requires the designated state agency to promote the development and implementation of a state system to address the

care coordination needs of older individuals with multiple chronic illnesses.

Revises area and state plan requirements with respect to specified services, including state LTCO programs and the provision of programming and services in a culturally and linguistically competent manner to older individuals with greatest social need.

Revises requirements with respect to: (1) consumer contributions (cost-sharing); (2) a specified study of nutrition projects; (3) supportive services and the senior centers program; (4) nutrition services; (5) disease prevention and health promotion services; (6) the National Family Caregiver Support Program, including grants to assess the needs of family caregivers for certain targeted support services; (7) specified grant programs; and (8) protection from violence projects.

Directs the Assistant Secretary to award grants to carry out or establish: (1) projects to support and promote modern multipurpose senior center models which yield multiservice, multigenerational centers for older individuals, their families, and others to gain needed skills, resources, and connections for continuum of care and quality of life; (2) a demonstration program on care coordination and service delivery redesign for older individuals with chronic illness or at risk of institutional placement; and (3) a grant program to assist communities in preparing for the aging of the population, and a related National Resource Center on Livable Communities for All Ages.

Directs the Assistant Secretary to award grants or contracts to eligible entities to increase and improve transportation services, including non-emergency transportation to medical appointments and shopping for food, to enable older individuals to remain in the community, with a preference for Holocaust survivors.

Directs the HHS Secretary to award competitive grants to or contract with eligible entities to fund the employment costs of professionals who will: (1) coordinate with the provision of medically recommended dental care to eligible individuals by volunteer dentists; and (2) verify the medical, dental, and financial needs of individuals who may be eligible for free medically recommended dental care.

Directs the Secretary to award a grant to or enter into a cooperative agreement with a public or private nonprofit entity to establish a National Resource Center on Family Caregiving.

Requires each grantee under the Older American Community Service Employment Program to place at least 50% of its project participants in positions with organizations that assist older adults or with duties that positively impact their lives. Directs the Assistant Secretary and the Secretary of Labor to study the feasibility of transferring the program from the Department of Labor to the Administration on Aging.

Requires the Assistant Secretary to ensure that education and public awareness activities under OAA title XI (Allotments for Vulnerable Elder Rights Protection Activities) are fully integrated with all service programs under OAA title III (Grants for State and Community Programs on Aging), the work of the Aging and Disability Resource Centers, and the long-term care ombudsman programs.

Directs the Assistant Secretary to award competitive grants to states for State Home Care Ombudsman Programs.

Requires a state to have a Home Care Consumer Bill of Rights and a Plan for Enforcement.

Requires the state Home Care Consumer Bill of Rights to address a home care consumer's right to: (1) basic safety; (2) information access; (3) choice, participation, and self-determination; (4) care and services provided in a way that promotes each consumer's dignity and individuality; and (5) redress of grievances. Requires the Bill of Rights also to address the role and responsibilities that fiduciaries may have in securing these rights of home care consumers.

Revises requirements for: (1) state LTCO programs; (2) prevention of elder abuse, neglect, and exploitation; and (3) state legal assistance development.

Directs the Assistant Secretary to make grants to enable states to establish and operate state Senior Medicare Patrol programs.

Amends the Public Health Service Act to include geriatrics and gerontology as primary health services.

Actions Timeline

- **Sep 19, 2012:** Introduced in Senate
- **Sep 19, 2012:** Sponsor introductory remarks on measure. (CR S6460)
- **Sep 19, 2012:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.