

retary to be incident to research, training, or demonstration activities carried out under this section.

(d) The Secretary, after consultation with the Subcommittee shall prescribe regulations covering the terms and conditions for making grants under this section.

(e) Each recipient of a grant under this section shall keep such records as the Secretary may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

(f) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient of any grant under this section which are pertinent to any such grant.

(Added Pub. L. 89-785, title II, § 203, Nov. 7, 1966, 80 Stat. 1375, § 5055; amended Pub. L. 92-69, Aug. 6, 1971, 85 Stat. 178; Pub. L. 94-424, § 1(2), Sept. 28, 1976, 90 Stat. 1332; Pub. L. 94-581, title II, §§ 206(e), 210(e)(13), Oct. 21, 1976, 90 Stat. 2859, 2865; Pub. L. 96-151, title I, § 102(b), Dec. 20, 1979, 93 Stat. 1092; renumbered § 8155 and amended Pub. L. 102-40, title IV, § 402(b)(1), (d)(1), May 7, 1991, 105 Stat. 238, 239; Pub. L. 102-83, § 4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405; Pub. L. 102-405, title III, § 302(c)(1), Oct. 9, 1992, 106 Stat. 1984; Pub. L. 103-446, title XII, § 1201(d)(19), Nov. 2, 1994, 108 Stat. 4684.)

Editorial Notes

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-446 substituted “section 7312” for “section 4112”.

1992—Subsec. (a). Pub. L. 102-405 substituted “Under Secretary for Health” for “Chief Medical Director”.

1991—Pub. L. 102-40, § 402(b)(1), renumbered section 5055 of this title as this section.

Subsec. (a). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in two places.

Subsec. (b). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator”.

Pub. L. 102-40, § 402(d)(1), substituted “8154” for “5054”.

Subsec. (c)(1). Pub. L. 102-83, § 4(a)(3), (4), substituted “Department” for “Veterans’ Administration”.

Subsecs. (c)(2), (d) to (f). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator”.

1979—Subsec. (c)(1). Pub. L. 96-151 inserted authorization for the three succeeding fiscal years after fiscal year 1979.

1976—Subsec. (a). Pub. L. 94-581 substituted “advise the Administrator” for “advise him” and “Assistant Chief Medical Director charged with administration of the Department of Medicine and Surgery medical research program” for “Assistant Chief Medical Director for Research and Education in Medicine”.

Subsec. (c)(1). Pub. L. 94-424 substituted provisions authorizing appropriations of \$3,500,000 for fiscal year 1976; \$1,700,000 for the period beginning July 1, 1976, and ending Sept. 30, 1976; \$4,000,000 for fiscal year 1977; \$4,000,000 for fiscal year 1978; and \$4,000,000 for fiscal year 1979 for provisions authorizing appropriations of \$3,000,000 for each fiscal year 1968 through 1971, and such sums as may be necessary for each fiscal year 1972 through 1975.

1971—Subsec. (c)(1). Pub. L. 92-69 substituted provisions authorizing appropriations of amounts up to \$3,000,000 for each fiscal year 1968 through 1971, and such sums as may be necessary for each fiscal year 1972 through 1975, for provisions authorizing appropriations of amounts up to \$3,000,000 for each of the first four fiscal years following fiscal year in which this subchapter was enacted.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to Veterans Health Services and Research Administration (or to Department of Medicine and Surgery of the Veterans’ Administration) deemed to refer to Veterans Health Administration pursuant to section 2 of Pub. L. 102-40, set out as a Renaming of Veterans Health Services and Research Administration note under section 301 of this title.

Reference to Department of Medicine and Surgery deemed to refer to Veterans Health Services and Research Administration of the Department of Veterans Affairs, pursuant to section 10 of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

TERMINATION OF ADVISORY COUNCILS

Advisory councils in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 8156. Coordination with health services development activities carried out under the National Health Planning and Resources Development Act of 1974

The Secretary and the Secretary of Health and Human Services shall, to the maximum extent practicable, coordinate programs carried out under this subchapter and programs carried out under part F of title XVI of the Public Health Service Act (42 U.S.C. 300t et seq.).

(Added Pub. L. 89-785, title II, § 203, Nov. 7, 1966, 80 Stat. 1375, § 5056; amended Pub. L. 94-581, title I, § 115(a)(2), Oct. 21, 1976, 90 Stat. 2853; Pub. L. 97-295, § 4(93), (95)(A), Oct. 12, 1982, 96 Stat. 1313; renumbered § 8156, Pub. L. 102-40, title IV, § 402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, § 4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

Editorial Notes

REFERENCES IN TEXT

The National Health Planning and Resources Development Act of 1974, referred to in section catchline, is

Pub. L. 93-641, Jan. 4, 1975, 88 Stat. 2225, as amended, which is classified generally to subchapters XIII (§300k et seq.) and XIV (§300o et seq.) of chapter 6A of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title of 1975 Amendment note set out under section 201 of Title 42 and Tables.

The Public Health Service Act, referred to in text, is act July 1, 1944, ch. 373, 58 Stat. 682, as amended. Part F of title XVI of the Public Health Service Act was added by act Jan. 4, 1975, Pub. L. 93-641, §4, 88 Stat. 2273, and was redesignated as Part D by Pub. L. 96-79, title II, §202(a), Oct. 4, 1979, 93 Stat. 632. Part D of that Act is classified generally to Part D (§300t) of subchapter XIV of chapter 6A of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 201 of Title 42 and Tables.

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5056 of this title as this section.

Pub. L. 102-83 substituted “The Secretary” for “The Administrator”.

1982—Pub. L. 97-295, §4(95)(A), substituted “Health and Human Services” for “Health, Education, and Welfare”.

Pub. L. 97-295, §4(93), inserted “(42 U.S.C. 300t et seq.)” after “part F of title XVI of the Public Health Service Act”.

1976—Pub. L. 94-581 substituted “health services development activities carried out under the National Health Planning and Resources Development Act of 1974” for “programs carried out under the Heart Disease, Cancer, and Stroke Amendments of 1965” in section catchline and “part F of title XVI” for “title IX” in text.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

§ 8157. Joint title to medical equipment

(a) Subject to subsection (b), the Secretary may enter into agreements with institutions described in section 8153(a) of this title for the joint acquisition of medical equipment.

(b)(1) The Secretary may not pay more than one-half of the purchase price of equipment acquired through an agreement under subsection (a).

(2) Any equipment to be procured under such an agreement shall be procured by the Secretary. Title to such equipment shall be held jointly by the United States and the institution.

(3) Before equipment acquired under such an agreement may be used, the parties to the agreement shall arrange by contract under section 8153 of this title for the exchange or use of the equipment.

(4) The Secretary may not contract for the acquisition of medical equipment to be purchased jointly under an agreement under subsection (a) until the institution which enters into the agreement provides to the Secretary its share of the purchase price of the medical equipment.

(c)(1) Notwithstanding any other provision of law, the Secretary may transfer the interest of the Department in equipment acquired through an agreement under subsection (a) to the institution which holds joint title to the equipment if the Secretary determines that the transfer would be justified by compelling clinical consid-

erations or the economic interest of the Department. Any such transfer may only be made upon agreement by the institution to pay to the Department the amount equal to one-half of the depreciated purchase price of the equipment. Any such payment when received shall be credited to the applicable Department medical appropriation.

(2) Notwithstanding any other provision of law, the Secretary may acquire the interest of an institution in equipment acquired under subsection (a) if the Secretary determines that the acquisition would be justified by compelling clinical considerations or the economic interests of the Department. The Secretary may not pay more than one-half the depreciated purchase price of that equipment.

(Added Pub. L. 102-405, title I, §103(a)(1), Oct. 9, 1992, 106 Stat. 1973.)

§ 8158. Deposit in escrow

(a) To facilitate the procurement of medical equipment pursuant to section 8157 of this title, the Secretary may enter into escrow agreements with institutions described in section 8153(a) of this title. Any such agreement shall provide that—

(1) the institutions shall pay to the Secretary the funds necessary to make a payment under section 8157(b)(4) of this title;

(2) the Secretary, as escrow agent, shall administer those funds in an escrow account; and

(3) the Secretary shall disburse the escrowed funds to pay for such equipment upon its delivery or in accordance with the contract to procure the equipment and shall disburse all accrued interest or other earnings on the escrowed funds to the institution.

(b) As escrow agent for funds placed in escrow pursuant to an agreement under subsection (a), the Secretary may—

(1) invest the escrowed funds in obligations of the Federal Government or obligations which are insured or guaranteed by the Federal Government;

(2) retain in the escrow account interest or other earnings on such investments;

(3) disburse the funds pursuant to the escrow agreement; and

(4) return undisbursed funds to the institution.

(c)(1) If the Secretary enters into an escrow agreement under this section, the Secretary may enter into an agreement to procure medical equipment if one-half the purchase price of the equipment is available in an appropriation or fund for the expenditure or obligation.

(2) Funds held in an escrow account under this section shall not be considered to be public funds.

(Added Pub. L. 102-405, title I, §103(a)(1), Oct. 9, 1992, 106 Stat. 1974.)

§ 8159. Authority to pay for services authorized but not subject to an agreement

(a) IN GENERAL.—If, in the course of furnishing hospital care, a medical service, or an extended care service authorized by the Secretary and pursuant to a contract, agreement, or other ar-