

§ 280g-14. National diabetes prevention program**(a) In general**

The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a national diabetes prevention program (referred to in this section as the “program”) targeted at adults at high risk for diabetes in order to eliminate the preventable burden of diabetes.

(b) Program activities

The program described in subsection (a) shall include—

- (1) a grant program for community-based diabetes prevention program model sites;
- (2) a program within the Centers for Disease Control and Prevention to determine eligibility of entities to deliver community-based diabetes prevention services;
- (3) a training and outreach program for lifestyle intervention instructors; and
- (4) evaluation, monitoring and technical assistance, and applied research carried out by the Centers for Disease Control and Prevention.

(c) Eligible entities

To be eligible for a grant under subsection (b)(1), an entity shall be a State or local health department, a tribal organization, a national network of community-based non-profits focused on health and wellbeing, an academic institution, or other entity, as the Secretary determines.

(d) Authorization of appropriations

For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2010 through 2014.

(July 1, 1944, ch. 373, title III, §399V-3, as added Pub. L. 111-148, title X, §10501(g), Mar. 23, 2010, 124 Stat. 996.)

§ 280g-15. State demonstration programs to evaluate alternatives to current medical tort litigation**(a) In general**

The Secretary is authorized to award demonstration grants to States for the development, implementation, and evaluation of alternatives to current tort litigation for resolving disputes over injuries allegedly caused by health care providers or health care organizations. In awarding such grants, the Secretary shall ensure the diversity of the alternatives so funded.

(b) Duration

The Secretary may award grants under subsection (a) for a period not to exceed 5 years.

(c) Conditions for demonstration grants**(1) Requirements**

Each State desiring a grant under subsection (a) shall develop an alternative to current tort litigation that—

- (A) allows for the resolution of disputes over injuries allegedly caused by health care providers or health care organizations; and
- (B) promotes a reduction of health care errors by encouraging the collection and

analysis of patient safety data related to disputes resolved under subparagraph (A) by organizations that engage in efforts to improve patient safety and the quality of health care.

(2) Alternative to current tort litigation

Each State desiring a grant under subsection (a) shall demonstrate how the proposed alternative described in paragraph (1)(A)—

- (A) makes the medical liability system more reliable by increasing the availability of prompt and fair resolution of disputes;
- (B) encourages the efficient resolution of disputes;
- (C) encourages the disclosure of health care errors;
- (D) enhances patient safety by detecting, analyzing, and helping to reduce medical errors and adverse events;
- (E) improves access to liability insurance;
- (F) fully informs patients about the differences in the alternative and current tort litigation;
- (G) provides patients the ability to opt out of or voluntarily withdraw from participating in the alternative at any time and to pursue other options, including litigation, outside the alternative;
- (H) would not conflict with State law at the time of the application in a way that would prohibit the adoption of an alternative to current tort litigation; and
- (I) would not limit or curtail a patient’s existing legal rights, ability to file a claim in or access a State’s legal system, or otherwise abrogate a patient’s ability to file a medical malpractice claim.

(3) Sources of compensation

Each State desiring a grant under subsection (a) shall identify the sources from and methods by which compensation would be paid for claims resolved under the proposed alternative to current tort litigation, which may include public or private funding sources, or a combination of such sources. Funding methods shall to the extent practicable provide financial incentives for activities that improve patient safety.

(4) Scope**(A) In general**

Each State desiring a grant under subsection (a) shall establish a scope of jurisdiction (such as Statewide, designated geographic region, a designated area of health care practice, or a designated group of health care providers or health care organizations) for the proposed alternative to current tort litigation that is sufficient to evaluate the effects of the alternative. No scope of jurisdiction shall be established under this paragraph that is based on a health care payer or patient population.

(B) Notification of patients

A State shall demonstrate how patients would be notified that they are receiving health care services that fall within such scope, and the process by which they may opt out of or voluntarily withdraw from par-