



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 8, 2006

### **S. 2010** **Elder Justice Act**

*As ordered reported by the Senate Committee on Finance on August 3, 2006*

#### **SUMMARY**

S. 2010 would amend Title XX of the Social Security Act by creating a new subtitle dealing with elder justice issues. The bill would authorize appropriations totaling \$974 million over the 2007-2011 period for grants and other activities authorized in the new subtitle. Assuming appropriation of the authorized amounts, CBO estimates the bill would result in additional outlays of \$32 million in 2007 and \$894 million over the 2007-2011 period. Enacting the bill would not affect direct spending. CBO estimates that the civil monetary penalties authorized by the bill would have a negligible effect on revenues.

S. 2010 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would benefit state, local, and tribal governments and any costs they incur would result from complying with conditions of federal assistance.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of is shown in the following table. The costs of this legislation fall within budget function 500 (education, employment, training, and social services).

#### **BASIS OF ESTIMATE**

The bill would amend Title XX of the Social Security Act to create a new subtitle for “Elder Justice” that would authorize programs aimed at providing legal protection and services to older individuals. S. 2010 would authorize discretionary appropriations totaling \$189 million in 2007 and \$974 million over the 2007-2011 period for administrative activities and grants. Assuming appropriation of the authorized amounts, CBO estimates that enacting the bill would increase outlays by \$32 million in 2007 and by \$894 million from 2007 to 2011. For this estimate, CBO assumes the bill will be enacted early in fiscal year 2007, that the

authorized amounts are appropriated for each year, and that outlays will follow historical spending patterns of similar programs.

	By Fiscal Year, in Millions of Dollars				
	2007	2008	2009	2010	2011
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
<b>Part A: National Coordination of Elder Justice Activities and Research</b>					
Coordination of Elder Justice Activities					
Authorization Level	7	7	7	7	0
Estimated Outlays	4	7	7	7	3
Forensic Centers					
Authorization Level	4	6	8	8	0
Estimated Outlays	2	5	7	8	4
<b>Part B: Programs to Promote Elder Justice</b>					
Grants and Incentives for Long-Term Care					
Authorization Level	20	18	15	15	0
Estimated Outlays	2	12	16	16	14
Secretarial Responsibilities					
Authorization Level	3	4	4	4	0
Estimated Outlays	2	4	4	4	1
Adult Protective Services Grant Programs					
Authorization Level	100	100	100	100	0
Estimated Outlays	10	60	90	100	90
Adult Protective Services Demonstrations					
Authorization Level	25	25	25	25	0
Estimated Outlays	3	15	23	25	23
Long-Term Care Ombudsman Grants					
Authorization Level	5	8	10	10	0
Estimated Outlays	1	3	6	9	9
Ombudsman Training					
Authorization Level	10	10	10	10	0
Estimated Outlays	1	6	9	10	9
<b>Part C: Collection of Data, Dissemination of Information, and Studies</b>					
Data Collection					
Authorization Level	10	30	100	100	0
Estimated Outlays	5	20	65	100	50
Long-Term Care Clearinghouse					
Authorization Level	2	3	4	4	0
Estimated Outlays	1	3	4	4	2

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	By Fiscal Year, in Millions of Dollars				
	2007	2008	2009	2010	2011
Consumer Information on Residential Long-Term Care					
Authorization Level	3	3	3	3	0
Estimated Outlays	2	3	3	3	2
National Nurses Aid Registry					
Authorization Level	1	0	0	0	0
Estimated Outlays	*	*	*	0	0
<b>Total Spending Under S. 2010</b>					
Authorization Level	189	213	286	286	0
Estimated Outlays	32	137	234	286	205

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NOTE: \* = less than \$500,000.

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## Spending Subject to Appropriation

**Part A: National Coordination of Elder Justice Activities and Research.** Part A of the new subtitle would establish an Elder Justice Coordinating Council and an advisory board on Elder Abuse, Neglect, and Exploitation. The bill would authorize the appropriation of \$6.5 million for fiscal year 2007 and \$7 million annually for fiscal years 2008 through 2010 for those activities.

In addition, Part A would establish stationary and mobile centers for the provision of forensic services relating to elder abuse, neglect, and exploitation. For example, such centers would establish indicators of crimes related to elder abuse as well as methodologies for determining whether and how various service providers should intervene if such abuse is indicated. The bill would authorize appropriations of \$4 million for fiscal year 2007, \$6 million for fiscal year 2008, and \$8 million for each of fiscal years 2009 and 2010 to establish those centers.

**Part B: Programs to Promote Elder Justice.** Part B would provide grants and incentives to long-term care facilities that would improve management practices, and encourage training, recruitment, and retention of employees. In addition, part B would authorize grants to long-term care facilities to improve and upgrade computer software and hardware that would improve patient safety and reduce health care complications resulting from medication errors. The bill would authorize appropriations of \$20 million for fiscal year 2007,

\$18 million for fiscal year 2008, and \$15 million for each of fiscal years 2009 and 2010 for those purposes.

Part B also would authorize funding for state and local adult protective service offices that would investigate reports of the abuse, neglect, and exploitation of elders, and would require the Department of Health and Human Services (HHS) to collect and disseminate data related to elder abuse. The bill would authorize appropriations of \$3 million for fiscal year 2007 and \$4 million for each of fiscal years 2008 through 2010 for the administrative responsibilities of HHS, and \$100 million for each of fiscal years 2007 through 2010 for grants to states. In addition, the bill would authorize demonstration programs for states and local governments to test methods aimed at detecting and preventing elder abuse. Those demonstration programs would be authorized at \$25 million per year for the 2007-2010 period.

The bill would authorize grants to support the existing long-term care ombudsman program by improving the capacity of state programs to respond to and resolve complaints about abuse and neglect, conducting pilot programs with state or local offices and providing support for those programs through a national resource center. Those grants would be authorized at \$5 million for fiscal year 2007, \$7.5 million for fiscal year 2008, and \$10 million for each of fiscal years 2009 and 2010.

Finally, Part B would authorize appropriations of \$10 million in each of fiscal years 2007 through 2010 for ombudsman training programs.

**Part C: Collection of Data, Dissemination of Information, and Studies.** The bill would establish standards for the collection, maintenance and dissemination of data relating to elder abuse, neglect, and exploitation under Part C of the new subtitle. In the first year after enactment of the bill, HHS would develop methods for collecting national data relating to elder abuse, neglect, and exploitation. In the following year, the data reporting forms and collection methods would be tested in six states, and adjusted as necessary, before being distributed nationally. The bill would authorize HHS to provide grants to states to improve their data collection activities relating to elder abuse, neglect, and exploitation. For those data collection activities, S. 2010 would authorize appropriations of \$10 million for fiscal year 2007, \$30 million for fiscal year 2008, and \$100 million for each of fiscal years 2009 and 2010.

In addition, the bill would establish a consumer clearinghouse on long-term care that would provide information about choices relating to long-term care. For that purpose, the bill would authorize appropriations of \$2 million for fiscal year 2007, \$3 million for fiscal year 2008, and \$4 million for each of fiscal years 2009 and 2010.

The bill also would authorize a study on consumer concerns relating to residential long-term care facilities (other than nursing facilities). Funding for that study would be authorized at \$3 million for each of fiscal years 2007 through 2010.

Finally, the bill would authorize a national nurses aide registry, but funding for the registry could not exceed \$500,000.

## **Revenues**

S. 2010 could affect revenues through the creation of several new civil penalties for violations relating to non-reporting of crimes against residents in long-term care facilities. Collections of such penalties are recorded as revenues and deposited in the Treasury; however, CBO expects that any increase in revenues related to those penalties would be negligible.

## **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

S. 2010 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would authorize grants to state, local, and tribal governments for prevention and intervention programs, training, and multidisciplinary and collaborative programs tied to elder abuse, neglect, and exploitations. The costs of any requirements tied to these grants would be incurred voluntarily.

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