



Public Health Law

Office for State, Tribal, Local and Territorial Support
Centers for Disease Control and Prevention

***Healthy People 2020* Law and Health Policy Project: Legal and Policy Resources Related to Older Adults**

Older adults are among the fastest growing age groups in the United States.¹ In 2011, the first “baby boomers,” a term for people born between 1946 and 1963, turned 65.² By 2030, more than 37 million people, or 60%, are expected to be living with more than one chronic condition.³ Older adults are at a higher risk for developing chronic illnesses and related disabilities, such as arthritis and dementia.⁴ Other emerging issues in promoting health among older adults include helping older adults manage their own care and identifying minimum levels of training for people who care for older adults.⁵

Healthy People 2020 (HP2020) is the first *Healthy People* series to feature “Older Adults” as a topic. The overall goal for the topic is to “improve the health, function, and quality of life of older adults.”⁶ This document has been developed for members of the public interested in law and health policy topics related to older adults. It lists selected legal and policy resources related to preventive health services for older adults, physical activity and built environments for older adults,⁷ and elder justice.

Preventive Health Services for Older Adults

Clinical preventive services include screenings for chronic conditions; immunizations for diseases, such as influenza and pneumonia; and counseling about personal health behaviors.⁸ These services can prevent disease or detect disease early, when treatment is more effective.⁹ Preventive health services are valuable for maintaining the quality of life and wellness of older adults.¹⁰ The resources below explore how laws and policies can address *HP2020* objectives related to preventive health services for older adults.¹¹

- Winifred V. Quinn, Susan Reinhard, Laura Thornhill et al., [Improving Access to High-Quality Care: Medicare’s Program for Graduate Nurse Education, INSIGHT ON THE ISSUES 103](#) (June 2015).
- AM. CANCER SOC’Y, [Colorectal Cancer Screening—Insurance Coverage](#) (Oct. 2014).
- NAT’L COUNCIL ON AGING, [Vaccines: What Medicare Pays For](#) (Aug. 2014).



- AM. ASS'N OF RETIRED PERSONS, THE COMMONWEALTH FUND & THE SCAN FOUNDATION, [Raising Expectations: A State Scorecard on Long-Term Services and Supports for Older Adults, People with Physical Disabilities, and Family Caregivers](#) (2014).
- CTRS. FOR DISEASE CONTROL AND PREVENTION, ADMINISTRATION ON AGING, AGENCY FOR HEALTHCARE RESEARCH AND QUALITY, AND CTRS. FOR MEDICARE AND MEDICAID SERVICES, [Enhancing Use of Clinical Preventive Services Among Older Adults: Closing the Gap](#) (2011).

Physical Activity and Built Environment for Older Adults

Getting regular physical activity is one of the most important things older adults can do for their health.¹² Physical activity can prevent many of the health problems that come with age.¹³ One way to encourage regular physical activity among older adults¹⁴ is to consider how built environments¹⁵ affect this population. Older adults interact with the built environment in ways that reflect changing lifestyles and changing physical capabilities.¹⁶ Communities with a safe and secure pedestrian environment, along with nearby destinations such as libraries, stores, and places of worship, allow older adults to remain independent, active, and engaged.¹⁷ The resources below address policies and laws that encourage physical activity among older adults and built environments suitable for older adults.

- Joshua Ewing, Nat'l Conference of State Legislatures, [Helping Rural Seniors Age in Place](#) (Aug. 2014).
- Amanda J. Lehning, *Local and Regional Governments and Age-Friendly Communities: A Case Study of the San Francisco Bay Area*, 26 J. OF AGING & SOCIAL POL'Y 102–16 (2014). DOI:10.1080/08959420.2014.854140.
- Lynda A. Anderson, Amy Slonim, Irene H. Yen et al., [Developing a Framework and Priorities to Promote Mobility Among Older Adults](#). 41 (1 Suppl.) HEALTH EDUC. & BEHAVIOR, 10S–18S (2014).
- ASS'N OF STATE AND TERRITORIAL HEALTH OFFICIALS, [Michigan: Encouraging Physical Activity Among Older Adults with Enhance Fitness](#) (2013).
- AM. ASS'N OF RETIRED PERSONS PUB. POL'Y INST., [Livable Communities](#) (no date).

Elder Justice

One to two million older adults in the United States are injured or mistreated by a loved one or a caregiver.¹⁸ Federal definitions of elder abuse first appeared in the 1987 Amendments to the Older Americans Act; however, those definitions are guidelines.¹⁹ Each state defines elder abuse in accordance with its particular statutes and regulations, and definitions vary from state to state.²⁰ Elder abuse can affect both men and women of all ethnic backgrounds and social status.²¹ Physical, emotional, and sexual abuse, as well as exploitation and neglect, are commonly identified as the major categories of elder mistreatment.²² The following resources explore the use of laws and policies to address and prevent elder abuse.²³

- CTRS. FOR DISEASE CONTROL AND PREVENTION, [Understanding Elder Abuse: Fact Sheet](#) (2016).
- US DEP'T OF JUSTICE, [The Elder Justice Roadmap: A Stakeholder Initiative to Respond to an Emerging Health, Justice, Financial and Social Crisis](#) (2014).

- NAT'L INDIGENOUS ELDER JUSTICE INITIATIVE, [Elder Abuse Codes](#) (no date).
- NAT'L CTR. ON ELDER ABUSE, ADMIN. ON AGING, US DEP'T OF HEALTH & HUMAN SERVS. [Federal Laws Related to Elder Abuse](#) (2010).
- NAT'L CTR. ON ELDER ABUSE, ADMIN. ON AGING, US DEP'T OF HEALTH & HUMAN SERVS., [State Resources](#) (no date).

Acknowledgments and Disclaimers

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For further technical assistance with this inventory, please contact PHLP at phlawprogram@cdc.gov. PHLP provides technical assistance and public health law resources to advance the use of law as a public health tool. PHLP cannot provide legal advice on any issue and cannot represent any individual or entity in any matter. PHLP recommends seeking the advice of an attorney or other qualified professional with questions regarding the application of law to a specific circumstance. The findings and conclusions in this summary are those of the author and do not necessarily represent the official views of the Centers for Disease Control and Prevention.

For further technical assistance with this inventory and for questions regarding the *HP2020* Law and Health Policy Project, please contact Angela McGowan at angela.mcgowan@hhs.gov.

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¹ AM. HOSP. ASS'N, FIRST CONSULTING GROUP, [When I'm 64: How Boomers Will Change Health Care](#) (2007).

² US DEP'T OF HEALTH & HUMAN SERVS., [Older Adults: Overview](#) (Mar. 2016).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ "Built environment" refers to "all of the physical parts of where we live and work (e.g., homes, buildings, streets, open spaces, and infrastructure)." CTRS. FOR DISEASE CONTROL AND PREVENTION, [Impact of the Built Environment on Health](#) (June 2011).

⁸ CTRS. FOR DISEASE CONTROL AND PREVENTION, [Clinical Preventive Services](#) (updated Oct. 2015).

⁹ *Id.*

¹⁰ *Supra* note 2.

¹¹ Related objectives include *Healthy People 2020* Older Adults objectives #2 (increase the proportion of older adults who are up to date on a core set of clinical preventive services) and #7 (increase the proportion of the health care workforce with geriatric certification). Other objectives from related topics include Immunizations & Infectious Diseases objective #13.1 (increase the percentage of noninstitutionalized adults aged 65 years and older who are vaccinated against pneumococcal disease), Cancer objective #16 (increase the proportion of adults who receive a colorectal cancer screening based on the most recent guidelines (recommended 50–75 years of age), and Access to Health Services objectives #5 (increase the proportion of persons who have a specific source of ongoing

care), and #7 (increase the proportion of persons who receive appropriate evidence-based clinical preventive services).

¹² CTRS. FOR DISEASE CONTROL AND PREVENTION, [Physical Activity Basics: Needs for Older Adults](#) (June 2015).

¹³ *Id.*

¹⁴ Related objectives include *HP2020* Older Adults objective #6 (increase the proportion of older adults with reduced physical or cognitive function who engage in light, moderate, or vigorous leisure-time physical activities) and Physical Activity Objective #15 (increase legislative policies for the built environment that enhance access to and availability of physical activity opportunities).

¹⁵ “Built environment” refers to the buildings, roads, utilities, homes, fixtures, parks, and all other man-made entities that form the physical characteristics of a community. CTRS. FOR DISEASE CONTROL AND PREVENTION, [Healthy Places: Terminology](#) (Aug. 2013).

¹⁶ CTRS. FOR DISEASE CONTROL AND PREVENTION, [Healthy Aging and the Built Environment](#) (Mar. 2015).

¹⁷ *Id.*

¹⁸ *Supra* note 2.

¹⁹ NAT’L CTR. ON ELDER ABUSE, ADMIN. ON AGING, US DEP’T OF HEALTH & HUMAN SERVS, [Frequently Asked Questions](#) (no date).

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Related objectives include *HP2020* Older Adults objective #12 (increase the number of states, the District of Columbia, and tribes that collect and make publicly available information on the characteristics of victims, perpetrators, and cases of elder abuse, neglect, and exploitation).