

Stat. 3088; amended Pub. L. 100-527, §10(1), (2), Oct. 25, 1988, 102 Stat. 2640, 2641; Pub. L. 100-690, title II, §2618(h), Nov. 18, 1988, 102 Stat. 4241; Pub. L. 102-83, §5(c)(2), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Subsec. (h). Pub. L. 102-83 substituted “section 1720 of title 38” for “section 620 of title 38”.

1988—Subsec. (a)(1). Pub. L. 100-690, §2618(h)(1), substituted “‘individuals infected with the etiologic agent for acquired immune deficiency syndrome’ means individuals who” for “‘patients infected with the human immunodeficiency virus’ means persons who” and “‘such individuals with such etiologic agent’ for ‘such person with the human immunodeficiency virus’”.

Subsec. (a)(2). Pub. L. 100-690, §2618(h)(2), substituted “‘individuals’” for “‘persons’”.

Subsec. (b). Pub. L. 100-690, §2618(h)(3), substituted “‘individuals infected with the etiologic agent for acquired immune deficiency syndrome’” for “‘patients infected with the human immunodeficiency virus’” and “‘such individuals’” for “‘such patients’”.

Subsec. (c)(1). Pub. L. 100-690, §2618(h)(4)(A), in introductory provisions substituted “‘individuals infected with the etiologic agent for acquired immune deficiency syndrome’” for “‘patients infected with the human immunodeficiency virus’”.

Subsec. (c)(1)(A). Pub. L. 100-690, §2618(h)(4)(B), substituted in introductory provisions “‘such individuals’” for “‘such patients’”, in cl. (ii) “‘individuals with acquired immune deficiency syndrome’” for “‘AIDS patients’”, and in cl. (iii) “‘such individuals’” for “‘patients’”.

Subsec. (c)(1)(B), (2)(C). Pub. L. 100-690, §2618(h)(4)(C), (5), substituted “‘individuals infected with the etiologic agent for acquired immune deficiency syndrome’” for “‘patients infected with the human immunodeficiency virus’”.

Subsec. (d)(2)(B). Pub. L. 100-690, §2618(h)(6), substituted “‘cases of acquired immune deficiency syndrome’” for “‘AIDS cases’”.

Subsec. (e)(2)(A). Pub. L. 100-690, §2618(h)(7), substituted “‘individuals infected with the etiologic agent for acquired immune deficiency syndrome’” for “‘patients infected with the human immunodeficiency virus’”.

Subsec. (f)(1). Pub. L. 100-690, §2618(h)(8), substituted “‘acquired immune deficiency syndrome’” for “‘the acquired immunodeficiency syndrome’” and “‘etiologic agent for such syndrome’” for “‘human immunodeficiency virus’”.

Subsec. (f)(2). Pub. L. 100-690, §2618(h)(9), substituted “‘such syndrome’” for “‘the acquired immunodeficiency syndrome’”.

Subsec. (g)(1). Pub. L. 100-690, §2618(h)(10), substituted “‘fiscal year 1989’” for “‘fiscal year 1988’” and “‘fiscal years 1990 through 1992’” for “‘fiscal years 1989 through 1991’”.

Subsec. (h). Pub. L. 100-527 substituted “‘Secretary of the Department of Veterans Affairs’” and “‘Department of Veterans Affairs’” for “‘Administrator of the Veterans’ Administration’” and “‘Veterans’ Administration’”, respectively.

CHANGE OF NAME

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Com-

mittee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-690 effective immediately after enactment of Pub. L. 100-607, which was approved Nov. 4, 1988, see section 2600 of Pub. L. 100-690, set out as a note under section 242m of this title.

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans’ Benefits.

PART C—OTHER HEALTH SERVICES

CODIFICATION

Prior to revision by Pub. L. 102-321, this part was comprised of subpart I, consisting of sections 300dd-31 to 300dd-33, and subpart II, consisting of section 300dd-41.

§ 300dd-31. Grants for anonymous testing

The Secretary may make grants to the States for the purpose of providing opportunities for individuals—

(1) to undergo counseling and testing with respect to the etiologic agent for acquired immune deficiency syndrome without being required to provide any information relating to the identity of the individuals; and

(2) to undergo such counseling and testing through the use of a pseudonym.

(July 1, 1944, ch. 373, title XXIV, §2431, as added Pub. L. 100-607, title II, §211, Nov. 4, 1988, 102 Stat. 3090.)

§ 300dd-32. Requirement of provision of certain counseling services

(a) Counseling before testing

The Secretary may not make a grant under section 300dd-31 of this title to a State unless the State agrees that, before testing an individual pursuant to such section, the State will provide to the individual appropriate counseling with respect to acquired immune deficiency syndrome (based on the most recent scientific data relating to such syndrome), including—

(1) measures for the prevention of exposure to, and the transmission of, the etiologic agent for such syndrome;

(2) the accuracy and reliability of the results of such testing;

(3) the significance of the results of such testing, including the potential for developing acquired immune deficiency syndrome; and

(4) encouraging individuals, as appropriate, to undergo testing for such etiologic agent and providing information on the benefits of such testing.

(b) Counseling of individuals with negative test results

The Secretary may not make a grant under section 300dd-31 of this title to a State unless the State agrees that, if the results of testing conducted pursuant to such section indicate that an individual is not infected with the etiologic agent for acquired immune deficiency syndrome, the State will review for the individual the information provided pursuant to subsection (a) of this section with respect to such syndrome, including—