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111TH CONGRESS
1ST SESSION

H. R. 2852

To amend the Social Security Act to build on the aging network to establish long-term services and supports through single-entry point systems, evidence-based disease prevention and health promotion programs, and enhanced nursing home diversion programs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2009

Mr. BRALEY of Iowa (for himself and Mr. SARBANES) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To amend the Social Security Act to build on the aging network to establish long-term services and supports through single-entry point systems, evidence-based disease prevention and health promotion programs, and enhanced nursing home diversion programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Project 2020: Building on the Promise of Home and Community-Based Services Act of 2009''.

SEC. 2. LONG-TERM SERVICES AND SUPPORTS.

The Social Security Act (42 U.S.C. 301 et seq.) is amended by adding at the end the following:

"TITLE XXII—LONG-TERM SERVICES AND SUPPORTS

"SEC. 2201. DEFINITIONS.

''Except as otherwise provided, the terms used in this title have the meanings given the terms in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

"Subtitle A—Single-Entry Point System Program

"SEC. 2211. STATE SINGLE-ENTRY POINT SYSTEMS.

''(a) DEFINITIONS.—In this title:

''(1) LONG-TERM SERVICES AND SUPPORTS.—The term 'long-term services and supports' means any service (including a disease prevention and health promotion service, an in-home service, or a case management service), care, or item (including an assistive device) that is—

''(A) intended to assist individuals in coping with, and, to the extent practicable, compensating for, functional impairment in carrying out activities of daily living;

''(B) furnished at home, in a community care setting, including a small community care setting (as defined in section 1929(g)(1)) and a

large community care setting (as defined in section 1929(h)(1)), or in a long-term care facility; and

"(C) not furnished to diagnose, treat, or cure a medical disease or condition.

"(2) SINGLE-ENTRY POINT SYSTEM.—The term 'single-entry point system' means any coordinated system for providing—

"(A) comprehensive information to consumers and caregivers on the full range of available public and private long-term services and supports, options, service providers, and resources, including information on the availability of integrated long-term care, including consumer directed care options;

"(B) personal counseling to assist individuals in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care designed to meet their specific needs and circumstances; and

"(C) consumers and caregivers access to the range of publicly supported and privately supported long-term services and supports that are available.

"(b) PROGRAM.—The Secretary shall establish and carry out a single-entry point system program. In carrying out the program, the Secretary shall make grants to States, from allotments described in subsection (c), to pay for the Federal share of the cost of establishing State single-entry point systems.

"(c) ALLOTMENTS.—

"(1) ALLOTMENTS TO INDIAN TRIBES AND TERRITORIES.—

"(A) RESERVATION.—The Secretary shall reserve from the funds made available under subsection (g)—

"(i) for fiscal year 2010, $1,962,456; and

"(ii) for each subsequent fiscal year, $1,962,456, increased by the percentage increase in the Consumer Price Index for All Urban Consumers, between October of the fiscal year preceding the subsequent fiscal year and October 2007.

"(B) ALLOTMENTS.—The Secretary shall use the funds reserved under subparagraph (A) to make allotments to—

"(i) Indian tribes; and

"(ii) Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

"(2) ALLOTMENTS TO STATES.—

"(A) IN GENERAL.—

"(i) AMOUNT.—The Secretary shall allot to each eligible State for a fiscal year the sum of the fixed amount determined under subparagraph (B), and the allocation determined under subparagraph (C), for the State.

"(ii) SUBGRANTS TO AREA AGENCIES ON AGING.—

"(I) IN GENERAL.—Each State agency receiving an allotment under clause (i) shall use such allotment to make subgrants to area agencies on aging that can demonstrate performance capacity to carry out activities described in this section whether such area agency on aging carries out the activities directly or through contract with an aging network or disability entity. An area agency on aging desir-

ing a subgrant shall establish or designate a collaborative board to ensure meaningful involvement of stakeholders in the development, planning, implementation, and evaluation of a single-entry point system consistent with the following:

"(aa) The collaborative board shall be composed of—

"(AA) individuals representing all populations served by the agency's single-entry point system, including older adults and individuals from diverse backgrounds who have a disability or a chronic condition requiring long-term support;

"(BB) a representative from the local center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)), and representatives from other or-

ganizations that provide services to the individuals served by the system and those who advocate on behalf of such individuals; and

"(CC) representatives of the government and nongovernmental agencies that are affected by the system.

"(bb) The agency shall work in conjunction with the collaborative board on—

"(AA) the design and operations of the single-entry point system;

"(BB) stakeholder input; and

"(CC) other program and policy development issues related to the single-entry point system.

"(cc) An advisory board established under the Real Choice Systems Change Program or for an existing single-entry point sys-

tem may be used to carry out the activities of a collaborative board under this subclause if such advisory board meets the requirements under item (aa).

"(II) SUBGRANTS TO OTHER ENTITIES.—A State agency may make subgrants described in subclause (I) to other qualified aging network or disability entities only if the area agency on aging chooses not to apply for a subgrant or is not able to demonstrate performance capacity to carry out the activities described in this section.

"(III) SUBGRANTEE RECIPIENT SUBGRANTS.—An administrator of a single-entry point system established by a State receiving an allotment under clause (i) shall make any necessary subgrants to key partners involved in developing, planning, or implementing the single-entry point system. Such partners may include centers for independent living (as defined

in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

"(B) FIXED AMOUNTS FOR STATES.—

"(i) RESERVATION.—The Secretary shall reserve from the funds made available under subsection (g)—

"(I) for fiscal year 2010, $15,759,000; and

"(II) for each subsequent fiscal year, $15,759,000, increased by the percentage increase in the Consumer Price Index for All Urban Consumers, between October of the fiscal year preceding the subsequent fiscal year and October 2007.

"(ii) FIXED AMOUNTS.—The Secretary shall use the funds reserved under clause (i) to provide equal fixed amounts to the States.

"(C) ALLOCATION FOR STATES.—The Secretary shall allocate to each eligible State for a fiscal year an amount that bears the same relationship to the funds made available under subsection (g) (and not reserved under paragraph (1) or subparagraph (B)) for that fiscal year as

the number of persons who are either older individuals or individuals with disabilities in that State bears to the number of such persons or individuals in all the States.

"(D) DETERMINATION OF NUMBER OF PERSONS.—

"(i) OLDER INDIVIDUALS.—The number of older individuals in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the Bureau of the Census, and other reliable demographic data satisfactory to the Secretary.

"(ii) INDIVIDUALS WITH DISABILITIES.—The number of individuals with disabilities in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the American Community Survey, and other reliable demographic data satisfactory to the Secretary, on individuals who have a sensory disability, physical disability, mental disability, self-care disability, go-outside-home disability, or employment disability.

"(3) ELIGIBILITY.—In addition to the States determined by the Secretary to be eligible for a grant under this section, a State that receives a Federal grant for an aging and disability resource center is eligible for a grant under this section.

"(4) DEFINITION.—In this subsection, the term 'State' shall not include any jurisdiction described in paragraph (1)(B)(ii).

"(d) APPLICATIONS.—

"(1) IN GENERAL.—To be eligible to receive an initial grant under this section, a State agency shall, after consulting and coordinating with consumers, other stakeholders, centers for independent living in the State, if any, and area agencies on aging in the State, if any, submit an application to the Secretary at such time, in such manner, and containing the following information:

"(A) Evidence of substantial involvement of stakeholders and agencies in the State that are administering programs that will be the subject of referrals.

"(B) The applicant's plan for providing—

"(i) comprehensive information on the full range of available public and private long-term services and supports options,

providers, and resources, including building awareness of the single-entry point system as a resource;

"(ii) objective, neutral, and personal information, counseling, and assistance to individuals and their caregivers in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care to meet their needs;

"(iii) for eligibility screening and referral for services;

"(iv) for stakeholder input;

"(v) for a management information system; and

"(vi) for an evaluation of the effectiveness of the single-entry point system.

"(C) A specification of the period of the grant request, which shall include not less than 3 consecutive fiscal years in the 5-fiscal-year-period beginning with fiscal year 2010.

"(D) Such other information as the Secretary determines appropriate.

"(2) APPLICATION FOR CONTINUATION.—

"(A) IN GENERAL.—A State that receives an initial grant under this section shall apply, after consulting and coordinating with the area agencies on aging, for a continuation of the initial grant, which includes a description of any significant changes to the information provided in the initial application and such data concerning performance measures related to the requirements in the initial application as the Secretary shall require.

"(B) EFFECT.—The requirement under subparagraph (A) shall be in effect through fiscal year 2020.

"(e) USE OF FUNDS.—

"(1) IN GENERAL.—A State that receives a grant under this section shall use the funds made available through the grant to—

"(A) establish a State single-entry point system, to enable older individuals and individuals with disabilities and their caregivers to obtain resources concerning long-term services and supports options; and

"(B) provide information on, access to, and assistance regarding long-term services and supports.

"(2) SERVICES.—In particular, the State single-entry point system shall be the referral source to—

"(A) provide information about long-term care planning and available long-term services and supports through a variety of media (such as websites, seminars, and pamphlets);

"(B) provide assistance with making decisions about long-term services and supports and determining the most appropriate services through options counseling, future financial planning, and case management;

"(C) provide streamlined access to and assistance with applying for federally funded long-term care benefits (including medical assistance under title XIX, Medicare skilled nursing facility services, services under title III of the Older Americans Act of 1965 (42 U.S.C. 3021 et seq.), the services of Aging and Disability Resource Centers), and State-funded and privately funded long-term care benefits, through efforts to shorten and simplify the eligibility processes for older individuals and individuals with disabilities;

"(D) provide referrals to the State evidence-based disease prevention and health promotion programs under subtitle B;

"(E) allocate the State funds available under subtitle C and carry out the State enhanced nursing home diversion program under subtitle C; and

"(F) and provide information about, other services available in the State that may assist an individual to remain in the community, including the Medicare and Medicaid programs, the State health insurance assistance program, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), and the Low-Income Home Energy Assistance Program under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), and such other services, as the State shall include.

"(3) COLLABORATIVE ARRANGEMENTS.—

"(A) CENTER FOR INDEPENDENT LIVING.—Each entity receiving an allotment under subsection (c) shall involve in the planning and implementation of the single-entry point system the local center for independent living (as de-

fined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)), which provides information, referral, assistance, or services to individuals with disabilities.

"(B) OTHER ENTITIES.—To the extent practicable, the State single-entry point system shall enter into collaborative arrangements with aging and disability programs, service providers, agencies, the direct care work force, and other entities in order to ensure that information about such services may be made available to individuals accessing the State single-entry point system.

"(f) FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share of the cost described in subsection (b) shall be 75 percent.

"(2) NON-FEDERAL SHARE.—The State may provide the non-Federal share of the cost in cash or in-kind, fairly evaluated, including plant, equipment, or services. The State may provide the non-Federal share from State, local, or private sources.

"(g) FUNDING.—

"(1) IN GENERAL.—The Secretary shall use amounts made available under paragraph (2) to make the grants described in subsection (b).

"(2) FUNDING.—There are authorized to be appropriated to carry out this section—

"(A) $30,900,000 for fiscal year 2010;

"(B) $38,264,000 for fiscal year 2011;

"(C) $48,410,000 for fiscal year 2012;

"(D) $53,560,000 for fiscal year 2013;

"(E) $63,860,000 for fiscal year 2014;

"(F) $69,010,000 for fiscal year 2015;

"(G) $74,160,000 for fiscal year 2016;

"(H) $79,310,000 for fiscal year 2017;

"(I) $84,460,000 for fiscal year 2018;

"(J) $89,610,000 for fiscal year 2019; and

"(K) $95,790,000 for fiscal year 2020.

"(3) AVAILABILITY.—Funds appropriated under paragraph (2) shall remain available until expended.

"Subtitle B—Healthy Living Program

"SEC. 2221. EVIDENCE-BASED DISEASE PREVENTION AND HEALTH PROMOTION PROGRAMS.

"(a) PROGRAM.—The Secretary shall establish and carry out a healthy living program. In carrying out the program, the Secretary shall make grants to State agencies, from allotments described in subsection (b), to pay

for the Federal share of the cost of carrying out evidence-based disease prevention and health promotion programs.

"(b) ALLOTMENTS.—

"(1) ALLOTMENTS TO INDIAN TRIBES AND TERRITORIES.—

"(A) RESERVATION.—The Secretary shall reserve from the funds made available under subsection (g)—

"(i) for fiscal year 2010, $1,500,952; and

"(ii) for each subsequent fiscal year, $1,500,952, increased by the percentage increase in the Consumer Price Index for All Urban Consumers, between October of the fiscal year preceding the subsequent fiscal year and October 2007.

"(B) ALLOTMENTS.—The Secretary shall use the reserved funds under subparagraph (A) to make allotments to—

"(i) Indian tribes; and

"(ii) Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

"(2) IN GENERAL.—

"(A) AMOUNTS.—

"(i) IN GENERAL.—Except as provided in paragraph (3), the Secretary shall allot to each eligible State for a fiscal year an amount that bears the same relationship to the funds made available under this section and not reserved under paragraph (1) for that fiscal year as the number of older individuals in the State bears to the number of older individuals in all the States.

"(ii) OLDER INDIVIDUALS.—The number of older individuals in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the Bureau of the Census, and other reliable demographic data satisfactory to the Secretary.

"(B) SUBGRANTS.—

"(i) IN GENERAL.—Each State agency that receives an amount under subparagraph (A) shall award subgrants to area agencies on aging that can demonstrate performance capacity to carry out activities under this section whether such area agen-

cy on aging carries out the activities directly or through contract with an aging network entity.

"(ii) SUBGRANTS TO OTHER ENTITIES.—A State agency may make subgrants described in clause (i) to other qualified aging network entities only if the area agency on aging chooses not to apply for a subgrant or is not able to demonstrate performance capacity to carry out the activities described in this section.

"(3) MINIMUM ALLOTMENT.—No State shall receive an allotment under this section for a fiscal year that is less than 0.5 percent of the funds made available to carry out this section for that fiscal year and not reserved under paragraph (1).

"(4) ELIGIBILITY.—In addition to the States determined by the Secretary to be eligible for a grant under this section, a State that receives a Federal grant for evidence-based disease prevention is eligible for a grant under this section.

"(c) APPLICATIONS.—To be eligible to receive a grant under this section, a State agency shall, after consulting and coordinating with consumers, other stakeholders, and area agencies on aging in the State, if any, submit an ap-

1 plication to the Secretary at such time, in such manner,
2 and containing the following information:

3 "(1) A description of the evidence-based disease
4 prevention and health promotion program.

5 "(2) Sufficient information to demonstrate that
6 the infrastructure exists to support the program.

7 "(3) A specification of the period of the grant
8 request, which shall include not less than 3 consecu-
9 tive fiscal years in the 5 fiscal year period beginning
10 with fiscal year 2010.

11 "(4) Such other information as the Secretary
12 determines appropriate.

13 "(d) APPLICATION FOR CONTINUATION.—

14 "(1) IN GENERAL.—A State that receives an
15 initial grant under this section shall apply, after con-
16 sulting and coordinating with the area agencies on
17 aging, for a continuation of the initial grant, which
18 application shall include—

19 "(A) a description of any significant
20 changes to the information provided in the ini-
21 tial application; and

22 "(B) such data concerning performance
23 measures related to the requirements in the ini-
24 tial application as the Secretary shall require.

1 "(2) EFFECT.—The requirement under para-
2 graph (1) shall be in effect through fiscal year 2020.
3 "(e) USE OF FUNDS.—A State that receives a grant
4 under this section shall use the funds made available
5 through the grant to carry out—
6 "(1) an evidence-based chronic disease self-
7 management program;
8 "(2) an evidence-based falls prevention pro-
9 gram; or
10 "(3) another evidence-based disease prevention
11 and health promotion program.
12 "(f) FEDERAL SHARE.—
13 "(1) IN GENERAL.—The Federal share of the
14 cost described in subsection (a) shall be 85 percent.
15 "(2) NON-FEDERAL SHARE.—The State may
16 provide the non-Federal share of the cost in cash or
17 in-kind, fairly evaluated, including plant, equipment,
18 or services. The State may provide the non-Federal
19 share from State, local, or private sources.
20 "(g) FUNDING.—
21 "(1) IN GENERAL.—The Secretary shall use
22 amounts made available under paragraph (2) to
23 make the grants described in subsection (a).
24 "(2) FUNDING.—There are authorized to be ap-
25 propriated to carry out this section—

"(A) $36,050,000 for fiscal year 2010;

"(B) $41,200,000 for fiscal year 2011;

"(C) $56,650,000 for fiscal year 2012;

"(D) $77,250,000 for fiscal year 2013;

"(E) $92,700,000 for fiscal year 2014;

"(F) $103,000,000 for fiscal year 2015;

"(G) $118,450,000 for fiscal year 2016;

"(H) $133,900,000 for fiscal year 2017;

"(I) $149,350,000 for fiscal year 2018;

"(J) $157,590,000 for fiscal year 2019; and

"(K) $173,040,000 for fiscal year 2020.

"(3) AVAILABILITY.—Funds appropriated under paragraph (2) shall remain available until expended.

"Subtitle C—Diversion Programs

"SEC. 2231. ENHANCED NURSING HOME DIVERSION PROGRAMS.

"(a) DEFINITION.—In this section:

"(1) LOW-INCOME SENIOR.—The term 'low-income senior' means an individual who—

"(A) is age 75 or older; and

"(B) is from a household with a household income that is not less than 150 percent, and not more than 300 percent, of the poverty line.

"(2) NURSING HOME.—The term 'nursing home' means—

"(A) a skilled nursing facility, as defined in section 1819(a); or

"(B) a nursing facility, as defined in section 1919(a).

"(b) PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish and carry out a diversion program. In carrying out the program, the Secretary shall make grants to States, from allotments described in subsection (c), to pay for the Federal share of the cost of carrying out enhanced nursing home diversion programs.

"(2) COHORTS.—The Secretary shall make the grants to—

"(A) a first year cohort consisting of one-third of the States, for fiscal year 2010;

"(B) a second year cohort consisting of the cohort described in subparagraph (A) and an additional one-third of the States, for fiscal year 2011; and

"(C) a third year cohort consisting of all the eligible States, for fiscal year 2012 and each subsequent fiscal year.

"(3) READINESS.—In determining whether to include an eligible State in the first year, second year, or third year and subsequent year cohort, the Secretary shall consider the readiness of the State to carry out an enhanced nursing home diversion program under this section. Readiness shall be determined based on a consideration of the following factors:

"(A) Availability of a comprehensive array of home and community-based services.

"(B) Sufficient home and community-based services provider capacity.

"(C) Availability of housing.

"(D) Availability of supports for consumer-directed services, including whether a fiscal intermediary is in place.

"(E) Ability to perform timely eligibility determinations and assessment for services.

"(F) Existence of a quality assessment and improvement program for home and community-based services.

"(G) Such other factors as the Secretary determines appropriate.

"(c) ALLOTMENTS.—

"(1) IN GENERAL.—

"(A) AMOUNT.—The Secretary shall allot to an eligible State (within the applicable cohort) for a fiscal year an amount that bears the same relationship to the funds made available under subsection (i) for that fiscal year as the number of low-income seniors in the State bears to the number of low-income seniors within States in the applicable cohort for that fiscal year.

"(B) LOW-INCOME SENIORS.—The number of low-income seniors in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the American Community Survey, and other reliable demographic data satisfactory to the Secretary.

"(2) ELIGIBILITY.—In addition to the States determined by the Secretary to be eligible for a grant under this section, a State that receives a Federal grant for a nursing home diversion is eligible for a grant under this section.

"(d) APPLICATIONS.—To be eligible to receive a grant under this section, a State agency shall, after consulting and coordinating with consumers, other stakeholders, and area agencies on aging in the State, if any,

submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a specification of the period of the grant request, which shall include not less than 3 consecutive fiscal years in the 5 fiscal year period beginning with the fiscal year prior to the year of application.

"(e) APPLICATION FOR CONTINUATION.—

"(1) IN GENERAL.—A State that receives an initial grant under this section shall apply, after consulting and coordinating with the area agencies on aging, for a continuation of the initial grant, which application shall include—

"(A) a description of any significant changes to the information provided in the initial application; and

"(B) such data concerning performance measures related to the requirements in the initial application as the Secretary shall require.

"(2) EFFECT.—The requirement under paragraph (1) shall be in effect through fiscal year 2020.

"(f) USE OF FUNDS.—

"(1) IN GENERAL.—A State that receives a grant under this section shall carry out the following:

"(A) Use the funds made available through the grant to carry out an enhanced nursing home diversion program that enables eligible individuals to avoid admission into nursing homes by enabling the individuals to obtain alternative long-term services and supports and remain in their communities.

"(B) Award subgrants to area agencies on aging that can demonstrate performance capacity to carry out activities under this section whether such area agency on aging carries out the activities directly or through contract with an aging network entity. A State may make subgrants to other qualified aging network entities only if the area agency on aging chooses not to apply for a subgrant or is not able to demonstrate performance capacity to carry out the activities described in this section.

"(2) CASE MANAGEMENT.—

"(A) IN GENERAL.—The State, through the State single-entry point system established under subtitle A, shall provide for case management services to the eligible individuals.

"(B) USE OF EXISTING SERVICES.—In carrying out subparagraph (A), the State agen-

1 cy or area agency on aging may utilize existing
2 case management services delivery networks
3 if—
4 "(i) the networks have adequate safe-
5 guards against potential conflicts of inter-
6 est; and
7 "(ii) the State agency or area agency
8 on aging includes a description of such
9 safeguards in the grant application.
10 "(C) CARE PLAN.—The State shall provide
11 for development of a care plan for each eligible
12 individual served, in consultation with the eligi-
13 ble individual and their caregiver, as appro-
14 priate. In developing the care plan, the State
15 shall explain the option of consumer directed
16 care and assist an individual, who so requests,
17 with developing a consumer-directed care plan
18 that shall include arranging for support services
19 and funding. Such assistance shall include pro-
20 viding information and outreach to individuals
21 in the hospital, in a nursing home for post-
22 acute care, or undergoing changes in their
23 health status or caregiver situation.
24 "(g) ELIGIBLE INDIVIDUALS.—In this section, the
25 term 'eligible individual' means an individual—

1 "(1) who has been determined by the State to
2 be at high functional risk of nursing home place-
3 ment, as defined by the State agency in the State
4 agency's grant application;
5 "(2) who is not eligible for medical assistance
6 under title XIX; and
7 "(3) who meets the income and asset eligibility
8 requirements established by the State and included
9 in such State's grant application for approval by the
10 Secretary.
11 "(h) FEDERAL SHARE.—
12 "(1) IN GENERAL.—The Federal share of the
13 cost described in subsection (b) shall be, for a State
14 and for a fiscal year, the sum of—
15 "(A) the Federal medical assistance per-
16 centage applicable to the State for the year
17 under section 1905(b); and
18 "(B) 5 percentage points.
19 "(2) NON-FEDERAL SHARE.—The State may
20 provide the non-Federal share of the cost in cash or
21 in-kind, fairly evaluated, including plant, equipment,
22 or services. The State may provide the non-Federal
23 share from State, local, or private sources.
24 "(i) FUNDING.—

"(1) IN GENERAL.—The Secretary shall use amounts made available under paragraph (2) to make the grants described in subsection (b).

"(2) FUNDING.—There are authorized to be appropriated to carry out this section—

"(A) $111,825,137 for fiscal year 2010;

"(B) $337,525,753 for fiscal year 2011;

"(C) $650,098,349 for fiscal year 2012;

"(D) $865,801,631 for fiscal year 2013;

"(E) $988,504,887 for fiscal year 2014;

"(F) $1,124,547,250 for fiscal year 2015;

"(G) $1,276,750,865 for fiscal year 2016;

"(H) $1,364,488,901 for fiscal year 2017;

"(I) $1,466,769,052 for fiscal year 2018;

"(J) $1,712,755,702 for fiscal year 2019; and

"(K) $1,712,755,702 for fiscal year 2020.

"(3) AVAILABILITY.—Funds appropriated under paragraph (2) shall remain available until expended.

"Subtitle D—Administration, Evaluation, and Technical Assistance

"SEC. 2241. ADMINISTRATION, EVALUATION, AND TECHNICAL ASSISTANCE.

"(a) ADMINISTRATION AND EXPENSES.—For purposes of carrying out this title, there are authorized to be appropriated for administration and expenses—

"(1) of the area agencies on aging—

"(A) $16,825,895 for fiscal year 2010;

"(B) $39,246,141 for fiscal year 2011;

"(C) $50,766,948 for fiscal year 2012;

"(D) $66,999,101 for fiscal year 2013;

"(E) $76,979,152 for fiscal year 2014;

"(F) $87,163,513 for fiscal year 2015;

"(G) $98,780,562 for fiscal year 2016;

"(H) $106,063,792 for fiscal year 2017;

"(I) $114,324,642 for fiscal year 2018;

"(J) $123,312,948 for fiscal year 2019; and

"(K) $133,215,845 for fiscal year 2020;

"(2) of the State agencies—

"(A) $8,412,948 for fiscal year 2010;

"(B) $19,623,071 for fiscal year 2011;

"(C) $25,383,474 for fiscal year 2012;

"(D) $33,499,551 for fiscal year 2013;

"(E) $38,489,576 for fiscal year 2014;

"(F) $43,581,756 for fiscal year 2015;

"(G) $49,390,281 for fiscal year 2016;

"(H) $53,031,896 for fiscal year 2017;

"(I) $57,162,321 for fiscal year 2018;

"(J) $61,656,474 for fiscal year 2019; and

"(K) $66,607,923 for fiscal year 2020; and

"(3) of the Administration—

"(A) $2,103,237 for fiscal year 2010;

"(B) $4,905,768 for fiscal year 2011;

"(C) $6,345,868 for fiscal year 2012;

"(D) $8,374,888 for fiscal year 2013;

"(E) $9,622,394 for fiscal year 2014;

"(F) $10,895,439 for fiscal year 2015;

"(G) $12,347,570 for fiscal year 2016;

"(H) $13,257,974 for fiscal year 2017;

"(I) $14,290,580 for fiscal year 2018;

"(J) $15,414,118 for fiscal year 2019; and

"(K) $16,651,981 for fiscal year 2020.

"(b) EVALUATION AND TECHNICAL ASSISTANCE.—

"(1) CONDITIONS TO RECEIPT OF GRANT.—In awarding grants under this title, the Secretary shall condition receipt of the grant for the second and

subsequent grant years on a satisfactory determination that the State agency is meeting benchmarks specified in the grant agreement for each grant awarded under this title.

"(2) EVALUATIONS.—The Secretary shall measure and evaluate, either directly or through grants or contracts, the impact of the programs authorized under this title. Not later than June 1 of the year that is 6 years after the year of the date of enactment of the Project 2020: Building on the Promise of Home and Community-Based Services Act of 2009 and every 2 years thereafter, the Secretary shall—

"(A) compile the reports of the measures and evaluations of the grantees;

"(B) establish benchmarks to show progress toward savings; and

"(C) present a compilation of the information under this paragraph to Congress.

"(3) TECHNICAL ASSISTANCE GRANTS.—The Secretary shall award technical assistance grants, including State specific grants whenever practicable, to carry out the programs authorized under this title.

"(4) TRANSFER.—There are authorized to be appropriated for such evaluation and technical assistance under this subsection—

"(A) $4,206,474 for fiscal year 2010;

"(B) $9,811,535 for fiscal year 2011;

"(C) $8,461,158 for fiscal year 2012;

"(D) $11,166,517 for fiscal year 2013;

"(E) $12,829,859 for fiscal year 2014;

"(F) $14,527,252 for fiscal year 2015;

"(G) $16,463,427 for fiscal year 2016;

"(H) $17,677,299 for fiscal year 2017;

"(I) $19,054,107 for fiscal year 2018;

"(J) $20,552,158 for fiscal year 2019; and

"(K) $22,202,641 for fiscal year 2020.

"(c) AVAILABILITY.—Funds appropriated under this section shall remain available until expended.".

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