

grams and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

EFFECTIVE DATE OF 2010 AMENDMENT

Section 202(b)(2) of title II of S. 1790, One Hundred Eleventh Congress, as reported by the Committee on Indian Affairs of the Senate in Dec. 2009, which was enacted into law by Pub. L. 111-148, title X, §10221(a), Mar. 23, 2010, 124 Stat. 935, provided that: “The amendment made by paragraph (1) [amending this section] takes effect on December 5, 2006.”

**§ 11706. Administrative grant for Papa Ola Lokahi**

**(a) In general**

In addition to any other grant or contract under this chapter, the Secretary may make grants to, or enter into contracts with, Papa Ola Lokahi for—

- (1) coordination, implementation, and updating (as appropriate) of the comprehensive health care master plan developed pursuant to section 11703 of this title;
- (2) training for the persons described in section 11705(c)(1)(B) of this title;
- (3) identification of and research into the diseases that are most prevalent among Native Hawaiians, including behavioral, biomedical, epidemiological, and health services;
- (4) the development of an action plan outlining the contributions that each member organization of Papa Ola Lokahi will make in carrying out the policy of this chapter;
- (5) a clearinghouse function for—
  - (A) the collection and maintenance of data associated with the health status of Native Hawaiians;
  - (B) the identification and research into diseases affecting Native Hawaiians; and
  - (C) the availability of Native Hawaiian project funds, research projects and publications;
- (6) the coordination of the health care programs and services provided to Native Hawaiians; and
- (7) the administration of special project funds.

**(b) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary for fiscal years 1993 through 2019 to carry out subsection (a).

(Pub. L. 100-579, §7, Oct. 31, 1988, 102 Stat. 2921; Pub. L. 100-690, title II, §2307, Nov. 18, 1988, 102 Stat. 4227; Pub. L. 102-396, title IX, §9168, Oct. 6, 1992, 106 Stat. 1948; Pub. L. 111-148, title X, §10221(a), Mar. 23, 2010, 124 Stat. 935.)

CODIFICATION

Amendment by Pub. L. 111-148 is based on section 202(a) of title II of S. 1790, One Hundred Eleventh Congress, as reported by the Committee on Indian Affairs of the Senate in Dec. 2009, which was enacted into law by section 10221(a) of Pub. L. 111-148.

The 1992 amendment is based on section 1 of S. 2681, One Hundred Second Congress, as passed by the Senate on Aug. 7, 1992, and enacted into law by section 9168 of Pub. L. 102-396. Section 9168, which referred to S. 2681, as passed by the Senate on “September 12, 1992”, has been treated as referring to S. 2681, as passed by the Senate on Aug. 7, 1992, to reflect the probable intent of Congress.

Pub. L. 100-579 and Pub. L. 100-690 enacted substantially identical sections. The text of this section is based on section 7 of Pub. L. 100-579, as subsequently amended.

AMENDMENTS

2010—Subsec. (b). Pub. L. 111-148, which directed the amendment of section 7(b) of the Native Hawaiian Health Care Act of 1988 by substituting “2019” for “2001”, was executed by making the amendment to this section, which is section 7 of the Native Hawaiian Health Care Improvement Act, to reflect the probable intent of Congress.

1992—Pub. L. 102-396 amended section generally. Prior to amendment, section related to assignment of personnel.

**§ 11707. Administration of grants and contracts**

**(a) Terms and conditions**

The Secretary shall include in any grant made or contract entered into under this chapter such terms and conditions as the Secretary considers necessary or appropriate to ensure that the objectives of such grant or contract are achieved.

**(b) Periodic review**

The Secretary shall periodically evaluate the performance of, and compliance with, grants and contracts under this chapter.

**(c) Administrative requirements**

The Secretary may not make a grant or enter into a contract under this chapter with an entity unless the entity—

- (1) agrees to establish such procedures for fiscal control and fund accounting as may be necessary to ensure proper disbursement and accounting with respect to the grant or contract;
- (2) agrees to ensure the confidentiality of records maintained on individuals receiving health services under the grant or contract;
- (3) with respect to providing health services to any population of Native Hawaiians, a substantial portion of which has a limited ability to speak the English language—
  - (A) has developed and has the ability to carry out a reasonable plan to provide health services under the grant or contract through individuals who are able to communicate with the population involved in the language and cultural context that is most appropriate; and
  - (B) has designated at least one individual, fluent in both English and the appropriate language, to assist in carrying out the plan;
- (4) with respect to health services that are covered in the plan of the State of Hawaii approved under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.]—
  - (A) if the entity will provide under the grant or contract any such health services directly—
    - (i) the entity has entered into a participation agreement under such plans; and
    - (ii) the entity is qualified to receive payments under such plan; and
  - (B) if the entity will provide under the grant or contract any such health services through a contract with an organization—
    - (i) the organization has entered into a participation agreement under such plan; and