

Public Law 92-414

August 29, 1972
[H. R. 15474]

AN ACT

To amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

National
Cooley's Anemia
Control Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Cooley's Anemia Control Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that Cooley's anemia is a debilitating, inheritable disease that afflicts thousands of American citizens and has been largely neglected;

(2) that efforts to prevent Cooley's anemia must be directed toward increased research in the cause and treatment of the disease, and the education, screening, and counseling of carriers of the trait;

(3) that programs to prevent Cooley's anemia must be based entirely upon the voluntary cooperation of the individuals involved; and

(4) that the attainment of better methods of prevention, diagnosis, and treatment of Cooley's anemia deserves the highest priority.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

COOLEY'S ANEMIA PROGRAMS

Ante, p. 137.

SEC. 3. Title XI of the Public Health Service Act is amended by adding after section 1106 the following:

"PART B—COOLEY'S ANEMIA PROGRAMS

"COOLEY'S ANEMIA SCREENING, TREATMENT, AND COUNSELING, RESEARCH, AND INFORMATION AND EDUCATION PROGRAMS

"SEC. 1111. (a) (1) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities, for projects for the establishment and operation, primarily through other existing health programs, of Cooley's anemia screening, treatment, and counseling programs.

"(2) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities and individuals, for projects for research in the diagnosis, treatment, and prevention of Cooley's anemia, including projects for the development of effective and inexpensive tests which will identify those who have the disease or carry the trait.

"(3) The Secretary shall carry out a program to develop information and educational materials relating to Cooley's anemia and to disseminate such information and materials to persons providing health care and to the public generally. The Secretary may carry out such program through grants to public and nonprofit private entities or contracts with public and private entities and individuals.

Appropriation.

“(b) (1) For the purpose of making payments pursuant to grants and contracts under subsection (a) (1), there are authorized to be appropriated \$1,000,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

“(2) For the purpose of making payments pursuant to grants and contracts under subsection (a) (2), there are authorized to be appropriated \$1,700,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

“(3) For the purpose of carrying out subsection (a) (3), there are authorized to be appropriated \$1,000,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

“VOLUNTARY PARTICIPATION

“SEC. 1112. The participation by any individual in any program or portion thereof under this part shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program.

“APPLICATIONS; ADMINISTRATION OF GRANT AND CONTRACT PROGRAMS

“SEC. 1113. (a) A grant under this part may be made upon application to the Secretary at such time, in such manner, containing and accompanied by such information, as the Secretary deems necessary. Each application shall—

“(1) provide that the programs and activities for which assistance under this part is sought will be administered by or under the supervision of the applicant;

“(2) provide for strict confidentiality of all test results, medical records, and other information regarding screening, counseling, or treatment of any person treated, except for (A) such information as the patient (or his guardian) consents to be released, or (B) statistical data compiled without reference to the identity of any such patient;

“(3) provide for appropriate community representation in the development and operation of any program funded by a grant under this part;

“(4) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part; and

“(5) provide for making such reports in such form and containing such information as the Secretary may reasonably require.

“(b) (1) In making any grant or contract under this title, the Secretary shall (A) take into account the number of persons to be served by the program supported by such grant or contract and the extent to which rapid and effective use will be made of funds under the grant or contract; and (B) give priority to programs operating in areas which the Secretary determines have the greatest number of persons in need of the services provided under such programs.

“(2) The Secretary may make a grant under section 1111(a) (1) for a screening, treatment, and counseling program when he determines that the screening provided by such program will be done through an effective and inexpensive Cooley's anemia screening test.

“PUBLIC HEALTH SERVICE FACILITIES

“SEC. 1114. The Secretary shall establish a program within the Public Health Service to provide for voluntary Cooley’s anemia screening, counseling, and treatment. Such program shall utilize effective and inexpensive Cooley’s anemia screening tests, shall be made available through facilities of the Public Health Service to any person requesting screening, counseling, or treatment, and shall include appropriate publicity of the availability and voluntary nature of such programs.

“REPORTS

“SEC. 1115. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this part.

“(b) The report required by this section shall contain such recommendations for additional legislation as the Secretary deems necessary.”

Report to President, transmittal to Congress.

CONFORMING AMENDMENTS TO TITLE XI OF THE PUBLIC HEALTH SERVICE ACT

Ante, p. 137.

SEC. 4. Title XI of the Public Health Service Act is amended—
(1) by striking out

“TITLE XI—SICKLE CELL ANEMIA PROGRAM”

and inserting in lieu thereof

“TITLE XI—GENETIC BLOOD DISORDERS

“PART A—SICKLE CELL ANEMIA PROGRAMS”;

(2) by striking out paragraph (3) of section 1101(a); and

(3) by striking out “title” each place it occurs in sections 1103, 1104, and 1106 and inserting in lieu thereof “part”.

Approved August 29, 1972.

Public Law 92-415

AN ACT

August 29, 1972
[H. R. 12392]

To amend title 28, United States Code, section 1491, to authorize the Court of Claims to implement its judgments for compensation.

Court of Claims. Jurisdiction. 68 Stat. 1241; 84 Stat. 449.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 1491 of title 28, United States Code, is amended by adding thereto the following: “To provide an entire remedy and to complete the relief afforded by the judgment, the court may, as an incident of and collateral to any such judgment, issue orders directing restoration to office or position, placement in appropriate duty or retirement status, and correction of applicable records, and such orders may be issued to any appropriate official of the United States. In any case within its jurisdiction, the court shall have the power to remand appropriate matters to any administrative or executive body or official with such direction as it may deem proper and just.”

Effective date.

SEC. 2. This Act shall be applicable to all judicial proceedings pending on or instituted after the date of its enactment.

Approved August 29, 1972.