

**§ 300dd-41. Transferred****Editorial Notes**

## CODIFICATION

Section, act July 1, 1944, ch. 373, title XXIV, § 2441, as added Nov. 4, 1988, Pub. L. 100-607, title II, § 211, 102 Stat. 3092, which related to demonstration projects for individuals with positive AIDS test results, was renumbered section 520B of act July 1, 1944, by Pub. L. 102-321, title I, § 118(a), July 10, 1992, 106 Stat. 348, and was transferred to section 290bb-33 of this title, prior to repeal by Pub. L. 106-310, div. B, title XXXII, § 3201(b)(2), Oct. 17, 2000, 114 Stat. 1190.

## SUBCHAPTER XXIII—PREVENTION OF ACQUIRED IMMUNE DEFICIENCY SYNDROME

**§ 300ee. Use of funds****(a) In general**

The purpose of this subchapter is to provide for the establishment of education and information programs to prevent and reduce exposure to, and the transmission of, the etiologic agent for acquired immune deficiency syndrome.

**(b) Contents of programs**

All programs of education and information receiving funds under this subchapter shall include information about the harmful effects of promiscuous sexual activity and intravenous substance abuse, and the benefits of abstaining from such activities.

**(c) Limitation**

None of the funds appropriated to carry out this subchapter may be used to provide education or information designed to promote or encourage, directly, homosexual or heterosexual sexual activity or intravenous substance abuse.

**(d) Construction**

Subsection (c) may not be construed to restrict the ability of an education program that includes the information required in subsection (b) to provide accurate information about various means to reduce an individual's risk of exposure to, or the transmission of, the etiologic agent for acquired immune deficiency syndrome, provided that any informational materials used are not obscene.

(July 1, 1944, ch. 373, title XXV, formerly title XV, § 2500, as added Pub. L. 100-607, title II, § 221, Nov. 4, 1988, 102 Stat. 3093; amended Pub. L. 100-690, title II, § 2619(a), Nov. 18, 1988, 102 Stat. 4242; renumbered title XXV, Pub. L. 101-93, § 5(e)(1), Aug. 16, 1989, 103 Stat. 612.)

**Editorial Notes**

## AMENDMENTS

1988—Subsec. (a). Pub. L. 100-690 substituted “this subchapter” for “this part”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective immediately after enactment of Pub. L. 100-607, which was approved Nov. 4, 1988, see section 2600 of Pub. L. 100-690, set out as a note under section 242m of this title.

**§ 300ee-1. Establishment of office with respect to minority health and acquired immune deficiency syndrome**

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall establish an office for the purpose of ensuring that, in carrying out the duties of the Secretary with respect to prevention of acquired immune deficiency syndrome, the Secretary develops and implements prevention programs targeted at minority populations and provides appropriate technical assistance in the implementation of such programs.

(Pub. L. 100-607, title II, § 252, Nov. 4, 1988, 102 Stat. 3108; Pub. L. 102-531, title III, § 312(e)(2), Oct. 27, 1992, 106 Stat. 3506.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the AIDS Amendments of 1988 and as part of the Health Omnibus Programs Extension of 1988, and not as part of the Public Health Service Act which comprises this chapter.

## AMENDMENTS

1992—Pub. L. 102-531 substituted “Centers for Disease Control and Prevention” for “Centers for Disease Control”.

**Statutory Notes and Related Subsidiaries**

## REQUIREMENT OF STUDY WITH RESPECT TO MINORITY HEALTH AND ACQUIRED IMMUNE DEFICIENCY SYNDROME

Pub. L. 100-607, title II, § 251, Nov. 4, 1988, 102 Stat. 3108, as amended by Pub. L. 100-690, title II, § 2602(b), Nov. 18, 1988, 102 Stat. 4234, required the Secretary of Health and Human Services, acting through the Director of the Office of Minority Health, to conduct a Study With Respect to Minority Health and Acquired Immune Deficiency Syndrome and report to Congress on the findings no later than 12 months after Nov. 4, 1988.

**§ 300ee-2. Information for health and public safety workers****(a) Development and dissemination of guidelines**

Not later than 90 days after November 4, 1988, the Secretary of Health and Human Services (hereafter in this section referred to as the “Secretary”), acting through the Director of the Centers for Disease Control and Prevention, shall develop, issue, and disseminate emergency guidelines to all health workers and public safety workers (including emergency response employees) in the United States concerning—

(1) methods to reduce the risk in the workplace of becoming infected with the etiologic agent for acquired immune deficiency syndrome; and

(2) circumstances under which exposure to such etiologic agent may occur.

**(b) Use in occupational standards**

The Secretary shall transmit the guidelines issued under subsection (a) to the Secretary of Labor for use by the Secretary of Labor in the development of standards to be issued under the Occupational Safety and Health Act of 1970 [29 U.S.C. 651 et seq.].