''(B) the facility is eligible to participate in the medicare and medicaid programs under sections 1880 and 1911 of the Social Security Act;

''(C) the facility meets any requirements which apply to programs operated directly by the Service; and

''(D) the facility is accredited by the Joint Commission on Accreditation of Hospitals, or has submitted a plan, which has been approved by the Secretary, for achieving such accreditation prior to October 1, 1990.

''(2) From among the qualified applicants, the Secretary shall, prior to October 1, 1989, select no more than 4 facilities to participate in the demonstration program described in subsection (a) of this section. The demonstration program described in subsection (a) of this section shall begin by no later than October 1, 1991, and end on September 30, 2000.

''(d)(1) On November 23, 1988, the Secretary, acting through the Service, shall commence an examination of—

''(A) any administrative changes which may be necessary to allow direct billing and reimbursement under the demonstration program described in subsection (a) of this section, including any agreements with States which may be necessary to provide for such direct billing under the medicaid program; and

''(B) any changes which may be necessary to enable participants in such demonstration program to provide to the Service medical records information on patients served under such demonstration program which is consistent with the medical records information system of the Service.

''(2) Prior to the commencement of the demonstration program described in subsection (a) of this section, the Secretary shall implement all changes required as a result of the examinations conducted under paragraph (1).

''(3) Prior to October 1, 1990, the Secretary shall determine any accounting information which a participant in the demonstration program described in subsection (a) of this section would be required to report.

''(e) The Secretary shall submit a final report at the end of fiscal year 1996, on the activities carried out under the demonstration program described in subsection (a) of this section which shall include an evaluation of whether such activities have fulfilled the objectives of such program. In such report the Secretary shall provide a recommendation, based upon the results of such demonstration program, as to whether direct billing of, and reimbursement by, the medicare and medicaid programs and other third-party payors should be authorized for all Indian tribes and Alaska Native health organizations which are contracting the entire operation of a facility of the Service.

''(f) The Secretary shall provide for the retrocession of any contract entered into between a participant in the demonstration program described in subsection (a) of this section and the Service under the authority of the Indian Self-Determination Act. All cost accounting and billing authority shall be retroceded to the Secretary upon the Secretary's acceptance of a retroceded contract.''

Subsec. (c)(2). Pub. L. 105–277 substituted ''2000'' for ''1998''.

1996—Subsec. (c)(2). Pub. L. 104–313 substituted ''1998'' for ''1996''.

1992—Subsec. (b)(1). Pub. L. 102–573, § 701(c)(3)(A), substituted ''sections 1642(a)'' for ''sections 402(c)'' and made technical amendment to reference to section 1680c(b)(2)(A) to reflect renumbering of corresponding section of original act.

Subsec. (b)(4). Pub. L. 102–573, § 701(c)(3)(B), substituted ''section 1642(a)'' for ''section 402(c)'' in two places.

Subsec. (c)(2). Pub. L. 102–573, § 404(1), substituted ''1996'' for ''1995''.

Subsec. (e). Pub. L. 102–573, § 404(2), substituted ''1996'' for ''1995''.

§ 1646. Authorization for emergency contract health services

With respect to an elderly or disabled Indian receiving emergency medical care or services from a non-Service provider or in a non-Service facility under the authority of this chapter, the time limitation (as a condition of payment) for notifying the Service of such treatment or admission shall be 30 days.

(Pub. L. 94–437, title IV, § 406, as added Pub. L. 102–573, title IV, § 405, Oct. 29, 1992, 106 Stat. 4566.)

§ 1647. Eligible Indian veteran services

(a) Findings; purpose

(1) Findings

Congress finds that—

(A) collaborations between the Secretary and the Secretary of Veterans Affairs regarding the treatment of Indian veterans at facilities of the Service should be encouraged to the maximum extent practicable; and

(B) increased enrollment for services of the Department of Veterans Affairs by veterans who are members of Indian tribes should be encouraged to the maximum extent practicable.

(2) Purpose

The purpose of this section is to reaffirm the goals stated in the document entitled ''Memorandum of Understanding Between the VA/Veterans Health Administration And HHS/Indian Health Service'' and dated February 25, 2003 (relating to cooperation and resource sharing between the Veterans Health Administration and Service).

(b) Definitions

In this section: