January 26, 2015

The Honorable Lamar Alexander  The Honorable Patty Murray
Chair, Committee on Health, Education, Ranking Member, Committee on
Labor & Pensions Health, Education, Labor &
428 Senate Dirksen Office Building Pensions
Washington, DC 20510 428 Senate Dirksen Office Building

Dear Senators:

On behalf of the American Bar Association, with nearly 400,000 members worldwide, I write in advance of your scheduled markup of S. 192, to reauthorize the Older Americans Act of 1965. The ABA strongly supports reauthorization of the Older Americans Act, and we commend you for your early action to expeditiously move this historically bipartisan legislation through the committee.

For more than 30 years, the American Bar Association has been a strong advocate on issues that help Americans age with dignity, security, and quality of life. The Older Americans Act authorizes and oversees many vital programs and services, and it provides critical legal assistance to protect the rights of vulnerable seniors. We view reauthorization as an important opportunity for Congress to reaffirm and refine our country’s commitment to a safe, secure, and dignified life for all older Americans.

There are several provisions in S. 192 that we find especially important. We applaud the increased focus on addressing the challenges of elder abuse throughout the bill. In particular, we believe that it is significant that the term “adult protective services” is defined to include legal services. Our support is based on our 2002 policy encouraging widespread efforts to address the impact of the abuse, neglect, and exploitation of older adults, as well as our 2010 policy on reauthorization of the Older American Act. Both policies recognize the importance of legal assistance under the Act. We also applaud the provisions of the bill focusing on the independence and avoidance of conflicts for long-term care ombudsmen; these characteristics are essential to an effective ombudsman program.

While the draft bill does not contain all elements we would like to see, such as encouraging development of coordinated legal service delivery systems and strengthening legal service
developers, we recognize it as a critical step forward in ensuring that the rights of older Americans are supported and protected under federal law. This reauthorization reasonably strengthens provisions in the Act and assures the continuation of critical work.

We thank you and your staff for your consideration of these comments. The ABA stands ready to be of assistance to you in the reauthorization process.

Sincerely,

Thomas M. Susman