

§ 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.)

Executive Documents**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 Documents****EXECUTIVE ORDER NO. 11280**

Ex. Ord. No. 11280, May 11, 1966, 31 F.R. 7167, which established the President's Committee on Mental Retar-

ation, 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****Editorial Notes****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, §303, Oct. 4, 1975, 89 Stat. 486, 507, effective with respect to appropriations under Pub. L. 94-103 for fiscal years beginning after June 30, 1975.

Section 2661, Pub. L. 88-164, title I, §121, Oct. 31, 1963, 77 Stat. 284; Pub. L. 90-170, §2(a), (b), (d), Dec. 4, 1967, 81 Stat. 527; Pub. L. 91-517, title II, §201(a), (b), Oct. 30, 1970, 84 Stat. 1325, related to authorization of appropriations.

Section 2661a, Pub. L. 88-164, title I, §122, as added Pub. L. 91-517, title II, §202, Oct. 30, 1970, 84 Stat. 1326; amended Pub. L. 93-45, title III, §301(a), June 18, 1973, 87 Stat. 95; Pub. L. 94-103, title I, §101(a), Oct. 4, 1975, 89 Stat. 486, related to demonstration and training grants and authorization of appropriations for such grants.

Section 2662, Pub. L. 88-164, title I, §123, formerly §122, Oct. 31, 1963, 77 Stat. 284; renumbered §123 and amended Pub. L. 91-517, title II, §§202, 203, Oct. 30, 1970, 84 Stat. 1326, related to applications for grants and conditions for approval by Secretary.

Section 2663, Pub. L. 88-164, title I, §124, formerly §123, Oct. 31, 1963, 77 Stat. 285; renumbered §124 and amended Pub. L. 91-517, title II, §§202, 204, Oct. 30, 1970, 84 Stat. 1326, related to amount of grants, including maximum payments, advances or reimbursement, and conditions for payment.

Section 2664, Pub. L. 88-164, title I, §125, formerly §124, Oct. 31, 1963, 77 Stat. 285; renumbered §125 and amended Pub. L. 91-517, title II, §§201(c), 202, 205, Oct. 30, 1970, 84 Stat. 1326, related to recovery of expenditures under certain conditions.

Section 2665, Pub. L. 88-164, title I, §126, formerly §125, Oct. 31, 1963, 77 Stat. 285; amended Pub. L. 90-170, §2(c), Dec. 4, 1967, 81 Stat. 527; renumbered §126 and amended Pub. L. 91-517, title II, §§201(c), 202, Oct. 30, 1970, 84 Stat. 1326, related to nonduplication of grants.

Section 2666, Pub. L. 88-164, title I, §127, as added Pub. L. 91-517, title II, §206, Oct. 30, 1970, 84 Stat. 1326, related to maintenance of effort.

SUBCHAPTER II—GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION AND OPERATION OF FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES**§ 2670. Repealed. Pub. L. 94-103, title III, § 302(c), Oct. 4, 1975, 89 Stat. 507**

Section, Pub. L. 88-164, title I, §130, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1316, contained the declaration of purpose for provisions respecting grants for planning, provision of services, and construction and operation of facilities for persons with developmental disabilities.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF REPEAL**

Repeal effective with respect to appropriations under Pub. L. 94-103 for fiscal years beginning after June 30, 1975, see Pub. L. 94-103, title III, §303, Oct. 4, 1975, 89 Stat. 507.

§§ 2671 to 2674. Transferred

Editorial Notes

CODIFICATION

Section 2671, Pub. L. 88-164, title I, §131, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1317, which related to authorization of appropriations, was transferred to former section 6061 of this title.

A prior section 2671, Pub. L. 88-164, title I, §131, Oct. 31, 1963, 77 Stat. 286; Pub. L. 90-170, §3(a), Dec. 4, 1967, 81 Stat. 528, authorized appropriations through fiscal year ending June 30, 1970, for grants for construction of mental retardation facilities.

Section 2672, Pub. L. 88-164, title I, §132, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1317, which related to allotments to States, was transferred to former section 6062 of this title.

A prior section 2672, Pub. L. 88-164, title I, §132, Oct. 31, 1963, 77 Stat. 286; Pub. L. 89-105, §2(a), Aug. 4, 1965, 79 Stat. 427; Pub. L. 90-170, §3(c), Dec. 4, 1967, 81 Stat. 528, authorized allotments to States, transfers of allotments between States, and adjustment of allotments to a State for construction of facilities for mentally retarded.

Section 2673, Pub. L. 88-164, title I, §133, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1318, which related to the National Advisory Council on Services and Facilities for the Developmentally Disabled, was transferred to former section 6007 of this title.

A prior section 2673, Pub. L. 88-164, title I, §133, Oct. 31, 1963, 77 Stat. 287, provided that within six months after Oct. 31, 1963, the Secretary, after consultation with the Federal Hospital Council, prescribe to the States (1) what constitutes adequate services for mentally retarded persons, (2) the method of determining priority of projects, (3) standards of construction and equipment, and (4) that the State plan provide adequate facilities for the mentally retarded including persons unable to pay therefor.

Section 2674, Pub. L. 88-164, title I, §133, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1319, which related to State plans, was transferred to former section 6063 of this title.

A prior section 2674, Pub. L. 88-164, title I, §134, Oct. 31, 1963, 77 Stat. 287; Pub. L. 90-170, §5, Dec. 4, 1967, 81 Stat. 530, provided for submission to the Secretary of State plans for his approval, set out conditions for approval, and required notice and hearing before final disapproval.

§§ 2675, 2676. Repealed. Pub. L. 94-103, title I, § 112, Oct. 4, 1975, 89 Stat. 492

Section 2675, Pub. L. 88-164, title I, §135, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1321, related to projects for construction, prescribing in: subsec. (a) for submission of application and its contents, subsec. (b) for approval by Secretary, subsec. (c) for a hearing prior to disapproval, and subsec. (d) for amendment of application.

A prior section 2675, Pub. L. 88-164, title I, §135, Oct. 31, 1963, 77 Stat. 288, provided for the submission of an application for approval by the Secretary, of projects for construction, set forth the contents of such application, provided for hearing prior to disapproval, and subjected to approval any amendment of an approved application.

Section 2676, Pub. L. 88-164, title I, §136, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1322; amended Pub. L. 92-157, title III, §303(b), Nov. 18, 1971, 85 Stat. 464, related to withholding of payments for construction. See section 6000 et seq. of this title.

A prior section 2676, Pub. L. 88-164, title I, §136, Oct. 31, 1963, 77 Stat. 289, authorized withholding by Secretary of payments for construction.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective with respect to appropriations under Pub. L. 94-103 for fiscal years beginning after June 30, 1975, see Pub. L. 94-103, title III, §303, Oct. 4, 1975, 89 Stat. 507.

§§ 2677 to 2677c. Transferred

Editorial Notes

CODIFICATION

Section 2677, Pub. L. 88-164, title I, §137, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1323, which related to payments to States for planning, administration, and services, was transferred to former section 6064 of this title.

A prior section 2677, Pub. L. 88-164, title I, §137, Oct. 31, 1963, 77 Stat. 289; Pub. L. 90-170, §3(b), Dec. 4, 1967, 81 Stat. 528, prohibited duplication of grants for the construction of any facility for the mentally retarded under the Public Health Service Act. See section 201 et seq. of this title.

Section 2677a, Pub. L. 88-164, title I, §138, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1323, which related to withholding of payments for planning, administration, and services, was transferred to former section 6065 of this title.

Section 2677b, Pub. L. 88-164, title I, §139, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1323, which related to promulgation of regulations, was transferred to former section 6008 of this title.

Section 2677c, Pub. L. 88-164, title I, §140, as added Pub. L. 91-517, title I, §101(b), Oct. 30, 1970, 84 Stat. 1324, which related to nonduplication of payments, was transferred to former section 6066 of this title.

SUBCHAPTER IIA—PROFESSIONAL AND TECHNICAL SERVICES FOR COMMUNITY MENTAL RETARDATION FACILITIES

§§ 2678 to 2678d. Omitted

Editorial Notes

CODIFICATION

Sections 2678 to 2678d were superseded in the general amendment of part D of title I of Pub. L. 88-164 (this subchapter) by Pub. L. 94-103, title I, §120, title III, §303, Oct. 4, 1975, 89 Stat. 495, 507, effective with respect to appropriations under Pub. L. 94-103 for fiscal years beginning after June 30, 1975.

Section 2678, Pub. L. 88-164, title I, §141, as added Pub. L. 90-170, §4, Dec. 4, 1967, 81 Stat. 528, related to authorization, duration, amount and limitation of grants for professional and technical personnel and determination of grants by Secretary.

Section 2678a, Pub. L. 88-164, title I, §142, as added Pub. L. 90-170, §4, Dec. 4, 1967, 81 Stat. 529, related to applications and conditions for approval of grants, and limitations on the availability of grants.

Section 2678b, Pub. L. 88-164, title I, §143, as added Pub. L. 90-170, §4, Dec. 4, 1967, 81 Stat. 529, related to payments of grants and adjustments.

Section 2678c, Pub. L. 88-164, title I, §144, as added Pub. L. 90-170, §4, Dec. 4, 1967, 81 Stat. 529, related to regulations.

Section 2678d, Pub. L. 88-164, title I, §145, as added Pub. L. 90-170, §4, Dec. 4, 1967, 81 Stat. 529, related to authorization of appropriations.