

may prescribe, but the time of such work or duties shall not be counted as leave.

(Pub. L. 96-465, title I, § 903, Oct. 17, 1980, 94 Stat. 2127; Pub. L. 103-236, title I, § 180(a)(8), Apr. 30, 1994, 108 Stat. 416; Pub. L. 109-234, title I, § 1602(d)(2), June 15, 2006, 120 Stat. 442; Pub. L. 110-321, § 2(2), Sept. 19, 2008, 122 Stat. 3535.)

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-321 substituted “or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands” for “, its territories and possessions, or the Commonwealth of Puerto Rico”.

2006—Subsec. (a). Pub. L. 109-234, which directed substitution of “12 months” for “18 months” in section 903(a) of the Foreign Service Act, was executed to subsec. (a) of this section, which is section 903 of the Foreign Service Act of 1980, to reflect the probable intent of Congress.

1994—Subsec. (a). Pub. L. 103-236 inserted “(other than a member employed under section 3951 of this title)” after “member of the Service” in two places.

§ 4084. Health care program

(a) Establishment

The Secretary of State shall establish a health care program to promote and maintain the physical and mental health of members of the Service, and (when incident to service abroad) other designated eligible Government employees, and members of the families of such members and employees.

(b) Services provided

Any such health care program may include (1) medical examinations for applicants for employment, (2) medical examinations and inoculations or vaccinations, and other preventive and remedial care and services as necessary, for members of the Service and employees of the Department who are citizens of the United States and for members of their families, (3) health education and disease prevention programs for all employees, and (4) examinations necessary in order to establish disability or incapacity of participants in the Foreign Service Retirement and Disability System or Foreign Service Pension System or to provide survivor benefits under subchapter VIII of this chapter.

(c) Facilities; employment of personnel

The Secretary of State may establish health care facilities and provide for the services of physicians, nurses, or other health care personnel at Foreign Service posts abroad at which, in the opinion of the Secretary of State, a sufficient number of Government employees are assigned to warrant such facilities or services.

(d) Costs of treatment

If an individual eligible for health care under this section incurs an illness, injury, or medical condition which requires treatment while assigned to a post abroad or located overseas pursuant to Government authorization, the Secretary may pay the cost of such treatment.

(e) Death or separation of member

Health care may be provided under this section to a member of the Service or other designated eligible Government employee after the

separation of such member or employee from Government service. Health care may be provided under this section to a member of the family of a member of the Service or of a designated eligible Government employee after the separation from Government service or the death of such member of the Service or employee or after dissolution of the marriage.

(f) Review; medical care contracts

The Secretary of State shall review on a continuing basis the health care program provided for in this section. Whenever the Secretary of State determines that all or any part of such program can be provided for as well and as cheaply in other ways, the Secretary may, for such individuals, locations, and conditions as the Secretary of State deems appropriate, contract for health care pursuant to such arrangements as the Secretary deems appropriate.

(g) Retention of medical reimbursements

Reimbursements paid to the Department of State for funding the costs of medical care abroad for employees and eligible family members shall be credited to the currently available applicable appropriation account. Such reimbursements shall be available for obligation and expenditure during the fiscal year in which they are received or for such longer period of time as may be provided in law.

(Pub. L. 96-465, title I, § 904, Oct. 17, 1980, 94 Stat. 2127; Pub. L. 99-93, title I, § 122, Aug. 16, 1985, 99 Stat. 413; Pub. L. 100-238, title II, § 243, Jan. 8, 1988, 101 Stat. 1776; Pub. L. 107-228, div. A, title III, § 316, Sept. 30, 2002, 116 Stat. 1379; Pub. L. 109-140, § 2, Dec. 22, 2005, 119 Stat. 2650.)

AMENDMENTS

2005—Subsec. (g). Pub. L. 109-140 added subsec. (g).

2002—Subsec. (b). Pub. L. 107-228 substituted “families, (3) health education and disease prevention programs for all employees, and (4)” for “families, and (3)”.

1988—Subsec. (b). Pub. L. 100-238 inserted “or Foreign Service Pension System” after “System”.

1985—Subsec. (a). Pub. L. 99-93, § 122(1), substituted “shall” for “may”.

Subsec. (b). Pub. L. 99-93, § 122(2), inserted “, and other preventive and remedial care and services as necessary,”.

Subsec. (d). Pub. L. 99-93, § 122(3), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “If an individual eligible for health care under this section incurs an illness, injury, or medical condition while abroad which requires hospitalization or similar treatment, the Secretary may pay all or part of the cost of such treatment. Limitations on such payments established by regulation may be waived whenever the Secretary determines that the illness, injury, or medical condition clearly was caused or materially aggravated by the fact that the individual concerned is or has been located abroad.”

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-238 effective 90 days after Jan. 8, 1988, see section 261(a) of Pub. L. 100-238, set out as a note under section 4054 of this title.

§ 4085. Entertainment and representation expenses

Notwithstanding section 5536 of title 5, the Secretary may provide for official receptions and may pay entertainment and representa-