

114TH CONGRESS  
1ST SESSION

# H. R. 988

To reauthorize the Elder Justice Act of 2009.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2015

Mr. KING of New York (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SWALWELL of California, Mr. BLUMENAUER, Ms. FRANKEL of Florida, Mr. GRAYSON, and Mr. HONDA) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To reauthorize the Elder Justice Act of 2009.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Elder Justice Reau-  
5 thorization Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) According to the American Journal of Pub-  
2           lic Health, at least 10 percent of older Americans  
3           experience elder abuse.

4           (2) Victims of elder financial abuse are esti-  
5           mated to lose at least \$2.9 billion a year.

6           (3) Victims of elder abuse are three times more  
7           likely to end up in a hospital and four times more  
8           likely to end up in a nursing home than nonvictims.

9           (4) Adult protective services which operate in  
10          all 50 States to help prevent elder abuse and inves-  
11          tigate cases have no dedicated Federal funding or  
12          any designated Federal agency home.

13          (5) Underreporting of elder abuse cases, espe-  
14          cially financial abuse, remains a major issue com-  
15          bined with a dearth of comprehensive and reliable  
16          data which collectively leads to a vast underesti-  
17          mation of the real amount of elder abuse in the Na-  
18          tion.

19          (6) Differences in State laws and practices in  
20          the areas of abuse, neglect, and exploitation of older  
21          adults lead to significant disparities in prevention,  
22          protective and social services, treatment systems,  
23          and law enforcement, and lead to other inequities.

24          (7) Starting with the 1974 enactment of the  
25          Child Abuse Prevention and Treatment Act, the

1 Federal Government has played an important role in  
2 promoting research, training, public safety, data col-  
3 lection, the identification, development, and dissemi-  
4 nation of promising health care, social, and protec-  
5 tive services, and law enforcement practices, relating  
6 to child abuse and neglect, domestic violence, and vi-  
7 olence against women. The Federal Government  
8 should promote similar efforts and protections relat-  
9 ing to elder abuse, neglect, and exploitation.

10 (8) The Federal Government should provide  
11 leadership to assist States and communities in their  
12 efforts to prevent elder abuse, including the pro-  
13 motion of coordinated planning between all levels of  
14 government and nongovernment entities and gener-  
15 ating and sharing knowledge relevant to protecting  
16 elders.

17 (9) The problem of elder abuse, neglect, and ex-  
18 ploitation requires a comprehensive approach that—

19 (A) recognizes the statutory role of State  
20 and local adult protective services and long-  
21 term care ombudsman programs to respond to  
22 elder abuse;

23 (B) integrates the work of health, legal,  
24 and social service agencies and organizations;

1 (C) emphasizes the need for prevention,  
2 detection, reporting, investigation, assessment  
3 and treatment, and prosecution of elder abuse,  
4 neglect, and exploitation at all levels of govern-  
5 ment;

6 (D) ensures that sufficient numbers of  
7 properly trained personnel with specialized  
8 knowledge are in place to treat, assess, and pro-  
9 vide services related to elder abuse, neglect, and  
10 exploitation, and carry out elder protection du-  
11 ties;

12 (E) ensures there is cultural competency to  
13 address the unique needs of a diverse older  
14 adult population with respect to elder abuse;  
15 and

16 (F) balances an elder's right to self-deter-  
17 mination with society's responsibility to protect  
18 elders.

19 (10) The future well-being of millions of older  
20 adults may be challenged by elder abuse and a co-  
21 ordinated and comprehensive Federal response is  
22 needed. Elder abuse prevention is a sound invest-  
23 ment that can produce savings to the Medicare and  
24 Medicaid programs in the future.

1 (11) A victim of elder abuse is never the same  
2 after being victimized.

3 **SEC. 3. REAUTHORIZATION OF THE ELDER JUSTICE ACT OF**  
4 **2009.**

5 (a) AMENDMENTS TO THE SOCIAL SECURITY ACT.—

6 (1) Each of the following provisions of the So-  
7 cial Security Act is amended by striking “2014” and  
8 inserting “2019”:

9 (A) Section 2024(2) (42 U.S.C. 1397k–  
10 3(2)).

11 (B) Section 2042(a)(2) (42 U.S.C.  
12 1397m–1(a)(2)).

13 (C) Section 2042(b)(5) (42 U.S.C.  
14 1397m–1(b)(5)).

15 (D) Section 2042(c)(5) (42 U.S.C.  
16 1397m–1(c)(5)).

17 (E) Section 2043(b)(2) (42 U.S.C.  
18 1397m–2(b)(2)).

19 (2) Each of the following provisions of the So-  
20 cial Security Act is amended by striking “and 2014”  
21 and inserting “through 2019”:

22 (A) Section 2031(f)(3) (42 U.S.C.  
23 1397l(f)(3)).

24 (B) Section 2041(d)(3) (42 U.S.C.  
25 1397m(d)(3)).

1                   (C) Section 2043(a)(2)(C) (42 U.S.C.  
2                   1397m-2(a)(2)(C)).

3                   (3) Section 2045 of the Social Security Act (42  
4                   U.S.C. 1397m-4) is amended by striking “October  
5                   1, 2014” and inserting “2 years after the completion  
6                   of grants made to States under section 2042”.

7                   (b) AMENDMENTS TO THE PATIENT PROTECTION  
8                   AND AFFORDABLE CARE ACT.—Section 6703(b) of the  
9                   Patient Protection and Affordable Care Act (42 U.S.C.  
10                  1395i-3a(b)) is amended in each of paragraphs (1)(C)  
11                  and (2)(C), by striking “2014” and inserting “2019”.

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