

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-365, § 210(1), substituted “2007, 2008, 2009, 2010, and 2011.” for “2001, 2002, 2003, 2004, and 2005”.

Subsec. (b). Pub. L. 109-365, § 210(2), substituted “years 2007, 2008, 2009, 2010, and 2011” for “year 2001, and such sums as may be necessary for each of the 4 succeeding fiscal years”.

Subsec. (c). Pub. L. 109-365, § 210(2), substituted “years 2007, 2008, 2009, 2010, and 2011” for “year 2001 and for each of the 4 succeeding fiscal years”.

2000—Subsec. (a). Pub. L. 106-501, § 205(1), in heading, substituted “In general” for “Administration”, and in text, inserted “administration, salaries, and expenses of” after “appropriated for” and substituted “2001, 2002, 2003, 2004, and 2005” for “1992, 1993, 1994, and 1995.”

Subsecs. (b), (c). Pub. L. 106-501, § 205(2), added subsecs. (b) and (c) and struck out heading and text of former subsec. (b). Text read as follows: “There are authorized to be appropriated for salaries and expenses of the Administration on Aging—

“(1) \$17,000,000 for fiscal year 1992, \$20,000,000 for fiscal year 1993, \$24,000,000 for fiscal year 1994, and \$29,000,000 for fiscal year 1995; and

“(2) such additional sums as may be necessary for each such fiscal year to enable the Assistant Secretary to provide for not fewer than 300 full-time employees (or the equivalent thereof) in the Administration on Aging.”

1993—Subsec. (b)(2). Pub. L. 103-171 substituted “Assistant Secretary” for “Commissioner”.

SUBCHAPTER III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

PART A—GENERAL PROVISIONS

§ 3021. Purpose and program

(a) Congressional declaration of purpose

(1) It is the purpose of this subchapter to encourage and assist State agencies and area agencies on aging to concentrate resources in order to develop greater capacity and foster the development and implementation of comprehensive and coordinated systems to serve older individuals by entering into new cooperative arrangements in each State with the persons described in paragraph (2), for the planning, and for the provision of, supportive services, and multipurpose senior centers, in order to—

(A) secure and maintain maximum independence and dignity in a home environment for older individuals capable of self care with appropriate supportive services;

(B) remove individual and social barriers to economic and personal independence for older individuals;

(C) provide a continuum of care for vulnerable older individuals; and

(D) secure the opportunity for older individuals to receive managed in-home and community-based long-term care services.

(2) The persons referred to in paragraph (1) include—

(A) State agencies and area agencies on aging;

(B) other State agencies, including agencies that administer home and community care programs;

(C) Indian tribes, tribal organizations, and Native Hawaiian organizations;

(D) the providers, including voluntary organizations or other private sector organiza-

tions, of supportive services, nutrition services, and multipurpose senior centers;

(E) organizations representing or employing older individuals or their families; and

(F) organizations that have experience in providing training, placement, and stipends for volunteers or participants who are older individuals (such as organizations carrying out Federal service programs administered by the Corporation for National and Community Service), in community service settings.

(b) Administration of program

(1) In order to effectively carry out the purpose of this subchapter, the Assistant Secretary shall administer programs under this subchapter through the Administration.

(2) In carrying out the provisions of this subchapter, the Assistant Secretary may request the technical assistance and cooperation of the Department of Education, the Department of Labor, the Department of Housing and Urban Development, the Department of Transportation, the Office of Community Services, the Department of Veterans Affairs, the Substance Abuse and Mental Health Services Administration,¹ and such other agencies and departments of the Federal Government as may be appropriate.

(c) Ombudsman program

The Assistant Secretary shall provide technical assistance and training (by contract, grant, or otherwise) to State long-term care ombudsman programs established under section 3027(a)(9) of this title in accordance with section 3058g of this title, and to individuals within such programs designated under section 3058g of this title to be representatives of a long-term care ombudsman, in order to enable such ombudsmen and such representatives to carry out the ombudsman program effectively.

(d) Use of funds

(1) Any funds received under an allotment as described in section 3024(a) of this title, or funds contributed toward the non-Federal share under section 3024(d) of this title, shall be used only for activities and services to benefit older individuals and other individuals as specifically provided for in this subchapter.

(2) No provision of this subchapter shall be construed as prohibiting a State agency or area agency on aging from providing services by using funds from sources not described in paragraph (1).

(Pub. L. 89-73, title III, § 301, as added Pub. L. 95-478, title I, § 103(b), Oct. 18, 1978, 92 Stat. 1516; amended Pub. L. 97-115, § 3(a), (d), Dec. 29, 1981, 95 Stat. 1596, 1597; Pub. L. 98-459, title III, § 301, Oct. 9, 1984, 98 Stat. 1771; Pub. L. 100-175, title I, §§ 104(b), 105(c), 121, 129(a), Nov. 29, 1987, 101 Stat. 929, 930, 933, 934; Pub. L. 100-628, title VII, § 705(3), Nov. 7, 1988, 102 Stat. 3247; Pub. L. 102-54, § 13(q)(9)(B), June 13, 1991, 105 Stat. 281; Pub. L. 102-321, title I, § 163(c)(2)(B), July 10, 1992, 106 Stat. 377; Pub. L. 102-375, title I, § 102(b)(1)(A), title III, § 301, title VII, § 708(a)(2)(B), Sept. 30, 1992, 106 Stat. 1200, 1219, 1292; Pub. L. 103-171,

¹ So in original.

§3(a)(13), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 106-501, title III, §301, title VIII, §801(c)(1), Nov. 13, 2000, 114 Stat. 2238, 2292; Pub. L. 109-365, title III, §301, Oct. 17, 2006, 120 Stat. 2538.)

PRIOR PROVISIONS

A prior section 3021, Pub. L. 89-73, title III, §301, as added Pub. L. 93-29, title III, §301, May 3, 1973, 87 Stat. 36, related to the purpose of this subchapter, prior to the general amendment of this subchapter by Pub. L. 95-478.

Another prior section 3021, Pub. L. 89-73, title III, §301, July 14, 1965, 79 Stat. 220; Pub. L. 90-42, §2(a), July 1, 1967, 81 Stat. 106; Pub. L. 91-69, §2(a), Sept. 17, 1969, 83 Stat. 108, related to a description of activities and authorized appropriations for fiscal years ending June 30, 1966, through 1972, prior to repeal by Pub. L. 93-29, title III, §301, May 3, 1973, 87 Stat. 36.

AMENDMENTS

2006—Subsec. (a)(2)(F). Pub. L. 109-365 added subpar. (F).

2000—Subsec. (c). Pub. L. 106-501, §801(c)(1), substituted “3027(a)(9)” for “3027(a)(12)”.

Subsec. (d). Pub. L. 106-501, §301, added subsec. (d).

1993—Subsecs. (b), (c). Pub. L. 103-171 substituted “Assistant Secretary” for “Commissioner” wherever appearing.

1992—Subsec. (a). Pub. L. 102-375, §301, amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “It is the purpose of this subchapter to encourage and assist State and area agencies to concentrate resources in order to develop greater capacity and foster the development and implementation of comprehensive and coordinated service systems to serve older individuals by entering into new cooperative arrangements in each State with State and area agencies, with Indian tribes, tribal organizations, and Native Hawaiian organizations, and with the providers, including voluntary organizations, of supportive services, including nutrition services and multipurpose senior centers, for the planning, and for the provision of, supportive services, nutrition services, and multipurpose senior centers, in order to—

“(1) secure and maintain maximum independence and dignity in a home environment for older individuals capable of self care with appropriate supportive services;

“(2) remove individual and social barriers to economic and personal independence for older individuals; and

“(3) provide a continuum of care for the vulnerable elderly.”

Subsec. (b)(1). Pub. L. 102-375, §102(b)(1)(A), substituted “Administration” for “Administration on Aging”.

Subsec. (b)(2). Pub. L. 102-321 substituted “the Substance Abuse and Mental Health Services Administration” for “the Alcohol, Drug Abuse, and Mental Health Administration”.

Subsec. (c). Pub. L. 102-375, §708(a)(2)(B), substituted “in accordance with section 3058g of this title, and to individuals within such programs designated under section 3058g of this title” for “, and to individuals designated under such section”.

1991—Subsec. (b)(2). Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1988—Subsec. (a). Pub. L. 100-628 substituted “Native Hawaiian organizations,” for “Native Hawaiian organizations,”.

1987—Subsec. (a). Pub. L. 100-175, §121, inserted “, with Indian tribes, tribal organizations, and Native Hawaiian organizations,” after second reference to “agencies”.

Subsec. (b)(2). Pub. L. 100-175, §105(c), inserted “the Alcohol, Drug Abuse, and Mental Health Administration,” after “Veterans’ Administration,”.

Pub. L. 100-175, §104(b), inserted “, the Veterans’ Administration,” after “Office of Community Services”.

Subsec. (c). Pub. L. 100-175, §129(a), added subsec. (c).
1984—Subsec. (a). Pub. L. 98-459 substituted “area agencies” for “local agencies” in two places, inserted “and implementation”, inserted “, including voluntary organizations,”, and struck out “for the provision of” after “planning”.

1981—Subsec. (a). Pub. L. 97-115, §3(d), substituted “supportive services” for “social services” in two places.

Subsec. (b)(2). Pub. L. 97-115, §3(a), substituted “cooperation of the Department of Education, the Department of Labor, the Department of Housing and Urban Development, the Department of Transportation, the Office of Community Services, and such other agencies and departments” for “cooperation of the Department of Labor, the Community Services Administration, the Department of Housing and Urban Development, the Department of Transportation, and such other agencies and departments”.

EFFECTIVE DATE OF 1992 AMENDMENTS

Amendment by section 708(a)(2)(B) of Pub. L. 102-375 inapplicable with respect to fiscal year 1993, see section 4(b) of Pub. L. 103-171, set out as a note under section 3001 of this title.

Amendment by section 708(a)(2)(B) of Pub. L. 102-375 inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as a note under section 3001 of this title.

Amendment by Pub. L. 102-321 effective Oct. 1, 1992, see section 801(c) of Pub. L. 102-321, set out as a note under section 836 of this title.

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-175 effective Oct. 1, 1987, except not applicable with respect to any area plan submitted under section 3026(a) of this title or any State plan submitted under section 3027(a) of this title and approved for any fiscal year beginning before Nov. 29, 1987, see section 701(a), (b) of Pub. L. 100-175, set out as a note under section 3001 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-459 effective Oct. 9, 1984, see section 803(a) of Pub. L. 98-459, set out as a note under section 3001 of this title.

EFFECTIVE DATE

Part effective at close of Sept. 30, 1978, see section 504 of Pub. L. 95-478, set out as an Effective Date of 1978 Amendment note under section 3001 of this title.

COORDINATION AND CONSOLIDATION OF SERVICES UNDER CHAPTER

Pub. L. 95-478, title I, §103(a), Oct. 18, 1978, 92 Stat. 1516, provided that:

“(1) The Congress finds that—

“(A) approximately 3 percent of the eligible population is presently served under community services programs authorized under the Older Americans Act of 1965 [this chapter], 17 percent of whom are minority group members;

“(B) approximately 1 percent of the eligible population is presently served by the nutrition program authorized under the Older Americans Act of 1965 [this chapter], 21 percent of whom are minority group members;

“(C) there is program fragmentation at the national, State, and local levels which inhibits effective use of existing resources; and

“(D) coordination and consolidation of services provided under the Older Americans Act of 1965 [this chapter] allowing greater local determination to assess the need for services will facilitate achieving the goals of the Older Americans Act of 1965.

“(2) It is the purpose of the amendments made by subsection (b) [amending sections 3021 to 3029 of this title and enacting sections 3030 to 3030g of this title] to combine within a consolidated title, subject to the

modifications imposed by the provisions and requirements of the amendments made by subsection (b), the programs authorized by title III, title V, and title VII of the Older Americans Act of 1965 [former subchapters III, V, and VII of this chapter, respectively, as in effect prior to their revision by Pub. L. 95-478] in the fiscal year 1978, and funds appropriated to carry out such consolidated title shall be used solely for the purposes and for the assistance of the same types of programs authorized under the provisions of such titles."

§ 3022. Definitions

For the purpose of this subchapter—

(1) The term "comprehensive and coordinated system" means a system for providing all necessary supportive services, including nutrition services, in a manner designed to—

(A) facilitate accessibility to, and utilization of, all supportive services and nutrition services provided within the geographic area served by such system by any public or private agency or organization;

(B) develop and make the most efficient use of supportive services and nutrition services in meeting the needs of older individuals;

(C) use available resources efficiently and with a minimum of duplication; and

(D) encourage and assist public and private entities that have unrealized potential for meeting the service needs of older individuals to assist the older individuals on a voluntary basis.

(2) The term "education and training service" means a supportive service designed to assist older individuals to better cope with their economic, health, and personal needs through services such as consumer education, continuing education, health education, pre-retirement education, financial planning, and other education and training services which will advance the objectives of this chapter.

(3) The term "family caregiver" means an adult family member, or another individual, who is an informal provider of in-home and community care to an older individual or to an individual with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.

(4) The term "unit of general purpose local government" means—

(A) a political subdivision of the State whose authority is general and not limited to only one function or combination of related functions; or

(B) an Indian tribal organization.

(Pub. L. 89-73, title III, § 302, as added Pub. L. 95-478, title I, § 103(b), Oct. 18, 1978, 92 Stat. 1517; amended Pub. L. 97-115, § 3(b), (d), Dec. 29, 1981, 95 Stat. 1596, 1597; Pub. L. 98-459, title III, § 302, Oct. 9, 1984, 98 Stat. 1771; Pub. L. 100-175, title I, §§ 136(a)(2), 144(a), 182(b)(2), (e)(1), Nov. 29, 1987, 101 Stat. 943, 948, 964; Pub. L. 102-375, title I, § 102(b)(3), title III, § 302, Sept. 30, 1992, 106 Stat. 1201, 1220; Pub. L. 103-171, § 2(7), Dec. 2, 1993, 107 Stat. 1988; Pub. L. 109-365, title III, § 302, Oct. 17, 2006, 120 Stat. 2538.)

PRIOR PROVISIONS

A prior section 3022, Pub. L. 89-73, title III, § 302, as added Pub. L. 93-29, title III, § 301, May 3, 1973, 87 Stat.

36, Pub. L. 94-135, title I, § 103, Nov. 28, 1975, 89 Stat. 713, related to definitions, prior to the general amendment of this subchapter by Pub. L. 95-478.

Another prior section 3022, Pub. L. 89-73, title III, § 302, July 14, 1965, 79 Stat. 221; Pub. L. 90-42, §§ 2(b), 5(g), July 1, 1967, 81 Stat. 107, 108; Pub. L. 91-69, §§ 3(a), 4(d), 6, 10(b), Sept. 17, 1969, 83 Stat. 108, 110, 114, related to allotments to States, providing in subsec. (a) amount of allotments, subsec. (b) reallocations, and subsec. (c) availability for grant percentage payments, and duration of project support, prior to repeal by Pub. L. 93-29, title III, § 301, May 3, 1973, 87 Stat. 36.

AMENDMENTS

2006—Pars. (2) to (4). Pub. L. 109-365 added par. (4), redesignated pars. (2), (3), and (4) as pars. (4), (2), and (3), respectively, and moved par. (4) to end of section.

1993—Par. (10). Pub. L. 103-171 struck out par. (10) which defined "multipurpose senior center".

1992—Par. (1)(D). Pub. L. 102-375, § 302, added subpar. (D).

Pars. (2), (3). Pub. L. 102-375, § 102(b)(3)(A), (B), redesignated pars. (7) and (8) as (2) and (3), respectively, and struck out former pars. (2) and (3) which defined "information and referral source" and "long-term care facility", respectively.

Pars. (4) to (6). Pub. L. 102-375, § 102(b)(3)(A), struck out pars. (4) to (6) which defined "legal assistance", "planning and service area", and "State agency", respectively.

Pars. (7), (8). Pub. L. 102-375, § 102(b)(3)(B), redesignated pars. (7) and (8) as (2) and (3), respectively.

Par. (9). Pub. L. 102-375, § 102(b)(3)(A), struck out par. (9) which defined "older individual".

Par. (11). Pub. L. 102-375, § 102(b)(3)(A), struck out par. (11) which defined "focal point".

Pars. (14) to (21). Pub. L. 102-375, § 102(b)(3)(A), struck out pars. (14) to (21) which defined "abuse", "elder abuse", "caretaker", "exploitation", "neglect", "physical harm", "greatest economic need", and "greatest social need", respectively.

1987—Par. (6). Pub. L. 100-175, § 182(b)(2), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: "The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands."

Pars. (7) to (9). Pub. L. 100-175, § 182(b)(2)(B), redesignated pars. (8) to (10) as (7) to (9), respectively. Former par. (7) redesignated (6).

Par. (10). Pub. L. 100-175, §§ 136(a)(2), 182(b)(2)(B), redesignated par. (11) as (10) and inserted "(including mental health)" after "health". Former par. (10) redesignated (9).

Par. (11). Pub. L. 100-175, § 182(b)(2)(B), redesignated par. (12) as (11). Former par. (11) redesignated (10).

Pars. (12), (13). Pub. L. 100-175, § 182(b)(2)(B), which directed the redesignation of pars. (13) and (14) as (12) and (13), respectively, could not be executed because no pars. (13) and (14) had been enacted. A former par. (12) was redesignated (11).

Pars. (14) to (19). Pub. L. 100-175, §§ 144(a), 182(b)(2)(B), added pars. (15) to (20) and redesignated them as (14) to (19), respectively.

Par. (20). Pub. L. 100-175, § 182(b)(2)(B), (e)(1), added par. (20) and redesignated former par. (20) as (19).

Pub. L. 100-175, § 144(a), added par. (20).

Par. (21). Pub. L. 100-175, § 182(e)(1), added par. (21).

1984—Par. (2)(B). Pub. L. 98-459, § 302(1), substituted "employs, where feasible," for "employs", and inserted "to assess the needs and capacities of older individuals,".

Par. (4). Pub. L. 98-459, § 302(2), substituted "legal assistance" for "legal services".

Par. (6). Pub. L. 98-459, § 302(3), substituted "and the Commonwealth of the Northern Mariana Islands" for "and the Northern Mariana Islands".

Pars. (10) to (12). Pub. L. 98-459, § 302(4), added pars. (10) to (12).