

Subsec. (h)(4)(A). Pub. L. 103-171, §3(a)(9)(A), substituted "Director of the Office of Long-Term Care Ombudsman Programs" for "Associate Commissioner for Ombudsman Programs".

Subsec. (j)(1). Pub. L. 103-171, §3(a)(9)(B), substituted "Assistant Secretary" for "Commissioner".

§ 3058h. Regulations

The Assistant Secretary shall issue and periodically update regulations respecting—

- (1) conflicts of interest by persons described in subparagraphs (A) and (B) of section 3058g(f)(1) of this title; and
- (2) the relationships described in clauses (i) through (vi) of section 3058g(f)(1)(C) of this title.

(Pub. L. 89-73, title VII, §713, as added Pub. L. 102-375, title VII, §702, Sept. 30, 1992, 106 Stat. 1282; amended Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 114-144, §8(d), Apr. 19, 2016, 130 Stat. 351.)

AMENDMENTS

2016—Par. (1). Pub. L. 114-144, §8(d)(1), substituted "subparagraphs (A) and (B) of section 3058g(f)(1)" for "paragraphs (1) and (2) of section 3058g(f)".

Par. (2). Pub. L. 114-144, §8(d)(2), substituted "clauses (i) through (vi) of section 3058g(f)(1)(C)" for "subparagraphs (A) through (D) of section 3058g(f)(3)".

1993—Pub. L. 103-171 substituted "Assistant Secretary" for "Commissioner".

SUBPART III—PROGRAMS FOR PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION

§ 3058i. Prevention of elder abuse, neglect, and exploitation

(a) Establishment

In order to be eligible to receive an allotment under section 3058b of this title from funds appropriated under section 3058a of this title and made available to carry out this subpart, a State agency shall, in accordance with this section, and in consultation with area agencies on aging, develop and enhance programs to address elder abuse, neglect, and exploitation.

(b) Use of allotments

The State agency shall use an allotment made under subsection (a) of this section to carry out, through the programs described in subsection (a) of this section, activities to develop, strengthen, and carry out programs for the prevention, detection, assessment, and treatment of, intervention in, investigation of, and response to elder abuse, neglect, and exploitation, including—

- (1) providing for public education and outreach to identify and prevent elder abuse, neglect, and exploitation;
- (2) providing for public education and outreach to promote financial literacy and prevent identity theft and financial exploitation of older individuals;
- (3) ensuring the coordination of services provided by area agencies on aging with services instituted under the State adult protection service program, State and local law enforcement systems, and courts of competent jurisdiction;
- (4) promoting the development of information and data systems, including elder abuse

reporting systems, to quantify the extent of elder abuse, neglect, and exploitation in the State;

(5) promoting the submission of data on elder abuse, neglect, and exploitation for the appropriate database of the Administration or another database specified by the Assistant Secretary;

(6) conducting analyses of State information concerning elder abuse, neglect, and exploitation and identifying unmet service, enforcement, or intervention needs;

(7) conducting training for individuals, including caregivers described in part E of subchapter III, professionals, and paraprofessionals, in relevant fields on the identification, prevention, and treatment of elder abuse, neglect, and exploitation, with particular focus on prevention and enhancement of self-determination and autonomy;

(8) providing technical assistance to programs that provide or have the potential to provide services for victims of elder abuse, neglect, and exploitation and for family members of the victims;

(9) conducting special and on-going training, for individuals involved in serving victims of elder abuse, neglect, and exploitation, on the topics of self-determination, individual rights, State and Federal requirements concerning confidentiality, and other topics determined by a State agency to be appropriate;

(10) promoting the development of an elder abuse, neglect, and exploitation system—

- (A) that includes a State elder abuse, neglect, and exploitation law that includes provisions for immunity, for persons reporting instances of elder abuse, neglect, and exploitation, from prosecution arising out of such reporting, under any State or local law;
- (B) under which a State agency—

(i) on receipt of a report of known or suspected instances of elder abuse, neglect, or exploitation, shall promptly initiate an investigation to substantiate the accuracy of the report; and

(ii) on a finding of elder abuse, neglect, or exploitation, shall take steps, including appropriate referral, to protect the health and welfare of the abused, neglected, or exploited older individual;

(C) that includes, throughout the State, in connection with the enforcement of elder abuse, neglect, and exploitation laws and with the reporting of suspected instances of elder abuse, neglect, and exploitation—

- (i) such administrative procedures;
- (ii) such personnel, such as forensic specialists, trained in the special problems of elder abuse, neglect, and exploitation prevention and treatment;
- (iii) such training procedures;
- (iv) such institutional and other facilities (public and private); and
- (v) such related multidisciplinary programs and services, including programs and arrangements that protect against financial exploitation,

as may be necessary or appropriate to ensure that the State will deal effectively with