

## 14TH SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING

### ACCESSIBILITY, INFRASTRUCTURE AND HABITAT (TRANSPORT, HOUSING AND ACCESS)

#### *Response by United States of America*

#### **1. What are the national legal provisions and policy frameworks that recognize older persons' rights to accessibility, infrastructure and habitat (transport, housing and access)? This could include, but is not limited to:**

The United States (U.S.) recognizes the importance of maximizing independence among older persons and individuals with disabilities, including the ability to access transportation and housing and other supportive services.

The Centers for Medicaid and Medicare Services (CMS) administers two government-sponsored health care programs: Medicare and Medicaid. Medicaid programs provide long-term services and supports (LTSS), including home and community-based services (HCBS). Medicaid has a number of HCBS programs that provide community-based services as alternatives to institutional care for older adults and individuals with disabilities. While not all Medicare plans provide LTSS, some are offering expanded services and supports, including in-home support services, support for caregivers, home modifications, non-medical transportation, among others.

The Older Americans Act (OAA) provides a range of services and supports that address the health and functional needs of older persons, and supports related to accessibility, housing and transportation. See more OAA related details *in the other responses to guiding questions*.

The U.S. Department of Housing and Urban Development (HUD) administers the Housing Choice Voucher Program that assists low-income families, older persons, and individuals with disabilities to access safe, affordable housing; and the Section 202 Supportive Housing for the Elderly program offers options for independent living in an environment that provides support activities such as cleaning, cooking and transportation. The U.S. Department of Agriculture (USDA) supports grants for older, low-income, homeowners to remove health and safety hazards from their homes.

The Housing and Services Resource Center (HSRC) is part of an interagency initiative, led by the U.S. Department of Health and Human Services (HHS) and HUD, to streamline and expand access to affordable, accessible housing and the critical services that make community living possible for older persons and persons with disabilities.

#### **2. What are the challenges and barriers faced by older persons for the realization of their right to accessibility, infrastructure use and habitat (transport, housing and access) at the national and international levels?**

A barrier to participation in existing programs that address access to housing, transportation, and other supportive services is consumers' lack of knowledge of what is available to them. Due to the geographic and demographic variability across the nation, these programs are often created with a "top-down" funding mechanism and a "bottom-up" implementation approach. Federal agencies work together with

stakeholders (government and non-government) at the national, state, local, tribal, and territorial levels to address gaps in service.

#### **Data and research**

### **3. What data, statistics and research are available at the national level regarding older persons' rights to accessibility, infrastructure and habitat (public transport, housing and access)?**

[The American Housing Survey](#) (AHS), sponsored by HUD and the U.S. Census Bureau, captures American households' level of access use of their own home to better understand the level of accessibility in U.S. housing. Data from the 2022 [National Household Travel Survey](#), conducted by the U.S. Department of Transportation (DOT) is used to analyze trends in personal and household travel and includes characteristics of the persons traveling, their household, and their vehicles.

### **4. What measures are being taken to eliminate ageism, ageist stereotypes, prejudices and behaviours that hinder older persons' rights to accessibility, infrastructure and habitat (transport, housing and access)?**

The U.S. has several policy and legal frameworks that provide protections against discrimination based on age and disabilities in programs and in employment and provides protections against abuse, neglect, and exploitation. See more details in the response to guiding questions regarding *Right to Health and Access to Health Services*.

Civil rights laws such as the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act make it possible for persons with disabilities, regardless of age, to participate fully in society both socially and economically. These laws also require that public and private transportation services and organizations ensure accessibility of transportation. Accessibility requirements pertain not only to vehicles, but rail cars, trams and automated guideway transit systems, and to surrounding features, such as paths of travel to and within stations, restrooms, bus stops and shelters, etc.

The OAA requires each state agency to develop and implement a State Plan on Aging which provides a framework for activities related to programs, activities, and services for older adults. Separately, at the national, state, and community levels, cross-sector stakeholders have come together to develop and implement action plans for successful ageing, which provide a blueprint that guides policy, programs, and funding toward ageing well in the community by connecting public, private and independent sectors in modernizing and creating systems-based solutions across all major areas of ageing (e.g. housing, transportation, employment, health, human services, etc.)

#### **Remedies and Redress**

### **5. What mechanisms are necessary, or already in place, for older persons to submit complaints and seek redress for denial of their rights to accessibility, infrastructure and habitat (transport, housing and access)?**

The U.S. has complaint mechanisms for individuals receiving services, their caregivers, and family members, including to national offices for civil rights. Under the OAA, each state has a Long-Term Care Ombudsman program which provides advocacy for individuals receiving long-term care services. The ADA provides a variety of ways for individuals to file complaints against a state or local government and private business that serves the public with federal agencies regarding employment, air travel, housing,

and any other complaints involving discrimination due to disability. The Elder Justice Act (EJA) addresses the abuse, neglect, and exploitation of older persons at the federal level by authorizing federal programs and initiatives, including Adult Protective Services (APS) programs and elder justice research and innovation. The Elder Justice Initiative (EJI) supports and coordinates the Department of Justice's (DOJ) efforts to combat elder abuse, neglect, and financial fraud targeting older persons. Reports of abuse and/or neglect can be filed via phone, online, or in person with detailed instructions provided on their website.