

Subsec. (b)(1). Pub. L. 111-163, § 802(c), struck out concluding provisions which read as follows: "Such term includes (in the case of such employees) education and training conducted as part of a residency or other program designed to prepare an individual for an occupation or profession."

Subsec. (b)(2). Pub. L. 111-163, § 802(d), substituted "and includes education and training for patients and families" for "to patients and to the families".

1999—Pub. L. 106-117 designated existing provisions as subsec. (a), in first sentence, inserted "and education and training as described in sections 7302, 7471, 8154, and 1701(6)(B) of this title" after "7303(a) of this title", in second sentence, inserted "or education" after "research" and substituted "these purposes" for "that purpose", and added subsec. (b).

1991—Pub. L. 102-40, § 401(a)(4)(B), renumbered section 4162 of this title as this section.

Pub. L. 102-40, § 403(a)(3), substituted "7303(a)" for "4101(c)(1)".

Pub. L. 102-40, § 403(a)(2), substituted "Department" for "Veterans' Administration" in two places.

Pub. L. 102-40, § 403(a)(1), substituted "Secretary" for "Administrator".

§ 7363. Board of directors; executive director

(a) The Secretary shall provide for the appointment of a board of directors for any corporation established under this subchapter. The board shall include—

(1) with respect to the Department medical center—

(A)(i) the director (or directors of each Department medical center, in the case of a multi-medical center research corporation);

(ii) the chief of staff; and

(iii) as appropriate for the activities of such corporation, the associate chief of staff for research and the associate chief of staff for education; or

(B) in the case of a Department medical center at which one or more of the positions referred to in subparagraph (A) do not exist, the official or officials who are responsible for carrying out the responsibilities of such position or positions at the Department medical center; and

(2) subject to subsection (c), not less than two members who are not officers or employees of the Federal Government and who have backgrounds, or business, legal, financial, medical, or scientific expertise, of benefit to the operations of the corporation.

(b) Each such corporation shall have an executive director who shall be appointed by the board of directors with the concurrence of the Under Secretary for Health of the Department. The executive director of a corporation shall be responsible for the operations of the corporation and shall have such specific duties and responsibilities as the board may prescribe.

(c) An individual appointed under subsection (a)(2) to the board of directors of a corporation established under this subchapter may not be affiliated with or employed by any entity that is a source of funding for research or education by the Department unless that source of funding is a governmental entity or an entity the income of which is exempt from taxation under the Internal Revenue Code of 1986.

(Added Pub. L. 100-322, title II, § 204(a), May 20, 1988, 102 Stat. 510, § 4163; renumbered § 7363 and

amended Pub. L. 102-40, title IV, §§ 401(a)(4)(B), 403(a)(1), (2), (4), May 7, 1991, 105 Stat. 221, 239; Pub. L. 102-405, title III, § 302(c)(1), Oct. 9, 1992, 106 Stat. 1984; Pub. L. 104-262, title III, § 343(b), Oct. 9, 1996, 110 Stat. 3207; Pub. L. 106-117, title II, § 204(c), Nov. 30, 1999, 113 Stat. 1562; Pub. L. 111-163, title VIII, § 803, May 5, 2010, 124 Stat. 1177.)

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsec. (c), is classified generally to Title 26, Internal Revenue Code.

AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-163, § 803(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "the director of the medical center, the chief of staff of the medical center, and as appropriate, the assistant chief of staff for research for the medical center and the assistant chief of staff for education for the medical center, or, in the case of a facility at which such positions do not exist, those officials who are responsible for carrying out the responsibilities of the medical center director, chief of staff, and, as appropriate, the assistant chief of staff for research and the assistant chief of staff for education; and".

Subsec. (a)(2). Pub. L. 111-163, § 803(b), inserted "not less than two" before "members who are not" and substituted "and who have backgrounds, or business, legal, financial, medical, or scientific expertise, of benefit to the operations of the corporation." for "and who are familiar with issues involving medical and scientific research or education, as appropriate."

Subsec. (c). Pub. L. 111-163, § 803(c), substituted "or employed by" for "employed by, or have any other financial relationship with".

1999—Subsec. (a)(1). Pub. L. 106-117, § 204(c)(1), substituted "as appropriate, the assistant chief of staff for research for the medical center and the assistant chief of staff for education for the medical center, or, in the case of a facility at which such positions do not exist, those officials who are responsible for carrying out the responsibilities of the medical center director, chief of staff, and, as appropriate, the assistant chief of staff for research and the assistant chief of staff for education; and" for "the assistant chief of staff for research of the medical center; and".

Subsec. (a)(2). Pub. L. 106-117, § 204(c)(2), inserted "or education, as appropriate" after "research".

Subsec. (c). Pub. L. 106-117, § 204(c)(3), inserted "or education" after "research".

1996—Subsec. (c). Pub. L. 104-262 struck out "section 501(c)(3) of" before "the Internal Revenue Code of 1986".

1992—Subsec. (b). Pub. L. 102-405 substituted "Under Secretary for Health" for "Chief Medical Director".

1991—Pub. L. 102-40, § 401(a)(4)(B), renumbered section 4163 of this title as this section.

Subsec. (a). Pub. L. 102-40, § 403(a)(1), substituted "Secretary" for "Administrator" in introductory provisions.

Subsec. (a)(2). Pub. L. 102-40, § 403(a)(4), struck out "of this section" after "subsection (c)".

Subsec. (b). Pub. L. 102-40, § 403(a)(2), substituted "Department" for "Veterans' Administration".

Subsec. (c). Pub. L. 102-40, § 403(a)(4), struck out "of this section" after "subsection (a)(2)".

Pub. L. 102-40, § 403(a)(2), substituted "Department" for "Veterans' Administration".

§ 7364. General powers

(a) IN GENERAL.—(1) A corporation established under this subchapter may, solely to carry out the purposes of this subchapter—

(A) accept, administer, retain, and spend funds derived from gifts, contributions, grants, fees, reimbursements, and bequests