

“(F) make recommendations for improvements in the health care services provided for Indians and Native Alaskans who reside on reservations, including recommendations for legislative change.

“(2) EXCEPTION.—In addition to the report required under paragraph (1), not later than 2 years after the date of the enactment of the Youth Drug and Mental Health Services Act [Oct. 17, 2000], the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report that describes any alcohol and drug abuse among Indians and Native Alaskans who reside on reservations.

“(j) PERMANENT COMMISSION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.”

REFERENCES TO SECTIONS 701 TO 720 OF PUBLIC LAW 94-437

Pub. L. 102-573, title VII, §701(d), Oct. 29, 1992, 106 Stat. 4572, provided that: “Any reference in a provision of law other than the Indian Health Care Improvement Act [25 U.S.C. 1601 et seq.] to sections redesignated by subsection (b) [renumbering sections 701 to 720 of Pub. L. 94-437 as sections 801 to 820 of Pub. L. 94-437, which are classified to sections 1671 to 1680j of this title] shall be deemed to refer to the section as so redesignated.”

§ 1672. Regulations

Prior to any revision of or amendment to rules or regulations promulgated pursuant to this chapter, the Secretary shall consult with Indian tribes and appropriate national or regional Indian organizations and shall publish any proposed revision or amendment in the Federal Register not less than sixty days prior to the effective date of such revision or amendment in order to provide adequate notice to, and receive comments from, other interested parties.

(Pub. L. 94-437, title VIII, §802, formerly title VII, §702, Sept. 30, 1976, 90 Stat. 1413; renumbered title VIII, §802, and amended Pub. L. 102-573, title VII, §701(a), (b), title VIII, §802, Oct. 29, 1992, 106 Stat. 4572, 4585.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 94-437, Sept. 30, 1976, 90 Stat. 1400, known as the Indian Health Care Improvement Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

AMENDMENTS

1992—Pub. L. 102-573, §802, amended section generally, substituting present provisions for former provisions relating in subsec. (a) to consideration, formulation, proposal, and promulgation of regulations and in subsec. (b) to revision and amendment of regulations.

§ 1673. Repealed. Pub. L. 102-573, title IX, § 901(4), Oct. 29, 1992, 106 Stat. 4591

Section, Pub. L. 94-437, title VIII, §803, formerly title VII, §703, Sept. 30, 1976, 90 Stat. 1413; renumbered title VIII, §803, Pub. L. 102-573, title VII, §701(a), (b), Oct. 29, 1992, 106 Stat. 4572, related to submission by Secretary to Congress of plan to implement provisions of this chapter.

§ 1674. Leases with Indian tribes

(a) Notwithstanding any other provision of law, the Secretary is authorized, in carrying out

the purposes of this chapter, to enter into leases with Indian tribes for periods not in excess of twenty years. Property leased by the Secretary from an Indian tribe may be reconstructed or renovated by the Secretary pursuant to an agreement with such Indian tribe.

(b) The Secretary may enter into leases, contracts, and other legal agreements with Indian tribes or tribal organizations which hold—

- (1) title to;
- (2) a leasehold interest in; or
- (3) a beneficial interest in (where title is held by the United States in trust for the benefit of a tribe);

facilities used for the administration and delivery of health services by the Service or by programs operated by Indian tribes or tribal organizations to compensate such Indian tribes or tribal organizations for costs associated with the use of such facilities for such purposes. Such costs include rent, depreciation based on the useful life of the building, principal and interest paid or accrued, operation and maintenance expenses, and other expenses determined by regulation to be allowable.

(Pub. L. 94-437, title VIII, §804, formerly title VII, §704, Sept. 30, 1976, 90 Stat. 1414; Pub. L. 96-537, §8(a), Dec. 17, 1980, 94 Stat. 3179; Pub. L. 100-713, title VII, §701, Nov. 23, 1988, 102 Stat. 4826; renumbered title VIII, §804, Pub. L. 102-573, title VII, §701(a), (b), Oct. 29, 1992, 106 Stat. 4572.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 94-437, Sept. 30, 1976, 90 Stat. 1400, known as the Indian Health Care Improvement Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

AMENDMENTS

1988—Pub. L. 100-713 designated existing provisions as subsec. (a) and added subsec. (b).

1980—Pub. L. 96-537 inserted provision that property leased by the Secretary from an Indian tribe may be reconstructed or renovated by the Secretary pursuant to an agreement with such Indian tribe.

§ 1675. Confidentiality of medical quality assurance records; qualified immunity for participants

(a) Definitions

In this section:

(1) Health care provider

The term “health care provider” means any health care professional, including community health aides and practitioners certified under section 1616f of this title, who is—

(A) granted clinical practice privileges or employed to provide health care services at—

- (i) an Indian health program; or
- (ii) a health program of an urban Indian organization; and

(B) licensed or certified to perform health care services by a governmental board or agency or professional health care society or organization.

(2) Medical quality assurance program

The term “medical quality assurance program” means any activity carried out before,