

ance programs receiving assistance under section 732 of this title, programs funded under other subchapters of this chapter, programs funded under other Federal law, and programs funded through non-Federal sources, with the goal of improving the independence of individuals with disabilities.

(Pub. L. 93-112, title VII, §701, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1217; amended Pub. L. 113-128, title IV, §471, July 22, 2014, 128 Stat. 1685.)

Editorial Notes

PRIOR PROVISIONS

A prior section 796, Pub. L. 93-112, title VII, §701, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106 Stat. 4443; amended Pub. L. 103-73, title I, §114(a), Aug. 11, 1993, 107 Stat. 728, related to purpose of program to provide assistance for independent living for individuals with severe disabilities, prior to the general amendment of this subchapter by Pub. L. 105-220.

Another prior section 796, Pub. L. 93-112, title VII, §701, as added Pub. L. 95-602, title III, §301, Nov. 6, 1978, 92 Stat. 2995, provided Congressional statement of purpose of former subchapter VII, prior to repeal by Pub. L. 102-569, §701(1).

AMENDMENTS

2014—Par. (3). Pub. L. 113-128 substituted “subchapter VI” for “part B of subchapter VI” and inserted before period at end “, with the goal of improving the independence of individuals with disabilities”.

§ 796-1. Administration of the independent living program

There is established within the Administration for Community Living of the Department of Health and Human Services, an Independent Living Administration. The Independent Living Administration shall be headed by a Director (referred to in this section as the “Director”) appointed by the Secretary of Health and Human Services. The Director shall be an individual with substantial knowledge of independent living services. The Independent Living Administration shall be the principal agency, and the Director shall be the principal officer, to carry out this part. In performing the functions of the office, the Director shall be directly responsible to the Administrator of the Administration for Community Living of the Department of Health and Human Services. The Secretary shall ensure that the Independent Living Administration has sufficient resources (including designating at least 1 individual from the Office of General Counsel who is knowledgeable about independent living services) to provide technical assistance and support to, and oversight of, the programs funded under this part.

(Pub. L. 93-112, title VII, §701A, as added Pub. L. 113-128, title IV, §472, July 22, 2014, 128 Stat. 1685.)

§ 796a. Definitions

As used in this part:

(1) Administrator

The term “Administrator” means the Administrator of the Administration for Community Living of the Department of Health and Human Services.

(2) Center for independent living

The term “center for independent living” means a consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency for individuals with significant disabilities (regardless of age or income) that—

(A) is designed and operated within a local community by individuals with disabilities; and

(B) provides an array of independent living services, including, at a minimum, independent living core services as defined in section 705(17) of this title.

(3) Consumer control

The term “consumer control” means, with respect to a center for independent living, that the center vests power and authority in individuals with disabilities, in terms of the management, staffing, decisionmaking, operation, and provisions of services, of the center.

(Pub. L. 93-112, title VII, §702, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1218; amended Pub. L. 113-128, title IV, §473, July 22, 2014, 128 Stat. 1685.)

Editorial Notes

PRIOR PROVISIONS

A prior section 796a, Pub. L. 93-112, title VII, §702, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106 Stat. 4443, defined terms “center for independent living” and “consumer control”, prior to the general amendment of this subchapter by Pub. L. 105-220.

Another prior section 796a, Pub. L. 93-112, title VII, §702, as added Pub. L. 95-602, title III, §301, Nov. 6, 1978, 92 Stat. 2995; amended Pub. L. 99-506, title I, §103(d)(2)(A), (C), title VIII, §801, title X, §§1001(g)(1), 1002(h), Oct. 21, 1986, 100 Stat. 1810, 1837, 1843, 1844; Pub. L. 100-630, title II, §208(a), Nov. 7, 1988, 102 Stat. 3314, provided eligibility requirements and definition of “comprehensive services for independent living”, prior to repeal by Pub. L. 102-569, §701(1).

AMENDMENTS

2014—Par. (1). Pub. L. 113-128, §473(4), added par. (1). Former par. (1) redesignated (2).

Pub. L. 113-128, §473(1)(A), inserted “for individuals with significant disabilities (regardless of age or income)” before “that—” in introductory provisions.

Par. (1)(B). Pub. L. 113-128, §473(1)(B), inserted “, including, at a minimum, independent living core services as defined in section 705(17) of this title” before period at end.

Par. (2). Pub. L. 113-128, §473(3), redesignated par. (1) as (2). Former par. (2) redesignated (3).

Pub. L. 113-128, §473(2), inserted “, in terms of the management, staffing, decisionmaking, operation, and provisions of services, of the center” before period at end.

Par. (3). Pub. L. 113-128, §473(3), redesignated par. (2) as (3).

§ 796b. Eligibility for receipt of services

Services may be provided under this part to any individual with a significant disability, as defined in section 705(21)(B) of this title.

(Pub. L. 93-112, title VII, §703, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1218.)

Editorial Notes

PRIOR PROVISIONS

A prior section 796b, Pub. L. 93-112, title VII, §703, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106