

**§ 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 persons 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 2018 AMENDMENT

Pub. L. 115-271, title V, §5021, Oct. 24, 2018, 132 Stat. 3964, provided that: “This subtitle [subtitle C (§§5021, 5022) of title V of Pub. L. 115-271, amending sections 1397bb, 1397cc, and 1397jj of this title and enacting provisions set out as a note under section 1397bb of this title] may be cited as the ‘CHIP Mental Health and Substance Use Disorder Parity Act’.”

Pub. L. 115-271, title V, §5041, Oct. 24, 2018, 132 Stat. 3966, provided that: “This subtitle [subtitle E (§§5041, 5042) of title V of Pub. L. 115-271, enacting section 1396w-3a of this title and provisions set out as notes under section 1396w-3a of this title] may be cited as the ‘Medicaid Providers Are Required To Note Experiences in Record Systems to Help In-need Patients Act’ or the ‘Medicaid PARTNERSHIP Act’.”

Pub. L. 115-271, title V, §5051, Oct. 24, 2018, 132 Stat. 3971, provided that: “This title [probably should be “this subtitle”, subtitle F (§§5051, 5052) of title V of Pub. L. 115-271, amending sections 1396d and 1396n of this title and enacting provisions set out as a note under section 1396n of this title] may be cited as the ‘Individuals in Medicaid Deserve Care that is Appropriate and Responsible in its Execution Act’ or the ‘IMD CARE Act’.”

Pub. L. 115-271, title VI, §6041, Oct. 24, 2018, 132 Stat. 3979, provided that: “This subtitle [subtitle E (§§6041, 6042) of title VI of Pub. L. 115-271, enacting section 1395cc-6 of this title] may be cited as the ‘Advancing High Quality Treatment for Opioid Use Disorders in Medicare Act’.”

Pub. L. 115-271, title VI, §6051, Oct. 24, 2018, 132 Stat. 3985, provided that: “This subtitle [subtitle F (§§6051, 6052) of title VI of Pub. L. 115-271, enacting provisions set out as a note under section 1395w-104 of this title] may be cited as the ‘Responsible Education Achieves Care and Healthy Outcomes for Users’ Treatment Act of 2018’ or the ‘REACH OUT Act of 2018’.”

Pub. L. 115-271, title VI, §6061, Oct. 24, 2018, 132 Stat. 3986, provided that: “This subtitle [subtitle G (§§6061-6066) of title VI of Pub. L. 115-271, amending sections 1395w-27, 1395w-28, and 1395w-104 of this title] may be cited as the ‘Preventing Addiction for Susceptible Seniors Act of 2018’ or the ‘PASS Act of 2018’.”

Pub. L. 115-271, title VI, §6081, Oct. 24, 2018, 132 Stat. 3992, provided that: “This subtitle [subtitle I (§§6081-6086) of title VI of Pub. L. 115-271, amending sections 1315a, 1395f, and 1395m of this title] may be cited as the ‘Dr. Todd Graham Pain Management, Treatment, and Recovery Act of 2018’.”

Pub. L. 115-271, title VI, §6091, Oct. 24, 2018, 132 Stat. 3999, provided that: “This subtitle [subtitle J (§§6091-6095) of title VI of Pub. L. 115-271, amending section 1395aaa-1 of this title and enacting provisions set out as notes under sections 1395c and 1395hh of this title] may be cited as the ‘Combating Opioid Abuse for

Care in Hospitals Act of 2018’ or the ‘COACH Act of 2018’.”

Pub. L. 115-271, title VI, §6101, Oct. 24, 2018, 132 Stat. 4004, provided that: “This subtitle [subtitle K (§§6101-6104) of title VI of Pub. L. 115-271, amending sections 1395w-22, 1395w-104 and 1395ww of this title] may be cited as the ‘Providing Reliable Options for Patients and Educational Resources Act of 2018’ or the ‘PROPER Act of 2018’.”

Pub. L. 115-262, §1, Oct. 10, 2018, 132 Stat. 3670, provided that: “This Act [amending section 1395w-104 of this title and enacting provisions set out as a note under section 1395w-104 of this title] may be cited as the ‘Know the Lowest Price Act of 2018’.”

Pub. L. 115-243, §1, Sept. 20, 2018, 132 Stat. 2894, provided that: “This Act [enacting section 418a of this title, amending section 410 of this title and section 3121 of Title 26, Internal Revenue Code, and enacting provisions set out as a note under section 3121 of Title 26] may be cited as the ‘Tribal Social Security Fairness Act of 2018’.”

Pub. L. 115-165, §1, Apr. 13, 2018, 132 Stat. 1257, provided that: “This Act [amending sections 404, 405, 671, 1007, and 1383 of this title and enacting provisions set out as notes under sections 404 and 405 of this title] may be cited as the ‘Strengthening Protections for Social Security Beneficiaries Act of 2018’.”

Pub. L. 115-123, §1, Feb. 9, 2018, 132 Stat. 64, provided that: “This Act [see Tables for classification] may be cited as the ‘Bipartisan Budget Act of 2018’.” For identical short title, see subtitle A (§§50701-50782) of title VII of div. E of Pub. L. 115-123, below.

Pub. L. 115-123, div. E, §50100(a), Feb. 9, 2018, 132 Stat. 168, provided that: “This division [see Tables for classification] may be cited as the ‘Advancing Chronic Care, Extenders, and Social Services (ACCESS) Act’.”

Pub. L. 115-123, div. E, title VII, §50701, Feb. 9, 2018, 132 Stat. 232, provided that: “This subtitle [subtitle A (§§50701-50782) of title VII of div. E of Pub. L. 115-123, amending sections 622, 625, 629 to 629b, 629f to 629h, 629m, 670 to 673, 673b, 674 to 677, 679b, 679c, and 1308 of this title and enacting provisions set out as notes under sections 622, 629m, 671, 673, and 673b of this title] may be cited as the ‘Bipartisan Budget Act of 2018’.” For identical short title, see Pub. L. 115-123, §1, Feb. 9, 2018, 132 Stat. 64, above.

Pub. L. 115-123, div. E, title VIII, §50801, Feb. 9, 2018, 132 Stat. 269, provided that: “This subtitle [probably should be “this title”, enacting sections 1397n to 1397n-13 of this title] may be cited as the ‘Social Impact Partnerships to Pay for Results Act’.”

Pub. L. 115-120, div. C, §3001, Jan. 22, 2018, 132 Stat. 31, provided that: “This division [amending sections 1320b-9a, 1396a, 1396w-1, 1397dd, 1397ee, 1397gg, and 1397mm of this title and section 5000A of Title 26, Internal Revenue Code, and enacting provisions set out as a note under section 5000A of Title 26] may be cited as the ‘Helping Ensure Access for Little Ones, Toddlers, and Hopeful Youth by Keeping Insurance Delivery Stable Act’ or the ‘HEALTHY KIDS Act’.”

#### SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-57, §1, Sept. 12, 2017, 131 Stat. 1148, provided that: “This Act [amending section 1313 of this title] may be cited as the ‘Emergency Aid to American Survivors of Hurricanes Irma and Jose Overseas Act’.”

Pub. L. 115-31, div. M, title I, §101, May 5, 2017, 131 Stat. 800, provided that: “This title [amending sections 603, 612, 613, 618, and 1308 of this title, section 58c of Title 19, Customs Duties, and section 1232 of Title 30, Mineral Lands and Mining, enacting provisions set out as a note under section 1232 of Title 30, and amending provisions set out as a note under section 3805 of Title 19] may be cited as ‘Health Benefits for Miners Act of 2017’.”

Pub. L. 115-31, div. M, title II, §201, May 5, 2017, 131 Stat. 804, provided that: “This title [amending section 1308 of this title] may be cited as ‘Puerto Rico Section 1108(g) Amendment of 2017’.”