nurse staffing in the State home during that fiscal year. The report for any fiscal year shall be provided to the Secretary within 60 days of the close of the fiscal year and shall be subject to audit by the Secretary. Eligibility for a payment under this section for any later fiscal year is contingent upon the receipt by the Secretary of the annual report under this subsection for the previous fiscal year in accordance with this subsection.

(j) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. The regulations shall include the establishment of criteria for the award of payments under this section.

(Added Pub. L. 108–422, title II, § 201(a)(1), Nov. 30, 2004, 118 Stat. 2380.)

IMPLEMENTATION

Pub. L. 108–422, title II, § 201(b), Nov. 30, 2004, 118 Stat. 2382, provided that: ''The Secretary of Veterans Affairs shall implement section 1744 of title 38, United States Code, as added by subsection (a), as expeditiously as possible. The Secretary shall establish such interim procedures as necessary so as to ensure that payments are made to eligible States under that section commencing not later than June 1, 2005, notwithstanding that regulations under subsection (j) of that section may not have become final.''

§ 1745. Nursing home care and medications for veterans with service-connected disabilities

(a)(1) The Secretary shall pay each State home for nursing home care at the rate determined under paragraph (2), in any case in which such care is provided to any veteran as follows:

(A) Any veteran in need of such care for a service-connected disability.

(B) Any veteran who—

(i) has a service-connected disability rated at 70 percent or more; and

(ii) is in need of such care.

(2) The rate determined under this paragraph with respect to a State home is the lesser of—

(A) the applicable or prevailing rate payable in the geographic area in which the State home is located, as determined by the Secretary, for nursing home care furnished in a non-Department nursing home (as that term is defined in section 1720(e)(2) of this title); or

(B) a rate not to exceed the daily cost of care, as determined by the Secretary, following a report to the Secretary by the director of the State home.

(3) Payment by the Secretary under paragraph (1) to a State home for nursing home care provided to a veteran described in that paragraph constitutes payment in full to the State home for such care furnished to that veteran.

(b) The Secretary shall furnish such drugs and medicines as may be ordered on prescription of a duly licensed physician as specific therapy in the treatment of illness or injury to any veteran as follows:

(1) Any veteran who—

(A) is not being provided nursing home care for which payment is payable under subsection (a); and

(B) is in need of such drugs and medicines for a service-connected disability.

(2) Any veteran who—

(A) has a service-connected disability rated at 50 percent or more;

(B) is not being provided nursing home care for which payment is payable under subsection (a); and

(C) is in need of such drugs and medicines.

(c) Any State home that requests payment or reimbursement for services provided to a veteran under this section shall provide to the Secretary such information as the Secretary considers necessary to identify each individual veteran eligible for payment under such section.

(Added and amended Pub. L. 109–461, title II, § 211(a)(1), (2), (b)(1), Dec. 22, 2006, 120 Stat. 3418, 3419.)

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–461, § 211(a)(2), added subsec. (b).

Subsec. (c). Pub. L. 109–461, § 211(b)(1), added subsec. (c).

EFFECTIVE DATE

Section and amendment by section 211(a)(2) of Pub. L. 109–461 effective 90 days after Dec. 22, 2006, see section 211(a)(5) of Pub. L. 109–461, set out as an Effective Date of 2006 Amendment note under section 1710 of this title.

SUBCHAPTER VI—SICKLE CELL ANEMIA

§ 1751. Screening, counseling, and medical treatment

The Secretary is authorized to carry out a comprehensive program of providing sickle cell anemia screening, counseling, treatment, and information under the provisions of this chapter.

(Added Pub. L. 93–82, title I, § 109(a), Aug. 2, 1973, 87 Stat. 186, § 651; renumbered § 1751 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404–406.)

AMENDMENTS

1991—Pub. L. 102–83 renumbered section 651 of this title as this section and substituted ''Secretary'' for ''Administrator''.

EFFECTIVE DATE

Subchapter effective Sept. 1, 1973, see section 501 of Pub. L. 93–82, set out as an Effective Date of 1973 Amendment note under section 1701 of this title.

§ 1752. Research

The Secretary is authorized to carry out research and research training in the diagnosis, treatment, and control of sickle cell anemia based upon the screening examinations and treatment provided under this subchapter.

(Added Pub. L. 93–82, title I, § 109(a), Aug. 2, 1973, 87 Stat. 186, § 652; renumbered § 1752 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404–406.)

AMENDMENTS

1991—Pub. L. 102–83 renumbered section 652 of this title as this section and substituted ''Secretary'' for ''Administrator''.

§ 1753. Voluntary participation; confidentiality

(a) The participation by any person in any program or portion thereof under this subchapter