

(Pub. L. 94-437, title II, §202, as added Pub. L. 100-713, title II, §202, Nov. 23, 1988, 102 Stat. 4803; amended Pub. L. 102-573, title II, §§202(a), 217(b)(2), Oct. 29, 1992, 106 Stat. 4546, 4559; Pub. L. 111-148, title X, §10221(a), Mar. 23, 2010, 124 Stat. 935.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), referred to in subsec. (c), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which was classified principally to subchapter II (§450 et seq.) of chapter 14 of this title prior to editorial reclassification as chapter 46 (§5301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of this title and Tables.

##### CODIFICATION

Amendment by Pub. L. 111-148 is based on section 122 of title I of S. 1790, One Hundred Eleventh Congress, as reported by the Committee on Indian Affairs of the Senate in Dec. 2009, which was enacted into law by section 10221(a) of Pub. L. 111-148.

##### AMENDMENTS

2010—Pub. L. 111-148 amended section generally. Prior to amendment, section related to establishment of Indian Catastrophic Health Emergency Fund with provisions for its administration, promulgation of regulations, procedures for payment, effect of appropriated funds on other appropriations, and deposit of reimbursements.

1992—Subsec. (a)(1)(B). Pub. L. 102-573, §202(a)(1), substituted “to the Fund under this section” for “under subsection (e) of this section”.

Subsec. (b)(2). Pub. L. 102-573, §202(a)(2), substituted “shall establish at—” and subpars. (A) and (B) for “shall establish at not less than \$10,000 or not more than \$20,000;”.

Subsec. (c). Pub. L. 102-573, §202(a)(3), substituted “Amounts appropriated to the Fund under this section” for “Funds appropriated under subsection (e) of this section”.

Subsec. (e). Pub. L. 102-573, §217(b)(2), struck out subsec. (e) which authorized appropriations for fiscal years 1989 to 1992.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-573, title II, §202(b), Oct. 29, 1992, 106 Stat. 4546, provided that: “The amendment made by subsection (a)(2) [amending this section] shall take effect January 1, 1993.”

#### § 1621b. Health promotion and disease prevention services

##### (a) Authorization

The Secretary, acting through the Service, shall provide health promotion and disease prevention services to Indians so as to achieve the health status objectives set forth in section 1602(b)<sup>1</sup> of this title.

##### (b) Evaluation statement for Presidential budget

The Secretary shall submit to the President for inclusion in each statement which is required to be submitted to the Congress under section 1671 of this title an evaluation of—

- (1) the health promotion and disease prevention needs of Indians,

- (2) the health promotion and disease prevention activities which would best meet such needs,

- (3) the internal capacity of the Service to meet such needs, and

- (4) the resources which would be required to enable the Service to undertake the health promotion and disease prevention activities necessary to meet such needs.

(Pub. L. 94-437, title II, §203, as added Pub. L. 100-713, title II, §203(c), Nov. 23, 1988, 102 Stat. 4805; amended Pub. L. 102-573, title II, §203, Oct. 29, 1992, 106 Stat. 4546.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 1602 of this title, referred to in subsec. (a), was amended generally by Pub. L. 111-148, title X, §10221(a), Mar. 23, 2010, 124 Stat. 935, and, as so amended, no longer contains a subsec. (b).

##### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-573, §203(1), inserted before period at end “so as to achieve the health status objectives set forth in section 1602(b) of this title”.

Subsec. (b). Pub. L. 102-573, §203(2), in introductory provisions, substituted “section 1671” for “section 1621(f)”.

Subsec. (c). Pub. L. 102-573, §203(3), struck out subsec. (c) which directed establishment of between 1 and 4 health-related demonstration projects to terminate 30 months after Nov. 23, 1988.

#### Statutory Notes and Related Subsidiaries

##### CONGRESSIONAL FINDINGS ON HEALTH PROMOTION AND DISEASE PREVENTION

Pub. L. 100-713, title II, §203(a), Nov. 23, 1988, 102 Stat. 4804, provided that: “The Congress finds that health promotion and disease prevention activities will—

- “(1) improve the health and well being of Indians, and
- “(2) reduce the expenses for medical care of Indians.”

#### § 1621c. Diabetes prevention, treatment, and control

##### (a) Determinations regarding diabetes

The Secretary, acting through the Service, and in consultation with Indian tribes and tribal organizations, shall determine—

- (1) by Indian tribe and by Service unit, the incidence of, and the types of complications resulting from, diabetes among Indians; and

- (2) based on the determinations made pursuant to paragraph (1), the measures (including patient education and effective ongoing monitoring of disease indicators) each Service unit should take to reduce the incidence of, and prevent, treat, and control the complications resulting from, diabetes among Indian tribes within that Service unit.

##### (b) Diabetes screening

To the extent medically indicated and with informed consent, the Secretary shall screen each Indian who receives services from the Service for diabetes and for conditions which indicate a high risk that the individual will become diabetic and establish a cost-effective approach to ensure ongoing monitoring of disease indicators. Such screening and monitoring may be con-

<sup>1</sup> See References in Text note below.