

118TH CONGRESS
2D SESSION

S. _____

To improve the Long-Term Care Ombudsman program.

IN THE SENATE OF THE UNITED STATES

Mr. KAINE (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To improve the Long-Term Care Ombudsman program.

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 “Strengthening Advo-
5 cacy for Long-Term Care Residents Act”.

6 **SEC. 2. IMPROVING TRAINING OF VOLUNTEERS UNDER**
7 **THE STATE LONG-TERM CARE OMBUDSMAN**
8 **PROGRAM.**

9 Section 712 of the Older Americans Act of 1965 (42
10 U.S.C. 3058g) is amended—

11 (1) in subsection (h)(5)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “the representatives”
4 and inserting “each type of representa-
5 tive”; and

6 (ii) by inserting “types of” before
7 “unpaid volunteers”;

8 (B) in subparagraph (A), by inserting “for
9 each such type of representative” before the
10 semicolon at the end;

11 (C) in subparagraph (B)(iii), by striking
12 “and” at the end;

13 (D) in subparagraph (C), by adding “and”
14 at the end; and

15 (E) by adding at the end the following:

16 “(D) with respect to representatives of the
17 Office who are unpaid volunteers, take into con-
18 sideration the degree to which each such type of
19 unpaid volunteer performs activities requiring
20 specialized training, with a goal of reducing un-
21 necessary training requirements for prospective
22 unpaid volunteers;”; and

23 (2) by adding at the end the following:

24 “(k) TRAINING REQUIREMENTS FOR UNPAID VOL-
25 UNTEERS.—

1 “(1) IN GENERAL.—In providing the model
2 standards described in subsection (h)(5), the Direc-
3 tor of the Office of Long-Term Care Ombudsman
4 Programs shall review and, as necessary, update
5 such model standards on a regular basis to tailor
6 such model standards to the individualized training
7 needs of each type of representative of the Office, in-
8 cluding each type of unpaid volunteer.

9 “(2) CONSIDERATIONS.—In carrying out para-
10 graph (1), the Director of the Office of Long-Term
11 Care Ombudsman Programs shall take into consider-
12 ation the degree to which each type of representative
13 of the Office performs activities that require special-
14 ized training, with a goal of reducing unnecessary
15 training requirements for unpaid volunteers.”.

16 **SEC. 3. DIRECTOR OF THE OFFICE OF LONG-TERM CARE**
17 **OMBUDSMAN PROGRAMS.**

18 Section 201(d)(2)(A) of the Older Americans Act of
19 1965 (42 U.S.C. 3011(d)(2)(A)) is amended in the second
20 sentence by inserting “serve on a full-time basis and”
21 after “shall”.

22 **SEC. 4. STUDY ON STATE LONG-TERM CARE OMBUDSMAN**
23 **PROGRAMS.**

24 (a) IN GENERAL.—The Assistant Secretary for Aging
25 shall seek to enter into a contract with the National Acad-

1 emies of Sciences, Engineering, and Medicine (referred to
2 in this section as the “National Academies”) to conduct
3 a study on the State Long-Term Care Ombudsman pro-
4 grams carried out under the Older Americans Act of 1965
5 (42 U.S.C. 3001 et seq.), including an assessment of the
6 effectiveness of such programs and any related challenges,
7 and recommendations. The study shall include an assess-
8 ment of the current (as of the date on which the contract
9 is entered into) recommended staff-to-bed ratio for such
10 programs, as appropriate.

11 (b) REPORT.—Not later than 1 year after the date
12 on which a contract is entered into under subsection (a),
13 the National Academies shall publicly issue a report on
14 the findings of such study.