

tion as to the duration of the waiver (not to exceed the duration of the State plan of the State). The Assistant Secretary, in granting such a waiver, shall specify the duration of the waiver, which may be the duration recommended by the State agency or such shorter time period as the Assistant Secretary finds to be appropriate.

(d) Reports to Secretary

With respect to each waiver granted under this section, not later than 1 year after the expiration of such waiver, and at any time during the waiver period that the Assistant Secretary may require, the State agency shall prepare and submit to the Assistant Secretary a report evaluating the impact of the waiver on the operation and effectiveness of programs and services provided under this subchapter.

(Pub. L. 89-73, title III, §316, as added Pub. L. 106-501, title III, §310, Nov. 13, 2000, 114 Stat. 2249.)

CODIFICATION

Pub. L. 106-501, §310, which directed the addition of this section at the end of Part A of title III (42 U.S.C. 3021 et seq.), was executed by adding this section at the end of Part A of title III of the Older Americans Act of 1965 to reflect the probable intent of Congress.

PART B—SUPPORTIVE SERVICES

§ 3030d. Grants for supportive services

(a) Grants

The Assistant Secretary shall carry out a program for making grants to States under State plans approved under section 3027 of this title for any of the following supportive services:

(1) health (including mental health), education and training, welfare, informational, recreational, homemaker, counseling, or referral services;

(2) transportation services to facilitate access to supportive services or nutrition services, and services provided by an area agency on aging, in conjunction with local transportation service providers, public transportation agencies, and other local government agencies, that result in increased provision of such transportation services for older individuals;

(3) services designed to encourage and assist older individuals to use the facilities and services (including information and assistance services) available to them, including language translation services to assist older individuals with limited-English speaking ability to obtain services under this subchapter;

(4) services designed (A) to assist older individuals to obtain adequate housing, including residential repair and renovation projects designed to enable older individuals to maintain their homes in conformity with minimum housing standards; (B) to adapt homes to meet the needs of older individuals who have physical disabilities; (C) to prevent unlawful entry into residences of older individuals, through the installation of security devices and through structural modifications or alterations of such residences; or (D) to assist older individuals in obtaining housing for which assistance is provided under programs of the Department of Housing and Urban Development;

(5) services designed to assist older individuals in avoiding institutionalization and to assist individuals in long-term care institutions who are able to return to their communities, including—

(A) client assessment, case management services, and development and coordination of community services;

(B) supportive activities to meet the special needs of caregivers, including caretakers who provide in-home services to frail older individuals; and

(C) in-home services and other community services, including home health, homemaker, shopping, escort, reader, and letter writing services, to assist older individuals to live independently in a home environment;

(6) services designed to provide to older individuals legal assistance and other counseling services and assistance, including—

(A) tax counseling and assistance, financial counseling, and counseling regarding appropriate health and life insurance coverage;

(B) representation—

(i) of individuals who are wards (or are allegedly incapacitated); and

(ii) in guardianship proceedings of older individuals who seek to become guardians, if other adequate representation is unavailable in the proceedings; and

(C) provision, to older individuals who provide uncompensated care to their adult children with disabilities, of counseling to assist such older individuals with permanency planning for such children;

(7) services designed to enable older individuals to attain and maintain physical and mental well-being through programs of regular physical activity, exercise, music therapy, art therapy, and dance-movement therapy;

(8) services designed to provide health screening (including mental health screening) to detect or prevent illnesses, or both, that occur most frequently in older individuals;

(9) services designed to provide, for older individuals, preretirement counseling and assistance in planning for and assessing future post-retirement needs with regard to public and private insurance, public benefits, lifestyle changes, relocation, legal matters, leisure time, and other appropriate matters;

(10) services of an ombudsman at the State level to receive, investigate, and act on complaints by older individuals who are residents of long-term care facilities and to advocate for the well-being of such individuals;

(11) provision of services and assistive devices (including provision of assistive technology services and assistive technology devices) which are designed to meet the unique needs of older individuals who are disabled, and of older individuals who provide uncompensated care to their adult children with disabilities;

(12) services to encourage the employment of older workers, including job and second career counseling and, where appropriate, job development, referral, and placement, and including the coordination of the services with pro-

grams administered by or receiving assistance from the Department of Labor, including programs carried out under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

(13) crime prevention services and victim assistance programs for older individuals;

(14) a program, to be known as “Senior Opportunities and Services”, designed to identify and meet the needs of low-income older individuals in one or more of the following areas: (A) development and provision of new volunteer services; (B) effective referral to existing health (including mental health), employment, housing, legal, consumer, transportation, and other services; (C) stimulation and creation of additional services and programs to remedy gaps and deficiencies in presently existing services and programs; and (D) such other services as the Assistant Secretary may determine are necessary or especially appropriate to meet the needs of low-income older individuals and to assure them greater self-sufficiency;

(15) services for the prevention of abuse of older individuals in accordance with subpart III of part A of subchapter XI of this chapter and section 3027(a)(12) of this title;

(16) inservice training and State leadership for legal assistance activities;

(17) health and nutrition education services, including information concerning prevention, diagnosis, treatment, and rehabilitation of age-related diseases and chronic disabling conditions;

(18) services designed to enable mentally impaired older individuals to attain and maintain emotional well-being and independent living through a coordinated system of support services;

(19) services designed to support family members and other persons providing voluntary care to older individuals that need long-term care services;

(20) services designed to provide information and training for individuals who are or may become guardians or representative payees of older individuals, including information on the powers and duties of guardians and representative payees and on alternatives to guardianships;

(21) services to encourage and facilitate regular interaction between students and older individuals, including services for older individuals with limited English proficiency and visits in long-term care facilities, multipurpose senior centers, and other settings;

(22) in-home services for frail older individuals, including individuals with Alzheimer’s disease and related disorders with neurological and organic brain dysfunction, and their families, including in-home services defined by a State agency in the State plan submitted under section 3027 of this title, taking into consideration the age, economic need, and noneconomic and nonhealth factors contributing to the frail condition and need for services of the individuals described in this paragraph, and in-home services defined by an area agency on aging in the area plan submitted under section 3026 of this title;

(23) services designed to support States, area agencies on aging, and local service providers

in carrying out and coordinating activities for older individuals with respect to mental health services, including outreach for, education concerning, and screening for such services, and referral to such services for treatment;

(24) activities to promote and disseminate information about life-long learning programs, including opportunities for distance learning; and

(25) any other services necessary for the general welfare of older individuals;

if such services meet standards prescribed by the Assistant Secretary and are necessary for the general welfare of older individuals. For purposes of paragraph (5), the term “client assessment through case management” includes providing information relating to assistive technology.

(b) Existing facilities

(1) The Assistant Secretary shall carry out a program for making grants to States under State plans approved under section 3027 of this title for the acquisition, alteration, or renovation of existing facilities, including mobile units, and, where appropriate, construction of facilities to serve as multipurpose senior centers.

(2) Funds made available to a State under this part may be used for the purpose of assisting in the operation of multipurpose senior centers and meeting all or part of the costs of compensating professional and technical personnel required for the operation of multipurpose senior centers.

(c) Coordination of services with other providers

In carrying out the provisions of this part, to more efficiently and effectively deliver services to older individuals, each area agency on aging shall coordinate services described in subsection (a) of this section with other community agencies and voluntary organizations providing the same services. In coordinating the services, the area agency on aging shall make efforts to coordinate the services with agencies and organizations carrying out intergenerational programs or projects.

(d) Relationship to other funding sources

Funds made available under this part shall supplement, and not supplant, any Federal, State, or local funds expended by a State or unit of general purpose local government (including an area agency on aging) to provide services described in subsection (a) of this section.

(Pub. L. 89-73, title III, §321, as added Pub. L. 95-478, title I, §103(b), Oct. 18, 1978, 92 Stat. 1535; amended Pub. L. 97-115, §§3(d), 10(a)-(c), Dec. 29, 1981, 95 Stat. 1597, 1600; Pub. L. 98-459, title III, §312, Oct. 9, 1984, 98 Stat. 1779; Pub. L. 100-175, title I, §§136(d), 146(b), 182(m), Nov. 29, 1987, 101 Stat. 943, 950, 967; Pub. L. 102-375, title III, §312, title VII, §708(b), title IX, §904(a)(15), Sept. 30, 1992, 106 Stat. 1237, 1292, 1308; Pub. L. 103-171, §§2(12), 3(a)(13), Dec. 2, 1993, 107 Stat. 1989, 1990; Pub. L. 106-501, title III, §311, title VIII, §801(c)(5), Nov. 13, 2000, 114 Stat. 2251, 2292; Pub. L. 109-365, title III, §311, Oct. 17, 2006, 120 Stat. 2547.)

REFERENCES IN TEXT

The Workforce Investment Act of 1998, referred to in subsec. (a)(12), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, as amended. Title I of the Act is classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of Title 20, Education, and Tables.

AMENDMENTS

2006—Subsec. (a)(8). Pub. L. 109-365, §311(1), inserted “(including mental health screening)” after “provide health screening”.

Subsec. (a)(11). Pub. L. 109-365, §311(2), substituted “provision of services and assistive devices (including provision of assistive technology services and assistive technology devices)” for “services”.

Subsec. (a)(14)(B). Pub. L. 109-365, §311(3), inserted “(including mental health)” after “existing health”.

Subsec. (a)(21). Pub. L. 109-365, §311(4), substituted “students” for “school-age children” and inserted “services for older individuals with limited English proficiency and” after “including”.

Subsec. (a)(23) to (25). Pub. L. 109-365, §311(5)–(7), added pars. (23) and (24) and redesignated former par. (23) as (25).

2000—Subsec. (a)(2). Pub. L. 106-501, §311(1)(A), substituted “and services provided by an area agency on aging, in conjunction with local transportation service providers, public transportation agencies, and other local government agencies, that result in increased provision of such transportation services for older individuals” for “or both”.

Subsec. (a)(4). Pub. L. 106-501, §311(1)(B), substituted “or (D) to assist older individuals in obtaining housing for which assistance is provided under programs of the Department of Housing and Urban Development;” for “or (D) to receive applications from older individuals for housing under section 1701q of title 12;”.

Subsec. (a)(5). Pub. L. 106-501, §311(1)(C), substituted “including—” and subpars. (A) to (C) for “including client assessment through case management and integration and coordination of community services such as preinstitution evaluation and screening and home health services, homemaker services, shopping services, escort services, reader services, and letter writing services, through resource development and management to assist such individuals to live independently in a home environment;”.

Subsec. (a)(12). Pub. L. 106-501, §311(1)(D), inserted before semicolon at end “, and including the coordination of the services with programs administered by or receiving assistance from the Department of Labor, including programs carried out under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)”.

Subsec. (a)(15). Pub. L. 106-501, §801(c)(5), substituted “section 3027(a)(12)” for “section 3027(a)(16)”.

Subsec. (a)(22). Pub. L. 106-501, §311(1)(E), (F), added par. (22). Former par. (22) redesignated (23).

Subsec. (a)(23). Pub. L. 106-501, §311(1)(G), (H), redesignated par. (22) as (23) and inserted “necessary for the general welfare of older individuals” before semicolon at end.

Subsecs. (c), (d). Pub. L. 106-501, §311(2), added subsecs. (c) and (d).

1993—Subsec. (a). Pub. L. 103-171, §3(a)(13), substituted “Assistant Secretary” for “Commissioner” in introductory and concluding provisions and in par. (14).

Subsec. (a)(15). Pub. L. 103-171, §2(12), which directed amendment of par. (15) by substituting “subpart III of part A of subchapter XI of this chapter and section 3027(a)(16) of this title” for “clause (16) of section 3027(a) of this title”, was executed by making the substitution for “paragraph (16) of section 3027(a) of this title” to reflect the probable intent of Congress and amendment by Pub. L. 102-375, §904(a)(15)(C). See 1992 Amendment note below.

Subsec. (b)(1). Pub. L. 103-171, §3(a)(13), substituted “Assistant Secretary” for “Commissioner”.

1992—Subsec. (a)(3). Pub. L. 102-375, §312(1), (2), inserted “(including information and assistance services)” after “and services” and “, including language translation services to assist older individuals with limited-English speaking ability to obtain services under this subchapter” before semicolon at end.

Subsec. (a)(4)(C). Pub. L. 102-375, §904(a)(15)(A), substituted “residences of older” for “residences of elderly”.

Subsec. (a)(4)(D). Pub. L. 102-375, §312(3), added subpar. (D).

Subsec. (a)(6). Pub. L. 102-375, §312(4), amended par. (6) generally. Prior to amendment, par. (6) read as follows: “services designed to provide legal assistance and other counseling services and assistance, including tax counseling and assistance, financial counseling, and counseling regarding appropriate health and life insurance coverage, to older individuals;”.

Subsec. (a)(7). Pub. L. 102-375, §312(5), substituted “physical activity, exercise, music therapy, art therapy, and dance-movement therapy” for “physical activity and exercise”.

Subsec. (a)(9). Pub. L. 102-375, §312(6), substituted “, for older individuals, preretirement counseling and assistance in planning for and assessing future post-retirement needs with regard to public and private insurance, public benefits, lifestyle changes, relocation, legal matters, leisure time, and other appropriate matters” for “preretirement and second career counseling for older individuals”.

Subsec. (a)(11). Pub. L. 102-375, §312(7), inserted before semicolon at end “, and of older individuals who provide uncompensated care to their adult children with disabilities”.

Subsec. (a)(12). Pub. L. 102-375, §312(8), inserted “and second career” after “including job”.

Subsec. (a)(14). Pub. L. 102-375, §904(a)(15)(B)(i), substituted “low-income older individuals” for “older, poor individuals 60 years of age or older”.

Subsec. (a)(14)(D). Pub. L. 102-375, §904(a)(15)(B)(ii), substituted “low-income older individuals” for “the older poor”.

Subsec. (a)(15). Pub. L. 102-375, §904(a)(15)(C), substituted “paragraph” for “clause”.

Pub. L. 102-375, §708(b), which directed the substitution of “subpart III of part A of subchapter XI of this chapter and section 3027(a)(16) of this title” for “clause (16) of section 3027(a) of this title” in par. (15) of this section could not be executed because this section does not contain a par. (15).

Subsec. (a)(17). Pub. L. 102-375, §312(9), inserted before semicolon at end “, including information concerning prevention, diagnosis, treatment, and rehabilitation of age-related diseases and chronic disabling conditions”.

Subsec. (a)(19) to (22). Pub. L. 102-375, §312(10)–(12), added pars. (19) to (21) and redesignated former par. (19) as (22).

1987—Subsec. (a). Pub. L. 100-175, §146(b), inserted sentence at end defining “client assessment through case management” for purposes of par. (5).

Subsec. (a)(1). Pub. L. 100-175, §136(d)(1), inserted “(including mental health)” after “health”.

Subsec. (a)(4)(B). Pub. L. 100-175, §136(d)(2), substituted “who have physical disabilities” for “suffering from physical disabilities”.

Subsec. (a)(10). Pub. L. 100-175, §182(m), inserted “for” after “advocate”.

1984—Subsec. (a)(5). Pub. L. 98-459, §312(a)(1), in amending par. (5) generally, substituted “services designed to assist older individuals in avoiding institutionalization and to assist individuals in long-term care institutions who are able to return to their communities, including client assessment through case management and integration and coordination of community services such as” for “services designed to assist older individuals in avoiding institutionalization, including” and “and letter writing services, through resource development and management to assist such individuals to live” for “letter writing services, and other similar services designed to assist such individuals to continue living”.

Subsec. (a)(6). Pub. L. 98-459, §312(a)(2), substituted "legal assistance" for "legal services" and "financial counseling, and counseling regarding appropriate health and life insurance coverage" for "and financial counseling".

Subsec. (a)(8). Pub. L. 98-459, §312(a)(3), substituted "illnesses" for "illness".

Subsec. (a)(15) to (19). Pub. L. 98-459, §312(a)(4)-(6), added pars. (15) to (18) and redesignated former par. (15) as (19).

Subsec. (b)(1). Pub. L. 98-459, §312(b)(1), struck out provision that senior centers had to be community facilities for the organization and provision of a broad spectrum of services, including provision of health, social, nutritional, and educational services and provision of facilities for recreational activities for older individuals.

Subsec. (b)(2). Pub. L. 98-459, §312(b)(2), struck out the comma after "may be used" and substituted "centers and meeting" for "centers, to meet".

1981—Subsec. (a). Pub. L. 97-115, §3(d), substituted "supportive services" for "social services" in provisions preceding par. (1).

Subsec. (a)(1). Pub. L. 97-115, §10(a), substituted "education and training" for "continuing education".

Subsec. (a)(2). Pub. L. 97-115, §3(d), substituted "supportive services" for "social services".

Subsec. (a)(4). Pub. L. 97-115, §10(b), designated existing provisions as cls. (A) and (B) and added cl. (C).

Subsec. (a)(12) to (15). Pub. L. 97-115, §10(c), added pars. (12) to (14) and redesignated former par. (12) as (15).

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by section 708(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(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.

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.

PART C—NUTRITION SERVICES

§ 3030d-21. Purposes

The purposes of this part are—

- (1) to reduce hunger and food insecurity;
- (2) to promote socialization of older individuals; and
- (3) to promote the health and well-being of older individuals by assisting such individuals to gain access to nutrition and other disease prevention and health promotion services to delay the onset of adverse health conditions resulting from poor nutritional health or sedentary behavior.

(Pub. L. 89-73, title III, §330, as added Pub. L. 109-365, title III, §312, Oct. 17, 2006, 120 Stat. 2547.)

SUBPART I—CONGREGATE NUTRITION SERVICES

§ 3030e. Grants for establishment and operation of nutrition projects

The Assistant Secretary shall carry out a program for making grants to States under State plans approved under section 3027 of this title for the establishment and operation of nutrition projects that—

(1) 5 or more days a week (except in a rural area where such frequency is not feasible (as defined by the Assistant Secretary by regulation) and a lesser frequency is approved by the State agency), provide at least one hot or other appropriate meal per day and any additional meals which the recipient of a grant or contract under this subpart may elect to provide;

(2) shall be provided in congregate settings, including adult day care facilities and multi-generational meal sites; and

(3) provide nutrition education, nutrition counseling, and other nutrition services, as appropriate, based on the needs of meal participants.

(Pub. L. 89-73, title III, §331, as added Pub. L. 95-478, title I, §103(b), Oct. 18, 1978, 92 Stat. 1536; amended Pub. L. 102-375, title III, §313, Sept. 30, 1992, 106 Stat. 1238; Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 106-501, title III, §312(c), Nov. 13, 2000, 114 Stat. 2252; Pub. L. 109-365, title III, §313, Oct. 17, 2006, 120 Stat. 2548.)

AMENDMENTS

2006—Pub. L. 109-365, §313(1), substituted "projects that—" for "projects—" in introductory provisions.

Par. (1). Pub. L. 109-365, §313(2), struck out "which," before "5 or more days".

Par. (2). Pub. L. 109-365, §313(3), struck out "which" before "shall be provided".

Par. (3). Pub. L. 109-365, §313(4), added par. (3) and struck out former par. (3) which read as follows: "which may include nutrition education services and other appropriate nutrition services for older individuals."

2000—Par. (2). Pub. L. 106-501 inserted "including adult day care facilities and multigenerational meal sites" before semicolon.

1993—Pub. L. 103-171 substituted "Assistant Secretary" for "Commissioner" in introductory provisions and par. (1).

1992—Par. (1). Pub. L. 102-375 inserted "(except in a rural area where such frequency is not feasible (as defined by the Commissioner by regulation) and a lesser frequency is approved by the State agency)" after "week" and struck out before semicolon at end "each of which assures a minimum of one-third of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council".

EFFECTIVE DATE

Subpart 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.

NUTRITION PROJECTS FOR ELDERLY UNDER PRIOR PROVISIONS, QUALIFIED UNDER SUCCESSOR PROVISIONS, ELIGIBLE FOR FUNDS UNDER SUCH PROVISIONS; DISCONTINUANCE OF PAYMENTS FOR INEFFECTIVE ACTIVITIES

Operation of predecessor projects under successor provisions, see section 501(b) of Pub. L. 95-478, set out as a note under section 3045 of this title.