

Public Law 87-395

October 5, 1961
[H. R. 4998]

AN ACT

To assist in expanding and improving community facilities and services for the health care of aged and other persons, and for other purposes.

Community
Health Services
and Facilities Act
of 1961.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Community Health Services and Facilities Act of 1961".

GRANTS FOR PUBLIC HEALTH SERVICES

60 Stat. 424; 72
Stat. 400.
42 USC 246.

SEC. 2. (a) Subsection (c) of section 314 of the Public Health Service Act is amended by striking out "there is hereby authorized to be appropriated for each fiscal year a sum not to exceed \$30,000,000" and inserting in lieu thereof "there is authorized to be appropriated for each of the first five fiscal years ending after June 30, 1961, the sum of \$50,000,000".

(b) The second sentence of such subsection is amended (1) by striking out "an amount, not to exceed \$3,000,000" and inserting in lieu thereof "such amount as may be necessary", and (2) by striking out "\$1,000,000" and inserting in lieu thereof "\$2,500,000".

62 Stat. 469.

(c) Such subsection is further amended by inserting after the first sentence the following new sentence: "When so provided in any Act appropriating funds for carrying out the purposes of this subsection for any year, such amounts as may be specified in such Act shall be available only for allotments and payments for such services and activities included under this subsection as may be provided in such Act; and in such case the requirements of subsection (h) shall be separately applied to such allotments and payments."

Payments to
States, reduction.

(d) Section 314 of such Act is further amended by adding at the end thereof the following new subsection:

"(m) The Surgeon General, at the request of the State health authority or, where appropriate, the State mental health authority, may reduce the payments to a State under this section by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee of the Public Health Service to the State or any of its political subdivisions when such detail is made for the convenience of and at the request of the State and for purposes of carrying out its State plan approved under this section. The amount by which such payments are so reduced shall be available for payment of such costs by the Surgeon General, but shall, for purposes of subsection (h), be deemed to have been paid to the State."

42 USC 243-247.

(e) Part B of title III of the Public Health Service Act is further amended by adding after section 315 the following new section:

"SPECIAL PROJECT GRANTS FOR IMPROVING COMMUNITY HEALTH SERVICES

"SEC. 316. (a) There are hereby authorized to be appropriated for each of the first five fiscal years ending after June 30, 1961, the sum of \$10,000,000, for grants to State or other public or nonprofit private agencies or organizations for studies, experiments, and demonstrations looking toward development of new or improved methods of providing health services outside the hospital, particularly for chronically ill or aged persons. Any grant for any such project made from an appropriation under this section for any fiscal year may include such amounts as the Surgeon General determines to be necessary for succeeding fiscal years for completion of the Federal participation in the project as approved by the Surgeon General.

“(b) Payments under this section may be made in advance or by way of reimbursement, and in such installments, as may be determined by the Surgeon General; and shall be made on such conditions as the Surgeon General finds necessary to carry out the purposes of this section. Nothing in this Act shall preclude a State or community from establishing and collecting fees for personal health services which may be provided through programs financed from funds under this section when collection of such fees is authorized or required by State or local law.

Method of payment.

“(c) The Surgeon General, at the request of a State or other public agency, may reduce the grant to such agency under this section by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee of the Public Health Service to such agency when such detail is made for the convenience of and at the request of such agency and for the purpose of carrying out its study, experiment, or demonstration with respect to which a grant is made under this section. The amount by which such grant is so reduced shall be available for payment of such costs by the Surgeon General, but shall, for purposes of subsection (b), be deemed to have been paid to such agency.”

Grants, reduction.

INCREASE IN GRANTS FOR CONSTRUCTION OF NONPROFIT NURSING HOMES

SEC. 3. (a) Paragraph (4) of section 651 of the Public Health Service Act is amended by striking out “\$10,000,000” and inserting in lieu thereof “\$20,000,000”.

68 Stat. 462; 72 Stat. 616.

(b) Section 652 of such Act is amended by striking out “(3) or (4)” and inserting in lieu thereof “(3)” and by striking out “(1) or (2)” and inserting in lieu thereof “(1), (2), or (4)”.

42 USC 291s.
68 Stat. 462.
42 USC 291t.

(c) The amendments made by subsections (a) and (b) shall be applicable in the case of fiscal years beginning after June 30, 1961.

RESEARCH, EXPERIMENTS, AND DEMONSTRATIONS IN UTILIZATION OF MEDICAL FACILITIES

SEC. 4. (a) Section 636 of the Public Health Service Act is amended by striking out “hospital services, facilities, and resources” each time it appears therein and inserting in lieu thereof “services, facilities, and resources of hospitals or other medical facilities” the first time and “services, facilities, and resources of hospitals or other medical facilities, agencies, or institutions, and including projects for the construction of experimental or demonstration hospitals or other medical facilities and projects for acquisition of experimental or demonstration equipment for use in connection with hospitals or other medical facilities” the second time.

63 Stat. 900.
42 USC 291n.

(b) Section 636 of such Act is further amended by striking out the last sentence thereof and inserting the following in lieu of such sentence: “Any award for any such project made from an appropriation under this section for any fiscal year may include such amounts as the Surgeon General determines to be necessary for succeeding fiscal years for completion of the Federal participation in the project as approved by the Surgeon General. Payments of any such grant may be made in advance or by way of reimbursement, and in such installments, as may be determined by the Surgeon General; and shall be made on such conditions as the Surgeon General finds necessary to carry out the purposes of this section. Except where the Surgeon General determines that unusual circumstances make a larger percentage necessary in order to effectuate the purposes of this section, amounts paid under this section with respect to any project for con-

Method of payment.

struction of a facility or for acquisition of equipment may not exceed 66½ per centum of so much of the cost of such facility or such equipment as the Surgeon General determines is reasonably attributable to experimental or demonstration purposes. The provisions of clause (5) of the third sentence of subsection (a) of section 625 and any other provisions of such section which the Surgeon General deems appropriate shall be applicable, along with such other conditions as the Surgeon General may determine, to grants under this section for projects for construction or for acquisition of equipment. There is hereby authorized to be appropriated not to exceed \$10,000,000 for any fiscal year to carry out the provisions of this section."

(c) This section is further amended by striking out "In carrying out the purposes of section 301 with respect to hospital facilities, the Surgeon General" and inserting in lieu thereof "(a) The Surgeon General", and by adding at the end of such section the following new subsection:

"(b) If, within twenty years after completion of any construction for which funds have been paid under this section—

"(1) the applicant or other owner of the facility shall cease to be a public or other nonprofit institution or organization, or

"(2) the facility shall cease to be used for the purposes for which it was constructed or for the provision of hospital or other services for which construction projects may be approved under this title,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility. Such right of recovery shall not constitute a lien on such facility prior to judgment."

AMENDMENT TO DEFINITION OF REHABILITATION FACILITY

SEC. 5. Section 631(n) of the Public Health Service Act is amended to read as follows:

"(n) The term 'rehabilitation facility' means a facility which is operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of—

"(1) medical evaluation and services, and

"(2) psychological, social, or vocational evaluation and services, under competent professional supervision, and in the case of which—

"(3) the major portion of the required evaluation and services is furnished within the facility; and

"(4) either (A) the facility is operated in connection with a hospital, or (B) all medical and related health services are prescribed by, or are under the general direction of, persons licensed to practice medicine or surgery in the State."

EXTENSION OF AUTHORIZATION FOR LOANS

SEC. 6. Section 661 of the Public Health Service Act is amended by striking out "prior to July 1, 1962" and inserting in lieu thereof "prior to July 1, 1964".

SEC. 7. Effective July 1, 1962, the parenthetical phrase in the first sentence of section 433(a) of such Act which reads "(including grants-in-aid for drawing plans, erection of buildings, and acquisition of land therefor)" is repealed.

63 Stat. 901.
42 USC 291h.

Facilities.
U. S. right of re-
covery.

68 Stat. 466.
42 USC 291i.

72 Stat. 489.
42 USC 291w.

Partial repeal.
64 Stat. 444.
42 USC 289c.

SEC. 8. (a) Section 704 of the Public Health Service Act is hereby amended by striking out "five" and inserting "six", and by striking out "\$30,000,000" and inserting "\$50,000,000".

70 Stat. 718; 72
Stat. 933.
42 USC 292c.

(b) Section 705(a) of the Public Health Service Act is hereby amended by striking out "1961" and inserting "1962".

42 USC 292d.

(c) Section 706(a) of such Act is amended by striking out ", or in the case of a multipurpose facility," and inserting in lieu thereof "in the case of a facility which the Surgeon General determines is to be used for research, or research and purposes related thereto (including research training), in the sciences related to health or, in the case of any other multipurpose facility,".

70 Stat. 719.
42 USC 292e.

(d) Sections 704 and 705(c)(2) of such Act are each amended by inserting ", or research and related purposes," after "research", wherever it appears therein. Section 705(e) of such Act is amended by inserting ", or research and related purposes," after "research" the first time it appears therein and inserting "or related purposes" after "research" the second time it appears therein. Section 707(b) of such Act is amended by inserting ", or research and related purposes," after "research purposes". Section 706(a) of such Act is amended by striking out "facility for research" and inserting in lieu thereof "facility for research, or research and related purposes,". Section 708 of such Act is amended by inserting "or related purposes" after "research".

42 USC 292f.

42 USC 292g.

Approved October 5, 1961.

Public Law 87-396

AN ACT

To amend title 14 of the United States Code to provide for an expansion of the functions of the Coast Guard.

October 5, 1961
[H. R. 6845]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14 of the United States Code, relating to the Coast Guard, is amended by inserting in chapter 1, section 2, after the words "rescue facilities for the promotion of safety on and over the high seas and waters subject to the jurisdiction of the United States;" and before the words "and shall maintain a state of readiness" the words: "shall engage in oceanographic research on the high seas and in waters subject to the jurisdiction of the United States;" and is further amended by inserting at the end of chapter 5 the following new section:

Coast Guard.
Oceanographic
research.
63 Stat. 496.
14 USC 2.

"§ 94. Oceanographic research

"The Coast Guard shall conduct such oceanographic research, use such equipment or instruments, and collect and analyze such oceanographic data, in cooperation with other agencies of the Government, or not, as may be in the national interest."

SEC. 2. The analysis of chapter 5 of title 14 of the United States Code is amended by inserting at the end thereof the following:

"94. Oceanographic research."

14 USC 81-93.

Approved October 5, 1961.