

(Pub. L. 87-693, §1, Sept. 25, 1962, 76 Stat. 593; Pub. L. 102-54, §13(q)(8), June 13, 1991, 105 Stat. 281; Pub. L. 104-201, div. A, title X, §1075(a), (b), Sept. 23, 1996, 110 Stat. 2661, 2663; Pub. L. 109-241, title IX, §902(m), July 11, 2006, 120 Stat. 568.)

REFERENCES IN TEXT

Effective date of this Act, referred to in subsec. (a), is the first day of the fourth month following September 1962, see section 4 of Pub. L. 87-693 set out as an Effective Date note below.

AMENDMENTS

2006—Subsec. (g)(4)(B). Pub. L. 109-241 substituted “of Homeland Security,” for “of Transportation.”

1996—Subsec. (a). Pub. L. 104-201, §1075(b)(1), inserted “(independent of the rights of the injured or diseased person)” after “a right to recover” and “, or that person’s insurer,” after “from said third person”.

Pub. L. 104-201, §1075(a)(1), (2), inserted “or pay for” after “required by law to furnish” and substituted “, to be furnished, paid for, or to be paid for” for “or to be furnished” in two places.

Subsecs. (b), (c). Pub. L. 104-201, §1075(a)(3), added subsecs. (b) and (c). Former subsecs. (b) and (c) redesignated (d) and (e), respectively.

Subsec. (d). Pub. L. 104-201, §1075(a)(4), (b)(2), substituted “a right under subsections (a), (b), and (c)” for “such right,” in introductory provisions, inserted “or paid for” after “treatment is furnished” in par. (2), and inserted “or the insurance carrier or other entity responsible for the payment or reimbursement of medical expenses or lost pay” after “the third person who is liable for the injury or disease” in pars. (1) and (2).

Pub. L. 104-201, §1075(a)(2), redesignated subsec. (b) as (d).

Subsec. (e). Pub. L. 104-201, §1075(a)(2), redesignated subsec. (c) as (e).

Subsecs. (f), (g). Pub. L. 104-201, §1075(a)(5), added subsecs. (f) and (g).

1991—Subsec. (c). Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-201, div. A, title X, §1075(c), Sept. 23, 1996, 110 Stat. 2663, provided that: “The authority to collect pursuant to the amendments made by this section [amending this section] shall apply to expenses described in the first section of Public Law 87-693 [this section] (as amended by this section) that are incurred, or are to be incurred, by the United States on or after the date of the enactment of this Act [Sept. 23, 1996], whether the event from which the claim arises occurs before, on, or after that date.”

EFFECTIVE DATE

Pub. L. 87-693, §4, Sept. 25, 1962, 76 Stat. 594, provided that: “This Act [enacting this chapter] becomes effective on the first day of the fourth month following the month [September 1962] in which enacted.”

SHORT TITLE

Pub. L. 87-693, Sept. 25, 1962, 76 Stat. 593, which is classified generally to this chapter, is popularly known as the “Federal Medical Care Recovery Act”.

§ 2652. Regulations**(a) Determination and establishment of reasonable value of care and treatment**

The President may prescribe regulations to carry out this chapter, including regulations with respect to the determination and establishment of the reasonable value of the hospital, medical, surgical, or dental care and treatment (including prostheses and medical appliances) furnished or to be furnished.

(b) Settlement, release and waiver of claims

To the extent prescribed by regulations under subsection (a), the head of the department or agency of the United States concerned may (1) compromise, or settle and execute a release of, any claim which the United States has by virtue of the right established by section 2651 of this title; or (2) waive any such claim, in whole or in part, for the convenience of the Government, or if he determines that collection would result in undue hardship upon the person who suffered the injury or disease resulting in care or treatment described in section 2651 of this title.

(c) Damages recoverable for personal injury unaffected

No action taken by the United States in connection with the rights afforded under this legislation shall operate to deny to the injured person the recovery for that portion of his damage not covered hereunder.

(Pub. L. 87-693, §2, Sept. 25, 1962, 76 Stat. 593.)

EX. ORD. NO. 11060. DELEGATION OF AUTHORITY TO PRESCRIBE REGULATIONS

Ex. Ord. No. 11060, Nov. 7, 1962, 27 F.R. 10925, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

Under and by virtue of the authority vested in me by Title 3 of the United States Code and by Section 2(a) of the Act of September 25, 1962 (Public Law 87-693) [subsec. (a) of this section], it is hereby ordered as follows:

SECTION 1. The Director of the Office of Management and Budget shall, for the purposes of the Act of September 25, 1962, [this chapter], from time to time, determine and establish rates that represent the reasonable value of hospital, medical, surgical, or dental care and treatment (including prostheses and medical appliances) furnished or to be furnished.

SEC. 2. Except as provided in Section 1 of this order, the Attorney General shall prescribe regulations to carry out the purposes of the Act of September 25, 1962 [this chapter].

§ 2653. Limitation or repeal of other provisions for recovery of hospital and medical care costs

This chapter does not limit or repeal any other provision of law providing for recovery by the United States of the costs of care and treatment described in section 2651 of this title.

(Pub. L. 87-693, §3, Sept. 25, 1962, 76 Stat. 594.)

CHAPTER 33—COMMUNITY MENTAL HEALTH CENTERS

EXECUTIVE ORDER NO. 11280

Ex. Ord. No. 11280, May 11, 1966, 31 F.R. 7167, which established the President’s Committee on Mental Retardation, was superseded by Ex. Ord. No. 11776, Mar. 28, 1974, 39 F.R. 11865, formerly set out preceding section 6000 of this title.

SUBCHAPTER I—UNIVERSITY-AFFILIATED FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES**§§ 2661 to 2666. Omitted**

CODIFICATION

Sections 2661 to 2666 were superseded in the general amendment of part B of title I of Pub. L. 88-164 (this subchapter) by Pub. L. 94-103, title I, §105, title III,