

“(1) The extent to which the facility meets safety and building codes and, if direct care is provided, the extent of compliance with Joint Commission for Accreditation of Health Care Organizations (JCAHO) standards.

“(2) The extent to which improvements, expansion, or relocation is necessary to meet program requirements, provide adequate services, or achieve building code compliance.

“(3) Any lease restriction that would hamper accomplishment of needed improvement, expansion, or relocation.

“(4) The term of the lease, if appropriate, the age of the structure, and the structure’s life expectancy with and without improvement.

“(5) An assessment of the deficiencies of the facility.

“(b) REPORT.—The report shall contain general recommendations for addressing the deficiencies of facilities in which programs funded under title V of the Indian Health Care Improvement Act [25 U.S.C. 1651 et seq.] are located and shall propose specific policies for accomplishing those recommendations.”

§ 1654. Contracts and grants for determination of unmet health care needs

(a) Authority

Under authority of section 13 of this title, the Secretary, through the Service, may enter into contracts with, or make grants to, urban Indian organizations situated in urban centers for which contracts have not been entered into, or grants have not been made, under section 1653 of this title. The purpose of a contract or grant made under this section shall be the determination of the matters described in subsection (b)(1) of this section in order to assist the Secretary in assessing the health status and health care needs of urban Indians in the urban center involved and determining whether the Secretary should enter into a contract or make a grant under section 1653 of this title with respect to the urban Indian organization which the Secretary has entered into a contract with, or made a grant to, under this section.

(b) Requirements

Any contract entered into, or grant made, by the Secretary under this section shall include requirements that—

(1) the urban Indian organization successfully undertake to—

(A) document the health care status and unmet health care needs of urban Indians in the urban center involved; and

(B) with respect to urban Indians in the urban center involved, determine the matters described in clauses (2), (3), (4), and (8) of section 1653(b) of this title; and

(2) the urban Indian organization complete performance of the contract, or carry out the requirements of the grant, within one year after the date on which the Secretary and such organization enter into such contract, or within one year after such organization receives such grant, whichever is applicable.

(c) Renewal

The Secretary may not renew any contract entered into, or grant made, under this section.

(Pub. L. 94-437, title V, § 504, as added Pub. L. 100-713, title V, § 501, Nov. 23, 1988, 102 Stat. 4822; amended Pub. L. 102-573, title V, § 501(b)(2), Oct. 29, 1992, 106 Stat. 4567.)

PRIOR PROVISIONS

A prior section 1654, Pub. L. 94-437, title V, § 504, Sept. 30, 1976, 90 Stat. 1411; Pub. L. 96-537, § 7, Dec. 17, 1980, 94 Stat. 3178, related to other contract requirements, prior to the general revision of this subchapter by Pub. L. 100-713.

AMENDMENTS

1992—Pub. L. 102-573, § 501(b)(2)(D), inserted “and grants” in section catchline.

Subsec. (a). Pub. L. 102-573, § 501(b)(2)(A), added subsec. (a) and struck out former subsec. (a) which read as follows: “Under authority of section 13 of this title, the Secretary, through the Service, may enter into contracts with urban Indian organizations situated in urban centers for which contracts have not been entered into under section 1653 of this title. The purpose of a contract under this section shall be the determination of the matters described in subsection (b)(1) of this section in order to assist the Secretary in assessing the health status and health care needs of urban Indians in the urban center involved and determining whether the Secretary should enter into a contract under section 1653 of this title with the urban Indian organization with which the Secretary has entered into a contract under this section.”

Subsec. (b). Pub. L. 102-573, § 501(b)(2)(B), inserted “, or grant made,” after “contract entered into” in introductory provisions and substituted “, or carry out the requirements of the grant, within one year after the date on which the Secretary and such organization enter into such contract, or within one year after such organization receives such grant, whichever is applicable.” for “within one year after the date on which the Secretary and such organization enter into such contract.” in par. (2).

Subsec. (c). Pub. L. 102-573, § 501(b)(2)(C), inserted “, or grant made,” after “entered into”.

§ 1655. Evaluations; renewals

(a) Contract compliance and performance

The Secretary, through the Service, shall develop procedures to evaluate compliance with grant requirements under this subchapter and compliance with, and performance of contracts entered into by urban Indian organizations under this subchapter. Such procedures shall include provisions for carrying out the requirements of this section.

(b) Annual onsite evaluation

The Secretary, through the Service, shall conduct an annual onsite evaluation of each urban Indian organization which has entered into a contract or received a grant under section 1653 of this title for purposes of determining the compliance of such organization with, and evaluating the performance of such organization under, such contract or the terms of such grant.

(c) Noncompliance or unsatisfactory performance

If, as a result of the evaluations conducted under this section, the Secretary determines that an urban Indian organization has not complied with the requirements of a grant or complied with or satisfactorily performed a contract under section 1653 of this title, the Secretary shall, prior to renewing such contract or grant, attempt to resolve with such organization the areas of noncompliance or unsatisfactory performance and modify such contract or grant to prevent future occurrences of such noncompliance or unsatisfactory performance. If the Secretary determines that such noncompliance or