

fully-developed plans for the implementation of a Hub, for a period of 6 years; or

(B) planning grants, that are awarded to State or multistate entities with the goal of developing a plan for a Hub, for a period of 2 years.

#### **(2) Applications**

To be eligible for a grant under subsection (b), a State or multistate entity shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

#### **(3) Evaluation**

A State that receives a grant under subsection (b) shall be evaluated at the end of the grant period by an evaluation panel appointed by the Secretary.

#### **(4) Continuing support**

After the sixth year in which assistance is provided to a State under a grant awarded under subsection (b), the State may receive additional support under this section if the State program has received satisfactory evaluations with respect to program performance and the merits of the State sustainability plan, as determined by the Secretary.

#### **(5) Limitation**

A State shall not use in excess of 10 percent of the amount received under a grant to carry out administrative activities under this section. Funds awarded pursuant to this section shall not be used for funding direct patient care.

#### **(e) Requirements on the Secretary**

In carrying out this section, the Secretary shall consult with the heads of other Federal agencies with demonstrated experience and expertise in health care and preventive medicine, such as the Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Administration, the Health Resources and Services Administration, the National Institutes of Health, the Office of the National Coordinator for Health Information Technology, the Indian Health Service, the Agricultural Cooperative Extension Service of the Department of Agriculture, and other entities, as the Secretary determines appropriate.

#### **(f) Authorization of appropriations**

To awards grants as provided in subsection (d), there are authorized to be appropriated \$120,000,000 for each of fiscal years 2011 and 2012, and such sums as may be necessary to carry out this section for each of fiscal years 2013 through 2014.

(July 1, 1944, ch. 373, title III, §399V-1, formerly §399W, as added, amended, and renumbered §399V-1, Pub. L. 111-148, title V, §5405, title X, §10501(f)(1), (2), Mar. 23, 2010, 124 Stat. 649, 996.)

#### **REFERENCES IN TEXT**

Section 256a-1 of this title, referred to in subsec. (c)(2)(B)(i), was in the original “section 3602 of the Patient Protection and Affordable Care Act”, and was translated as meaning section 3502 of the Patient Protection and Affordable Care Act, Pub. L. 111-148, to reflect the probable intent of Congress.

#### **AMENDMENTS**

2010—Subsec. (b)(2)(A). Pub. L. 111-148, §10501(f)(2), substituted “and the departments that train providers in primary care in 1 or more health professions schools in the State” for “and the departments of 1 or more health professions schools in the State that train providers in primary care”.

### **§ 280g-13. National Congenital Heart Disease Surveillance System**

#### **(a) In general**

The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may—

(1) enhance and expand infrastructure to track the epidemiology of congenital heart disease and to organize such information into a nationally-representative, population-based surveillance system that compiles data concerning actual occurrences of congenital heart disease, to be known as the “National Congenital Heart Disease Surveillance System”; or

(2) award a grant to one eligible entity to undertake the activities described in paragraph (1).

#### **(b) Purpose**

The purpose of the Congenital Heart Disease Surveillance System shall be to facilitate further research into the types of health services patients use and to identify possible areas for educational outreach and prevention in accordance with standard practices of the Centers for Disease Control and Prevention.

#### **(c) Content**

The Congenital Heart Disease Surveillance System—

(1) may include information concerning the incidence and prevalence of congenital heart disease in the United States;

(2) may be used to collect and store data on congenital heart disease, including data concerning—

(A) demographic factors associated with congenital heart disease, such as age, race, ethnicity, sex, and family history of individuals who are diagnosed with the disease;

(B) risk factors associated with the disease;

(C) causation of the disease;

(D) treatment approaches; and

(E) outcome measures, such that analysis of the outcome measures will allow derivation of evidence-based best practices and guidelines for congenital heart disease patients; and

(3) may ensure the collection and analysis of longitudinal data related to individuals of all ages with congenital heart disease, including infants, young children, adolescents, and adults of all ages.

#### **(d) Public access**

The Congenital Heart Disease Surveillance System shall be made available to the public, as appropriate, including congenital heart disease researchers.

#### **(e) Patient privacy**

The Secretary shall ensure that the Congenital Heart Disease Surveillance System is main-

tained in a manner that complies with the regulations promulgated under section 264 of the Health Insurance Portability and Accountability Act of 1996.

**(f) Eligibility for grant**

To be eligible to receive a grant under subsection (a)(2), an entity shall—

- (1) be a public or private nonprofit entity with specialized experience in congenital heart disease; and
- (2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(July 1, 1944, ch. 373, title III, §399V-2, as added Pub. L. 111-148, title X, §10411(b)(1), Mar. 23, 2010, 124 Stat. 988.)

REFERENCES IN TEXT

Section 264 of the Health Insurance Portability and Accountability Act of 1996, referred to in subsec. (e), is section 264 of Pub. L. 104-191, which is set out as a note under section 1320d-2 of this title.

**§ 280g-14. National diabetes prevention program**

**(a) In general**

The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a national diabetes prevention program (referred to in this section as the “program”) targeted at adults at high risk for diabetes in order to eliminate the preventable burden of diabetes.

**(b) Program activities**

The program described in subsection (a) shall include—

- (1) a grant program for community-based diabetes prevention program model sites;
- (2) a program within the Centers for Disease Control and Prevention to determine eligibility of entities to deliver community-based diabetes prevention services;
- (3) a training and outreach program for lifestyle intervention instructors; and
- (4) evaluation, monitoring and technical assistance, and applied research carried out by the Centers for Disease Control and Prevention.

**(c) Eligible entities**

To be eligible for a grant under subsection (b)(1), an entity shall be a State or local health department, a tribal organization, a national network of community-based non-profits focused on health and wellbeing, an academic institution, or other entity, as the Secretary determines.

**(d) Authorization of appropriations**

For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2010 through 2014.

(July 1, 1944, ch. 373, title III, §399V-3, as added Pub. L. 111-148, title X, §10501(g), Mar. 23, 2010, 124 Stat. 996.)

**§ 280g-15. State demonstration programs to evaluate alternatives to current medical tort litigation**

**(a) In general**

The Secretary is authorized to award demonstration grants to States for the development, implementation, and evaluation of alternatives to current tort litigation for resolving disputes over injuries allegedly caused by health care providers or health care organizations. In awarding such grants, the Secretary shall ensure the diversity of the alternatives so funded.

**(b) Duration**

The Secretary may award grants under subsection (a) for a period not to exceed 5 years.

**(c) Conditions for demonstration grants**

**(1) Requirements**

Each State desiring a grant under subsection (a) shall develop an alternative to current tort litigation that—

- (A) allows for the resolution of disputes over injuries allegedly caused by health care providers or health care organizations; and
- (B) promotes a reduction of health care errors by encouraging the collection and analysis of patient safety data related to disputes resolved under subparagraph (A) by organizations that engage in efforts to improve patient safety and the quality of health care.

**(2) Alternative to current tort litigation**

Each State desiring a grant under subsection (a) shall demonstrate how the proposed alternative described in paragraph (1)(A)—

- (A) makes the medical liability system more reliable by increasing the availability of prompt and fair resolution of disputes;
- (B) encourages the efficient resolution of disputes;
- (C) encourages the disclosure of health care errors;
- (D) enhances patient safety by detecting, analyzing, and helping to reduce medical errors and adverse events;
- (E) improves access to liability insurance;
- (F) fully informs patients about the differences in the alternative and current tort litigation;
- (G) provides patients the ability to opt out of or voluntarily withdraw from participating in the alternative at any time and to pursue other options, including litigation, outside the alternative;
- (H) would not conflict with State law at the time of the application in a way that would prohibit the adoption of an alternative to current tort litigation; and
- (I) would not limit or curtail a patient's existing legal rights, ability to file a claim in or access a State's legal system, or otherwise abrogate a patient's ability to file a medical malpractice claim.

**(3) Sources of compensation**

Each State desiring a grant under subsection (a) shall identify the sources from and methods by which compensation would be paid for claims resolved under the proposed alternative