

(3) State capacity to provide technical assistance, training, and other supportive functions to area agencies on aging, legal assistance providers, ombudsmen, and other persons, as appropriate;

(4) State capacity to promote financial management services to older individuals at risk of conservatorship;

(5) State capacity to assist older individuals in understanding their rights, exercising choices, benefiting from services and opportunities authorized by law, and maintaining the rights of older individuals at risk of guardianship; and

(6) State capacity to improve the quality and quantity of legal services provided to older individuals.

(Pub. L. 89-73, title VII, §731, as added Pub. L. 106-501, title VII, §706, Nov. 13, 2000, 114 Stat. 2291.)

#### PRIOR PROVISIONS

A prior section 3058j, Pub. L. 89-73, title VII, §731, as added Pub. L. 102-375, title VII, §704, Sept. 30, 1992, 106 Stat. 1285, related to State elder rights and legal assistance development, prior to repeal by Pub. L. 106-501, title VII, §706, Nov. 13, 2000, 114 Stat. 2291.

#### SUBPART V—OUTREACH, COUNSELING, AND ASSISTANCE PROGRAM

### § 3058k. Repealed. Pub. L. 106-501, title VII, § 706, Nov. 13, 2000, 114 Stat. 2291

Section, Pub. L. 89-73, title VII, §741, as added Pub. L. 102-375, title VII, §705(b), Sept. 30, 1992, 106 Stat. 1287; amended Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990, related to State outreach, counseling, and assistance program for insurance and public benefits.

#### PART B—NATIVE AMERICAN ORGANIZATION AND ELDER JUSTICE PROVISIONS

### § 3058aa. Native American program

#### (a) Establishment

The Assistant Secretary, acting through the Director of the Office for American Indian, Alaskan Native, and Native Hawaiian Aging, shall establish and carry out a program for—

(1) assisting eligible entities in prioritizing, on a continuing basis, the needs of the service population of the entities relating to elder rights;

(2) making grants to eligible entities to carry out vulnerable elder rights protection activities that the entities determine to be priorities; and

(3) enabling the eligible entities to support multidisciplinary elder justice activities, such as—

(A) establishing a coordinating council, which shall identify the needs of an individual Indian tribe or other Native American group and provide the Assistant Secretary with information and recommendations relating to efforts by the Indian tribe or the governing entity of the Native American group to combat elder abuse, neglect, and exploitation;

(B) providing training, technical assistance, and other methods of support to groups carrying out multidisciplinary ef-

forts for an Indian tribe or other Native American group; and

(C) broadening and studying various models for elder fatality and serious injury review teams, to make recommendations about their composition, protocols, functions, timing, roles, and responsibilities, with a goal of producing models and information that will allow for replication based on the needs of Indian tribes and other Native American groups (other than the ones in which the review teams were used).

#### (b) Application

In order to be eligible to receive assistance under this section, an entity shall submit an application to the Assistant Secretary, at such time, in such manner, and containing such information as the Assistant Secretary may require.

#### (c) Eligible entity

An entity eligible to receive assistance under this section shall be—

(1) an Indian tribe; or

(2) a public agency, or a nonprofit organization, serving older individuals who are Native Americans.

#### (d) Authorization of appropriations

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2007, and such sums as may be necessary for subsequent fiscal years.

(Pub. L. 89-73, title VII, §751, as added Pub. L. 102-375, title VII, §706, Sept. 30, 1992, 106 Stat. 1290; amended Pub. L. 103-171, §3(a)(10), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 106-501, title VII, §707, Nov. 13, 2000, 114 Stat. 2291; Pub. L. 109-365, title VII, §703, Oct. 17, 2006, 120 Stat. 2592.)

#### AMENDMENTS

2006—Subsec. (a)(3). Pub. L. 109-365, §703(1), added par. (3).

Subsec. (b). Pub. L. 109-365, §703(2), substituted “this section” for “this part”.

Subsec. (d). Pub. L. 109-365, §703(3), substituted “this part” for “this section” and “2007” for “2001”.

2000—Subsec. (d). Pub. L. 106-501 amended heading and text of subsec. (d) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this section, \$5,000,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995.”

1993—Subsecs. (a), (b). Pub. L. 103-171 substituted “Assistant Secretary” for “Commissioner” and “Director of the Office for” for “Associate Commissioner on” in subsec. (a) and “Assistant Secretary” for “Commissioner” in two places in subsec. (b).

### § 3058aa-1. Grants to promote comprehensive State elder justice systems

#### (a) Purpose and authority

For each fiscal year, the Assistant Secretary may make grants to States, on a competitive basis, in accordance with this section, to promote the development and implementation, within each such State, of a comprehensive elder justice system, as defined in subsection (b).

#### (b) Comprehensive elder justice system defined

In this section, the term “comprehensive elder justice system” means an integrated, multi-

disciplinary, and collaborative system for preventing, detecting, and addressing elder abuse, neglect, and exploitation in a manner that—

(1) provides for widespread, convenient public access to the range of available elder justice information, programs, and services;

(2) coordinates the efforts of public health, social service, and law enforcement authorities, as well as other appropriate public and private entities, to identify and diminish duplication and gaps in the system;

(3) provides a uniform method for the standardization, collection, management, analysis, and reporting of data; and

(4) provides such other elements as the Assistant Secretary determines appropriate.

### (c) Applications

To be eligible to receive a grant under this section for a fiscal year, a State shall submit an application to the Assistant Secretary, at such time, in such manner, and containing such information and assurances as the Assistant Secretary determines appropriate.

### (d) Amount of grants

The amount of a grant to a State with an application approved under this section for a fiscal year shall be such amount as the Assistant Secretary determines appropriate.

### (e) Use of funds

#### (1) In general

A State that receives a grant under this section shall use funds made available through such grant to promote the development and implementation of a comprehensive elder justice system by—

(A) establishing formal working relationships among public and private providers of elder justice programs, service providers, and stakeholders in order to create a unified elder justice network across such State to coordinate programmatic efforts;

(B) facilitating and supporting the development of a management information system and standard data elements;

(C) providing for appropriate education (including educating the public about the range of available elder justice information, programs, and services), training, and technical assistance; and

(D) taking such other steps as the Assistant Secretary determines appropriate.

#### (2) Maintenance of effort

Funds made available to States pursuant to this section shall be used to supplement and not supplant other Federal, State, and local funds expended to support activities described in paragraph (1).

(Pub. L. 89-73, title VII, §752, as added Pub. L. 109-365, title VII, §704(2), Oct. 17, 2006, 120 Stat. 2593.)

## PART C—GENERAL PROVISIONS

### § 3058bb. Definitions

As used in this subchapter:

#### (1) Elder right

The term “elder right” means a right of an older individual.

### (2) Vulnerable elder rights protection activity

The term “vulnerable elder rights protection activity” means an activity funded under part A.

(Pub. L. 89-73, title VII, §761, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 106-501, title VIII, §801(e)(4), Nov. 13, 2000, 114 Stat. 2293.)

#### AMENDMENTS

2000—Par. (2). Pub. L. 106-501 substituted “part A” for “subpart II, III, IV, or V of this subchapter”.

### § 3058cc. Administration

A State agency may carry out vulnerable elder rights protection activities either directly or through contracts or agreements with public or nonprofit private agencies or organizations, such as—

(1) other State agencies;

(2) area agencies on aging;

(3) county governments;

(4) institutions of higher education;

(5) Indian tribes; or

(6) nonprofit service providers or volunteer organizations.

(Pub. L. 89-73, title VII, §762, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 106-501, title VIII, §801(e)(5), Nov. 13, 2000, 114 Stat. 2293.)

#### AMENDMENTS

2000—Pub. L. 106-501 struck out “or an entity described in section 3058aa(c) of this title” after “A State agency” in introductory provisions.

### § 3058dd. Technical assistance

#### (a) Other agencies

In carrying out the provisions of this subchapter, the Assistant Secretary may request the technical assistance and cooperation of such Federal entities as may be appropriate.

#### (b) Assistant Secretary

The Assistant Secretary shall provide technical assistance and training (by contract, grant, or otherwise) to persons and entities that administer programs established under this subchapter.

(Pub. L. 89-73, title VII, §763, as added Pub. L. 102-375, title VII, §707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 103-171, §3(a)(11), (13), Dec. 2, 1993, 107 Stat. 1990.)

#### AMENDMENTS

1993—Subsec. (a). Pub. L. 103-171, §3(a)(13), substituted “Assistant Secretary” for “Commissioner”.

Subsec. (b). Pub. L. 103-171, §13(a)(11), (13), substituted “Assistant Secretary” for “Commissioner” in heading and text.

### § 3058ee. Audits

#### (a) Access

The Assistant Secretary, the Comptroller General of the United States, and any duly authorized representative of the Assistant Secretary or the Comptroller shall have access, for the purpose of conducting an audit or examination, to any books, documents, papers, and records that