

116TH CONGRESS
1ST SESSION

S. 1017

To amend the Older Americans Act of 1965 in order to address the needs of caregivers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 3, 2019

Mr. DURBIN (for himself and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Older Americans Act of 1965 in order to address the needs of caregivers, and for other purposes.

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 “Supporting America’s
5 Caregivers and Families Act”.

6 **SEC. 2. ADDRESSING THE NEEDS OF CAREGIVERS.**

7 (a) AUTHORIZATION OF APPROPRIATIONS FOR FAM-
8 ILY CAREGIVER SUPPORT.—Section 303(e) of the Older
9 Americans Act of 1965 (42 U.S.C. 3023(e)) is amended
10 by striking “\$154,336,482” and all that follows through

1 the period at the end and inserting “\$360,000,000 for
2 each of fiscal years 2020 through 2024”.

3 (b) IMPROVING CAREGIVER ASSESSMENT.—

4 (1) INCREASING USE OF CAREGIVER ASSESS-
5 MENT TOOLS.—Section 202 of the Older Americans
6 Act of 1965 (42 U.S.C. 3012) is amended by adding
7 at the end the following:

8 “(h) By not later than January 1, 2021, the Assist-
9 ant Secretary shall—

10 “(1) in consultation with caregivers, older indi-
11 viduals, the aging network, and other experts and
12 stakeholders, develop and implement a strategy to
13 increase the use of comprehensive caregiver assess-
14 ment tools that—

15 “(A) are standardized across a planning
16 and service area;

17 “(B) assess the specific problems, needs,
18 strengths, and resources of caregivers—

19 “(i) as identified by a recognized care-
20 giver, as appropriate, through voluntary
21 participation;

22 “(ii) through direct contact with the
23 caregiver, which may include in-person,
24 phone, or online contact; and

1 “(iii) at appropriate intervals, includ-
2 ing to accommodate significant changes in
3 the caregiving situation;

4 “(C) determine whether a caregiver would
5 benefit from support services; and

6 “(D) lead to providing targeted caregiver
7 support services to best benefit caregivers,
8 where appropriate and available based upon
9 identified unmet needs, including through refer-
10 rals;

11 “(2) conduct a study on the best practices and
12 potential considerations regarding mandatory use of
13 comprehensive caregiver assessment tools standard-
14 ized across a planning and service area by an area
15 agency on aging, which shall examine—

16 “(A) the current use of caregiver assess-
17 ments, as of the date of the study;

18 “(B) the efficacy and feasibility of manda-
19 tory use of comprehensive caregiver assessment
20 tools standardized across a planning and service
21 area, including the value to caregivers and the
22 older individuals to whom they provide care;
23 and

24 “(C) the potential impact on the aging net-
25 work of using such assessments; and

1 “(3) prepare and submit to Congress a report
2 regarding the study under paragraph (2) that pro-
3 vides recommendations for the appropriate use of
4 comprehensive caregiver assessments standardized
5 across a planning and service area by an area agen-
6 cy on aging, and a proposed budget, based on the
7 Assistant Secretary’s professional judgment, for ap-
8 propriately implementing the recommendations.”.

9 (2) ASSESSING NEEDS OF CAREGIVERS.—Sec-
10 tion 373(e)(3) of the Older Americans Act of 1965
11 (42 U.S.C. 3030s–1(e)(3)) is amended by inserting
12 “assess the needs of family caregivers or older rel-
13 ative caregivers and” before “provide”.

14 (3) FAMILY CAREGIVER RESOURCE CENTER
15 AND TECHNICAL ASSISTANCE.—Section 202(b) of
16 the Older Americans Act of 1965 (42 U.S.C.
17 3012(b)) is amended—

18 (A) in paragraph (10), by striking “and”
19 after the semicolon;

20 (B) by redesignating paragraph (11) as
21 paragraph (12); and

22 (C) by inserting after paragraph (10) the
23 following:

1 “(11) establish and operate the National Fam-
2 ily Caregiver Resource and Technical Assistance
3 Center, which will—

4 “(A) by grant or contract with a public or
5 private nonprofit entity, provide information
6 and assistance to State agencies, area agencies
7 on aging, and community-based service pro-
8 viders funded under this Act, including—

9 “(i) through technical assistance, re-
10 search, training, program analysis, and
11 data collection;

12 “(ii) activities described in section
13 411(a)(11); and

14 “(iii) dissemination of best practices,
15 including best practices for conducting as-
16 sessments of caregiver needs using com-
17 prehensive assessment tools standardized
18 across a planning and service area; and

19 “(B) directly or through grant or contract,
20 provide information, education, and assistance
21 to family caregivers in a manner that is acces-
22 sible and understandable to the family care-
23 givers.”.

24 (c) BUSINESS ACUMEN PROVISIONS.—

1 (1) ASSISTANCE RELATING TO GROWING AND
2 SUSTAINING CAPACITY.—Section 202(b)(9) of the
3 Older Americans Act of 1965 (42 U.S.C.
4 3012(b)(9)) is amended—

5 (A) in subparagraph (A), by striking
6 “and” after the semicolon;

7 (B) in subparagraph (B), by inserting
8 “and” after the semicolon; and

9 (C) by adding at the end the following:

10 “(C) business acumen, capacity building,
11 organizational development, innovation, and
12 other methods of growing and sustaining the
13 capacity of the aging network to serve older
14 adults and caregivers most effectively;”.

15 (2) CLARIFYING PARTNERSHIPS FOR AREA
16 AGENCIES ON AGING.—Section 306 of the Older
17 Americans Act of 1965 (42 U.S.C. 3026) is amend-
18 ed by adding at the end the following:

19 “(g) Nothing in this Act shall restrict an area agency
20 on aging from providing services not provided or author-
21 ized under this Act, including through—

22 “(1) contracts with health care payers;

23 “(2) consumer private pay programs; or

24 “(3) other arrangements with entities or indi-
25 viduals that increase the availability of home and

1 community-based services and supports in the plan-
2 ning and service area supported by the area agency
3 on aging.”.

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