

in consultation with the Director of the Office of Personnel Management.

(Added Pub. L. 105-261, div. A, title VII, § 721(a)(1), Oct. 17, 1998, 112 Stat. 2061; amended Pub. L. 108-375, div. A, title X, § 1084(d)(8), Oct. 28, 2004, 118 Stat. 2061.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsecs. (b)(1)(A), (D)(i), (j)(2)(K)(ii), and (l)(1), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title XVIII of the Act is classified generally to Part A (§ 1395c et seq.) of subchapter XVIII of chapter 7 of Title 42, The Public Health and Welfare. Section 1882 of the Act is classified to section 1395ss of Title 42. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

Section 1896 of the Social Security Act, referred to in subsec. (c)(3), was classified to section 1395ggg of Title 42, The Public Health and Welfare, and was omitted from the Code.

AMENDMENTS

2004—Subsec. (e). Pub. L. 108-375 substituted “health” for “heath”.

CHANGE OF NAME

References to Medicare+Choice deemed to refer to Medicare Advantage or MA, subject to an appropriate transition provided by the Secretary of Health and Human Services in the use of those terms, see section 201(b) of Pub. L. 108-173, set out as a note under section 1395w-21 of Title 42, The Public Health and Welfare.

COMPREHENSIVE EVALUATION OF IMPLEMENTATION OF DEMONSTRATION PROJECTS AND TRICARE PHARMACY REDESIGN

Pub. L. 105-261, div. A, title VII, § 724, Oct. 17, 1998, 112 Stat. 2069, as amended by Pub. L. 106-65, div. A, title X, § 1067(3), Oct. 5, 1999, 113 Stat. 774, required the Comptroller General, not later than Mar. 31, 2003, to submit to committees of Congress a report containing a comprehensive comparative analysis of the FEHBP demonstration project conducted under this section, the TRICARE Senior Supplement under Pub. L. 105-261, § 722, formerly set out as a note under section 1073 of this title, and the redesign of the TRICARE pharmacy system under section Pub. L. 105-261, § 723, set out as a note under section 1073 of this title.

§ 1109. Organ and tissue donor program

(a) **RESPONSIBILITIES OF THE SECRETARY OF DEFENSE.**—The Secretary of Defense shall ensure that the advanced systems developed for recording armed forces members’ personal data and information (such as the SMARTCARD, MEDITAG, and Personal Information Carrier) include the capability to record organ and tissue donation elections.

(b) **RESPONSIBILITIES OF THE SECRETARIES OF THE MILITARY DEPARTMENTS.**—The Secretaries of the military departments shall ensure that—

(1) appropriate information about organ and tissue donation is provided—

(A) to each officer candidate during initial training; and

(B) to each recruit—

(i) after completion by the recruit of basic training; and

(ii) before arrival of the recruit at the first duty assignment of the recruit;

(2) members of the armed forces are given recurring, specific opportunities to elect to be organ or tissue donors during service in the armed forces and upon retirement; and

(3) members of the armed forces electing to be organ or tissue donors are encouraged to advise their next of kin concerning the donation decision and any subsequent change of that decision.

(c) **RESPONSIBILITIES OF THE SURGEONS GENERAL OF THE MILITARY DEPARTMENTS.**—The Surgeons General of the military departments shall ensure that—

(1) appropriate training is provided to enlisted and officer medical personnel to facilitate the effective operation of organ and tissue donation activities under garrison conditions and, to the extent possible, under operational conditions; and

(2) medical logistical activities can, to the extent possible without jeopardizing operational requirements, support an effective organ and tissue donation program.

(Added Pub. L. 105-261, div. A, title VII, § 741(b)(1), Oct. 17, 1998, 112 Stat. 2073; amended Pub. L. 106-398, § 1 [[div. A], title X, § 1087(a)(8)], Oct. 30, 2000, 114 Stat. 1654, 1654A-290.)

AMENDMENTS

2000—Subsec. (b). Pub. L. 106-398 struck out “(1)” before “The Secretaries” in introductory provisions.

FINDINGS

Pub. L. 105-261, div. A, title VII, § 741(a), Oct. 17, 1998, 112 Stat. 2073, provided that: “Congress makes the following findings:

“(1) Organ and tissue transplantation is one of the most remarkable medical success stories in the history of medicine.

“(2) Each year, the number of people waiting for organ or tissue transplantation increases. It is estimated that there are approximately 39,000 patients, ranging in age from babies to those in retirement, awaiting transplants of kidneys, hearts, livers, and other solid organs.

“(3) The Department of Defense has made significant progress in increasing the awareness of the importance of organ and tissue donations among members of the Armed Forces.

“(4) The inclusion of organ and tissue donor elections in the Defense Enrollment Eligibility Reporting System (DEERS) central database represents a major step in ensuring that organ and tissue donor elections are a matter of record and are accessible in a timely manner.”

REPORT ON IMPLEMENTATION

Pub. L. 105-261, div. A, title VII, § 741(c), Oct. 17, 1998, 112 Stat. 2074, as amended by Pub. L. 106-65, div. A, title X, § 1067(3), Oct. 5, 1999, 113 Stat. 774, directed the Secretary of Defense to submit to committees of Congress a report on the implementation of this section not later than Sept. 1, 1999.

§ 1110. Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions

(a) **PROCEDURES FOR MEDICAL AND ADMINISTRATIVE EXEMPTIONS.**—(1) The Secretary of Defense shall establish uniform procedures under which members of the armed forces may be exempted from participating in the anthrax vaccine immunization program for either administrative or medical reasons.

(2) The Secretaries of the military departments shall provide for notification of all members of the armed forces of the procedures established pursuant to paragraph (1).