

mary care services when payments are available for such services from other sources (including under titles XVIII, XIX, and XXI of the Social Security Act [42 U.S.C. 1395 et seq., 1396 et seq., 1397aa et seq.]).

**(j) Authorization of appropriations**

For the purpose of carrying out this section, there are authorized to be appropriated, \$71,800,000 for each of the fiscal years 2007 through 2009, \$75,390,000 for fiscal year 2010, \$79,160,000 for fiscal year 2011, \$83,117,000 for fiscal year 2012, and \$87,273,000 for fiscal year 2013.

(July 1, 1944, ch. 373, title XXVI, § 2671, as added and amended Pub. L. 109-415, title IV, § 401, title VII, § 703, Dec. 19, 2006, 120 Stat. 2810, 2820; Pub. L. 111-87, §§ 2(a)(1), (3)(A), (e), 11, Oct. 30, 2009, 123 Stat. 2885, 2886, 2895.)

**Editorial Notes**

**REFERENCES IN TEXT**

The Social Security Act, referred to in subsecs. (c)(1) and (i), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Titles V, XVIII, XIX, and XXI of the Act are classified generally to subchapters V (§ 701 et seq.), XVIII (§ 1395 et seq.), XIX (§ 1396 et seq.), and XXI (§ 1397aa et seq.), respectively, of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

**PRIOR PROVISIONS**

Prior sections 300ff-71 to 300ff-78 were omitted in the general amendment of this part by Pub. L. 109-415.

Section 300ff-71, act July 1, 1944, ch. 373, title XXVI, § 2671, as added Pub. L. 101-381, title IV, § 401, Aug. 18, 1990, 104 Stat. 617; amended Pub. L. 104-146, § 3(e), May 20, 1996, 110 Stat. 1358; Pub. L. 106-345, title IV, § 401, Oct. 20, 2000, 114 Stat. 1347, related to grants for coordinated services and access to research for women, infants, children, and youth.

Section 300ff-72, act July 1, 1944, ch. 373, title XXVI, § 2672, as added Pub. L. 101-381, title IV, § 401, Aug. 18, 1990, 104 Stat. 618, contained provisions relating to blood banks.

Section 300ff-73, act July 1, 1944, ch. 373, title XXVI, § 2673, as added Pub. L. 101-381, title IV, § 401, Aug. 18, 1990, 104 Stat. 619; amended Pub. L. 106-345, title V, § 503(a)(2), Oct. 20, 2000, 114 Stat. 1354, related to a research, evaluation, and assessment program.

Section 300ff-74, act July 1, 1944, ch. 373, title XXVI, § 2674, as added Pub. L. 101-381, title IV, § 401, Aug. 18, 1990, 104 Stat. 620; amended Pub. L. 104-146, § 3(f), May 20, 1996, 110 Stat. 1362; Pub. L. 106-345, title IV, § 411, Oct. 20, 2000, 114 Stat. 1350, related to evaluations and reports.

Section 300ff-75, act July 1, 1944, ch. 373, title XXVI, § 2675, as added Pub. L. 101-381, title IV, § 401, Aug. 18, 1990, 104 Stat. 620; amended Pub. L. 102-531, title III, § 312(d)(34), Oct. 27, 1992, 106 Stat. 3506; Pub. L. 106-345, title IV, §§ 413, 414, Oct. 20, 2000, 114 Stat. 1350, 1351; Pub. L. 108-173, title IX, § 900(e)(2)(G), Dec. 8, 2003, 117 Stat. 2372, related to coordination of Federal HIV programs. See section 300ff-81 of this title.

Section 300ff-75a, act July 1, 1944, ch. 373, title XXVI, § 2675A, as added Pub. L. 106-345, title IV, § 415, Oct. 20, 2000, 114 Stat. 1351, related to audits. See section 300ff-82 of this title.

Section 300ff-75b, act July 1, 1944, ch. 373, title XXVI, § 2675B, as added Pub. L. 106-345, title IV, § 416, Oct. 20, 2000, 114 Stat. 1351, related to administrative simplification.

Section 300ff-76, act July 1, 1944, ch. 373, title XXVI, § 2676, as added Pub. L. 101-381, title IV, § 401, Aug. 18, 1990, 104 Stat. 620; amended Pub. L. 104-146, § 12(a), (c)(8), May 20, 1996, 110 Stat. 1373, 1374, defined terms for this subchapter. See section 300ff-88 of this title.

Section 300ff-77, act July 1, 1944, ch. 373, title XXVI, § 2677, as added Pub. L. 104-146, § 6(a), May 20, 1996, 110 Stat. 1367; amended Pub. L. 106-345, title IV, § 417, Oct. 20, 2000, 114 Stat. 1352, authorized appropriations.

Section 300ff-78, act July 1, 1944, ch. 373, title XXVI, § 2678, as added Pub. L. 104-146, § 10, May 20, 1996, 110 Stat. 1373, prohibited promotion of certain activities. See section 300ff-84 of this title.

**AMENDMENTS**

2009—Pub. L. 111-87, § 2(a)(1), (3)(A), repealed Pub. L. 109-415, § 703, and revived the provisions of this section as in effect on Sept. 30, 2009. See 2006 Amendment note and Effective Date of 2009 Amendment; Revival of Section note below.

Subsec. (a). Pub. L. 111-87, § 11(b), substituted “(directly or through contracts or memoranda of understanding)” for “(directly or through contracts)”.

Subsec. (g). Pub. L. 111-87, § 11(a)(2), substituted “subsection (j)” for “subsection (i)”.

Subsec. (i). Pub. L. 111-87, § 11(a)(3), added subsec. (i). Former subsec. (i) redesignated (j).

Pub. L. 111-87, § 2(e), inserted “, \$75,390,000 for fiscal year 2010, \$79,160,000 for fiscal year 2011, \$83,117,000 for fiscal year 2012, and \$87,273,000 for fiscal year 2013” before period at end.

Subsec. (j). Pub. L. 111-87, § 11(a)(1), redesignated subsec. (i) as (j).

2006—Pub. L. 109-415, § 703, which directed repeal of this section effective Oct. 1, 2009, was itself repealed by Pub. L. 111-87, § 2(a)(1), effective Sept. 30, 2009.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION**

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective Sept. 30, 2009, that the provisions of this section as in effect on Sept. 30, 2009, be revived, and that amendment by sections 2(e) and 11 of Pub. L. 111-87 be applicable to this section as so revived and effective as if enacted on Sept. 30, 2009, see section 2(a)(2), (3) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

**PART E—GENERAL PROVISIONS**

**Editorial Notes**

**CODIFICATION**

Part E of title XXVI of the Public Health Service Act, comprising this part, was originally added to act July 1, 1944, ch. 373, by Pub. L. 101-381, title IV, § 411(a), Aug. 18, 1990, 104 Stat. 622, and amended by Pub. L. 104-146, May 20, 1996, 110 Stat. 1346. Part E is shown herein, however, as having been added by Pub. L. 109-415, title IV, § 501, Dec. 19, 2006, 120 Stat. 2812, without reference to the intervening amendments because of the extensive revision of part E by Pub. L. 109-415.

**PRIOR PROVISIONS**

A prior section 300ff-80, act July 1, 1944, ch. 373, title XXVI, § 2680, as added Pub. L. 101-381, title IV, § 411(a), Aug. 18, 1990, 104 Stat. 622, related to grants for implementation of recommendations in guidelines and model curriculum.

**§ 300ff-81. Coordination**

**(a) Requirement**

The Secretary shall ensure that the Health Resources and Services Administration, the Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, and the Centers for Medicare & Medicaid Services coordinate the planning, funding, and implementation of Federal HIV

programs (including all minority AIDS initiatives of the Public Health Service, including under section 300ff-121 of this title) to enhance the continuity of care and prevention services for individuals with HIV/AIDS or those at risk of such disease. The Secretary shall consult with other Federal agencies, including the Department of Veterans Affairs, as needed and utilize planning information submitted to such agencies by the States and entities eligible for assistance under this subchapter.

**(b) Report**

The Secretary shall biennially prepare and submit to the appropriate committees of the Congress a report concerning the coordination efforts at the Federal, State, and local levels described in this section, including a description of Federal barriers to HIV program integration and a strategy for eliminating such barriers and enhancing the continuity of care and prevention services for individuals with HIV/AIDS or those at risk of such disease.

**(c) Integration by State**

As a condition of receipt of funds under this subchapter, a State shall provide assurances to the Secretary that health support services funded under this subchapter will be integrated with other such services, that programs will be coordinated with other available programs (including Medicaid), and that the continuity of care and prevention services of individuals with HIV/AIDS is enhanced.

**(d) Integration by local or private entities**

As a condition of receipt of funds under this subchapter, a local government or private non-profit entity shall provide assurances to the Secretary that services funded under this subchapter will be integrated with other such services, that programs will be coordinated with other available programs (including Medicaid), and that the continuity of care and prevention services of individuals with HIV is enhanced.

(July 1, 1944, ch. 373, title XXVI, §2681, as added and amended Pub. L. 109-415, title V, §501, title VII, §703, Dec. 19, 2006, 120 Stat. 2812, 2820; Pub. L. 111-87, §2(a)(1), (3)(A), Oct. 30, 2009, 123 Stat. 2885.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 300ff-81, act July 1, 1944, ch. 373, title XXVI, §2681, as added Pub. L. 101-381, title IV, §411(a), Aug. 18, 1990, 104 Stat. 623, related to development and dissemination of list of infectious diseases, prior to the general amendment of this part by Pub. L. 109-415.

**AMENDMENTS**

2009—Pub. L. 111-87 repealed Pub. L. 109-415, §703, and revived the provisions of this section as in effect on Sept. 30, 2009. See 2006 Amendment note and Effective Date of 2009 Amendment; Revival of Section note below.

2006—Pub. L. 109-415, §703, which directed repeal of this section effective Oct. 1, 2009, was itself repealed by Pub. L. 111-87, §2(a)(1), effective Sept. 30, 2009.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION**

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective

Sept. 30, 2009, and that the provisions of this section as in effect on Sept. 30, 2009, be revived, see section 2(a)(2), (3)(A) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

**§ 300ff-82. Audits**

**(a) In general**

For fiscal year 2009, and each subsequent fiscal year, the Secretary may reduce the amounts of grants under this subchapter to a State or political subdivision of a State for a fiscal year if, with respect to such grants for the second preceding fiscal year, the State or subdivision fails to prepare audits in accordance with the procedures of section 7502 of title 31. The Secretary shall annually select representative samples of such audits, prepare summaries of the selected audits, and submit the summaries to the Congress.

**(b) Posting on the Internet**

All audits that the Secretary receives from the State lead agency under section 300ff-27(b)(4) of this title shall be posted, in their entirety, on the Internet website of the Health Resources and Services Administration.

(July 1, 1944, ch. 373, title XXVI, §2682, as added and amended Pub. L. 109-415, title V, §501, title VII, §703, Dec. 19, 2006, 120 Stat. 2813, 2820; Pub. L. 111-87, §2(a)(1), (3)(A), Oct. 30, 2009, 123 Stat. 2885.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 300ff-82, July 1, 1944, ch. 373, title XXVI, §2682, as added Pub. L. 101-381, title IV, §411(a), Aug. 18, 1990, 104 Stat. 623, related to routine notifications with respect to airborne infectious diseases in victims assisted, prior to the general amendment of this part by Pub. L. 109-415.

**AMENDMENTS**

2009—Pub. L. 111-87 repealed Pub. L. 109-415, §703, and revived the provisions of this section as in effect on Sept. 30, 2009. See 2006 Amendment note and Effective Date of 2009 Amendment; Revival of Section note below.

2006—Pub. L. 109-415, §703, which directed repeal of this section effective Oct. 1, 2009, was itself repealed by Pub. L. 111-87, §2(a)(1), effective Sept. 30, 2009.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION**

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective Sept. 30, 2009, and that the provisions of this section as in effect on Sept. 30, 2009, be revived, see section 2(a)(2), (3)(A) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

**§ 300ff-83. Public health emergency**

**(a) In general**

In an emergency area and during an emergency period, the Secretary shall have the authority to waive such requirements of this subchapter to improve the health and safety of those receiving care under this subchapter and the general public, except that the Secretary may not expend more than 5 percent of the funds