

113TH CONGRESS
2^D SESSION

H. R. 5515

To reauthorize the Elder Justice Act of 2009.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2014

Mr. KING of New York (for himself, Mr. BISHOP of New York, Mr. GRAYSON, Ms. KAPTUR, Mr. HONDA, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. GRIJALVA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. COHEN) 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

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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