

(H. B. 2019)

(No. 28)

(Approved January 23, 2006)

AN ACT

To amend Section 2 and 11 of Act No. 203 of August 7, 2004, better known as the “Office of the Advocate for the Elderly Act,” in order to make technical corrections to the Act.

STATEMENT OF MOTIVES

Subsection (c) of Section 2 of Act No. 203 of August 7, 2004, better known as the “Office of the Advocate for the Elderly Act” defines what it deems is a private entity or institution. According to this Act, it means “any association, organization, institute, or natural or juridical person that renders, offers or provides any service or activity or that administers or develops a program in relation to the elderly in Puerto Rico, and receives any financial contribution from the Government of the Commonwealth of Puerto Rico or receives funds from programs of the Government of the United States of America which are contemplated in federal laws for the benefit, attention and protection of these persons.”

However, it is the opinion of the present Advocate for the Elderly that said definition is limiting since it excludes those associations, organizations or institutions that do not receive any contributions from the Government of Puerto Rico or of the United States. Thus, a recommendation is made to change the wording in order to broaden the definition of private entity or institution.

On the other hand, Section 11 of said Act which creates a Consulting Council constituted by 17 members, by mistake it appears in the text of the Act that the same shall be constituted by fifteen members. This Legislature of Puerto Rico, as well as the Advocate deem it pertinent to correct these technical errors so that there is no doubt regarding the original intention of the legislators of that time and that for various circumstances went unnoticed.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Subsection (c) of Section 2 of Act No. 203 of August 7, 2004, is hereby amended to read as follows:

“Section 2.—Definitions.—

For the purposes of this Act, the following terms shall have the meaning stated below:

- (a) ...
- (b) ...
- (c) Private Entity or Institution – means any association, organization, institute, or natural or juridical person that renders, offers or provides any service or activity or that administers or develops a program in relation to the elderly in Puerto Rico, and regardless of whether it receives or not any financial contribution from the Government of the Commonwealth of Puerto Rico or funds from programs of the Government of the United States of America which are contemplated in federal laws for the benefit, attention and protection of these persons.
- (d) ...
- (e) ...

(f) ...

(g) ...

Section 2.- Section 11 of Act No. 203 of August 7, 2004, is hereby amended to read as follows:

“Section 11.- Advisory Council; Creation.-

An Elderly Affairs Advisory Council is hereby created, to be attached to the Office, to advise the Office of the Advocate for the Elderly in relation to the implementation of this Act. The Advisory Council shall be constituted by seventeen (17) members, and its composition shall be as follows: nine (9) ex officio members to represent the public interest, and eight (8) members to represent the interest of the community, appointed by the Governor. The ex officio members representing the public interest shall be, to wit: the Secretary of the Department of Health; the Secretary of the Department of the Family; the Secretary of the Department of Education; the Secretary of the Sports and Recreation Department; the Secretary of the Department of Labor and Human Resources; the Secretary of the Department of Housing; the Advocate for the Patient; the Advocate for the Persons with Disabilities; and the Women’s Advocate, or the representative that these officials expressly designated for these purposes. Of the eight (8) members representing the community interest, four (4) shall be elderly persons.

...”

Section 3.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 28 (H.B. 2019) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 2 and 11 of Act No. 203 of August 7, 2004, better known as the “Office of the Advocate for the Elderly Act,” in order to make technical corrections to the Act,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 2nd of June of 2006.

Francisco J. Domenech
Director