

116TH CONGRESS
1ST SESSION

H. R. 4077

To amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2019

Ms. WASSERMAN SCHULTZ (for herself, Ms. SHALALA, Ms. STEFANIK, Mr. HASTINGS, Mr. WEBER of Texas, Mr. SUOZZI, Mr. KING of New York, Mr. TAKANO, Mr. STIVERS, Ms. WILSON of Florida, Mr. FITZPATRICK, Mr. TED LIEU of California, Mr. JOYCE of Ohio, Mr. COHEN, Mrs. RODGERS of Washington, Ms. JAYAPAL, Mr. BACON, Ms. SCHAKOWSKY, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. DEUTCH, Mr. GOTTHEIMER, Mr. RASKIN, Ms. WILD, Ms. STEVENS, and Mr. ZELDIN) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

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

1 **SECTION 1. SHORT TITLE.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “Trauma-Informed Modernization of Eldercare for Holo-
 4 caust Survivors Act” or the “TIME for Holocaust Sur-
 5 vivors Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title.
 Sec. 2. Findings.
 Sec. 3. Purposes.

TITLE I—RESPONDING TO THE NEEDS OF HOLOCAUST
 SURVIVORS

Subtitle A—Definitions, Grants for State and Community Programs, and
 Other Programs

Sec. 101. Definitions.
 Sec. 102. Organization.
 Sec. 103. Area plans.
 Sec. 104. State plans.
 Sec. 105. Consumer contributions.
 Sec. 106. National Family Caregiver Support Program authorized.
 Sec. 107. Prevention of elder abuse, neglect, and exploitation.

Subtitle B—Functions Within Administration for Community Living To
 Assist Holocaust Survivors

Sec. 111. Designation of individual within the Administration.
 Sec. 112. Annual report to Congress.
 Sec. 113. National Resource Center for Older Individuals Experiencing the
 Long-Term and Adverse Consequences of Trauma.
 Sec. 114. Definitions.

TITLE II—NUTRITION SERVICES FOR OLDER INDIVIDUALS

Sec. 201. Nutrition services.

TITLE III—TRANSPORTATION

Sec. 301. Transportation services and resources.

8 **SEC. 2. FINDINGS.**

9 Congress finds the following:

10 (1) During the Holocaust, which took place
 11 from 1933 through 1945, an estimated 6,000,000

1 Jews, as well as millions of victims from other tar-
2 geted groups, were murdered by the Nazis and their
3 collaborators.

4 (2) More than 200,000 Jews fleeing from Nazi-
5 occupied territory found refuge in the United States
6 from 1933 through 1945, and approximately
7 137,000 additional Jewish refugees settled in the
8 United States from 1945 through 1952.

9 (3) Hundreds of thousands of additional Jewish
10 refugees continued to immigrate to the United
11 States from Europe and countries of the former So-
12 viet Union during the subsequent decades.

13 (4) The number of Holocaust survivors living in
14 the United States at the end of 2018 was approxi-
15 mately 80,000 individuals, down from an estimated
16 127,000 in 2010.

17 (5) Every Holocaust survivor is now at least 74
18 years old, most are in at least their mid-to-late
19 eighties, and many are in their nineties and beyond.

20 (6) One-third of all Holocaust survivors in the
21 United States live at or below the official poverty
22 threshold (as defined by the Bureau of the Census),
23 including more than half of the Holocaust survivors
24 who emigrated from the countries of the former So-
25 viet Union.

1 (7) Holocaust survivors continue to live with
2 the unique mental and physical scars of the uncon-
3 scionable trauma caused by the Holocaust, and while
4 institutionalized settings are beneficial for some, cer-
5 tain aspects of institutionalization may have particu-
6 larly adverse effects on Holocaust survivors.

7 (8) For many Holocaust survivors, institutional-
8 ized settings produce sights, sounds, smells, emo-
9 tions, and routines that can induce panic, anxiety,
10 and re-traumatization as a result of experiences
11 from the Holocaust.

12 (9) Holocaust survivors are more economically
13 and socially vulnerable, report poorer health and
14 more health problems, and have greater social serv-
15 ice needs, than other older individuals.

16 (10) In comparison to most other older individ-
17 uals, low-income Holocaust survivors are more reli-
18 ant on social service programs that provide services
19 such as personal care, provision of home-delivered
20 and congregate meals, transportation, counseling,
21 and mental health support to promote health and
22 quality of life.

23 (11) Community organizations serving Holo-
24 caust survivors report that approximately one-quar-
25 ter of Holocaust survivors live alone, and living alone

1 is a risk factor for hospitalization and nursing home
2 admission, poverty, falls, depression, poor nutrition,
3 social isolation, and loneliness, which have been as-
4 sociated with poor health outcomes and an increased
5 risk of death.

6 (12) Community organizations serving Holo-
7 caust survivors report that transportation is vital to
8 help Holocaust survivors attend medical appoint-
9 ments, shop and purchase necessary items, visit
10 family and friends, and participate in cultural, rec-
11 reational, or social events, such as congregate meals
12 or religious services.

13 (13) As the general population of older individ-
14 uals increases in the United States and many public
15 or philanthropic resources remain constant, pro-
16 viders serving Holocaust survivors need additional
17 capacity to cover needed services.

18 (14) The Administration for Community Living
19 in the Department of Health and Human Services
20 serves as the Federal agency responsible for increas-
21 ing access to community supports for, focusing at-
22 tention and resources on the unique needs of, older
23 individuals and individuals with disabilities across
24 their lifespans.

1 (15) The mission of the Administration for
2 Community Living is to maximize the independence,
3 well-being, and health of older individuals, individ-
4 uals with disabilities, and their families and care-
5 givers.

6 (16) The Administration for Community Living
7 in 2017 issued guidance entitled “ACL Guidance for
8 Outreach and Providing Services for Holocaust Sur-
9 vivors” in accordance with a requirement of the
10 Older Americans Act Reauthorization Act of 2016
11 which states that the Assistant Secretary for Aging
12 shall “issue guidance to States, that shall be applica-
13 ble to States, area agencies on aging, and providers
14 of services for older individuals, with respect to serv-
15 ing Holocaust survivors, including guidance on
16 promising practices for conducting outreach to that
17 population.”.

18 (17) Many social service agencies that receive
19 funding under the Older Americans Act of 1965 for
20 home-delivered or congregate meals serve diverse
21 seniors, including Holocaust survivors, with special-
22 ized dietary needs based on religious, cultural, or
23 ethnic requirements, and the necessary special meals
24 often cost more than other meals.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are—

3 (1) to include “older individuals who are Holo-
4 caust survivors” in the list of groups that receive
5 preference, as specified in section 305(a)(2)(E) of
6 the Older Americans Act of 1965, for services pro-
7 vided under that Act;

8 (2) to require the designation within the Ad-
9 ministration for Community Living of an individual
10 to have responsibility for the provision of services to
11 older individuals who are Holocaust survivors;

12 (3) to promote technical assistance and training
13 for agencies that serve older individuals experiencing
14 the long-term and adverse consequences of trauma;

15 (4) to ensure that the providers of nutrition
16 services through the Older Americans Act of 1965
17 can meet the special health-related or other dietary
18 needs of program participants; and

19 (5) to help meet the urgent transportation
20 needs of Holocaust survivors.

1 **TITLE I—RESPONDING TO THE**
2 **NEEDS OF HOLOCAUST SUR-**
3 **VIVORS**

4 **Subtitle A—Definitions, Grants for**
5 **State and Community Pro-**
6 **grams, and Other Programs**

7 **SEC. 101. DEFINITIONS.**

8 Section 102 of the Older Americans Act of 1965 (42
9 U.S.C. 3002) is amended—

10 (1) in paragraph (24)—

11 (A) in subparagraph (B), by striking
12 “and”;

13 (B) in subparagraph (C)(ii), by striking
14 the period at the end and inserting “; and”;
15 and

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

17 “(D) status as a Holocaust survivor.”;

18 (2) by redesignating paragraphs (26) through
19 (40) and paragraphs (41) through (54) as para-
20 graphs (27) through (41) and paragraphs (43)
21 through (56), respectively;

22 (3) by inserting after paragraph (25) the fol-
23 lowing:

24 “(26) The term ‘Holocaust survivor’ means an
25 individual who—

1 “(A)(i) lived in a country in a year not
2 earlier than 1933 and not later than 1945
3 under a Nazi regime, under Nazi occupation, or
4 under the control of Nazi collaborators; or

5 “(ii) fled from a country in a year de-
6 scribed in clause (i) under a Nazi regime, under
7 Nazi occupation, or under the control of Nazi
8 collaborators;

9 “(B) was persecuted in a year described in
10 clause (i) on the basis of race, religion, physical
11 or mental disability, sexual orientation, political
12 affiliation, ethnicity, or other basis; and

13 “(C) was a member of a group that was
14 persecuted by the Nazis.”; and

15 (4) by inserting after paragraph (41) the fol-
16 lowing:

17 “(42) The term ‘person-centered, trauma-in-
18 formed’, used with respect to care, means care pro-
19 vided through an aging program, policy, or proce-
20 dure, that uses a holistic approach to service provi-
21 sion that promotes the dignity, strength, and em-
22 powerment of trauma victims by incorporating
23 knowledge about the role of trauma in trauma vic-
24 tims’ lives.”.

1 **SEC. 102. ORGANIZATION.**

2 Section 305(a) of the Older Americans Act of 1965
3 (42 U.S.C. 3025(a)) is amended—

4 (1) in paragraph (1)(E), by inserting “older in-
5 dividuals who are Holocaust survivors,” after “pro-
6 ficiency,” each place it appears; and

7 (2) in paragraph (2)(E), by inserting “older in-
8 dividuals who are Holocaust survivors,” after “pro-
9 ficiency,”.

10 **SEC. 103. AREA PLANS.**

11 Section 306 of the Older Americans Act of 1965 (42
12 U.S.C. 3026) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by inserting “older
15 individuals who are Holocaust survivors,” after
16 “proficiency,” each place it appears;

17 (B) in paragraph (4)—

18 (i) in subparagraph (A)—

19 (I) in clause (i)(I)(bb), by insert-
20 ing “older individuals who are Holo-
21 caust survivors,” after “proficiency,”;
22 and

23 (II) in clause (ii), by inserting
24 “older individuals who are Holocaust
25 survivors,” after “proficiency,” each
26 place it appears;

1 (ii) in subparagraph (B)(i)—
2 (I) in subclause (VI), by striking
3 “and” at the end; and
4 (II) by inserting after subclause
5 (VII) the following:
6 “(VIII) older individuals who are
7 Holocaust survivors; and”; and
8 (iii) in subparagraph (B)(ii), by strik-
9 ing “subclauses (I) through (VI)” and in-
10 serting “subclauses (I) through (VIII)”;
11 and
12 (C) in paragraph (7)(B)(iii), by inserting
13 “, in particular, older individuals who are Holo-
14 caust survivors,” after “placement”; and
15 (2) in subsection (b)(2)(B), by inserting “older
16 individuals who are Holocaust survivors,” after
17 “areas,”.

18 **SEC. 104. STATE PLANS.**

19 Section 307(a) of the Older Americans Act of 1965
20 (42 U.S.C. 3027(a)) is amended—

21 (1) in paragraph (4), by inserting “older indi-
22 viduals who are Holocaust survivors,” after “pro-
23 ficiency,”;

24 (2) in paragraph (16)—

25 (A) in subparagraph (A)—

1 (i) in clause (v), by striking “and” at
2 the end; and

3 (ii) by adding at the end the fol-
4 lowing:

5 “(vii) older individuals who are Holo-
6 caust survivors; and”; and

7 (B) in subparagraph (B), by striking
8 “clauses (i) through (vi)” and inserting
9 “clauses (i) through (vii)”; and
10 (3) in paragraph (28)(B)(ii), by inserting
11 “older individuals who are Holocaust survivors,”
12 after “areas,”.

13 **SEC. 105. CONSUMER CONTRIBUTIONS.**

14 Section 315 of the Older Americans Act of 1965 (42
15 U.S.C. 3030c–2) is amended—

16 (1) in subsection (c)(2), by inserting “older in-
17 dividuals who are Holocaust survivors,” after “pro-
18 ficiency,”; and

19 (2) in subsection (d), by inserting “older indi-
20 viduals who are Holocaust survivors,” after “pro-
21 ficiency,”.

22 **SEC. 106. NATIONAL FAMILY CAREGIVER SUPPORT PRO-**
23 **GRAM AUTHORIZED.**

24 Section 373(c)(2)(A) of the Older Americans Act of
25 1965 (42 U.S.C. 3030s–1(c)(2)(A)) is amended by strik-

1 ing “individuals)” and inserting “individuals and older in-
 2 dividuals who are Holocaust survivors)”.

3 **SEC. 107. PREVENTION OF ELDER ABUSE, NEGLECT, AND**
 4 **EXPLOITATION.**

5 Section 721(b)(13) of the Older Americans Act of
 6 1965 (42 U.S.C. 3058i(b)(13)) is amended—

7 (1) in subparagraph (B), by striking “or” at
 8 the end;

9 (2) in subparagraph (C), by striking the period
 10 at the end and inserting “; or”; and

11 (3) by adding at the end the following:

12 “(D) older individuals who are Holocaust
 13 survivors.”.

14 **Subtitle B—Functions Within Ad-**
 15 **ministration for Community**
 16 **Living To Assist Holocaust Sur-**
 17 **vivors**

18 **SEC. 111. DESIGNATION OF INDIVIDUAL WITHIN THE AD-**
 19 **MINISTRATION.**

20 The Administrator of the Administration for Commu-
 21 nity Living is authorized to designate, within the Adminis-
 22 tration for Community Living, a person who has special-
 23 ized training, background, or experience with Holocaust
 24 survivor issues—

1 (1) to have responsibility within the Adminis-
2 tration for Community Living for implementing and
3 coordinating services for older individuals who are
4 Holocaust survivors; and

5 (2) to serve as a liaison on those issues, and the
6 provision of services for those individuals, with other
7 relevant agencies of the Federal Government.

8 **SEC. 112. ANNUAL REPORT TO CONGRESS.**

9 The Administrator, with assistance from the indi-
10 vidual designated under section 111, shall prepare and
11 submit to Congress an annual report on—

12 (1) the status and needs, including the priority
13 areas of concern, of older individuals who are Holo-
14 caust survivors; and

15 (2) how the aging network is identifying and
16 serving older individuals experiencing the long-term
17 and adverse consequences of trauma and how agen-
18 cies within the aging network are promoting and ad-
19 vancing person-centered, trauma-informed care to
20 older individuals experiencing the long-term and ad-
21 verse consequences of trauma.

22 **SEC. 113. NATIONAL RESOURCE CENTER FOR OLDER INDIVIDUALS EXPERIENCING THE LONG-TERM**
23 **AND ADVERSE CONSEQUENCES OF TRAUMA.**

24 **AND ADVERSE CONSEQUENCES OF TRAUMA.**
25 (a) PROGRAM AUTHORIZED.—

1 (1) CENTER.—The Administrator shall estab-
2 lish and operate a National Resource Center on In-
3 novative Services and Supports for Older Individuals
4 Experiencing the Long-Term and Adverse Con-
5 sequences of Trauma (referred to in this section as
6 the “Center”).

7 (2) FUNCTIONS.—The Center shall—

8 (A) provide training and technical assist-
9 ance to agencies in the aging network delivering
10 services to older individuals experiencing the
11 long-term and adverse consequences of trauma;

12 (B) share best practices with the aging
13 network; and

14 (C) make subgrants to the agencies best
15 positioned to advance and improve the delivery
16 of services for older individuals experiencing the
17 long-term and adverse consequences of trauma.

18 (b) ASSISTANCE.—To carry out subsection (a), the
19 Administrator shall make grants to or enter into contracts
20 with one or more nonprofit organization that are experi-
21 enced—

22 (1) in providing person-centered, trauma-in-
23 formed care; and

24 (2) in providing support and technical assist-
25 ance on a nationwide basis to agencies within the

1 aging network that offer services to older individuals
2 experiencing the long-term and adverse consequences
3 of trauma.

4 **SEC. 114. DEFINITIONS.**

5 In this subtitle:

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of the Administra-
8 tion for Community Living.

9 (2) OTHER TERMS.—The terms “Holocaust
10 survivor”, “older individual”, and “person-centered,
11 trauma-informed” have the meanings given the
12 terms in section 102 of the Older Americans Act of
13 1965 (42 U.S.C. 3002).

14 **TITLE II—NUTRITION SERVICES**
15 **FOR OLDER INDIVIDUALS**

16 **SEC. 201. NUTRITION SERVICES.**

17 (a) IN GENERAL.—Section 339(2) of the Older
18 Americans Act of 1965 (42 U.S.C. 3030g–21(2)) is
19 amended—

20 (1) in subparagraph (A), by amending clause
21 (iii) to read as follows:

22 “(iii) to the maximum extent prac-
23 ticable, are adjusted and appropriately
24 funded to meet any special health-related
25 dietary needs, and other dietary needs of

1 program participants (including needs
2 based on religious, cultural, or ethnic re-
3 quirements) if for the special health-related
4 or other dietary needs involved there is
5 sufficient demand in a community to war-
6 rant special meals;”;

7 (2) in subparagraph (K), by striking “, and”
8 and inserting a comma;

9 (3) in subparagraph (L), by striking the period
10 and inserting “, and”; and

11 (4) by adding at the end the following:

12 “(M) encourages and educates individuals
13 utilizing methodology that promotes person-cen-
14 tered, trauma-informed care who distribute nu-
15 trition services under subpart 2 to engage in
16 conversation with homebound older individuals
17 and to be aware of the warning signs of medical
18 emergencies, injury, or abuse in order to reduce
19 isolation and promote well-being.”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
21 303(b) of the Older Americans Act of 1965 (42 U.S.C.
22 3023(b)) is amended by adding at the end the following:

23 “(3) There is authorized to be appropriated for spe-
24 cial health related dietary needs and other dietary needs
25 of program participants (including needs based on reli-

1 gious, cultural, or ethnic requirements) pursuant to para-
 2 graph (2)(A)(iii) an additional 2 percent of the funds au-
 3 thorized to be appropriated for congregate nutrition serv-
 4 ices in paragraph (1) and home delivered nutrition services
 5 in paragraph (2).”.

6 **TITLE III—TRANSPORTATION**

7 **SEC. 301. TRANSPORTATION SERVICES AND RESOURCES.**

8 Section 411(a) of the Older Americans Act of 1965
 9 (42 U.S.C. 3032(a)) is amended—

10 (1) by redesignating paragraph (14) as para-
 11 graph (15);

12 (2) in paragraph (13), by striking “; and” and
 13 inserting a semicolon; and

14 (3) by inserting after paragraph (13) the fol-
 15 lowing:

16 “(14) conducting programs that enable the mo-
 17 bility and self-sufficiency of older individuals with
 18 greatest economic need and older individuals with
 19 greatest social need by providing transportation
 20 services and resources; and”.

○