

SUBPART III—GENERAL PROVISIONS

§ 300cc-45. General provisions regarding Office**(a) Administrative support for Office**

The Secretary, acting through the Director of the National Institutes of Health, shall provide administrative support and support services to the Director of the Office and shall ensure that such support takes maximum advantage of existing administrative structures at the agencies of the National Institutes of Health.

(b) Evaluation

Not later than 5 years after June 10, 1993, the Secretary shall conduct an evaluation to—

- (1) determine the effect of this section on the planning and coordination of the AIDS research programs at the institutes, centers and divisions of the National Institutes of Health;
- (2) evaluate the extent to which this part has eliminated the duplication of administrative resources among such Institutes, centers and divisions; and
- (3) provide recommendations concerning future alterations with respect to this part.

(c) Definitions

For purposes of this part:

- (1) The term “AIDS activities” means AIDS research and other activities that relate to acquired immune deficiency syndrome.
- (2) The term “AIDS research” means research with respect to acquired immune deficiency syndrome.
- (3) The term “Office” means the Office of AIDS Research.
- (4) The term “Plan” means the plan required in section 300cc-40c(a)(1) of this title.

(July 1, 1944, ch. 373, title XXIII, § 2359, as added Pub. L. 103-43, title XVIII, § 1803, June 10, 1993, 107 Stat. 198; amended Pub. L. 109-482, title I, § 104(b)(2)(F), Jan. 15, 2007, 120 Stat. 3693.)

AMENDMENTS

2007—Subsec. (b). Pub. L. 109-482 substituted “Evaluation” for “Evaluation and report” in heading, struck out par. (1) designation before “Not later than”, redesignated subpars. (A) to (C) as pars. (1) to (3), respectively, and struck out heading and text of former par. (2). Text read as follows: “Not later than 1 year after the date on which the evaluation is commenced under paragraph (1), the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report concerning the results of such evaluation.”

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 109-482 applicable only with respect to amounts appropriated for fiscal year 2007 or subsequent fiscal years, see section 109 of Pub. L. 109-482, set out as a note under section 281 of this title.

PART E—GENERAL PROVISIONS

§ 300cc-51. Definitions

For purposes of this subchapter:

- (1) The term “infection”, with respect to the etiologic agent for acquired immune deficiency syndrome, includes opportunistic cancers and infectious diseases and any other conditions arising from infection with such etiologic agent.

- (2) The term “treatment”, with respect to the etiologic agent for acquired immune deficiency syndrome, includes primary and secondary prophylaxis.

(July 1, 1944, ch. 373, title XXIII, § 2361, as added Pub. L. 100-607, title II, § 201(4), Nov. 4, 1988, 102 Stat. 3078; amended Pub. L. 103-43, title XVIII, § 1811(8), June 10, 1993, 107 Stat. 200.)

AMENDMENTS

1993—Pub. L. 103-43 substituted provisions defining “infection” and “treatment” for former provisions which read as follows: “For purposes of this subchapter, the term ‘infection with the etiologic agent for acquired immune deficiency syndrome’ includes any condition arising from infection with such etiologic agent”.

SUBCHAPTER XXII—HEALTH SERVICES WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

PART A—FORMULA GRANTS TO STATES FOR HOME AND COMMUNITY-BASED HEALTH SERVICES

§§ 300dd to 300dd-14. Repealed. July 1, 1944, ch. 373, title XXIV, § 2415, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3088; amended Nov. 18, 1988, Pub. L. 100-690, title II, § 2618(g), 102 Stat. 4241

Section 300dd, act July 1, 1944, ch. 373, title XXIV, § 2401, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3079, established program of formula grants for home and community-based health services.

Section 300dd-1, act July 1, 1944, ch. 373, title XXIV, § 2402, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3080; amended Nov. 18, 1988, Pub. L. 100-690, title II, § 2618(a), 102 Stat. 4240, provided requirements for carrying out purpose of grants.

Section 300dd-2, act July 1, 1944, ch. 373, title XXIV, § 2403, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3081, required submission of description of intended uses of grant.

Section 300dd-3, act July 1, 1944, ch. 373, title XXIV, § 2404, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3081; amended Nov. 18, 1988, Pub. L. 100-690, title II, § 2618(b), 102 Stat. 4240, restricted use of grants.

Section 300dd-4, act July 1, 1944, ch. 373, title XXIV, § 2405, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3082, required reports and audits by States.

Section 300dd-5, act July 1, 1944, ch. 373, title XXIV, § 2406, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3083, required additional agreements.

Section 300dd-6, act July 1, 1944, ch. 373, title XXIV, § 2407, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3084, required submission of application containing certain agreements and assurances.

Section 300dd-7, act July 1, 1944, ch. 373, title XXIV, § 2408, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3084, provided for determination of amount of allotments for States.

Section 300dd-8, act July 1, 1944, ch. 373, title XXIV, § 2409, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3085; amended Nov. 18, 1988, Pub. L. 100-690, title II, § 2618(c), 102 Stat. 4241, related to failure to comply with agreements.

Section 300dd-9, act July 1, 1944, ch. 373, title XXIV, § 2410, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3087, prohibited certain false statements.

Section 300dd-10, act July 1, 1944, ch. 373, title XXIV, § 2411, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3087; amended Nov. 18, 1988, Pub. L. 100-690, title II, § 2618(d), 102 Stat. 4241, authorized the Secretary to provide technical assistance and supplies and services in lieu of grant funds.

Section 300dd-11, act July 1, 1944, ch. 373, title XXIV, §2412, as added Nov. 4, 1988, Pub. L. 100-607, title II, §211, 102 Stat. 3087, required report by Secretary.

Section 300dd-12, act July 1, 1944, ch. 373, title XXIV, §2413, as added Nov. 4, 1988, Pub. L. 100-607, title II, §211, 102 Stat. 3087; amended Nov. 18, 1988, Pub. L. 100-690, title II, §2618(e), 102 Stat. 4241, defined terms for this part.

Section 300dd-13, act July 1, 1944, ch. 373, title XXIV, §2414, as added Nov. 4, 1988, Pub. L. 100-607, title II, §211, 102 Stat. 3088; amended Nov. 18, 1988, Pub. L. 100-690, title II, §2618(f), 102 Stat. 4241, provided funding.

Section 300dd-14, act July 1, 1944, ch. 373, title XXIV, §2415, as added Nov. 4, 1988, Pub. L. 100-607, title II, §211, 102 Stat. 3088; amended Nov. 18, 1988, Pub. L. 100-690, title II, §2618(g), 102 Stat. 4241, repealed this part effective with respect to appropriations made for any period after fiscal year 1990.

EFFECTIVE DATE OF REPEAL

Repeal effective with respect to appropriations made for any period after fiscal year 1990, see section 2415 of act July 1, 1944, which was classified to former section 300dd-14 of this title.

PART B—SUBACUTE CARE

§ 300dd-21. Demonstration projects

(a) Definitions

As used in this section:

(1) The term “individuals infected with the etiologic agent for acquired immune deficiency syndrome” means individuals who have a disease, or are recovering from a disease, attributable to the infection of such individuals with such etiologic agent, and as a result of the effects of such disease, are in need of subacute-care services.

(2) The term “subacute care” means medical and health care services that are required for individuals recovering from acute care episodes that are less intensive than the level of care provided in acute-care hospitals, and includes skilled nursing care, hospice care, and other types of health services provided in other long-term-care facilities.

(b) Authorization to conduct three projects

The Secretary shall conduct three demonstration projects to determine the effectiveness and cost of providing the subacute-care services described in subsection (b) of this section to individuals infected with the etiologic agent for acquired immune deficiency syndrome, and the impact of such services on the health status of such individuals.

(c) Services

(1) The services provided under each demonstration project shall be designed to meet the specific needs of individuals infected with the etiologic agent for acquired immune deficiency syndrome, and shall include—

(A) the care and treatment of such individuals by providing—

- (i) subacute care;
- (ii) emergency medical care and specialized diagnostic and therapeutic services as needed and where appropriate, either directly or through affiliation with a hospital that has experience in treating individuals with acquired immune deficiency syndrome; and
- (iii) case management services to ensure, through existing services and programs

whenever possible, appropriate discharge planning for such individuals; and

(B) technical assistance, to other facilities in the region served by such facility, that is directed toward education and training of physicians, nurses, and other health-care professionals in the subacute care and treatment of individuals infected with the etiologic agent for acquired immune deficiency syndrome.

(2) Services provided under each demonstration project may also include—

- (A) hospice services;
- (B) outpatient care; and
- (C) outreach activities in the surrounding community to hospitals and other health-care facilities that serve individuals infected with the etiologic agent for acquired immune deficiency syndrome.

(d) Time and place

The demonstration projects shall be conducted—

(1) during a 4-year period beginning not later than 9 months after November 4, 1988; and

(2) at sites that—

(A) are geographically diverse and located in areas that are appropriate for the provision of the required and authorized services; and

(B) have the highest incidence of cases of acquired immune deficiency syndrome and the greatest need for subacute-care services.

(e) Evaluation and report

The Secretary shall evaluate the operations of the demonstration projects and shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate—

(1) not later than 18 months after the beginning of the first project, a preliminary report that contains—

(A) a description of the sites at which the projects are being conducted and of the services being provided in each project; and

(B) a preliminary evaluation of the experience of the projects in the first 12 months of operation; and

(2) not later than 6 months after the completion of the last project, a final report that contains—

(A) an assessment of the costs of subacute care for individuals infected with the etiologic agent for acquired immune deficiency syndrome, including a breakdown of all other sources of funding for the care provided to cover subacute care; and

(B) recommendations for appropriate legislative changes.

(f) Other research

Each demonstration project shall provide for other research to be carried out at the site of such demonstration project including—

(1) clinical research on acquired immune deficiency syndrome, concentrating on research on the neurological manifestations resulting from infection with the etiologic agent for such syndrome; and

(2) the study of the psychological and mental health issues related to such syndrome.