

Introduction: The Older Americans Act was amended during the fall of 2000 by the enactment of HR 782. As of March 2001, an official compilation of the Act as amended had still not been printed. To assist a variety of organizations who would find it useful to have a complete version of the OAA which includes the amendments adopted by Congress in 2000, The Center for Social Gerontology has begun to put together an unofficial compilation of the changes to the Older Americans Act. As we complete each Title of the Act, we will be putting it on our web site; for convenience in downloading the documents, we are putting each Title of the OAA in a separate pdf file. Because this is an unofficial copy of the amended OAA, it is possible that there will be some mistakes in it; The Center for Social Gerontology takes no responsibility for any problems these errors may cause. If you should find something which you feel to be an error, please contact us, and we will make any necessary changes.

TITLE IV--TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

SECTION 401 PURPOSES

The purposes of this title are--

- (1) to expand the Nation's knowledge and understanding of the older population and the aging process;*
- (2) to design, test, and promote the use of innovative ideas and best practices in programs and services for older individuals;*
- (3) to help meet the needs for trained personnel in the field of aging; and*
- (4) to increase awareness of citizens of all ages of the need to assume personal responsibility for their own longevity.*

PART A--GRANT PROGRAMS

SECTION 411 PROGRAM AUTHORIZED.

(a) IN GENERAL- For the purpose of carrying out this section, the Assistant Secretary may make grants to and enter into contracts with States, public agencies, private nonprofit agencies, institutions of higher education, and organizations, including tribal organizations, for--

- (1) education and training to develop an adequately trained workforce to work with and on behalf of older individuals;*
- (2) applied social research and analysis to improve access to and delivery of services for older individuals;*
- (3) evaluation of the performance of the programs, activities, and services provided under this section;*
- (4) the development of methods and practices to improve the quality and effectiveness of the programs, services, and activities provided under this section;*
- (5) the demonstration of new approaches to design, deliver, and coordinate programs and services for older individuals;*

- (6) technical assistance in planning, developing, implementing, and improving the programs, services, and activities provided under this section;
- (7) coordination with the designated State agency described in section 101(a)(2)(A)(i) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(2)(A)(i)) to provide services to older individuals who are blind as described in such Act;
- (8) the training of graduate level professionals specializing in the mental health needs of older individuals; and
- (9) any other activities that the Assistant Secretary determines will achieve the objectives of this section.

(b) **AUTHORIZATION OF APPROPRIATIONS**- There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2001, and such sums as may be necessary for subsequent fiscal years.

SECTION 412 CAREER PREPARATION FOR THE FIELD OF AGING

(a) **GRANTS**--The Assistant Secretary shall make grants to institutions of higher education, historically Black colleges or universities, Hispanic Centers of Excellence in Applied Gerontology, and other educational institutions that serve the needs of minority students, to provide education and training to prepare students for careers in the field of aging.

(b) **DEFINITIONS**--For purposes of subsection (a):

(1) **HISPANIC CENTER OF EXCELLENCE IN APPLIED GERONTOLOGY**--The term ``Hispanic Center of Excellence in Applied Gerontology'' means an institution of higher education with a program in applied gerontology that--

- (A) has a significant number of Hispanic individuals enrolled in the program, including individuals accepted for enrollment in the program;
- (B) has been effective in assisting Hispanic students of the program to complete the program and receive the degree involved;
- (C) has been effective in recruiting Hispanic individuals to attend the program, including providing scholarships and other financial assistance to such individuals and encouraging Hispanic students of secondary educational institutions to attend the program; and
- (D) has made significant recruitment efforts to increase the number and placement of Hispanic individuals serving in faculty or administrative positions in the program.

(2) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY**--The term ``historically Black college or university'' has the meaning given the term ``part B institution'' in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

SECTION 413 OLDER INDIVIDUALS' PROTECTION FROM VIOLENCE PROJECTS

(a) **PROGRAM AUTHORIZED-** *The Assistant Secretary shall make grants to States, area agencies on aging, nonprofit organizations, or tribal organizations to carry out the activities described in subsection (b).*

(b) **ACTIVITIES-** *A State, an area agency on aging, a nonprofit organization, or a tribal organization that receives a grant under subsection (a) shall use such grant to--*

- (1) support projects in local communities, involving diverse sectors of each community, to coordinate activities concerning intervention in and prevention of elder abuse, neglect, and exploitation, including family violence and sexual assault, against older individuals;*
- (2) develop and implement outreach programs directed toward assisting older individuals who are victims of elder abuse, neglect, and exploitation (including family violence and sexual assault, against older individuals), including programs directed toward assisting the individuals in senior housing complexes, nursing homes, board and care facilities, and senior centers;*
- (3) expand access to family violence and sexual assault programs (including shelters, rape crisis centers, and support groups), including mental health services, safety planning and legal advocacy for older individuals and encourage the use of senior housing, hotels, or other suitable facilities or services when appropriate as emergency short-term shelters for older individuals who are the victims of elder abuse, including family violence and sexual assault; or*
- (4) promote research on legal, organizational, or training impediments to providing services to older individuals through shelters and other programs, such as impediments to provision of services in coordination with delivery of health care or services delivered under this Act.*

(c) **PREFERENCE-** *In awarding grants under subsection (a), the Assistant Secretary shall give preference to a State, an area agency on aging, a nonprofit organization, or a tribal organization that has the ability to carry out the activities described in this section and title VII of this Act.*

(d) **COORDINATION-** *The Assistant Secretary shall encourage each State, area agency on aging, nonprofit organization, and tribal organization that receives a grant under subsection (a) to coordinate activities provided under this section with activities provided by other area agencies on aging, tribal organizations, State adult protective service programs, private nonprofit organizations, and by other entities receiving funds under title VII of this Act.*

SECTION 414 HEALTH CARE SERVICE DEMONSTRATION PROJECTS IN RURAL AREAS

(a) **AUTHORITY**- *The Assistant Secretary, after consultation with the State agency of the State involved, shall make grants to eligible public agencies and nonprofit private organizations to pay part or all of the cost of developing or operating model health care service projects (including related home health care services, adult day health care, outreach, and transportation) through multipurpose senior centers that are located in rural areas and that provide nutrition services under section 331, to meet the health care needs of medically underserved older individuals residing in such areas.*

(b) **ELIGIBILITY**- *To be eligible to receive a grant under subsection (a), a public agency or nonprofit private organization shall submit to the Assistant Secretary an application containing such information and assurances as the Secretary may require, including--*

(1) *information describing the nature and extent of the applicant's--*

(A) *experience in providing medical services of the type to be provided in the project for which a grant is requested; and*

(B) *coordination and cooperation with--*

(i) *institutions of higher education having graduate programs with capability in public health, the medical sciences, psychology, pharmacology, nursing, social work, health education, nutrition, or gerontology, for the purpose of designing and developing such project; and*

(ii) *critical access hospitals (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1)) and rural health clinics (as defined in section 1861(aa)(2) of the Social Security Act (42 U.S.C. 1395x(aa)(2)));*

(2) *assurances that the applicant will carry out the project for which a grant is requested, through a multipurpose senior center located--*

(A) (i) *in a rural area that has a population of less than 5,000; or*

(ii) *in a county that has fewer than 7 individuals per square mile; and*

(B) *in a State in which--*

(i) *not less than 33 1/3 of the population resides in rural areas; and*

(ii) *not less than 5 percent of the population resides in counties with fewer than 7 individuals per square mile; as defined by and determined in accordance with the most recent data available from the Bureau of the Census; and*

(3) *assurances that the applicant will submit to the Assistant Secretary such evaluations and reports as the Assistant Secretary may require.*

(c) *REPORTS-* The Assistant Secretary shall prepare and submit to the appropriate committees of Congress a report that includes summaries of the evaluations and reports required under subsection (b).

SECTION 415 COMPUTER TRAINING.

(a) *PROGRAM AUTHORIZED-* The Assistant Secretary, in consultation with the Assistant Secretary of Commerce for Communications and Information, may award grants or contracts to entities to provide computer training and enhanced Internet access for older individuals.

(b) *PRIORITY-* If the Assistant Secretary awards grants under subsection (a), the Assistant Secretary shall give priority to an entity that--

- (1) will provide services to older individuals living in rural areas;
- (2) has demonstrated expertise in providing computer training to older individuals; or
- (3) has demonstrated that it has a variety of training delivery methods, including facility-based, computer-based, and Internet-based training, that may facilitate a determination of the best method of training older individuals.

(c) *SPECIAL CONSIDERATION.*—In awarding grants under this section, the Assistant Secretary shall give special consideration to applicants that have entered into partnership with 1 or more private entities providing such applicants with donated information technologies including software, hardware, or training

(d) *USE OF FUNDS.*—An entity that receives a grant or contract under subsection (a) shall use funds received under such grant or contract to provide training for older individuals that--

- (1) relates to the use of computers and related equipment, in order to improve the self-employment and employment-related technology skills of older individuals, as well as their ability to use the Internet; and
- (2) is provided at senior centers, housing facilities for older individuals, elementary schools, secondary schools, and institutions of higher education.

SECTION 416 TECHNICAL ASSISTANCE TO IMPROVE TRANSPORTATION FOR SENIORS

(a) *IN GENERAL-* The Secretary may award grants or contracts to nonprofit organizations to improve transportation services for older individuals.

(b) *USE OF FUNDS-* A nonprofit organization receiving a grant or contract under subsection (a) shall use funds received under such grant or contract to provide technical assistance to assist local transit providers, area agencies on aging, senior centers and

local senior support groups to encourage and facilitate coordination of Federal, State, and local transportation services and resources for older individuals. Such technical assistance may include--

- (1) developing innovative approaches for improving access by older individuals to supportive services;*
- (2) preparing and disseminating information on transportation options and resources for older individuals and organizations serving such individuals through establishing a toll-free telephone number;*
- (3) developing models and best practices for comprehensive integrated transportation services for older individuals, including services administered by the Secretary of Transportation, by providing ongoing technical assistance to agencies providing services under title III and by assisting in coordination of public and community transportation services; and*
- (4) providing special services to link seniors to transportation services not provided under title III.*

SECTION 417 DEMONSTRATION PROJECTS FOR MULTIGENERATIONAL ACTIVITIES

(a) GRANTS AND CONTRACTS- The Assistant Secretary may award grants and enter into contracts with eligible organizations to establish demonstration projects to provide older individuals with multigenerational activities.

(b) USE OF FUNDS- An eligible organization shall use funds made available under a grant awarded, or a contract entered into, under subsection (a)--

- (1) to carry out a demonstration project that provides multigenerational activities, including any professional training appropriate to such activities for older individuals; and*
- (2) to evaluate the project in accordance with subsection (f).*

(c) PREFERENCE- In awarding grants and entering into contracts under subsection (a), the Assistant Secretary shall give preference to--

- (1) eligible organizations with a demonstrated record of carrying out multigenerational activities; and*
- (2) eligible organizations proposing projects that will serve older individuals with greatest economic need (with particular attention to low-income minority individuals).*

(d) APPLICATION- To be eligible to receive a grant or enter into a contract under subsection (a), an organization shall submit an application to the Assistant Secretary at such time, in such manner, and accompanied by such information as the Assistant Secretary may reasonably require.

(e) *ELIGIBLE ORGANIZATIONS*- Organizations eligible to receive a grant or enter into a contract under subsection (a) shall be organizations that employ, or provide opportunities for, older individuals in multigenerational activities.

(f) *LOCAL EVALUATION AND REPORT-*

(1) *EVALUATION*- Each organization receiving a grant or a contract under subsection (a) to carry out a demonstration project shall evaluate the effectiveness of the multigenerational activities, the impact of such activities on child care and youth day care programs, and the impact of such activities on older individuals involved in such project.

(2) *REPORT*- The organization shall submit a report to the Assistant Secretary containing the evaluation not later than 6 months after the expiration of the period for which the grant or contract is in effect.

(g) *REPORT TO CONGRESS*- Not later than 6 months after the Assistant Secretary receives the reports described in subsection (f)(2), the Assistant Secretary shall prepare and submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report that assesses the evaluations and includes, at a minimum--

- (1) the names or descriptive titles of the demonstration projects funded under subsection (a);
- (2) a description of the nature and operation of the projects;
- (3) the names and addresses of organizations that conducted the projects;
- (4) a description of the methods and success of the projects in recruiting older individuals as employees and volunteers to participate in the projects;
- (5) a description of the success of the projects in retaining older individuals involved in the projects as employees and as volunteers; and
- (6) the rate of turnover of older individual employees and volunteers in the projects.

(h) *DEFINITION*- As used in this section, the term 'multigenerational activity' includes an opportunity to serve as a mentor or adviser in a child care program, a youth day care program, an educational assistance program, an at-risk youth intervention program, a juvenile delinquency treatment program, or a family support program.

SECTION 418 NATIVE AMERICAN PROGRAMS

(a) *ESTABLISHMENT*-

(1) *IN GENERAL*- The Assistant Secretary shall make grants or enter into contracts with not fewer than 2 and not more than 4 eligible entities to establish and operate Resource Centers on Native American Elders (referred to in this section as 'Resource Centers'). The Assistant Secretary shall make such grants or enter into such contracts for periods of not less than 3 years.

(2) *FUNCTIONS*-

(A) IN GENERAL- Each Resource Center that receives funds under this section shall--

- (i) gather information;*
- (ii) perform research;*
- (iii) provide for the dissemination of results of the research; and*
- (iv) provide technical assistance and training to entities that provide services to Native Americans who are older individuals.*

(B) AREAS OF CONCERN- In conducting the functions described in subparagraph (A), a Resource Center shall focus on priority areas of concern for the Resource Centers regarding Native Americans who are older individuals, which areas shall be--

- (i) health problems;*
- (ii) long-term care, including in-home care;*
- (iii) elder abuse; and*
- (iv) other problems and issues that the Assistant Secretary determines are of particular importance to Native Americans who are older individuals.*

(3) PREFERENCE- In awarding grants and entering into contracts under paragraph (1), the Assistant Secretary shall give preference to institutions of higher education that have conducted research on, and assessments of, the characteristics and needs of Native Americans who are older individuals.

(4) CONSULTATION- In determining the type of information to be sought from, and activities to be performed by, Resource Centers, the Assistant Secretary shall consult with the Director of the Office for American Indian, Alaskan Native, and Native Hawaiian Aging and with national organizations with special expertise in serving Native Americans who are older individuals.

(5) ELIGIBLE ENTITIES- To be eligible to receive a grant or enter into a contract under paragraph (1), an entity shall be an institution of higher education with experience conducting research and assessment on the needs of older individuals.

(6) REPORT TO CONGRESS- The Assistant Secretary, with assistance from each Resource Center, shall prepare and submit to the Speaker of the House of Representatives and the President pro tempore of the Senate an annual report on the status and needs, including the priority areas of concern, of Native Americans who are older individuals.

(b) TRAINING GRANTS- The Assistant Secretary shall make grants and enter into contracts to provide in-service training opportunities and courses of instruction on aging to Indian tribes through public or nonprofit Indian aging organizations and to provide annually a national meeting to train directors of programs under this title.'

SECTION 419 MULTIDISCIPLINARY CENTERS.

(a) PROGRAM AUTHORIZED- The Assistant Secretary may make grants to public and private nonprofit agencies, organizations, and institutions for the purpose of establishing or supporting multidisciplinary centers of gerontology, and gerontology centers of special emphasis (including emphasis on nutrition, employment, health (including mental health), disabilities (including severe disabilities), income maintenance, counseling services, supportive services and minority populations).

(b) USE OF FUNDS-

- (1) IN GENERAL- The centers described in subsection (a) shall conduct research and policy analysis and function as a technical resource for the Assistant Secretary, policymakers, service providers, and Congress.*
- (2) MULTIDISCIPLINARY CENTERS- The multidisciplinary centers of gerontology described in subsection (a) shall--*
 - (A) recruit and train personnel;*
 - (B) conduct basic and applied research toward the development of information related to aging;*
 - (C) stimulate the incorporation of information on aging into the teaching of biological, behavioral, and social sciences at colleges and universities;*
 - (D) help to develop training programs in the field of aging at schools of public health, education, social work, and psychology, and other appropriate schools within colleges and universities;*
 - (E) serve as a repository of information and knowledge on aging;*
 - (F) provide consultation and information to public and voluntary organizations, including State agencies and area agencies on aging, which serve the needs of older individuals in planning and developing services provided under other provisions of this Act; and*
 - (G) if appropriate, provide information relating to assistive technology.*

(c) DATA-

- (1) IN GENERAL- Each center that receives a grant under subsection (a) shall provide data to the Assistant Secretary on the projects and activities carried out with funds received under such subsection.*
- (2) INFORMATION INCLUDED- Such data described in paragraph (1) shall include--*
 - (A) information on the number of personnel trained;*
 - (B) information on the number of older individuals served;*
 - (C) information on the number of schools assisted; and*
 - (D) other information that will facilitate achieving the objectives of this section.*

SECTION 420 DEMONSTRATION AND SUPPORT PROJECTS FOR LEGAL ASSISTANCE FOR OLDER INDIVIDUALS

(a) **PROGRAM AUTHORIZED**- *The Assistant Secretary shall make grants and enter into contracts, in order to--*

- (1) *provide a national legal assistance support system (operated by one or more grantees or contractors) of activities to State and area agencies on aging for providing, developing, or supporting legal assistance for older individuals, including--*
 - (A) *case consultations;*
 - (B) *training;*
 - (C) *provision of substantive legal advice and assistance; and*
 - (D) *assistance in the design, implementation, and administration of legal assistance delivery systems to local providers of legal assistance for older individuals; and*
- (2) *support demonstration projects to expand or improve the delivery of legal assistance to older individuals with social or economic needs.*

(b) **ASSURANCES**- *Any grants or contracts made under subsection (a)(2) shall contain assurances that the requirements of section 307(a)(11) are met.*

(c) **ASSISTANCE**- *To carry out subsection (a)(1), the Assistant Secretary shall make grants to or enter into contracts with national nonprofit organizations experienced in providing support and technical assistance on a nationwide basis to States, area agencies on aging, legal assistance providers, ombudsmen, elder abuse prevention programs, and other organizations interested in the legal rights of older individuals.*

SECTION 421 OMBUDSMAN AND ADVOCACY DEMONSTRATION PROJECTS

(a) **PROGRAM AUTHORIZED**- *The Assistant Secretary shall award grants to not fewer than 3 and not more than 10 States to conduct demonstrations and evaluate cooperative projects between the State long-term care ombudsman program, legal assistance agencies, and the State protection and advocacy systems for individuals with developmental disabilities and individuals with mental illness, established under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.) and under the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.).*

(b) **REPORT**- *The Assistant Secretary shall prepare and submit to Congress a report containing the results of the evaluation required by subsection (a). Such report shall contain such recommendations as the Assistant Secretary determines to be appropriate.*

PART B--GENERAL PROVISIONS

SEC 431 PAYMENT OF GRANTS

(a) **CONTRIBUTIONS**- *To the extent the Assistant Secretary determines a contribution to be appropriate, the Assistant Secretary shall require the recipient of any grant or*

contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

(b) PAYMENTS- Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Assistant Secretary may determine.

(c) CONSULTATION- The Assistant Secretary shall make no grant or contract under this title in any State that has established or designated a State agency for purposes of title III unless the Assistant Secretary--

- (1) consults with the State agency prior to issuing the grant or contract; and*
- (2) informs the State agency of the purposes of the grant or contract when the grant or contract is issued.*

SECTION 432 RESPONSIBILITIES OF ASSISTANT SECRETARY

(a) IN GENERAL- The Assistant Secretary shall be responsible for the administration, implementation, and making of grants and contracts under this title and shall not delegate authority under this title to any other individual, agency, or organization.

(b) REPORT-

(1) IN GENERAL- Not later than January 1 following each fiscal year, the Assistant Secretary shall submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report for such fiscal year that describes each project and each program--

- (A) for which funds were provided under this title; and*
- (B) that was completed in the fiscal year for which such report is prepared.*

(2) CONTENTS- Such report shall contain--

- (A) the name or descriptive title of each project or program;*
- (B) the name and address of the individual or governmental entity that conducted such project or program;*
- (C) a specification of the period throughout which such project or program was conducted;*
- (D) the identity of each source of funds expended to carry out such project or program and the amount of funds provided by each such source;*
- (E) an abstract describing the nature and operation of such project or program; and*
- (F) a bibliography identifying all published information relating to such project or program.*

(c) EVALUATIONS-

(1) IN GENERAL- The Assistant Secretary shall establish by regulation and implement a process to evaluate the results of projects and programs carried out under this title.

(2) RESULTS- The Assistant Secretary shall--

- (A) make available to the public the results of each evaluation carried out under paragraph (1); and*
- (B) use such evaluation to improve services delivered, or the operation of projects and programs carried out, under this Act.*