

efit fee and copayment schedule developed by Secretary of Defense for use in all managed care initiatives of military health service system be extended to managed care program of Uniformed Services Treatment Facility only after the later of the implementation of the TRICARE regional program covering service area of Facility or Oct. 1, 1996, and provided for evaluation of such extension by Comptroller General, prior to repeal by Pub. L. 104-201, div. A, title VII, §727(a)(4), Sept. 23, 1996, 110 Stat. 2596.

MANAGED-CARE DELIVERY AND REIMBURSEMENT MODEL FOR THE UNIFORMED SERVICES TREATMENT FACILITIES

Pub. L. 101-510, div. A, title VII, §718(c), Nov. 5, 1990, 104 Stat. 1587, as amended by Pub. L. 102-484, div. A, title VII, §716, Oct. 23, 1992, 106 Stat. 2438; Pub. L. 103-160, div. A, title VII, §718, Nov. 30, 1993, 107 Stat. 1694; Pub. L. 104-106, div. A, title VII, §§724(a), 725, Feb. 10, 1996, 110 Stat. 378, provided that not later than Nov. 5, 1990, the Secretary of Defense was to begin operation of a managed-care delivery and reimbursement model to continue to use Uniformed Services Treatment Facilities in the military health services system, prior to repeal by Pub. L. 104-201, div. A, title VII, §727(a)(3), Sept. 23, 1996, 110 Stat. 2596.

§ 249. Medical care and treatment of quarantined and detained persons

(a) Persons entitled to treatment

Any person when detained in accordance with quarantine laws, or, at the request of the Immigration and Naturalization Service, any person detained by that Service, may be treated and cared for by the Public Health Service.

(b) Temporary treatment in emergency cases

Persons not entitled to treatment and care at institutions, hospitals, and stations of the Service may, in accordance with regulations of the Surgeon General, be admitted thereto for temporary treatment and care in case of emergency.

(c) Authorization for outside treatment

Persons whose care and treatment is authorized by subsection (a) may, in accordance with regulations, receive such care and treatment at the expense of the Service from public or private medical or hospital facilities other than those of the Service, when authorized by the officer in charge of the station at which the application is made.

(July 1, 1944, ch. 373, title III, §322, 58 Stat. 696; June 25, 1948, ch. 654, §3, 62 Stat. 1018; Aug. 8, 1956, ch. 1036, §3, 70 Stat. 1120; Pub. L. 88-424, Aug. 13, 1964, 78 Stat. 398; Pub. L. 90-174, §10(c), Dec. 5, 1967, 81 Stat. 541; Pub. L. 97-35, title IX, §986(a), (b)(1), (2), Aug. 13, 1981, 95 Stat. 603.)

Editorial Notes

AMENDMENTS

1981—Subsec. (a). Pub. L. 97-35, §986(a), (b)(2), redesignated subsec. (c) as (a). Former subsec. (a), which related to persons entitled to medical, etc., treatment and hospitalization, was struck out.

Subsec. (b). Pub. L. 97-35, §986(a), (b)(2), redesignated subsec. (d) as (b). Former subsec. (b), which related to treatment for seamen on foreign-flag vessels, was struck out.

Subsec. (c). Pub. L. 97-35, §986(b)(1), (2), redesignated subsec. (e) as (c), substituted “subsection (a)” for “subsection (c)”, and struck out “entitled to care and treatment under subsection (a) of this section and persons” after “Persons”. Former subsec. (c) redesignated (a).

Subsecs. (d), (e). Pub. L. 97-35, §986(b)(2), redesignated subsecs. (d) and (e) as (b) and (c), respectively.

1967—Subsec. (a)(7). Pub. L. 90-174 substituted provision for entitlement to treatment and hospitalization of seamen-trainees, while participating in maritime training programs to develop or enhance their employability in maritime industry, for provision for such entitlement of employees and noncommissioned officers in field service of Public Health Service when injured or taken sick in line of duty.

1964—Subsec. (a)(8). Pub. L. 88-424 added par. (8).

1948—Subsec. (e). Act June 25, 1948, permitted Service to provide for care and treatment of individuals detained in accordance with our quarantine laws.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

EFFECTIVE DATE OF 1981 AMENDMENT

Pub. L. 97-35, title IX, §986(c), Aug. 13, 1981, 95 Stat. 603, provided that: “The amendments and repeals made by this section [amending this section and sections 201 and 254e of this title] shall take effect on October 1, 1981.”

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

CONTINUED CARE FOR MERCHANT SEAMEN HOSPITALIZED IN PUBLIC HEALTH SERVICE HOSPITALS

Pub. L. 97-35, title IX, §988, Aug. 13, 1981, 95 Stat. 604, provided that:

“(a) The Secretary shall provide, by contract or other arrangement with a Federal entity and without charge but subject to subsection (b), for the continuation of inpatient hospital services (and outpatient services related to the condition of hospitalization) to any individual who—

“(1) on September 30, 1981, is receiving inpatient hospital services at a Public Health Service hospital on the basis of the entitlement contained in section 322(a) of the Public Health Service Act (42 U.S.C. 249(a)), as such section was in effect on such date, for treatment of a condition,

“(2) requires continued hospitalization after such date for treatment of that condition (or requires outpatient services related to such condition), and

“(3) the Secretary determines has no other source of inpatient hospital services available for continued treatment of that condition.

“(b) Services may not be provided under subsection (a) to an individual after the earlier of—

“(1) September 30, 1982,

“(2) the end of the first 60-day consecutive period (beginning after September 30, 1981) during the entire period of which the individual is not an inpatient of a hospital.

“(c) Notwithstanding any other provision of law, the head of any Federal department or agency which provides, under other authority of law and through federal facilities, inpatient hospital services or outpatient services, or both, is authorized to provide inpatient hospital services (and related outpatient services) to individuals under contract or other arrangement with the Secretary pursuant to this section.”

FOREIGN SEAMEN

Section 810(c), formerly §710(c), of act July 1, 1944, as renumbered by acts Aug. 13, 1946, ch. 958, §5, 60 Stat. 1049; July 30, 1956, ch. 779, §3(b), 70 Stat. 721, which gave foreign seamen the same benefits as accorded seamen

employed on United States vessels under subsec. (a)(1) of this section, was repealed effective Jan. 25, 1948, by Joint Res. July 25, 1947, ch. 327, §2(b), 61 Stat. 451.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all agencies of or in Public Health Service transferred to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, eff. June 25, 1966, 31 F.R. 8855, 80 Stat. 1610, set out as a note under section 202 of this title.

Functions of all other officers of Department of Justice and functions of all agencies and employees of such Department transferred, with a few exceptions, to Attorney General, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by sections 1 and 2 of Reorg. Plan No. 2 of 1950, eff. May 24, 1950, 15 F.R. 3173, 64 Stat. 1261, which were repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 662. Immigration and Naturalization Service, referred to in this section, was a bureau in Department of Justice.

§ 250. Medical care and treatment of Federal prisoners

The Service shall supervise and furnish medical treatment and other necessary medical, psychiatric, and related technical and scientific services, authorized by section 4005 of title 18, in penal and correctional institutions of the United States.

(July 1, 1944, ch. 373, title III, §323, 58 Stat. 697.)

Editorial Notes

CODIFICATION

“Section 4005 of title 18” substituted in text for “the Act of May 13, 1930, as amended (U.S.C., 1940 edition, title 18, secs. 751, 752)” on authority of act June 25, 1948, ch. 645, 62 Stat. 684, the first section of which enacted Title 18, Crimes and Criminal Procedure.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all agencies of or in Public Health Service transferred to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, eff. June 25, 1966, 31 F.R. 8855, 80 Stat. 1610, set out as a note under section 202 of this title.

§ 250a. Transfer of appropriations

The Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions.

(Pub. L. 117-328, div. B, title II, Dec. 29, 2022, 136 Stat. 4528.)

Editorial Notes

CODIFICATION

Section was enacted as part of the appropriation act cited as the credit to this section, and not as part of the Public Health Service Act which comprises this chapter.

Section was formerly classified to section 341h of title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 117-103, div. B, title II, Mar. 15, 2022, 136 Stat. 119.

Pub. L. 116-260, div. B, title II, Dec. 27, 2020, 134 Stat. 1252.

Pub. L. 116-93, div. B, title II, Dec. 20, 2019, 133 Stat. 2402.

Pub. L. 116-6, div. C, title II, Feb. 15, 2019, 133 Stat. 107.

Pub. L. 115-141, div. B, title II, Mar. 23, 2018, 132 Stat. 415.

Pub. L. 115-31, div. B, title II, May 5, 2017, 131 Stat. 198.

Pub. L. 114-113, div. B, title II, Dec. 18, 2015, 129 Stat. 2302.

Pub. L. 113-235, div. B, title II, Dec. 16, 2014, 128 Stat. 2188.

Pub. L. 113-76, div. B, title II, Jan. 17, 2014, 128 Stat. 57.

Pub. L. 113-6, div. B, title II, Mar. 26, 2013, 127 Stat. 248.

Pub. L. 112-55, div. B, title II, Nov. 18, 2011, 125 Stat. 610.

Pub. L. 111-117, div. B, title II, Dec. 16, 2009, 123 Stat. 3129.

Pub. L. 111-8, div. B, title II, Mar. 11, 2009, 123 Stat. 576.

Pub. L. 110-161, div. B, title II, Dec. 26, 2007, 121 Stat. 1905.

Pub. L. 109-108, title I, Nov. 22, 2005, 119 Stat. 2297.

Pub. L. 108-447, div. B, title I, Dec. 8, 2004, 118 Stat. 2860.

Pub. L. 108-199, div. B, title I, Jan. 23, 2004, 118 Stat. 53.

Pub. L. 108-7, div. B, title I, Feb. 20, 2003, 117 Stat. 58.

Pub. L. 107-77, title I, Nov. 28, 2001, 115 Stat. 757.

Pub. L. 106-553, §1(a)(2) [title I], Dec. 21, 2000, 114 Stat. 2762, 2762A-60.

Pub. L. 106-113, div. B, §1000(a)(1) [title I], Nov. 29, 1999, 113 Stat. 1535, 1501A-13.

Pub. L. 105-277, div. A, §101(b) [title I], Oct. 21, 1998, 112 Stat. 2681-50, 2681-60.

Pub. L. 105-119, title I, Nov. 26, 1997, 111 Stat. 2449.

Pub. L. 104-208, div. A, title I, §101(a) [title I], Sept. 30, 1996, 110 Stat. 3009, 3009-11.

Pub. L. 104-134, title I, §101[(a)] [title I], Apr. 26, 1996, 110 Stat. 1321, 1321-9; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.

Pub. L. 103-317, title I, Aug. 26, 1994, 108 Stat. 1732.

Pub. L. 103-121, title I, Oct. 27, 1993, 107 Stat. 1161.

Pub. L. 102-395, title I, Oct. 6, 1992, 106 Stat. 1836.

Pub. L. 102-140, title I, Oct. 28, 1991, 105 Stat. 790.

Pub. L. 101-515, title II, Nov. 5, 1990, 104 Stat. 2114.

Pub. L. 101-162, title II, Nov. 21, 1989, 103 Stat. 1000.

Pub. L. 100-459, title II, Oct. 1, 1988, 102 Stat. 2196.

Pub. L. 100-202, §101(a) [title II], Dec. 22, 1987, 101 Stat. 1329, 1329-13.

Pub. L. 99-500, §101(b) [title II], Oct. 18, 1986, 100 Stat. 1783-39, 1783-49, and Pub. L. 99-591, §101(b) [title II], Oct. 30, 1986, 100 Stat. 3341-39, 3341-49.

Pub. L. 99-180, title II, Dec. 13, 1985, 99 Stat. 1144.

Pub. L. 98-411, title II, Aug. 30, 1984, 98 Stat. 1556.

Pub. L. 98-166, title II, Nov. 28, 1983, 97 Stat. 1084.

Pub. L. 97-377, §101(d) [S. 2956, title II], Dec. 21, 1982, 96 Stat. 1866.