

be appropriated, \$218,600,000 for fiscal year 2007, \$226,700,000 for fiscal year 2008, \$235,100,000 for fiscal year 2009, \$246,855,000 for fiscal year 2010, \$259,198,000 for fiscal year 2011, \$272,158,000 for fiscal year 2012, and \$285,766,000 for fiscal year 2013.

(July 1, 1944, ch. 373, title XXVI, § 2655, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 609; amended Pub. L. 104-146, § 3(d)(4), May 20, 1996, 110 Stat. 1358; Pub. L. 106-345, title III, § 313, Oct. 20, 2000, 114 Stat. 1346; Pub. L. 109-415, title III, § 303, title VII, § 703, Dec. 19, 2006, 120 Stat. 2807, 2820; Pub. L. 111-87, § 2(a)(1), (3)(A), (d), Oct. 30, 2009, 123 Stat. 2885, 2886.)

Editorial Notes

AMENDMENTS

2009—Pub. L. 111-87, § 2(d), substituted “\$235,100,000 for fiscal year 2009, \$246,855,000 for fiscal year 2010, \$259,198,000 for fiscal year 2011, \$272,158,000 for fiscal year 2012, and \$285,766,000 for fiscal year 2013” for “and \$235,100,000 for fiscal year 2009”.

Pub. L. 111-87, § 2(a)(1), (3)(A), repealed Pub. L. 109-415, § 703, and revived the provisions of this section as in effect on Sept. 30, 2009. See 2006 Amendment note and Effective Date of 2009 Amendment; Revival Section note below.

2006—Pub. L. 109-415, § 703, which directed repeal of this section effective Oct. 1, 2009, was itself repealed by Pub. L. 111-87, § 2(a)(1), effective Sept. 30, 2009.

Pub. L. 109-415, § 303, substituted “, \$218,600,000 for fiscal year 2007, \$226,700,000 for fiscal year 2008, and \$235,100,000 for fiscal year 2009” for “such sums as may be necessary for each of the fiscal years 2001 through 2005”.

2000—Pub. L. 106-345 substituted “for each of the fiscal years 2001 through 2005” for “in each of the fiscal years 1996, 1997, 1998, 1999, and 2000”.

1996—Pub. L. 104-146 substituted “such sums as may be necessary in each of the fiscal years 1996, 1997, 1998, 1999, and 2000.” for “\$75,000,000 for fiscal years 1991, and such sums as may be necessary for each of the fiscal years 1992 through 1995.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective Sept. 30, 2009, that the provisions of this section as in effect on Sept. 30, 2009, be revived, and that amendment by section 2(d) of Pub. L. 111-87 be applicable to this section as so revived and effective as if enacted on Sept. 30, 2009, see section 2(a)(2), (3) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-146 effective Oct. 1, 1996, see section 13 of Pub. L. 104-146, set out as a note under section 300ff-11 of this title.

SUBPART II—GENERAL PROVISIONS

Editorial Notes

CODIFICATION

Pub. L. 106-345, title III, § 301(b)(1), Oct. 20, 2000, 114 Stat. 1345, redesignated subpart III “General Provisions” as subpart II.

PRIOR PROVISIONS

A prior subpart II, consisting of sections 300ff-51 to 300ff-55, was redesignated subpart I of this part by Pub. L. 106-345, title III, § 301(b)(1), Oct. 20, 2000, 114 Stat. 1345.

§ 300ff-61. Confidentiality and informed consent

(a) Confidentiality

The Secretary may not make a grant under this part unless, in the case of any entity applying for a grant under section 300ff-51 of this title, the entity agrees to ensure that information regarding the receipt of early intervention services pursuant to the grant is maintained confidentially in a manner not inconsistent with applicable law.

(b) Informed consent

The Secretary may not make a grant under this part unless the applicant for the grant agrees that, in testing an individual for HIV/AIDS, the applicant will test an individual only after the individual confirms that the decision of the individual with respect to undergoing such testing is voluntarily made.

(July 1, 1944, ch. 373, title XXVI, § 2661, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 609; amended Pub. L. 106-345, title III, § 301(b)(2), Oct. 20, 2000, 114 Stat. 1345; Pub. L. 109-415, title III, § 304, title VII, § 703, Dec. 19, 2006, 120 Stat. 2807, 2820; Pub. L. 111-87, § 2(a)(1), (3)(A), Oct. 30, 2009, 123 Stat. 2885.)

Editorial Notes

AMENDMENTS

2009—Pub. L. 111-87 repealed Pub. L. 109-415, § 703, and revived the provisions of this section as in effect on Sept. 30, 2009. See 2006 Amendment note and Effective Date of 2009 Amendment; Revival of Section note below.

2006—Pub. L. 109-415, § 703, which directed repeal of this section effective Oct. 1, 2009, was itself repealed by Pub. L. 111-87, § 2(a)(1), effective Sept. 30, 2009.

Pub. L. 109-415, § 304, reenacted section catchline without change and amended text generally, substituting provisions relating to confidentiality and informed consent for provisions relating to confidentiality, informed written consent, and anonymous testing.

2006—Subsec. (a). Pub. L. 106-345 struck out par. (1) and par. (2) designation. Prior to amendment, par. (1) read as follows: “in the case of any State applying for a grant under section 300ff-41 of this title, the State agrees to ensure that information regarding the receipt of early intervention services is maintained confidentially pursuant to law or regulations in a manner not inconsistent with applicable law; and”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective Sept. 30, 2009, and that the provisions of this section as in effect on Sept. 30, 2009, be revived, see section 2(a)(2), (3)(A) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

§ 300ff-62. Provision of certain counseling services

(a) Counseling of individuals with negative test results

The Secretary may not make a grant under this part unless the applicant for the grant agrees that, if the results of testing conducted for HIV/AIDS indicate that an individual does not have such condition, the applicant will provide the individual information, including—