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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To direct the Secretary of Labor to award grants for the recruitment,
retention, and advancement of direct care workers.

IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT of Virginia (for himself, Ms. WILD, and Ms. LEE of Nevada) intro-
duced the following bill; which was referred to the Committee on

A BILL

To direct the Secretary of Labor to award grants for the
recruitment, retention, and advancement of direct care
workers.

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 “Direct Creation, Ad-
5 vancement, and Retention of Employment Opportunity
6 Act of 2023” or the “Direct CARE Opportunity Act of
7 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Nearly 25,000,000 adults in the United
4 States require assistance completing self-care and
5 other daily tasks due to physical, cognitive, develop-
6 mental, or behavioral conditions. This number in-
7 cludes approximately 22,700,000 individuals living
8 in the community, 1,300,000 residing in nursing
9 homes, and 900,000 in residential care.

10 (2) According to the PHI, direct care workers
11 provide most of the paid, hands-on care for older in-
12 dividuals and individuals with disabilities.

13 (3) The assistance of direct care workers allows
14 older individuals and individuals with disabilities to
15 live with dignity and safety, and to exercise their
16 right to live independently in their own homes and
17 communities, in keeping with what is most appro-
18 priate for their needs and preferences. Older individ-
19 uals and individuals with disabilities may also par-
20 ticipate in the direct care workforce, further sup-
21 porting their ability to live independently.

22 (4) The direct care workforce is diverse. Almost
23 9 in 10 direct care workers are women, and 61 per-
24 cent are people of color, with women of color grow-
25 ing as a share of the workforce across every long-
26 term care setting between 2009 and 2019.

1 (5) From 2021 to 2031, home care occupations
2 are projected to create nearly a million new jobs.
3 Home care is also among the fastest-growing occu-
4 pations, and with the projected growth in the popu-
5 lation over age 65, this may underestimate the num-
6 ber of home care workers that will be needed to pro-
7 vide care for this growing population.

8 (6) Due to transitions to other occupations or
9 exits from the labor force, there will be an estimated
10 7,900,000 total job openings in direct care from
11 2020 to 2030.

12 (7) Many direct care workers lack access to a
13 career pathway or advanced training opportunities.
14 This limits their ability to build competency and ex-
15 pertise in their field that, when gained, may lead to
16 an increase in their earning capacity. According to
17 PHI, more than half of home care workers have
18 completed no formal education beyond high school,
19 making high-quality, transferable training essential
20 to success on the job.

21 (8) The median wage for direct care workers is
22 \$14.27 per hour, and wages and earnings for home
23 care workers are even lower in rural areas. Because
24 of low wages, variable work hours, and the inability
25 to access workplace-based benefits, 40 percent of di-

1 rect care workers live in low-income households, and
2 14 percent of the workers from such households live
3 below the poverty line. Nearly half of direct care
4 workers rely on some form of public assistance to
5 support themselves and their families.

6 (9) Direct care workers face high injury rates,
7 as they are up to three or more times likelier to ex-
8 perience workplace injuries than the typical worker
9 in the United States.

10 (10) The poor quality of these jobs contribute
11 to high turnover, low job satisfaction, and workforce
12 shortages. This impacts the quality of care and
13 availability of supports for older individuals and in-
14 dividuals with disabilities.

15 (11) The Institute of Medicine found that to
16 ensure that the United States is prepared to meet
17 the health care needs of older individuals during the
18 21st century, it is essential that the capacity of the
19 direct care workforce be enhanced in both the num-
20 ber of workers available and their ability to meet
21 their own health care and quality of life needs.

22 (12) Training has been shown to reduce worker
23 turnover, reduce rates of injury, and lead to in-
24 creased job satisfaction.

1 (13) Wraparound services, such as career navi-
2 gation support, mentoring, and vouchers for child
3 care or transportation, have been shown to have a
4 positive effect on program completion and employ-
5 ment outcomes, like increased wages.

6 (14) Career pathways are an evidence-based ap-
7 proach to workforce development that aligns sec-
8 ondary and postsecondary education to labor market
9 needs. It involves articulated steps of education,
10 training, and employment within an industry sector
11 or occupation that leads to the progressive attain-
12 ment of skills and wages.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) **APPRENTICESHIP PROGRAM.**—The term
16 “apprenticeship program” means an apprenticeship
17 program registered under the Act of August 16,
18 1937 (commonly known as the “National Appren-
19 ticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C.
20 50 et seq.).

21 (2) **DIRECT CARE WORKER.**—The term “direct
22 care worker” means—

23 (A) a direct support professional;

1 (B) a worker providing direct care services,
2 which may include palliative care, in a home or
3 community-based setting;

4 (C) a respite care provider who provides
5 short-term support and care to an individual in
6 order to provide relief to a family caregiver;

7 (D) a direct care worker, as defined in sec-
8 tion 799B of the Public Health Service Act (42
9 U.S.C. 295p); or

10 (E) an individual in any other position or
11 job related to those described in subparagraphs
12 (A) through (D), as determined by the Sec-
13 retary of Labor, in consultation with the Sec-
14 retary of Health and Human Services.

15 (3) DIRECT SUPPORT PROFESSIONAL.—The
16 term “direct support professional” means a worker
17 who provides services, in a home or community-
18 based setting, to individuals with disabilities that
19 promote their independence, well-being, and commu-
20 nity inclusion, including—

21 (A) providing services related to coaching
22 and career development, employment assistance,
23 or the pursuit of personal goals;

24 (B) aiding activities of daily living;

25 (C) supporting communication; or

1 (D) providing habilitation services or other
2 supports.

3 (4) ELIGIBLE ENTITY.—The term “eligible enti-
4 ty” means an entity that is—

5 (A) a State;

6 (B) a labor organization or a joint labor-
7 management organization;

8 (C) a nonprofit organization with experi-
9 ence in aging, disability, supporting the rights
10 and interests of direct care workers, or training
11 or educating direct care workers;

12 (D) an Indian Tribe or Tribal organiza-
13 tion;

14 (E) an urban Indian organization;

15 (F) a State board or local board;

16 (G) a nonprofit or governmental organiza-
17 tion—

18 (i) with expertise in identifying and
19 addressing the care needs of older individ-
20 uals and individuals with disabilities and
21 their caregivers; and

22 (ii) which may include one or more of
23 the following—

24 (I) an area agency on aging (as
25 defined in section 102 of the Older

1 Americans Act of 1965 (42 U.S.C.
2 3002));

3 (II) a center for independent liv-
4 ing (as described in part C of title VII
5 of the Rehabilitation Act of 1973 (29
6 U.S.C. 796f et seq.)); or

7 (III) an Aging and Disability Re-
8 source Center (as defined in section
9 102 of the Older Americans Act of
10 1965 (42 U.S.C. 3002));

11 (H) a partnership between or among—

12 (i)(I) an institution of higher edu-
13 cation; or

14 (II) an area career and technical edu-
15 cation school; and

16 (ii)(I) an entity described in any of
17 subparagraphs (A) through (G); or

18 (II) a consortium described in sub-
19 paragraph (I); or

20 (I) a consortium of entities listed in any of
21 subparagraphs (A) through (G).

22 (5) EMPLOY; EMPLOYER.—The terms “employ”
23 and “employer” have the meanings given the terms
24 in section 3 of the Fair Labor Standards Act (29
25 U.S.C. 203 et seq.).

1 (6) INDIAN TRIBE; TRIBAL ORGANIZATION.—
2 The terms “Indian tribe” and “tribal organization”
3 have the meanings given such terms in section 4 of
4 the Indian Self-Determination and Education Assist-
5 ance Act (25 U.S.C. 5304).

6 (7) INDIVIDUAL WITH A SIGNIFICANT DIS-
7 ABILITY.—The term “individual with a significant
8 disability” has the meaning given the term in section
9 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).

10 (8) INSTITUTION OF HIGHER EDUCATION.—The
11 term “institution of higher education” has the
12 meaning given the term in section 101 of the Higher
13 Education Act of 1965 (20 U.S.C. 1001) or section
14 102(a)(1)(B) of such Act (20 U.S.C.
15 1002(a)(1)(B)).

16 (9) SECRETARY; SECRETARY OF LABOR.—The
17 terms “Secretary” and “Secretary of Labor” means
18 the Secretary of Labor, acting through the Assistant
19 Secretary for Employment and Training.

20 (10) SECRETARY OF HEALTH AND HUMAN
21 SERVICES.—The term “Secretary of Health and
22 Human Services” means the Secretary of Health
23 and Human Services, acting through the Adminis-
24 trator for the Administration for Community Living.

1 (11) STATE.—The term “State” has the mean-
2 ing given the term in section 3 of the Carl D. Per-
3 kins Career and Technical Education Act of 2006
4 (20 U.S.C. 2302).

5 (12) SUPPORTIVE SERVICES.—The term “sup-
6 portive services” means services such as transpor-
7 tation, child care, dependent care, food, housing, and
8 needs-related payments, that are necessary to enable
9 an individual to participate in a strategy to be fund-
10 ed with a grant under this Act.

11 (13) WORKFORCE INNOVATION AND OPPOR-
12 TUNITY ACT TERMS.—The terms “area career and
13 technical education school”, “career pathway”, “ca-
14 reer planning”, “eligible youth”, “in-demand indus-
15 try sector or occupation”, “individual with a barrier
16 to employment”, “individual with a disability”,
17 “local board”, “older individual”, “one-stop center”,
18 “on-the-job training”, “recognized postsecondary
19 credential”, “region”, and “State board” have the
20 meanings given such terms in section 3 of the Work-
21 force Innovation and Opportunity Act (29 U.S.C.
22 3102).

23 (14) WORK-BASED LEARNING.—The term
24 “work-based learning” has the meaning given the

1 term in section 3 of the Carl D. Perkins Career and
2 Technical Education Act of 2006 (20 U.S.C. 2302).

3 **SEC. 4. AUTHORITY TO AWARD GRANTS; DURATION.**

4 (a) **AUTHORITY TO AWARD GRANTS.**—Not later than
5 12 months after the date of enactment of this Act, from
6 the amounts appropriated under section 10(a) (and not
7 reserved under paragraph (2) of such section), the Sec-
8 retary of Labor in consultation with the Secretary of
9 Health and Human Services, shall award grants to eligible
10 entities to assist such entities in developing and imple-
11 menting strategies for the recruitment, retention, or ad-
12 vancement of direct care workers.

13 (b) **INTERAGENCY COOPERATION.**—

14 (1) **IN GENERAL.**—To receive assistance from
15 the Secretary of Health and Human Services in ad-
16 ministering or awarding grants, or providing tech-
17 nical assistance under this Act, the Secretary of
18 Labor may—

19 (A) enter into an agreement with the Sec-
20 retary of Health and Human Services;

21 (B) transfer to the Secretary of Health
22 and Human Services a portion of the amounts
23 appropriated under section 10(a); or

1 (C) receive from the Secretary of Health
2 and Human Services a portion of the amounts
3 appropriated under section 10(b).

4 (2) PROCEDURES AND CRITERIA.—An agree-
5 ment entered into under paragraph (1)—

6 (A) shall specify whether the procedures of
7 the Secretary of Labor or the Secretary of
8 Health and Human Services, or whether a sin-
9 gle set of criteria developed by both Secretaries,
10 shall be used to administer or award grants, or
11 provide technical assistance, under this Act;
12 and

13 (B) may require that applicants for a
14 grant under this Act submit a single application
15 for joint review by the Secretary of Labor and
16 the Secretary of Health and Human Services.

17 (c) DURATION.—A grant under this Act shall be for
18 not less than 5 years.

19 **SEC. 5. APPLICATIONS; CONSULTATION.**

20 (a) APPLICATIONS.—

21 (1) IN GENERAL.—An eligible entity seeking a
22 grant under this Act shall submit to the Secretary
23 an application at such time, in such manner, and
24 containing such information as the Secretary, in
25 consultation with the Secretary of Health and

1 Human Services, may require, which shall include
2 the information listed in paragraph (2).

3 (2) CONTENTS.—An application submitted
4 under paragraph (1) by an eligible entity seeking a
5 grant under this Act shall include each of the fol-
6 lowing:

7 (A) Information with respect to the State
8 or geographic area to be served by such grant,
9 including the following:

10 (i) Demographic information regard-
11 ing the population, including a description
12 of the populations likely to need direct care
13 services, such as the aging population and
14 individuals with significant disabilities.

15 (ii) Projections of unmet need for di-
16 rect care services, which may include, en-
17 rollment on waiting lists under home and
18 community-based waivers under section
19 1115 of the Social Security Act (42 U.S.C.
20 1315) or section 1915(c) of such Act (42
21 U.S.C. 1396n(c)), demand for long-term
22 care provided through the Department of
23 Veterans Affairs, demand for services pro-
24 vided under title III of the Older Ameri-
25 cans Act of 1965 (42 U.S.C. 3021 et seq.),

1 and other relevant data to the extent prac-
2 ticable.

3 (iii) Current and projected job open-
4 ings for direct care workers and relevant
5 labor market information related to such
6 workers, and the geographic scope of the
7 workforce to be served.

8 (B) A description of each specific strategy
9 that the eligible entity will develop and imple-
10 ment using the grant to reduce barriers to re-
11 cruitment, retention, or advancement of direct
12 care workers, including—

13 (i) a description of how the eligible
14 entity will consult and coordinate with the
15 entities described in subsection (b) on the
16 development and implementation of the
17 strategy; and

18 (ii) an assurance that the eligible enti-
19 ty will implement the strategy in consulta-
20 tion with—

21 (I) individuals receiving direct
22 care services, including the aging pop-
23 ulation and individuals with disabil-
24 ities; and

1 (II) individuals performing direct
2 care services, which may include fam-
3 ily caregivers.

4 (C) In the case in which a strategy de-
5 scribed in subparagraph (B) will include the
6 provision of wages (or other compensation or
7 benefits) to direct care workers (or individuals
8 training to become such workers) participating
9 in activities carried out under the strategy—

10 (i) an assurance that the provision of
11 such wages will result in a wage for such
12 workers that is not less than the greater
13 of—

14 (I) the minimum wage required
15 under section 6(a) of the Fair Labor
16 Standards Act of 1938 (29 U.S.C.
17 206(a)); or

18 (II) the applicable wage required
19 by other applicable Federal or State
20 law, or a collective bargaining agree-
21 ment; and

22 (ii) an assessment of the wages (or
23 other compensation or benefits) necessary
24 to recruit, retain, or advance direct care
25 workers.

1 (D) An assurance that the eligible entity
2 will take such steps as may be necessary to re-
3 duce or eliminate barriers, including financial
4 barriers, to recipients of direct care services or
5 other benefits provided by any individual who is
6 participating in an activity carried out under
7 the strategy.

8 (E) An assurance that the eligible entity
9 will not charge any participant of such an activ-
10 ity who is a direct care worker or an individual
11 training to be such a worker for any education,
12 training, or supportive services or other benefits
13 provided under the activity.

14 (F) A description of any supportive serv-
15 ices and other benefits that will be provided by
16 such grant to enable individuals to participate
17 in any of the activities to be carried out under
18 the strategy.

19 (G) An assurance that the eligible entity
20 will provide adequate and safe equipment or fa-
21 cilities for the training and supervision of direct
22 care workers participating in any activity car-
23 ried out under the strategy, including an assur-
24 ance that the eligible entity will provide—

1 (i) a safe work environment (which
2 may include the provision of personal pro-
3 tective equipment and other necessary
4 equipment to prevent the spread of infec-
5 tious disease among workers and recipients
6 of direct care services);

7 (ii) a work environment that is free
8 from discrimination, retaliation, and vio-
9 lence; and

10 (iii) adequate training for mentors
11 and qualified instructors to ensure compli-
12 ance with this subparagraph, including any
13 equipment that may be provided under
14 clause (i).

15 (H) In the case of an eligible entity that
16 will use the grant to offer an education and
17 training program described in section
18 6(a)(2)(A)—

19 (i) a description of such program, in-
20 cluding any curricula, models, and stand-
21 ards used under the program, and any as-
22 sociated recognized postsecondary creden-
23 tials for which the program provides prepa-
24 ration, as applicable, and the training serv-

1 ices, if any, provided under the program;
2 and

3 (ii) an assurance that such program
4 will meet the applicable requirements
5 under section 6(a)(2)(A).

6 (I) In the case of an eligible entity that
7 will use such grant for the provision of the ca-
8 reer planning described in section 6(a)(2)(C), a
9 description of such career planning and how
10 such career planning will meet the requirements
11 of section 6(a)(2)(C).

12 (J) In the case of an eligible entity that
13 will use such grant to develop or implement an
14 innovative model or process to support the re-
15 tention and career advancement of direct care
16 workers, a description of such model or process.

17 (K) A description of the outreach efforts
18 that the eligible entity will use to identify indi-
19 viduals who may benefit from participating in
20 an activity to be carried out under a strategy
21 described in subparagraph (B), including tar-
22 geted outreach efforts to—

23 (i) individuals who are recipients of
24 assistance under a State program funded
25 under part A of title IV of the Social Secu-

1 rity Act (42 U.S.C. 601 et seq.) or individ-
2 uals who are eligible for such assistance;
3 and

4 (ii) individuals with barriers to em-
5 ployment.

6 (L) How the eligible entity will collect and
7 submit to the Secretary workforce data and
8 outcomes of each strategy funded under such
9 grant, including for purposes of evaluating or
10 reviewing the strategy under section 7.

11 (3) CONSIDERATIONS.—In selecting eligible en-
12 tities to receive a grant under this Act, the Secretary
13 shall—

14 (A) ensure—

15 (i) to the extent practicable based on
16 the applications submitted under this sub-
17 section, equitable geographic and demo-
18 graphic diversity, including among rural
19 and urban areas; and

20 (ii) that selected eligible entities will
21 serve areas where direct care work, or a re-
22 lated occupation, is an in-demand industry
23 sector or occupation; and

24 (B) give priority to eligible entities pro-
25 posing to predominantly serve the individuals

1 described in clauses (i) and (ii) of paragraph
2 (2)(K).

3 (b) CONSULTATION.—Each eligible entity receiving a
4 grant under this Act shall consult on the development and
5 implementation of any strategy for the recruitment, reten-
6 tion, or advancement of direct care workers to be funded
7 with such grant, and coordinate the implementation of
8 such strategy with—

9 (1) each applicable State board or local board;

10 and

11 (2) to the extent practicable—

12 (A) institutions of higher education in the
13 State or local areas to be served by the grant;

14 (B) the State Apprenticeship Agency rec-
15 ognized under the Act of August 16, 1937
16 (commonly known as the “National Apprentice-
17 ship Act”; 50 Stat. 664, chapter 663; 29
18 U.S.C. 50 et seq.), for the State or region to be
19 served by the grant or, if no such agency has
20 been recognized in the State or region, the Of-
21 fice of Apprenticeship of the Department of
22 Labor;

23 (C) the State agency responsible for ad-
24 ministering the State plan under title XIX of
25 the Social Security Act (42 U.S.C. 1396 et

1 seq.) (or waiver of the plan), or the State agen-
2 cy with primary responsibility for providing
3 services and supports for individuals with intel-
4 lectual disabilities and individuals with develop-
5 mental disabilities;

6 (D) in the case of an eligible entity that
7 uses the grant to carry out an education and
8 training program described in section
9 6(a)(2)(A), a nonprofit organization with dem-
10 onstrated experience in the development or de-
11 livery of curricula or coursework;

12 (E) an organization that fosters the profes-
13 sional development and collective engagement of
14 direct care workers, including labor organiza-
15 tions or joint labor-management organizations;

16 (F) a nonprofit or governmental organiza-
17 tion described in section 3(4)(G);

18 (G) the State Developmental Disability
19 Council (as such term is used in subtitle B of
20 title I of the Developmental Disabilities Assist-
21 ance and Bill of Rights Act of 2000 (42 U.S.C.
22 15021 et seq.);

23 (H) a nonprofit State provider association
24 that represents providers who employ direct
25 care workers, where such associations exist; and

1 (I) an entity that employs direct care
2 workers.

3 **SEC. 6. USES OF FUNDS; ADMINISTRATIVE COSTS; SUPPLE-**
4 **MENT, NOT SUPPLANT.**

5 (a) USES OF FUNDS.—

6 (1) IN GENERAL.—Each eligible entity receiving
7 a grant under this Act shall use such grant to de-
8 velop and implement a strategy for the recruitment,
9 retention, or advancement of direct care workers by
10 carrying out at least one of the activities described
11 in paragraph (2).

12 (2) ACTIVITIES.—The activities described in
13 this paragraph are as follows:

14 (A) Developing and implementing an edu-
15 cation and training program that—

16 (i) shall provide each program partici-
17 pant relevant training regarding the rights
18 of recipients of direct care services, includ-
19 ing the rights of such recipients to—

20 (I) receive such services in the
21 most integrated setting;

22 (II) exercise self-determination;
23 and

1 (III) be free from physical, sex-
2 ual, and financial abuse, and discrimi-
3 nation;

4 (ii) may include any of the following
5 training services, which are provided pri-
6 marily in-person and not online—

7 (I) training on the in-demand
8 skills and competencies of direct care
9 occupations, including the provision of
10 culturally competent services to recipi-
11 ents of direct care; or

12 (II) an apprenticeship program,
13 work-based learning, experiential
14 learning, or on-the-job training oppor-
15 tunities; and

16 (iii) in the case in which such pro-
17 gram includes on-the-job training, shall
18 provide a progressively increasing, clearly
19 defined schedule of wages to be paid to
20 participants of such training that—

21 (I) is consistent with skill gains
22 or attainment of a recognized postsec-
23 ondary credential to be received as a
24 result of participation in or comple-
25 tion of such program; and

1 (II) ensures that the wage for
2 such participants is not less than the
3 greater of—

4 (aa) the minimum wage re-
5 quired under section 6(a) of the
6 Fair Labor Standards Act of
7 1938 (29 U.S.C. 206(a)); or

8 (bb) the applicable wage re-
9 quired by other applicable Fed-
10 eral or State law, or a collective
11 bargaining agreement.

12 (B) In the case of an eligible entity de-
13 scribed in section 3(3)(H), developing and im-
14 plementing a career pathway program that
15 leads to higher wages and benefits for partici-
16 pating direct care workers, which shall in-
17 clude—

18 (i) the planning and implementation
19 of the career pathways program between
20 employers who hire such participants and
21 such eligible entity;

22 (ii) the development and expansion of
23 new or existing programs that utilize ca-
24 reer pathway design elements, and which

1 may include the development and expan-
2 sion of—

3 (I) dual-enrollment approaches
4 for secondary students or eligible
5 youth seeking to participate in a ca-
6 reer pathway program;

7 (II) multiple entry and exit
8 points into pathways for participants;

9 (III) sequenced, connected cur-
10 ricula, and the establishment of
11 stackable credentials; or

12 (IV) supports that help working
13 students and other nontraditional and
14 adult student populations persist
15 along pathways and attain recognized
16 postsecondary credentials;

17 (iii) the provision of training services
18 as described in subparagraph (A)(ii);

19 (iv) the provision of supportive serv-
20 ices; or

21 (v) any other evidence-based activities
22 identified by the eligible entity or employer
23 partners as necessary to support the devel-
24 opment or implementation of such career
25 pathway program.

1 (C) Providing career planning to support
2 the identification of advancement opportunities
3 and career pathways for direct care workers, in
4 coordination with employers, in the State or re-
5 gion to be served by the grant.

6 (D) Providing wages (or other compensa-
7 tion or benefits), supportive services, mentoring,
8 or other career supports to direct care workers
9 (or individuals training to be such workers),
10 which provided alone, or in combination with
11 any of the activities listed in this paragraph, fa-
12 cilitates the recruitment, retention, or advance-
13 ment of such workers.

14 (E) Any other activity that the Secretary
15 determines appropriate for implementing a
16 strategy for the recruitment, retention, or ad-
17 vancement of direct care workers.

18 (3) CONTINUATION OF EXISTING STRATE-
19 GIES.—An eligible entity receiving a grant under
20 this Act may use such grant to continue to imple-
21 ment a strategy for the recruitment, retention, or
22 advancement of direct care workers, if such a strat-
23 egy was being implemented by an eligible entity as
24 of the first day on which the grant program under
25 this Act is announced in the Federal Register.

1 (b) ADMINISTRATIVE COSTS.—Each eligible entity
2 receiving a grant under this Act may not use more than
3 7 percent of the funds of such grant for costs associated
4 with the administration of the strategies implemented
5 using the grant, and the evaluations and reports of such
6 strategies under section 7.

7 (c) SUPPLEMENT, NOT SUPPLANT.—An eligible enti-
8 ty receiving a grant under this Act shall use such grant
9 only to supplement, and not supplant, the amount of funds
10 that, in the absence of such grant, would be available for
11 the recruitment, retention, or advancement of direct care
12 workers in the State or region served by the grant.

13 **SEC. 7. EVALUATIONS AND REPORTS.**

14 (a) ELIGIBLE ENTITIES.—

15 (1) IN GENERAL.—Each eligible entity receiving
16 a grant under this Act shall submit to the Secretary
17 of Labor and the Secretary of Health and Human
18 Services, with respect to each strategy for the re-
19 cruitment, retention, or advancement of direct care
20 workers funded with such grant—

21 (A) for each year of the grant period, an
22 annual report on the progress and outcomes of
23 the strategy; and

1 (B) not later 6 months after the comple-
2 tion of such strategy, a final report on the
3 progress and outcomes of the strategy.

4 (2) CONTENTS.—Each report submitted under
5 paragraph (1) by an eligible entity receiving a grant
6 under this Act shall include each of the following,
7 which shall be disaggregated in accordance with
8 paragraph (3):

9 (A) A description of each strategy funded
10 by the grant, including—

11 (i) the number of individuals who are
12 direct care workers or training to be direct
13 care workers who participated in the activi-
14 ties carried out under such strategy;

15 (ii) a description of each activity car-
16 ried out under such strategy; and

17 (iii) the outcomes of such strategy, in-
18 cluding the number of individuals or fami-
19 lies receiving direct care services or other
20 benefits provided by participants of any
21 such activities.

22 (B) In the case of such a strategy that in-
23 cludes an education and training program—

24 (i) the number of participants in such
25 program who complete such program,

1 disaggregated by the type of education and
2 training completed (including work-based
3 learning, on-the-job training, an appren-
4 ticeship program, and a professional devel-
5 opment or mentoring program);

6 (ii) the number of such participants
7 who complete such program and who at-
8 tain employment as a direct care worker
9 after participating in such program,
10 disaggregated in accordance with clause
11 (i); and

12 (iii) the submission of the data nec-
13 essary (as defined by the Secretary of
14 Labor) to measure employment outcomes
15 for each such program with respect to the
16 indicators of performance on unsubsidized
17 employment, median earnings, credential
18 attainment, measurable skill gains, and
19 employer satisfaction, as determined in ac-
20 cordance with subclauses (I) through (VI),
21 respectively, of section 116(b)(2)(A)(i) of
22 the Workforce Innovation and Opportunity
23 Act (29 U.S.C. 3141(b)(2)(A)(i)).

24 (C) In the case of such a strategy that in-
25 cludes the provision of supportive services—

1 (i) the number of participants of such
2 strategy who—

3 (I) needed supportive services
4 and received such services; and

5 (II) needed supportive services
6 and did not receive such services; and

7 (ii) a description of the supportive
8 services provided.

9 (D) How the eligible entity evaluates satis-
10 faction with respect to—

11 (i) participants of an activity carried
12 out under the strategy funded by such
13 grant;

14 (ii) individuals receiving direct care
15 services or other benefits provided by such
16 participants, including—

17 (I) any impact on the health or
18 health outcomes of such individuals;
19 and

20 (II) any impact on the ability of
21 individuals to transition to or remain
22 in the community in an environment
23 that meets the criteria established in
24 section 441.301(c)(4) of title 42, Code

1 of Federal Regulations (or successor
2 regulations); and

3 (iii) employers of such participants, as
4 determined in accordance with section
5 116(b)(2)(A)(i)(VI) of the Workforce Inno-
6 vation and Opportunity Act (29 U.S.C.
7 3141(b)(2)(A)(i)(VI)).

8 (3) DISAGGREGATION.—

9 (A) IN GENERAL.—Subject to subpara-
10 graph (B), the information described in para-
11 graph (2) shall be disaggregated—

12 (i) by race, disability, ethnicity, sex,
13 and age;

14 (ii) by each subpopulation listed in
15 subparagraphs (A) through (N) of section
16 3(24) of the Workforce Innovation and Op-
17 portunity Act (29 U.S.C. 3102(24)); and

18 (iii) by the individuals described in
19 clauses (i) and (ii) of section 5(a)(2)(K).

20 (B) EXCEPTIONS.—The disaggregation de-
21 scribed in clause (i), (ii), or (iii) of subpara-
22 graph (A) shall not be required in a case in
23 which the number of individuals in a category
24 or subpopulation is insufficient to yield statis-
25 tically reliable information or the results would

1 reveal personally identifiable information about
2 an individual.

3 (b) REPORT TO CONGRESS.—Not later than 1 year
4 after the completion of the final strategy funded by the
5 last grant awarded under this Act, the Secretary shall pre-
6 pare and submit to Congress, and make publicly available,
7 a report containing—

8 (1) the progress and outcomes of the strategies
9 identified in the final reports submitted by eligible
10 entities under subsection (a)(1)(B);

11 (2) any specific successful strategies (as deter-
12 mined on the basis of such final reports) that can
13 also support family caregivers;

14 (3) an analysis of the workforce supply, current
15 and projected shortages, and distribution of direct
16 care workers at the national, regional, and State lev-
17 els; and

18 (4) recommendations for legislative or adminis-
19 trative action.

20 **SEC. 8. GAO REPORT.**

21 Not later than 1 year after the Secretary submits to
22 Congress the report under section 7(b), the Comptroller
23 General of the United States shall conduct a study and
24 submit to Congress a report including—

1 (1) an assessment of the effect that the strate-
2 gies in the recruitment, retention, or advancement of
3 direct care workers funded under this Act had on
4 the supply of such workers in the labor market;

5 (2) any specific successful strategies (as deter-
6 mined on the basis of the assessment in paragraph
7 (1)) that can also support family caregivers; and

8 (3) recommendations for legislative or adminis-
9 trative actions.

10 **SEC. 9. TECHNICAL ASSISTANCE.**

11 (a) IN GENERAL.—Not later than 5 months after the
12 date of enactment of this Act, from the amounts reserved
13 under section 10(a)(2), the Secretary of Labor, in coordi-
14 nation with the Secretary of Health and Human Services,
15 shall provide technical assistance to eligible entities receiv-
16 ing a grant under this Act, including technical assistance
17 to—

18 (1) ensure that such entities carry out one or
19 more of the activities described in section 6(a)(2); or

20 (2) assist such entities in complying with the—

21 (A) the data collection requirements of sec-
22 tion 7(a)(2)(B)(iii); or

23 (B) the disaggregation requirements of
24 section 7(a)(3).

1 (b) NATIONAL TECHNICAL ASSISTANCE CENTER.—
2 In addition to activities authorized under section
3 411(a)(13) of the Older Americans Act of 1965 (42
4 U.S.C. 3032(a)(13)) and the activities authorized under
5 subtitle E of the Developmental Disabilities Assistance
6 and Bill of Rights Act of 2000 (42 U.S.C. 15081 et seq.),
7 the amounts appropriated under section 10(b) of this Act
8 shall be used by the Assistant Secretary for Aging of the
9 Administration for Community Living of the Department
10 of Health and Human Services to—

11 (1) provide the technical assistance described in
12 subsection (a);

13 (2) disseminate tools, resources, information,
14 and best practices to assist State systems (including
15 Medicaid, aging, disability, and workforce agencies),
16 as well as service providers, and aging, disability,
17 and labor stakeholders, to support the development
18 and coordination of policies and programs that con-
19 tribute to a stable, robust direct care workforce;

20 (3) bolster partnerships and support collabora-
21 tion between or among the State systems, service
22 providers, and stakeholders described in paragraph
23 (2) to support the direct care workforce; and

1 (4) any other activities that are necessary to
2 strengthen the direct care workforce, as determined
3 by the Assistant Secretary.

4 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) GRANT PROGRAM.—

6 (1) IN GENERAL.—There are authorized to be
7 appropriated \$300,000,000 to carry out this Act
8 (other than section 9(b)) for each of the fiscal years
9 2024 through 2029.

10 (2) RESERVATION OF FUNDS FOR TECHNICAL
11 ASSISTANCE.—Of the amounts appropriated under
12 paragraph (1) for a fiscal year, the Secretary of
13 Labor shall reserve up to 2 percent to provide the
14 technical assistance described in section 9(a).

15 (b) NATIONAL TECHNICAL ASSISTANCE CENTER.—
16 There are authorized to be appropriated \$6,000,000 for
17 each of the fiscal years 2024 through 2029 to carry out—

18 (1) the activities authorized under section
19 411(a)(13) of the Older Americans Act of 1965 (42
20 U.S.C. 3032(a)(13));

21 (2) the activities authorized under subtitle E of
22 the Developmental Disabilities Assistance and Bill of
23 Rights Act of 2000 (42 U.S.C. 15081 et seq.); and

24 (3) the activities described in section 9(b) of
25 this Act.