

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. M16-0983.01 Kurt Woock x4349

SJM16-004

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Senate Committees

House Committees

SENATE JOINT MEMORIAL 16-004

101 **CONCERNING THE REAUTHORIZATION OF THE FEDERAL "OLDER**
102 **AMERICANS ACT OF 1965".**

1 WHEREAS, The federal "Older Americans Act of 1965" (OAA)
2 was signed into law on July 14, 1965, to meet the diverse needs of the
3 growing numbers of older adults in the United States; and

4 WHEREAS, In the subsequent 50 years, the OAA has become the
5 primary vehicle for organizing, coordinating, and providing
6 community-based services and opportunities for older adults and their
7 families, especially in maintaining their dignity and welfare; and

8 WHEREAS, Although older adults may receive services under
9 many other federal programs, today the OAA is considered to be the
10 major vehicle for the organization and delivery of services that help older
11 adults live and thrive in communities of their choice for as long as
12 possible, including home-delivered and congregate meals, caregiver

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 support, preventive health services, transportation, job training, and elder
2 abuse prevention; and

3 WHEREAS, The OAA facilitates these services through a national
4 network of 56 state agencies on aging, 629 area agencies on aging, nearly
5 20,000 service providers, 244 Tribal organizations, and 2 Native
6 Hawaiian organizations representing 400 Tribes; and

7 WHEREAS, When the OAA was last reauthorized in 2006, the
8 funding formula was adjusted to include a provision, known as the "hold
9 harmless" provision, that assures each state will receive funding in an
10 amount at least equal to its funding in 2006; and

11 WHEREAS, This issue is particularly important to Colorado as
12 between 2000 and 2010, Colorado experienced the fourth fastest growing
13 older adult population in the United States and the third fastest growth in
14 this population between 2010 and 2014; and

15 WHEREAS, The "hold harmless" provision artificially froze
16 funding at 2006 levels and required the use of these levels going forward,
17 meaning funding levels have remained stagnant even as older adult
18 populations grew more rapidly in some states than others; and

19 WHEREAS, The Congressional Research Service (CRS) has
20 studied the effect of this provision and found that 25 states that had
21 quickly growing older adult populations, including Colorado, did not
22 receive the funding for programs they would have received had
23 adjustments been made for these growing populations; and

24 WHEREAS, According to the CRS report, Colorado would have
25 more than \$1.2 million in additional funding in fiscal year 2016 had there
26 not been a "hold harmless" provision; and

27 WHEREAS, Overall, 40 states and territories would gain funding
28 or not have their funding levels changed if the "hold harmless" provision
29 was removed; and

30 WHEREAS, The "hold harmless" provision also directed
31 unequitable sequester cuts, when in effect; and

32 WHEREAS, Colorado's aging population is projected to continue
33 growing for at least the next 15 years, meaning the problems related to the

1 "hold harmless" provision will continue to be a major factor in the
2 funding to Colorado even as demand for OAA services within the state
3 continues to increase dramatically; and

4 WHEREAS, The OAA is due to be reauthorized, and, in response,
5 the U.S. Senate passed S. 192 in 2015, which slightly modified the "hold
6 harmless" provision in the direction of funding equity; and

7 WHEREAS, All seven members of the Colorado House
8 Delegation have signed a letter to the Chairman and Ranking Member of
9 the House Committee on Education and the Workforce requesting
10 elimination of the "hold harmless" provision; now, therefore,

11 *Be It Resolved by the Senate of the Seventieth General Assembly*
12 *of the State of Colorado, the House of Representatives concurring herein:*

13 That, in order to allow older adults in all states equal access to
14 critical programs regardless of where they live, we, the members of the
15 Colorado General Assembly, hereby urge Congress to reauthorize the
16 federal "Older Americans Act of 1965" and ensure that the
17 reauthorization of the OAA treats all older adults fairly by eliminating the
18 "hold harmless" provision.

19 *Be It Further Resolved*, That copies of this Joint Memorial be sent
20 to: Representative Paul D. Ryan, Speaker of the House; Representative
21 Kevin McCarthy, Majority Leader; Representative Nancy Pelosi,
22 Minority Leader; Representative John Kline, Chairman of the House
23 Committee on Education and the Workforce; Representative Robert C.
24 "Bobby" Scott, Ranking Member of the House Committee on Education
25 and the Workforce; each member of Colorado's Congressional delegation;
26 the Honorable Sylvia Mathews Burwell, Secretary of the United States
27 Department of Health and Human Services; and Kathy Greenlee
28 Administrator, Administration for Community Living, United States
29 Department of Health and Human Services.