

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Prior sections 3030o to 3030r were repealed by Pub.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.

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-