2014—Subsec. (a). Pub. L. 113–196, §3(1), struck out '', acting through the Administrator of the Health Resources and Services Administration,'' after ''The Secretary''.

Subsec. (f)(1)(A)(i), (3)(E). Pub. L. 113–196, §3(2), substituted ''traumatic brain injury'' for ''brain injury''.

Subsec. (h). Pub. L. 113–196, §3(3), substituted ''under this section and section 300d–53 of this title, including'' for ''under this section, and section 300d–53 of this title including''.

Subsec. (j). Pub. L. 113–196, §3(4), substituted ''$5,500,000 for each of the fiscal years 2015 through 2019'' for ''such sums as may be necessary for each of the fiscal years 2001 through 2005, and such sums as may be necessary for each of the fiscal years 2009 through 2012''.

2010—Subsec. (f)(3)(E). Pub. L. 111–256 substituted ''intellectual disabilities or developmental disorders,'' for ''mental retardation/developmental disorders,''.

2008—Subsec. (a). Pub. L. 110–206, §6(a)(1), substituted ''may make grants to States and American Indian consortia'' for ''may make grants to States'' and ''rehabilitation and other services'' for ''health and other services''.

Subsec. (b)(1). Pub. L. 110–206, §6(a)(2)(A), substituted ''State or American Indian consortium'' for ''State'' wherever appearing.

Subsec. (b)(2). Pub. L. 110–206, §6(a)(2)(B), substituted ''recommendations to the State or American Indian consortium'' for ''recommendations to the State''.

Subsec. (b)(3)(A)(i), (iii), (iv). Pub. L. 110–206, §6(a)(2)(A), substituted ''State or American Indian consortium'' for ''State''.

Subsec. (c)(1). Pub. L. 110–206, §6(a)(3), substituted ''State or American Indian consortium'' for ''State'' in two places.

Subsec. (e). Pub. L. 110–206, §6(a)(4), added text of subsec. (e) and struck out former text of subsec. (e) which read as follows: ''A State that received a grant under this section prior to October 17, 2000, may compete for new project grants under this section after October 17, 2000.''

Subsec. (f). Pub. L. 110–206, §6(a)(5)(A), (B), inserted ''and American Indian consortium'' after ''State'' in heading and substituted in text ''State or American Indian consortium'' for ''State'' wherever appearing, except in par. (3)(B).

Subsec. (f)(1)(A)(ii). Pub. L. 110–206, §6(a)(5)(C), substituted ''children, youth, and adults'' for ''children and other individuals''.

Subsec. (h). Pub. L. 110–206, §6(a)(6), substituted ''Not less than biennially, the Secretary'' for ''Not later than 2 years after July 29, 1996, the Secretary'' and ''Energy and Commerce of the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions'' for ''Commerce of the House of Representatives, and to the Committee on Labor and Human Resources'' and inserted ''and section 300d–53 of this title'' after ''programs established under this section,''.

Subsec. (i). Pub. L. 110–206, §6(a)(7), amended subsec. (i) generally. Prior to amendment, text read as follows: ''For purposes of this section, the term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma. The Secretary may revise the definition of such term as the Secretary determines necessary, after consultation with States and other appropriate public or nonprofit private entities.''

Subsec. (j). Pub. L. 110–206, §6(a)(8), inserted '', and such sums as may be necessary for each of the fiscal years 2009 through 2012'' before period at end.

2007—Pub. L. 110–23, which directed amendment of section by striking ''demonstration'' in section catchline, could not be executed because the word ''demonstration'' did not appear after amendment by Pub. L. 106–310, §1304(1). See 2000 Amendment note below.

2000—Pub. L. 106–310, §1304(1), struck out ''demonstration'' before ''projects'' in section catchline.

Subsec. (a). Pub. L. 106–310, §1304(2), struck out ''demonstration'' before ''projects''.

Subsec. (b)(3)(A)(iv). Pub. L. 106–310, §1304(3)(A), substituted ''representing individuals with traumatic brain injury'' for ''representing traumatic brain injury survivors''.

Subsec. (b)(3)(B). Pub. L. 106–310, §1304(3)(B), substituted ''with traumatic brain injury'' for ''who are survivors of traumatic brain injury''.

Subsec. (c)(1). Pub. L. 106–310, §1304(4)(A), struck out '', in cash,'' before ''non-Federal contributions''.

Subsec. (c)(2). Pub. L. 106–310, §1304(4)(B), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: ''In determining the amount of non-Federal contributions in cash that a State has provided pursuant to paragraph (1), the Secretary may not include any amounts provided to the State by the Federal Government.''

Subsecs. (e), (f). Pub. L. 106–310, §1304(6), added subsecs. (e) and (f). Former subsecs. (e) and (f) redesignated (g) and (h), respectively.

Subsec. (g). Pub. L. 106–310, §1304(5), (7), redesignated subsec. (e) as (g) and substituted ''Federal agencies'' for ''agencies of the Public Health Service''. Former subsec. (g) redesignated (i).

Subsec. (h). Pub. L. 106–310, §1304(5), redesignated subsec. (f) as (h). Former subsec. (h) redesignated (j).

Subsec. (i). Pub. L. 106–310, §1304(5), (8), redesignated subsec. (g) as (i), substituted ''anoxia due to trauma'' for ''anoxia due to near drowning'' in second sentence, and inserted before period at end '', after consultation with States and other appropriate public or nonprofit private entities''.

Subsec. (j). Pub. L. 106–310, §1304(9), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: ''For the purpose of carrying out this section, there is authorized to be appropriated $5,000,000 for each of the fiscal years 1997 through 1999.''

Pub. L. 106–310, §1304(5), redesignated subsec. (h) as (j).

Statutory Notes and Related Subsidiaries

DEFINITIONS

For meaning of references to an intellectual disability and to individuals with intellectual disabilities in provisions amended by section 2 of Pub. L. 111–256, see section 2(k) of Pub. L. 111–256, set out as a note under section 1400 of Title 20, Education.

§ 300d–53. State grants for protection and advocacy services

(a) In general

The Secretary, acting through the Administrator for the Administration for Community Living, shall make grants to protection and advocacy systems for the purpose of enabling such systems to provide services to individuals with traumatic brain injury.

(b) Services provided

Services provided under this section may include the provision of—

(1) information, referrals, and advice;

(2) individual and family advocacy;

(3) legal representation; and

(4) specific assistance in self-advocacy.

(c) Application

To be eligible to receive a grant under this section, a protection and advocacy system shall submit an application to the Secretary at such time, in such form and manner, and accompanied by such information and assurances as the Secretary may require.

(d) Appropriations less than $2,700,000

(1) In general

With respect to any fiscal year in which the amount appropriated under subsection (*l*) to carry out this section is less than $2,700,000, the Secretary shall make grants from such amount to individual protection and advocacy systems within States to enable such systems to plan for, develop outreach strategies for, and carry out services authorized under this section for individuals with traumatic brain injury.

(2) Amount

The amount of each grant provided under paragraph (1) shall be determined as set forth in paragraphs (2) and (3) of subsection (e).

(e) Appropriations of $2,700,000 or more

(1) Population basis

Except as provided in paragraph (2), with respect to each fiscal year in which the amount appropriated under subsection (*l*) to carry out this section is $2,700,000 or more, the Secretary shall make a grant to a protection and advocacy system within each State.

(2) Amount

The amount of a grant provided to a system under paragraph (1) shall be equal to an amount bearing the same ratio to the total amount appropriated for the fiscal year involved under subsection (*l*) as the population of the State in which the grantee is located bears to the population of all States.

(3) Minimums

Subject to the availability of appropriations, the amount of a grant[1] a protection and advocacy system under paragraph (1) for a fiscal year shall—

(A) in the case of a protection and advocacy system located in American Samoa, Guam, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, and the protection and advocacy system serving the American Indian consortium, not be less than $20,000; and

(B) in the case of a protection and advocacy system in a State not described in subparagraph (A), not be less than $50,000.

(4) Inflation adjustment

For each fiscal year in which the total amount appropriated under subsection (*l*) to carry out this section is $5,000,000 or more, and such appropriated amount exceeds the total amount appropriated to carry out this section in the preceding fiscal year, the Secretary shall increase each of the minimum grants amount described in subparagraphs (A) and (B) of paragraph (3) by a percentage equal to the percentage increase in the total amount appropriated under subsection (*l*) to carry out this section between the preceding fiscal year and the fiscal year involved.

(f) Carryover

Any amount paid to a protection and advocacy system that serves a State or the American Indian consortium for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the next fiscal year for the purposes for which such amount was originally provided.

(g) Direct payment

Notwithstanding any other provision of law, each fiscal year not later than October 1, the Secretary shall pay directly to any protection and advocacy system that complies with the provisions of this section, the total amount of the grant for such system, unless the system provides otherwise for such payment.

(h) Reporting

(1) Reports by systems

Each protection and advocacy system that receives a payment under this section shall submit an annual report to the Secretary concerning the services provided to individuals with traumatic brain injury by such system.

(2) Report by Secretary

Not later than 1 year after November 26, 2014, the Secretary shall prepare and submit to the appropriate committees of Congress a report describing the services and activities carried out under this section during the period for which the report is being prepared.

(i) Data collection

The Secretary shall facilitate agreements to coordinate the collection of data by agencies within the Department of Health and Human Services regarding protection and advocacy services.

(j) Training and technical assistance

(1) Grants

For any fiscal year for which the amount appropriated to carry out this section is $6,000,000 or greater, the Secretary shall use 2 percent of such amount to make a grant to an eligible national association for providing for training and technical assistance to protection and advocacy systems.

(2) Definition

In this subsection, the term ''eligible national association'' means a national association with demonstrated experience in providing training and technical assistance to protection and advocacy systems.

(k) System authority

In providing services under this section, a protection and advocacy system shall have the same authorities, including access to records, as such system would have for purposes of providing services under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

***(l)* Authorization of appropriations**

There are authorized to be appropriated to carry out this section $4,000,000 for each of fiscal years 2020 through 2024.

(m) Definitions

In this section:

(1) American Indian consortium

The term ''American Indian consortium'' means a consortium established under subtitle

[1] So in original. Probably should be followed by ''to''.

C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

(2) Protection and advocacy system

The term ''protection and advocacy system'' means a protection and advocacy system established under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

(3) State

The term ''State'', unless otherwise specified, means the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(July 1, 1944, ch. 373, title XII, § 1253, as added Pub. L. 106–310, div. A, title XIII, § 1305, Oct. 17, 2000, 114 Stat. 1141; amended Pub. L. 110–206, § 6(b), Apr. 28, 2008, 122 Stat. 717; Pub. L. 113–196, § 4, Nov. 26, 2014, 128 Stat. 2053; Pub. L. 115–377, § 4, Dec. 21, 2018, 132 Stat. 5114.)

Editorial Notes

REFERENCES IN TEXT

The Developmental Disabilities Assistance and Bill of Rights Act of 2000, referred to in subsecs. (k) and (m)(1), (2), is Pub. L. 106–402, Oct. 30, 2000, 114 Stat. 1677. Subtitle C of title I of the Act is classified generally to part C (§ 15041 et seq.) of subchapter I of chapter 144 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 15001 of this title and Tables.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–377, § 4(1), inserted '', acting through the Administrator for the Administration for Community Living,'' after ''The Secretary''.

Subsec. (*l*). Pub. L. 115–377, § 4(2), substituted ''$4,000,000 for each of fiscal years 2020 through 2024'' for ''$3,100,000 for each of the fiscal years 2015 through 2019''.

2014—Subsec. (a). Pub. L. 113–196, § 4(1), struck out '', acting through the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Administrator'),'' after ''The Secretary''.

Subsecs. (c), (d)(1), (e)(1), (4), (g). Pub. L. 113–196, § 4(2), substituted ''Secretary'' for ''Administrator'' wherever appearing.

Subsec. (h). Pub. L. 113–196, § 4(2), (3), substituted ''Reporting'' for ''Annual report'' in heading; designated existing provisions as par. (1), inserted heading, and substituted ''Secretary'' for ''Administrator''; and added par. (2).

Subsec. (i). Pub. L. 113–196, § 4(4), substituted ''The Secretary shall facilitate agreements to coordinate the collection of data by agencies within the Department of Health and Human Services regarding'' for ''The Administrator of the Health Resources and Services Administration and the Commissioner of the Administration on Developmental Disabilities shall enter into an agreement to coordinate the collection of data by the Administrator and the Commissioner regarding''.

Subsec. (j)(1). Pub. L. 113–196, § 4(2), substituted ''Secretary'' for ''Administrator''.

Subsec. (k). Pub. L. 113–196, § 4(5), substituted ''subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)'' for ''subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000''.

Subsec. (*l*). Pub. L. 113–196, § 4(6), substituted ''$3,100,000 for each of the fiscal years 2015 through 2019'' for ''$5,000,000 for fiscal year 2001, and such sums as may be necessary for each the fiscal years 2009 through 2012''.

Subsec. (m)(1). Pub. L. 113–196, § 4(7)(A), substituted ''subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)'' for ''part C of the Developmental Disabilities Assistance Bill of Rights Act (42 U.S.C. 6042 et seq.)''.

Subsec. (m)(2). Pub. L. 113–196, § 4(7)(B), substituted ''subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)'' for ''part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.)''.

2008—Subsecs. (d), (e). Pub. L. 110–206, § 6(b)(1), substituted ''subsection (*l*)'' for ''subsection (i)'' wherever appearing.

Subsec. (g). Pub. L. 110–206, § 6(b)(2), inserted ''each fiscal year not later than October 1,'' before ''the Administrator shall pay''.

Subsecs. (i) to (k). Pub. L. 110–206, § 6(b)(4), added subsecs. (i) to (k). Former subsecs. (i) and (j) redesignated (*l*) and (m), respectively.

Subsec. (*l*). Pub. L. 110–206, § 6(b)(3), (5), redesignated subsec. (i) as (*l*) and substituted ''2009 through 2012'' for ''2002 through 2005''.

Subsec. (m). Pub. L. 110–206, § 6(b)(3), redesignated subsec. (j) as (m).

§ 300d–54. Stop, Observe, Ask, and Respond to Health and Wellness Training Program

(a) In general

The Secretary shall establish a program to be known as the Stop, Observe, Ask, and Respond to Health and Wellness Training Program or the SOAR to Health and Wellness Training Program (in this section referred to as the ''Program'') to provide training to health care and social service providers on human trafficking in accordance with this section.

(b) Activities

(1) In general

The Program shall include the Stop, Observe, Ask, and Respond to Health and Wellness Training Program's activities existing on the day before December 31, 2018, and the authorized initiatives described in paragraph (2).

(2) Authorized initiatives

The authorized initiatives of the Program shall include—

(A) engaging stakeholders, including victims of human trafficking and Federal, State, local, and tribal partners, to develop a flexible training module—

(i) for supporting activities under subsection (c); and

(ii) that adapts to changing needs, settings, health care providers, and social service providers;

(B) providing technical assistance to grantees related to implementing activities described in subsection (c) and reporting on any best practices identified by the grantees;

(C) developing a reliable methodology for collecting data, and reporting such data, on the number of human trafficking victims identified and served by grantees in a manner that, at a minimum, prevents disclosure of individually identifiable information con-