

Subsec. (a)(1). Pub. L. 114-144, §4(k)(2)(A)(i), struck out “or who is an individual with a disability” before period at end.

Subsec. (a)(2), (3). Pub. L. 114-144, §4(k)(2)(A)(ii), added pars. (2) and (3) and struck out former par. (2) which defined grandparent or older individual who is a relative caregiver.

Subsec. (b). Pub. L. 114-144, §4(k)(2)(B), substituted “this part,” for “this subpart—”, struck out par. (1) designation before “for family caregivers”, and struck out par. (2) which read as follows: “for grandparents or older individuals who are relative caregivers, the State involved shall give priority to caregivers who provide care for children with severe disabilities.”

2006—Pub. L. 109-365 designated existing provisions as subsec. (a) and inserted heading, inserted “or who is an individual with a disability” after “age” in par. (1), substituted “a child by blood, marriage, or adoption” for “a child by blood or marriage” and “55 years” for “60 years” in par. (3), redesignated par. (3) as (2), struck out former par. (2) which defined term “family caregiver”, and added subsec. (b).

SHORT TITLE

For short title of this part as the “National Family Caregiver Support Act”, see section 371 of Pub. L. 89-73, set out as a Short Title note under section 3001 of this title.

§ 3030s-1. Program authorized

(a) In general

The Assistant Secretary shall carry out a program for making grants to States with State plans approved under section 3027 of this title, to pay for the Federal share of the cost of carrying out State programs, to enable area agencies on aging, or entities that such area agencies on aging contract with, to provide multifaceted systems of support services—

- (1) for family caregivers; and
- (2) for older relative caregivers.

(b) Support services

The services provided, in a State program under subsection (a) of this section, by an area agency on aging, or entity that such agency has contracted with, shall include—

- (1) information to caregivers about available services;
- (2) assistance to caregivers in gaining access to the services;
- (3) individual counseling, organization of support groups, and caregiver training to assist the caregivers in the areas of health, nutrition, and financial literacy, and in making decisions and solving problems relating to their caregiving roles;
- (4) respite care to enable caregivers to be temporarily relieved from their caregiving responsibilities; and
- (5) supplemental services, on a limited basis, to complement the care provided by caregivers.

(c) Population served; priority

(1) Population served

Services under a State program under this part shall be provided to family caregivers, and older relative caregivers, who—

- (A) are described in paragraph (1) or (2) of subsection (a) of this section; and
- (B) with regard to the services specified in paragraphs (4) and (5) of subsection (b) of this section, in the case of a caregiver de-

scribed in paragraph (1), is providing care to an older individual who meets the condition specified in subparagraph (A)(i) or (B) of section 3002(22) of this title.

(2) Priority

In providing services under this part, the State, in addition to giving the priority described in section 3030s(b) of this title, shall give priority—

- (A) to caregivers who are older individuals with greatest social need, and older individuals with greatest economic need (with particular attention to low-income older individuals); and
- (B) to older relative caregivers of children with severe disabilities, or individuals with disabilities who have severe disabilities.

(d) Use of volunteers

In carrying out this part, each area agency on aging shall make use of trained volunteers to expand the provision of the available services described in subsection (b) and, if possible, work in coordination with organizations that have experience in providing training, placement, and stipends for volunteers or participants (such as organizations carrying out Federal service programs administered by the Corporation for National and Community Service), in community service settings.

(e) Quality standards and mechanisms and accountability

(1) Quality standards and mechanisms

The State shall establish standards and mechanisms designed to assure the quality of services provided with assistance made available under this part.

(2) Data and records

The State shall collect data and maintain records relating to the State program in a standardized format specified by the Assistant Secretary. The State shall furnish the records to the Assistant Secretary, at such time as the Assistant Secretary may require, in order to enable the Assistant Secretary to monitor State program administration and compliance, and to evaluate and compare the effectiveness of the State programs.

(3) Reports

The State shall prepare and submit to the Assistant Secretary reports on the data and records required under paragraph (2), including information on the services funded under this part, and standards and mechanisms by which the quality of the services shall be assured. The reports shall describe any mechanisms used in the State to provide to persons who are family caregivers, or older relative caregivers, information about and access to various services so that the persons can better carry out their care responsibilities.

(f) Caregiver allotment

(1) In general

(A) From sums appropriated under section 3023(e) of this title for a fiscal year, the Assistant Secretary shall allot amounts among the States proportionately based on the popu-

lation of individuals 70 years of age or older in the States.

(B) In determining the amounts allotted to States from the sums appropriated under section 3023 of this title for a fiscal year, the Assistant Secretary shall first determine the amount allotted to each State under subparagraph (A) and then proportionately adjust such amounts, if necessary, to meet the requirements of paragraph (2).

(C) The number of individuals 70 years of age or older in any State and in all States shall be determined by the Assistant Secretary on the basis of the most recent data available from the Bureau of the Census and other reliable demographic data satisfactory to the Assistant Secretary.

(2) Minimum allotment

(A) The amounts allotted under paragraph (1) shall be reduced proportionately to the extent necessary to increase other allotments under such paragraph to achieve the amounts described in subparagraph (B).

(B)(i) Each State shall be allotted $\frac{1}{2}$ of 1 percent of the amount appropriated for the fiscal year for which the determination is made.

(ii) Guam and the Virgin Islands of the United States shall each be allotted $\frac{1}{4}$ of 1 percent of the amount appropriated for the fiscal year for which the determination is made.

(iii) American Samoa and the Commonwealth of the Northern Mariana Islands shall each be allotted $\frac{1}{6}$ of 1 percent of the amount appropriated for the fiscal year for which the determination is made.

(C) For the purposes of subparagraph (B)(i), the term “State” does not include Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

(g) Availability of funds

(1) Use of funds for administration of area plans

Amounts made available to a State to carry out the State program under this part may be used, in addition to amounts available in accordance with section 3023(c)(1) of this title, for costs of administration of area plans.

(2) Federal share

(A) In general

Notwithstanding section 3024(d)(1)(D) of this title, the Federal share of the cost of carrying out a State program under this part shall be 75 percent.

(B) Non-Federal share

The non-Federal share of the cost shall be provided from State and local sources.

(C) Limitation

A State may use not more than 10 percent of the total Federal and non-Federal share available to the State to provide support services to older relative caregivers.

(Pub. L. 89-73, title III, §373, as added Pub. L. 106-501, title III, §316(2), Nov. 13, 2000, 114 Stat. 2254; amended Pub. L. 109-365, title III, §321, Oct. 17, 2006, 120 Stat. 2551; Pub. L. 114-144, §4(l), (m), Apr. 19, 2016, 130 Stat. 341.)

AMENDMENTS

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

Subsec. (a)(2). Pub. L. 114-144, §4(l)(1), substituted “older relative caregivers.” for “grandparents or older individuals who are relative caregivers.”

Subsec. (c)(1). Pub. L. 114-144, §4(l)(2)(A), in introductory provisions, substituted “older relative caregivers, who” for “grandparents and older individuals who are relative caregivers, and who”.

Subsec. (c)(2)(B). Pub. L. 114-144, §4(l)(2)(B), substituted “to older relative caregivers of children with severe disabilities, or individuals with disabilities who have severe disabilities” for “to older individuals providing care to individuals with severe disabilities, including children with severe disabilities”.

Subsec. (e)(3). Pub. L. 114-144, §4(l)(3), substituted “older relative caregivers” for “grandparents or older individuals who are relative caregivers”.

Subsec. (f)(1)(A). Pub. L. 114-144, §4(l)(4), substituted “for a fiscal year” for “for fiscal years 2007, 2008, 2009, 2010, and 2011”.

Subsec. (g)(2)(C). Pub. L. 114-144, §4(l)(5), substituted “older relative caregivers” for “grandparents and older individuals who are relative caregivers of a child who is not more than 18 years of age”.

2006—Subsec. (b)(3). Pub. L. 109-365, §321(1), substituted “assist the caregivers in the areas of health, nutrition, and financial literacy, and in making decisions and solving problems relating to their caregiving roles;” for “caregivers to assist the caregivers in making decisions and solving problems relating to their caregiving roles;”.

Subsec. (c)(1)(B). Pub. L. 109-365, §321(2)(A), substituted “subparagraph (A)(i) or (B) of section 3002(22)” for “subparagraph (A)(i) or (B) of section 3002(28)”.

Subsec. (c)(2). Pub. L. 109-365, §321(2)(B), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “In providing services under this subpart, the State shall give priority for services to older individuals with greatest social and economic need, (with particular attention to low-income older individuals) and older individuals providing care and support to persons with mental retardation and related developmental disabilities (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001)) (referred to in this subpart as “developmental disabilities”).”

Subsec. (d). Pub. L. 109-365, §321(3), amended subsec. (d) generally. Prior to amendment, text read as follows: “In carrying out this subpart, each area agency on aging shall coordinate the activities of the agency, or entity that such agency has contracted with, with the activities of other community agencies and voluntary organizations providing the types of services described in subsection (b) of this section.”

Subsec. (e)(3). Pub. L. 109-365, §321(4), inserted at end “The reports shall describe any mechanisms used in the State to provide to persons who are family caregivers, or grandparents or older individuals who are relative caregivers, information about and access to various services so that the persons can better carry out their care responsibilities.”

Subsec. (f)(1)(A). Pub. L. 109-365, §321(5), substituted “2007, 2008, 2009, 2010, and 2011” for “2001 through 2005”.

Subsec. (g)(2)(C). Pub. L. 109-365, §321(6), inserted “of a child who is not more than 18 years of age” before period at end.

§ 3030s-2. Maintenance of effort

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 section 3030s-1 of this title.

(Pub. L. 89-73, title III, §374, as added Pub. L. 106-501, title III, §316(2), Nov. 13, 2000, 114 Stat.