

which is subpart 3 of part C of title III of the Act, by repealing prior section 3030g-21, and inserting this section, to reflect the probable intent of Congress and the redesignation of subpart 4 of part C of title III of the Act as subpart 3 by Pub. L. 106-501, §312(b).

#### PRIOR PROVISIONS

A prior section 3030g-21, Pub. L. 89-73, title III, §339, as added Pub. L. 102-375, title III, §317, Sept. 30, 1992, 106 Stat. 1241, related to compliance with dietary guidelines prior to repeal by Pub. L. 106-501, title III, §313, Nov. 13, 2000, 114 Stat. 2252. See Codification note above.

#### AMENDMENTS

2016—Par. (1). Pub. L. 114-144, §4(i)(1), substituted “utilize” for “solicit”.

Par. (2)(L). Pub. L. 114-144, §4(i)(2), added subpar. (L).

2006—Par. (1). Pub. L. 109-365, §316(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “solicit the advice of a dietitian or individual with comparable expertise in the planning of nutritional services, and”.

Par. (2)(A)(i). Pub. L. 109-365, §316(2)(A)(i), amended cl. (i) generally. Prior to amendment, cl. (i) read as follows: “comply with the Dietary Guidelines for Americans, published by the Secretary and the Secretary of Agriculture.”

Par. (2)(A)(ii)(I). Pub. L. 109-365, §316(2)(A)(ii), substituted “dietary reference intakes” for “daily recommended dietary allowances as”.

Par. (2)(D). Pub. L. 109-365, §316(2)(B), inserted “joint” after “encourages”.

Par. (2)(G). Pub. L. 109-365, §316(2)(C), amended subpar. (G) generally. Prior to amendment, subpar. (G) read as follows: “ensures that meal providers carry out such project with the advice of dietitians (or individuals with comparable expertise), meal participants, and other individuals knowledgeable with regard to the needs of older individuals.”

Par. (2)(H). Pub. L. 109-365, §316(2)(D), struck out “and accompany” after “home with”.

Par. (2)(J), (K). Pub. L. 109-365, §316(2)(E), (F), added subpars. (J) and (K) and struck out former subpar. (J) which read as follows: “provide for nutrition screening and, where appropriate, for nutrition education and counseling.”

#### § 3030g-22. Payment requirement

Payments made by a State agency or an area agency on aging for nutrition services (including meals) provided under part A, B, or C may not be reduced to reflect any increase in the level of assistance provided under section 3030a of this title.

(Pub. L. 89-73, title III, §339A, as added Pub. L. 102-375, title III, §317, Sept. 30, 1992, 106 Stat. 1241.)

#### PRIOR PROVISIONS

Prior sections 3030h to 3030l were repealed by Pub. L. 106-501, title III, §314(1), Nov. 13, 2000, 114 Stat. 2253.

Section 3030h, Pub. L. 89-73, title III, §341, as added Pub. L. 100-175, title I, §140(d), Nov. 29, 1987, 101 Stat. 945; amended Pub. L. 102-375, title I, §102(b)(6), (10)(C), Sept. 30, 1992, 106 Stat. 1201, 1202; Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990, authorized a grant program for States.

Section 3030i, Pub. L. 89-73, title III, §342, as added Pub. L. 100-175, title I, §140(d), Nov. 29, 1987, 101 Stat. 945; amended Pub. L. 102-375, title I, §102(b)(7), title III, §318, Sept. 30, 1992, 106 Stat. 1201, 1241, defined “in-home services”.

Section 3030j, Pub. L. 89-73, title III, §343, as added Pub. L. 100-175, title I, §140(d), Nov. 29, 1987, 101 Stat. 945, provided for the State agency to develop eligibility criteria.

Section 3030k, Pub. L. 89-73, title III, §344, as added Pub. L. 100-175, title I, §140(d), Nov. 29, 1987, 101 Stat. 946, required that funds available under former part D of this subchapter be in addition to funds otherwise expended.

Section 3030l, Pub. L. 89-73, title III, §351, as added Pub. L. 100-175, title I, §141(d), Nov. 29, 1987, 101 Stat. 946; amended Pub. L. 102-375, title VII, §708(a)(2)(C), Sept. 30, 1992, 106 Stat. 1292; Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990, authorized program of grants to satisfy special needs of older individuals.

#### PART D—EVIDENCE-BASED DISEASE PREVENTION AND HEALTH PROMOTION SERVICES

##### CODIFICATION

Pub. L. 114-144, §4(j)(1), Apr. 19, 2016, 130 Stat. 340, inserted “Evidence-Based” before “Disease” in part heading.

Pub. L. 106-501, title III, §314(2), Nov. 13, 2000, 114 Stat. 2253, redesignated part F of this subchapter as part D.

##### PRIOR PROVISIONS

A prior part D, consisting of sections 3030h to 3030k of this title, related to in-home services for frail older individuals, prior to repeal by Pub. L. 106-501, title III, §314(1), Nov. 13, 2000, 114 Stat. 2253. See prior provisions notes under section 3030g-22 of this title.

#### § 3030m. Program authorized

##### (a) Grants to States

The Assistant Secretary shall carry out a program for making grants to States under State plans approved under section 3027 of this title to provide evidence-based disease prevention and health promotion services and information at multipurpose senior centers, at congregate meal sites, through home delivered meals programs, or at other appropriate sites. In carrying out such program, the Assistant Secretary shall consult with the Directors of the Centers for Disease Control and Prevention and the National Institute on Aging.

##### (b) Community organizations and agencies

The Assistant Secretary shall, to the extent possible, assure that services provided by other community organizations and agencies are used to carry out the provisions of this part.

##### (c) Improving indoor air quality

The Assistant Secretary shall work in consultation with qualified experts to provide information on methods of improving indoor air quality in buildings where older individuals congregate.

(Pub. L. 89-73, title III, §361, as added Pub. L. 100-175, title I, §143(c), Nov. 29, 1987, 101 Stat. 947; amended Pub. L. 102-375, title III, §319(a), Sept. 30, 1992, 106 Stat. 1241; Pub. L. 103-171, §§2(13), 3(a)(13), Dec. 2, 1993, 107 Stat. 1989, 1990; Pub. L. 109-365, title III, §319, Oct. 17, 2006, 120 Stat. 2551; Pub. L. 114-144, §4(j)(2), Apr. 19, 2016, 130 Stat. 340.)

##### AMENDMENTS

2016—Subsec. (a). Pub. L. 114-144 inserted “evidence-based” after “to provide”.

2006—Subsec. (c). Pub. L. 109-365 added subsec. (c).

1993—Subsec. (a). Pub. L. 103-171, §§2(13), 3(a)(13), substituted “Assistant Secretary” for “Commissioner” in two places and inserted “and Prevention” after “Control”.

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

1992—Subsec. (a). Pub. L. 102-375, §319(a)(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Commissioner shall carry out a program for making grants to States under State plans approved under section 3027 of this title for periodic preventive health services to be provided at senior centers or alternative sites as appropriate.”

Subsecs. (b), (c). Pub. L. 102-375, §319(a)(2), (3), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: “Preventive health services under this part may not include services eligible for reimbursement under Medicare.”

#### EFFECTIVE DATE

Part 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 an Effective Date of 1987 Amendment note under section 3001 of this title.

#### § 3030n. Distribution to area agencies on aging

The State agency shall give priority, in carrying out this part, to areas of the State—

- (1) which are medically underserved; and
- (2) in which there are a large number of older individuals who have the greatest economic need for such services.

(Pub. L. 89-73, title III, §362, as added Pub. L. 100-175, title I, §143(c), Nov. 29, 1987, 101 Stat. 948; amended Pub. L. 102-375, title I, §102(b)(10)(G), Sept. 30, 1992, 106 Stat. 1202.)

#### PRIOR PROVISIONS

Prior sections 3030o to 3030r were repealed by Pub. L. 106-501, title III, §§315, 316(1), Nov. 13, 2000, 114 Stat. 2253.

Section 3030o, Pub. L. 89-73, title III, §363, as added Pub. L. 100-175, title I, §143(c), Nov. 29, 1987, 101 Stat. 948; amended Pub. L. 102-375, title III, §319(b), Sept. 30, 1992, 106 Stat. 1242; Pub. L. 103-382, title III, §391(r)(2), Oct. 20, 1994, 108 Stat. 4024, defined “disease prevention and health promotion services”.

Section 3030p, Pub. L. 89-73, title III, §381, as added Pub. L. 102-375, title III, §320, Sept. 30, 1992, 106 Stat. 1243; amended Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990, authorized grant program for States to provide supportive activities for caretakers who provide in-home services to frail older individuals.

Another prior section 3030p, Pub. L. 89-73, title III, §371, as added Pub. L. 100-175, title I, §144(e), Nov. 29, 1987, 101 Stat. 949, authorized program for prevention of abuse, neglect and exploitation of older individuals, prior to the general amendment of former part G of this subchapter by section 320 of Pub. L. 102-375.

Section 3030q, Pub. L. 89-73, title III, §382, as added Pub. L. 102-375, title III, §320, Sept. 30, 1992, 106 Stat. 1243, defined “in-home services”.

Section 3030r, Pub. L. 89-73, title III, §383, as added Pub. L. 102-375, title III, §320, Sept. 30, 1992, 106 Stat. 1243, required that funds available under former part G of this subchapter be in addition to funds otherwise expended.

#### AMENDMENTS

1992—Pub. L. 102-375 substituted “area agencies on aging” for “area agencies” in section catchline.

#### PART E—NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM

#### PRIOR PROVISIONS

A prior part E, consisting of section 3030l of this title, related to authorization of grant program for States to

provide additional assistance for special needs of older individuals, prior to repeal by Pub. L. 106-501, title III, §314(1), Nov. 13, 2000, 114 Stat. 2253. See Prior Provisions note set out under section 3030g-22 of this title.

A prior part F of this subchapter, consisting of sections 3030m to 3030o of this title, was redesignated part D of this subchapter.

A prior part G of this subchapter consisting of sections 3030p to 3030r of this title, related to supportive activities for caretakers who provide in-home services to frail older individuals, prior to repeal by Pub. L. 106-501, title III, §316(1), Nov. 13, 2000, 114 Stat. 2253. See Prior Provisions notes set out under section 3030n of this title.

#### § 3030s. Definitions

##### (a) In general

In this part:

##### (1) Child

The term “child” means an individual who is not more than 18 years of age.

##### (2) Individual with a disability

The term “individual with a disability” means an individual with a disability, as defined in section 12102 of this title, who is not less than age 18 and not more than age 59.

##### (3) Older relative caregiver

The term “older relative caregiver” means a caregiver who—

(A)(i) is age 55 or older; and

(ii) lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child or an individual with a disability;

(B) in the case of a caregiver for a child—

(i) is the grandparent, stepgrandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the child;

(ii) is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and

(iii) has a legal relationship to the child, such as legal custody, adoption, or guardianship, or is raising the child informally; and

(C) in the case of a caregiver for an individual with a disability, is the parent, grandparent, or other relative by blood, marriage, or adoption, of the individual with a disability.

##### (b) Rule

In providing services under this part, for family caregivers who provide care for individuals with Alzheimer’s disease and related disorders with neurological and organic brain dysfunction, the State involved shall give priority to caregivers who provide care for older individuals with such disease or disorder.

(Pub. L. 89-73, title III, §372, as added Pub. L. 106-501, title III, §316(2), Nov. 13, 2000, 114 Stat. 2254; amended Pub. L. 109-365, title III, §320, Oct. 17, 2006, 120 Stat. 2551; Pub. L. 114-144, §4(k)(2), (m), Apr. 19, 2016, 130 Stat. 340, 341.)

#### AMENDMENTS

2016—Pub. L. 114-144, §4(m), substituted “this part” for “this subpart” in introductory provisions.