

1(a)(6) of Public Law 106-554 [see Tables for classification].

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Health and Human Services.”

#### DEFINITION OF “SECRETARY”

Pub. L. 90-248, title IV, § 404, Jan. 2, 1968, 81 Stat. 933, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in the amendments made by this Act [see Short Title of 1968 Amendment note set out under section 1305 of this title] (unless the context otherwise requires), the term ‘Secretary’ means the Secretary of Health and Human Services.”

Pub. L. 89-97, title I, § 110, July 30, 1965, 79 Stat. 340, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in this Act, and in the provisions of the Social Security Act amended by this Act [see Short Title of 1965 Amendment note set out under section 1305 of this title], the term ‘Secretary’, unless the context otherwise requires, means the Secretary of Health and Human Services.”

Pub. L. 88-156, § 6, Oct. 24, 1963, 77 Stat. 276, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in the amendments to the Social Security Act made by this Act [see Short Title of 1963 Amendment note set out under section 1305 of this title], the term ‘Secretary’ means the Secretary of Health and Human Services.”

Pub. L. 87-543, title II, § 201, July 25, 1962, 76 Stat. 208, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in this Act and in the provisions of the Social Security Act amended by this Act [see Short Title of 1962 Amendment note set out under section 1305 of this title], the term ‘Secretary’, unless the context otherwise requires, means the Secretary of Health and Human Services.”

Pub. L. 87-64, title III, § 304, June 30, 1961, 75 Stat. 143, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in this title and title I, and in the provisions of the Social Security Act amended thereby [see Short Title of 1961 Amendment note set out under section 1305 of this title], the term ‘Secretary’, unless the context otherwise requires, means the Secretary of Health and Human Services.”

Pub. L. 86-778, title VII, § 709, Sept. 13, 1960, 74 Stat. 997, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in this Act and the provisions of the Social Security Act amended by this Act [see Short Title of 1960 Amendment note set out under section 1305 of this title] the term ‘Secretary’, unless the context otherwise requires, means the Secretary of Health and Human Services.”

Pub. L. 85-840, title VII, § 702, Aug. 28, 1958, 72 Stat. 1056, as amended by Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695, provided that: “As used in the provisions of the Social Security Act amended by this Act [see Short Title of 1958 Amendment note set out under section 1305 of this title], the term ‘Secretary’, unless the context otherwise requires, means the Secretary of Health and Human Services.”

Act Aug. 1, 1956, ch. 836, title I, § 119, 70 Stat. 836, as amended Oct. 17, 1979, Pub. L. 96-88, title V, § 509(b), 93 Stat. 695, provided that: “As used in this Act and in the provisions of the Social Security Act set forth in this Act [see Short Title of 1956 Amendment note set out under section 1305 of this title], the term ‘Secretary’ means the Secretary of Health and Human Services.”

Act Sept. 1, 1954, ch. 1206, title I, § 114, 68 Stat. 1087, as amended Oct. 17, 1979, Pub. L. 96-88, title V, § 509(b), 93 Stat. 695, provided that: “As used in the provisions of the Social Security Act amended by this title [42 U.S.C. 402, 403, 415, 421], the term ‘Secretary’ means the Secretary of Health and Human Services.”

#### § 1301-1. Omitted

##### CODIFICATION

Section, act Aug. 10, 1946, ch. 951, title II, § 202, 60 Stat. 981, defined the term “Administrator” as used in

certain sections of this chapter. See section 1301 of this title.

#### § 1301a. Omitted

##### CODIFICATION

Section, act June 26, 1940, ch. 428, title II, 54 Stat. 588, provided for reimbursement for official travel performed by employees of the Bureau of Old-Age Insurance, was from the Federal Security Agency Appropriation Act, 1941, and was not repeated in subsequent appropriations acts.

#### § 1302. Rules and regulations; impact analyses of Medicare and Medicaid rules and regulations on small rural hospitals

(a) The Secretary of the Treasury, the Secretary of Labor, and the Secretary of Health and Human Services, respectively, shall make and publish such rules and regulations, not inconsistent with this chapter, as may be necessary to the efficient administration of the functions with which each is charged under this chapter.

(b)(1) Whenever the Secretary publishes a general notice of proposed rulemaking for any rule or regulation proposed under subchapter XVIII, subchapter XIX, or part B of this subchapter that may have a significant impact on the operations of a substantial number of small rural hospitals, the Secretary shall prepare and make available for public comment an initial regulatory impact analysis. Such analysis shall describe the impact of the proposed rule or regulation on such hospitals and shall set forth, with respect to small rural hospitals, the matters required under section 603 of title 5 to be set forth with respect to small entities. The initial regulatory impact analysis (or a summary) shall be published in the Federal Register at the time of the publication of general notice of proposed rulemaking for the rule or regulation.

(2) Whenever the Secretary promulgates a final version of a rule or regulation with respect to which an initial regulatory impact analysis is required by paragraph (1), the Secretary shall prepare a final regulatory impact analysis with respect to the final version of such rule or regulation. Such analysis shall set forth, with respect to small rural hospitals, the matters required under section 604 of title 5 to be set forth with respect to small entities. The Secretary shall make copies of the final regulatory impact analysis available to the public and shall publish, in the Federal Register at the time of publication of the final version of the rule or regulation, a statement describing how a member of the public may obtain a copy of such analysis.

(3) If a regulatory flexibility analysis is required by chapter 6 of title 5 for a rule or regulation to which this subsection applies, such analysis shall specifically address the impact of the rule or regulation on small rural hospitals.

(Aug. 14, 1935, ch. 531, title XI, § 1102, 49 Stat. 647; Aug. 28, 1950, ch. 809, title IV, § 403(c), 64 Stat. 559; Pub. L. 98-369, div. B, title VI, § 2663(j)(2)(D)(i), (l)(2), July 18, 1984, 98 Stat. 1170, 1171; Pub. L. 100-203, title IV, § 4402(a), Dec. 22, 1987, 101 Stat. 1330-226.)

##### AMENDMENTS

1987—Pub. L. 100-203 designated existing provision as subsec. (a) and added subsec. (b).

1984—Pub. L. 98-369, §2663(l)(2), substituted “Secretary of Health, Education, and Welfare” for “Federal Security Administrator” immediately prior to the substitution of “Health and Human Services” for “Health, Education, and Welfare” by Pub. L. 98-369, §2663(j)(2)(D)(i).

1950—Act Aug. 28, 1950, substituted “Federal Security Administrator” for “Social Security Board”.

#### EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-203, title IV, §4402(b), Dec. 22, 1987, 101 Stat. 1330-226, provided that: “The amendments made by paragraph (1) [probably means subsec. (a), amending this section] shall apply to regulations proposed more than 30 days after the date of the enactment of this Act [Dec. 22, 1987].”

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective July 18, 1984, but not to be construed as changing or affecting any right, liability, status, or interpretation which existed (under the provisions of law involved) before that date, see section 2664(b) of Pub. L. 98-369, set out as a note under section 401 of this title.

#### REPEALS

The provisions of this section were incorporated into sections 1429 and 1609 of former Title 26, Internal Revenue Code of 1939, by act Feb. 10, 1939, ch. 2, 53 Stat. 1. Section 4 of the act of Feb. 10, 1939, which enacted Title 26, I.R.C. 1939, provided that all laws and parts of laws codified into the I.R.C. 1939, to the extent that they related exclusively to internal revenue, were repealed. Provisions of I.R.C. 1939 were generally repealed by section 7851 of Title 26, Internal Revenue Code of 1954. See also, section 7807 of said Title 26, I.R.C. 1954, respecting rules in effect upon enactment of I.R.C. 1954. The I.R.C. 1954 was redesignated I.R.C. 1986 by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095. The repealed sections are covered by section 7805(a), (c) of Title 26.

#### ABORTION SERVICES; PROHIBITION ON CERTAIN POLICY CHANGES

Pub. L. 100-517, §9, Oct. 24, 1988, 102 Stat. 2583, provided that: “With respect to abortion services, the Secretary of Health and Human Services shall not promulgate or issue any regulations, policy statements, or interpretations or develop any practices concerning the performance of medically necessary procedures if such regulations, policy statements, interpretations, or practices would be inconsistent with regulations, policy statements, interpretations, or practices in effect on the date of the enactment of this Act [Oct. 24, 1988].”

#### NOTICE ON SOCIAL SECURITY CHECKS

Pub. L. 98-473, title II, §1212, Oct. 12, 1984, 98 Stat. 2165, provided that:

“(a) The Secretary of the Treasury shall take such steps as may be necessary to provide that all checks issued for payment of benefits under title II of the Social Security Act [42 U.S.C. 401 et seq.], and the envelopes in which such checks are mailed, contain a printed notice that the commission of forgery in conjunction with the cashing or attempted cashing of such checks constitutes a violation of Federal law. Such notice shall also state the maximum penalties for forgery under the applicable provisions of title 18 of the United States Code.

“(b) Subsection (a) shall apply with respect to checks issued for months after the ninth month after the date of the enactment of this Act [Oct. 12, 1984].”

### § 1303. Separability

If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, the remainder of the chapter, and the application of such provision to other per-

sons or circumstances shall not be affected thereby.

(Aug. 14, 1935, ch. 531, title XI, §1103, 49 Stat. 648.)

#### SEPARABILITY

Pub. L. 98-460, §18, Oct. 9, 1984, 98 Stat. 1813, provided that: “If any provision of this Act [amending sections 405, 408, 416, 421 to 423, 1382c, 1382d, 1382h, and 1383 to 1383b of this title, enacting provisions set out as notes under sections 405, 421 to 423, 907, and 1305 of this title, and amending provisions set out as a note under section 1382h of this title], or the application thereof to any person or circumstance, is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.”

### § 1304. Reservation of right to amend or repeal

The right to alter, amend, or repeal any provision of this chapter is hereby reserved to the Congress.

(Aug. 14, 1935, ch. 531, title XI, §1104, 49 Stat. 648.)

### § 1305. Short title of chapter

This chapter may be cited as the “Social Security Act”.

(Aug. 14, 1935, ch. 531, title XI, §1105, 49 Stat. 648.)

#### SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-255, div. C, §15000, Dec. 13, 2016, 130 Stat. 1315, provided that: “This division [see Tables for classification] may be cited as the ‘Increasing Choice, Access, and Quality in Health Care for Americans Act.’”

#### SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-115, §1, Dec. 28, 2015, 129 Stat. 3131, provided that: “This Act [amending sections 1320a-7b, 1395w-4, 1395kk-1, 1395ww, 1395ddd, 1395iii, and 1396u-6 of this title and enacting provisions set out as notes under sections 1395w-4, 1395kk-1, and 1395ddd of this title] may be cited as the ‘Patient Access and Medicare Protection Act.’”

Pub. L. 114-106, §1, Dec. 18, 2015, 129 Stat. 2222, provided that: “This Act [amending section 1395w-23 of this title] may be cited as the ‘Securing Fairness in Regulatory Timing Act of 2015.’”

Pub. L. 114-97, §1, Dec. 11, 2015, 129 Stat. 2194, provided that: “This Act [enacting and amending provisions set out as notes under section 1396a of this title] may be cited as the ‘Improving Access to Emergency Psychiatric Care Act.’”

Pub. L. 114-74, title VIII, §801, Nov. 2, 2015, 129 Stat. 601, provided that: “This title [enacting sections 1320a-6a and 1320e-3 of this title, amending sections 401, 402, 404, 405, 408, 417, 421 to 423, 425 to 426-1, 434, 904, 1011, 1320a-8, 1320b-10, 1383, and 1383a of this title and section 901 of Title 2, The Congress, and enacting provisions set out as notes under sections 401, 402, 404, 421, 423, 425, 904, 1320a-6a, and 1320e-3 of this title] may be cited as the ‘Social Security Benefit Protection and Opportunity Enhancement Act of 2015.’”

Pub. L. 114-63, §1, Oct. 7, 2015, 129 Stat. 549, provided that: “This Act [amending sections 1382a, 1382b, and 1396a of this title, enacting provisions set out as a note under section 1382a of this title, amending provisions set out as notes under this section and section 1382a of this title, and repealing provisions set out as a note under section 1382a of this title] may be cited as the ‘Ensuring Access to Clinical Trials Act of 2015.’”

Pub. L. 114-42, §1, Aug. 6, 2015, 129 Stat. 468, provided that: “This Act [amending section 1395cc of this title] may be cited as the ‘Notice of Observation Treatment