

S 3270

Elder Abuse Prevention and Prosecution Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jul 14, 2016

Current Status: By Senator Grassley from Committee on the Judiciary filed written report under authority of the order

Latest Action: By Senator Grassley from Committee on the Judiciary filed written report under authority of the order of the Senate of 12/10/2016. Report No. 114-430. (Dec 20, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/3270>

Sponsor

Name: Sen. Grassley, Chuck [R-IA]

Party: Republican • **State:** IA • **Chamber:** Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bennet, Michael F. [D-CO]	D · CO		Jul 14, 2016
Sen. Blumenthal, Richard [D-CT]	D · CT		Jul 14, 2016
Sen. Cornyn, John [R-TX]	R · TX		Jul 14, 2016
Sen. Klobuchar, Amy [D-MN]	D · MN		Jul 14, 2016
Sen. Rubio, Marco [R-FL]	R · FL		Jul 14, 2016
Sen. Feinstein, Dianne [D-CA]	D · CA		Sep 14, 2016
Sen. Durbin, Richard J. [D-IL]	D · IL		Sep 15, 2016
Sen. Leahy, Patrick J. [D-VT]	D · VT		Sep 15, 2016
Sen. Tillis, Thomas [R-NC]	R · NC		Sep 15, 2016
Sen. Ayotte, Kelly [R-NH]	R · NH		Sep 20, 2016
Sen. Collins, Susan M. [R-ME]	R · ME		Sep 21, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Sep 20, 2016

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
114 S 1614	Related bill	Jun 18, 2015: Read twice and referred to the Committee on the Judiciary.

Elder Abuse Prevention and Prosecution Act

TITLE I--SUPPORTING FEDERAL CASES INVOLVING ELDER JUSTICE

(Sec. 101) This bill establishes requirements for the Department of Justice (DOJ) with respect to investigating and prosecuting elder abuse crimes and enforcing elder abuse laws. Specifically, DOJ must:

- designate Elder Justice Coordinators in federal judicial districts and at DOJ,
- implement comprehensive training for Federal Bureau of Investigation agents, and
- establish a working group to provide policy advice.

The Executive Office for United States Attorneys must operate a resource group for prosecutors.

The Federal Trade Commission must designate an Elder Justice Coordinator within its Bureau of Consumer Protection.

TITLE II--IMPROVED DATA COLLECTION AND FEDERAL COORDINATION

(Sec. 201) DOJ must establish best practices for data collection on elder abuse.

(Sec. 202) DOJ must collect and publish data on elder abuse cases and investigations. The Department of Health and Human Services (HHS) must provide for publication data on elder abuse cases referred to adult protective services.

TITLE III--ENHANCED VICTIM ASSISTANCE TO ELDER ABUSE SURVIVORS

(Sec. 301) This section expresses the sense of the Senate that: (1) elder abuse involves exploitation of potentially vulnerable individuals; (2) combatting elder abuse requires support for victims and prevention; and (3) the Senate supports a multipronged approach to prevent elder abuse, protect victims, and prosecute perpetrators of elder abuse crimes.

(Sec. 302) DOJ's Office for Victims of Crime must report to Congress on the nature, extent, and amount of funding under the Victims of Crime Act of 1984 for victims of crime who are elders.

TITLE IV--ROBERT MATAVA ELDER ABUSE PROSECUTION ACT OF 2016

Robert Matava Elder Abuse Prosecution Act of 2016

This bill amends the federal criminal code to expand prohibited telemarketing fraud to include "telemarketing or email marketing" fraud. It expands the definition of telemarketing or email marketing to include measures to induce investment for financial profit, participation in a business opportunity, or commitment to a loan.

A defendant convicted of telemarketing or email marketing fraud that targets or victimizes a person over age 55 is subject to an enhanced criminal penalty and mandatory forfeiture.

The bill adds health care fraud to the list of fraud offenses subject to enhanced penalties.

(Sec. 403) DOJ, in coordination with the Elder Justice Coordinating Council, must provide information, training, and technical assistance to help states and local governments investigate, prosecute, prevent, and mitigate the impact of elder abuse, exploitation, and neglect.

(Sec. 404) It grants congressional consent to states to enter into cooperative agreements or compacts to promote and to enforce elder abuse laws. The State Justice Institute must submit legislative proposals to Congress to facilitate such agreements and compacts.

TITLE V--MISCELLANEOUS

(Sec. 501) This section amends title XX (Block Grants to States for Social Services and Elder Justice) of the Social Security Act to specify that HHS may award adult protective services demonstration grants to the highest courts of states to assess adult guardianship and conservatorship proceedings and to implement necessary changes. The highest court of a state that receives a demonstration grant must collaborate with the state's unit on aging and adult protective services agency.

(Sec. 502) The Government Accountability Office (GAO) must review and report on elder justice programs and initiatives in the federal criminal justice system. The GAO must also report on the exploitation of older adults in global drug trafficking schemes and criminal enterprises, the incarceration of exploited older adults in foreign court systems, and the federal government's intervention on behalf of incarcerated older adult victims who are U.S. citizens.

(Sec. 503) DOJ must report to Congress on its outreach to state and local law enforcement agencies on the process for collaborating with the federal government to investigate and prosecute interstate and international elder financial exploitation cases.

(Sec. 504) DOJ must publish model power of attorney legislation.

(Sec. 505) DOJ must publish best practices for improving guardianship proceedings and model legislation related to guardianship proceedings.

Actions Timeline

- **Dec 20, 2016:** By Senator Grassley from Committee on the Judiciary filed written report under authority of the order of the Senate of 12/10/2016. Report No. 114-430.
- **Sep 20, 2016:** Committee on the Judiciary. Reported by Senator Grassley with an amendment in the nature of a substitute. Without written report.
- **Sep 20, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 635.
- **Sep 15, 2016:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 14, 2016:** Introduced in Senate
- **Jul 14, 2016:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S5169-5170)