

1 (c) IMPLEMENTATION OF A SENTENCE OF DEATH.—
2 Section 3596(e) of title 18, United States Code, is amend-
3 ed by striking “is mentally retarded” and inserting “has
4 an intellectual disability”.

5 (d) FETAL ALCOHOL SYNDROME DEFINITION.—Sec-
6 tion 4(9)(A) of the Indian Health Care Improvement Act
7 (25 U.S.C. 1603(9)(A)) is amended by striking “mental
8 retardation” and inserting “intellectual disability”.

9 (e) GENERAL PROGRAMS DEFINITIONS.—Section
10 701 of the Indian Health Care Improvement Act (25
11 U.S.C. 1665) is amended by striking “mental retardation”
12 and inserting “intellectual disability” each place it ap-
13 pears.

14 (f) GRANT AUTHORITY.—Section 2201 of the Omni-
15 bus Crime Control and Safe Streets Act of 1968 (34
16 U.S.C. 10471) is amended—

17 (1) in paragraph (1) by striking “mental retar-
18 dation” and inserting “intellectual disabilities”; and

19 (2) in paragraph (2)—

20 (A) in subparagraph (A) by striking “a
21 mentally ill or mentally retarded offender” and
22 inserting “an offender who has a mental illness
23 or intellectual disability”; and

24 (B) in subparagraph (C) by striking “of a
25 mentally ill or mentally retarded defendant’s

1 cases” and inserting “cases of a defendant who
2 has a mental illness or intellectual disability”.

3 (g) MENTAL HEALTH COURTS DEFINITIONS.—Sec-
4 tion 2202(2) of the Omnibus Crime Control and Safe
5 Streets Act of 1968 (34 U.S.C. 10472(2)) is amended by
6 striking “mental retardation” and inserting “intellectual
7 disability” each place it appears.

8 (h) DONATION OF PERSONAL PROPERTY THROUGH
9 STATE AGENCIES.—Section 549(c)(3)(B)(iv) of title 40,
10 United States Code, is amended by striking “the mentally
11 retarded or physically handicapped” and inserting “indi-
12 viduals with intellectual or physical disabilities”.

13 (i) TRAINING OPPORTUNITIES FOR DIRECT CARE
14 WORKERS.—Section 747A(a) of the Public Health Service
15 Act (42 U.S.C. 293k–1(a)) is amended by striking “men-
16 tal retardation” and inserting “intellectual disabilities”.

17 (j) CRIMINAL PENALTIES FOR ACTS INVOLVING
18 FEDERAL HEALTH CARE PROGRAMS.—Section 1128B of
19 the Social Security Act (42 U.S.C. 1320a–7b) is amended
20 by striking “the mentally retarded” and inserting “indi-
21 viduals with intellectual disabilities” each place it appears.

22 (k) LONG-TERM CARE FACILITY OR PROVIDER.—
23 Section 6201(a)(6)(E)(ix) of the Patient Protection and
24 Affordable Care Act (42 U.S.C. 1320a–7l(a)(6)(E)(ix)) is

1 amended by striking “the mentally retarded” and insert-
2 ing “individuals with intellectual disabilities”.

3 (I) GRANTS FOR PLANNING COMPREHENSIVE ACTION
4 TO RESPOND TO THE NEEDS OF INDIVIDUALS WITH IN-
5 TELLECTUAL DISABILITIES.—Title XVII of the Social Se-
6 curity Act (42 U.S.C. 1391 et seq.) is amended—

7 (1) in the title heading by striking “**COMBAT**
8 **MENTAL RETARDATION**” and inserting
9 “**MEET THE NEEDS OF INDIVIDUALS**
10 **WITH INTELLECTUAL DISABILITIES**”;

11 (2) in section 1701, by striking “combat mental
12 retardation” and inserting “meet the needs of indi-
13 viduals with intellectual disabilities” each place it
14 appears;

15 (3) in section 1702—

16 (A) by striking “needed to combat mental
17 retardation” and inserting “needed to meet the
18 needs of individuals with intellectual disabil-
19 ities”;

20 (B) by striking “the mental retardation
21 problem and of the need for combating it” and
22 inserting “such needs”;

23 (C) by striking “relating to the various as-
24 pects of mental retardation and its prevention,

1 treatment, or amelioration” and inserting “to
2 meet such needs”; and

3 (D) by striking “community action to com-
4 bat mental retardation” and inserting “commu-
5 nity action to meet such needs”; and

6 (4) in section 1703 by striking “the mentally
7 retarded” and inserting “individuals with intellectual
8 disabilities”.

9 (m) REQUIREMENTS FOR, AND ASSURING QUALITY
10 CARE IN, SKILLED NURSING FACILITIES.—Section
11 1819(b)(4) of the Social Security Act (42 U.S.C. 1395i-
12 3(b)(4)) is amended—

13 (1) in subparagraph (A)(vii) by striking “men-
14 tally ill and mentally retarded residents” and insert-
15 ing “residents with mental illnesses or intellectual
16 disabilities”; and

17 (2) in subparagraph (C)(ii)(IV) by striking “the
18 mentally ill and the mentally retarded” and inserting
19 “individuals with mental illnesses or intellectual dis-
20 abilities”.

21 (n) GRANTS TO STATES FOR MEDICAL ASSISTANCE
22 PROGRAMS.—Title XIX of the Social Security Act (42
23 U.S.C. 1396 et seq.) is amended—

24 (1) by striking “intermediate care facility for
25 the mentally retarded” and inserting “intermediate

1 care facility for individuals with intellectual disabili-
2 ties” each place it appears;

3 (2) by striking “intermediate care facilities for
4 the mentally retarded” and inserting “intermediate
5 care facilities for individuals with intellectual disabili-
6 ties” each place it appears;

7 (3) in section 1905(d)—

8 (A) in the matter preceding paragraph (1)
9 by striking “the mentally retarded or persons
10 with” and inserting “individuals with intellec-
11 tual disabilities or”;

12 (B) in paragraph (1) by striking “mentally
13 retarded individuals” and inserting “individuals
14 with intellectual disabilities”; and

15 (C) in paragraph (2) by striking “mentally
16 retarded individual” and inserting “individual
17 who has an intellectual disability”;

18 (4) in the section heading of section 1910 by
19 striking “**THE MENTALLY RETARDED**” and insert-
20 ing “**INDIVIDUALS WITH INTELLECTUAL DIS-**
21 **ABILITIES**”;

22 (5) in section 1915(e)(7)(C) by striking “men-
23 tal retardation or a related condition” and inserting
24 “intellectual disabilities or related conditions”;

25 (6) in section 1919—

1 (A) in subsection (b)(3)—

2 (i) in subparagraph (E)—

3 (I) by striking “mental retarda-
4 tion” and inserting “intellectual”; and

5 (II) by striking “is mentally ill or
6 mentally retarded” and inserting “has
7 a mental illness or intellectual dis-
8 ability”; and

9 (ii) in subparagraph (F)—

10 (I) in the subparagraph heading
11 by striking “MENTALLY ILL AND MEN-
12 TALLY RETARDED INDIVIDUALS” and
13 inserting “INDIVIDUALS WHO HAVE
14 MENTAL ILLNESSES OR INTELLEC-
15 TUAL DISABILITIES”;

16 (II) by striking “State mental re-
17 tardation” and inserting “State intel-
18 lectual” each place it appears;

19 (III) in clause (i) by striking “is
20 mentally ill” and inserting “has a
21 mental illness”; and

22 (IV) in clause (ii)—

23 (aa) by striking “is mentally
24 retarded” and inserting “has an
25 intellectual disability”; and

1 (bb) by striking “for mental
2 retardation” and inserting “for
3 such intellectual disability”;

4 (B) in subsection (b)(4)—

5 (i) in subparagraph (A)(vii) by strik-
6 ing “mentally ill and mentally retarded
7 residents” and inserting “residents with
8 mental illnesses or intellectual disabilities”;
9 and

10 (ii) in subparagraph (C)(ii)(IV) by
11 striking “the mentally ill and the mentally
12 retarded” and inserting “individuals with
13 mental illnesses or intellectual disabilities”;
14 and

15 (C) in subsection (e)(7)—

16 (i) in subparagraph (A)(i) by striking
17 “mentally ill and mentally retarded individ-
18 uals” and inserting “individuals with men-
19 tal illnesses or intellectual disabilities”;

20 (ii) in subparagraph (B)—

21 (I) by striking “State mental re-
22 tardation” and inserting “State intel-
23 lectual” each place it appears;

24 (II) in clause (ii)—

1 (aa) in the clause heading
2 by striking “MENTALLY RE-
3 TARDED RESIDENTS” and insert-
4 ing “RESIDENTS WITH INTEL-
5 LECTUAL DISABILITIES”;

6 (bb) in the matter preceding
7 clause (I) by striking “is men-
8 tally retarded” and inserting
9 “has an intellectual disability”;
10 and

11 (cc) in subclause (II) by
12 striking “mental retardation”
13 and inserting “an intellectual dis-
14 ability”; and

15 (III) in clause (iii) by striking
16 “mentally ill or mentally retarded
17 resident” and inserting “resident who
18 has a mental illness or intellectual dis-
19 ability”;

20 (iii) in subparagraph (C) by striking
21 “mental retardation” and inserting “intel-
22 lectual disability” in each place it appears;

23 (iv) in subparagraph (E)—

24 (I) by striking “are mentally re-
25 tarded or mentally ill” and inserting

1 “have an intellectual disability or
2 mental illness”; and

3 (II) by striking “mental retarda-
4 tion” and inserting “intellectual dis-
5 ability”; and

6 (v) in subparagraph (G)—

7 (I) in clause (i) by inserting “or
8 have a ‘mental illness’” after “‘men-
9 tally ill’”; and

10 (II) in clause (ii) by striking “be
11 ‘mentally retarded’ if the individual is
12 mentally retarded or a person with”
13 and inserting “have an ‘intellectual
14 disability’ if the individual has an in-
15 tellectual disability or”; and

16 (7) in the section heading of section 1922 by
17 striking “**THE MENTALLY RETARDED**” and insert-
18 ing “**INDIVIDUALS WITH INTELLECTUAL DIS-**
19 **ABILITIES**”.

20 (o) PAYMENTS TO STATES.—Section 2002(a)(2)(A)
21 of the Social Security Act (42 U.S.C. 1397a(a)(2)(A)) is
22 amended by striking “the mentally retarded” and insert-
23 ing “individuals with intellectual disabilities”.

24 (p) MISCELLANEOUS PROVISIONS.—Section 12(d)(5)
25 of the Richard B. Russell National School Lunch Act (42

1 U.S.C. 1760(d)(5)) is amended by striking “the mentally
2 retarded” and inserting “individuals with intellectual dis-
3 abilities”.

4 (q) CHILD NUTRITION DEFINITIONS.—Section 15(3)
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1784(3))
6 is amended by striking “the mentally retarded” and in-
7 serting “individuals with intellectual disabilities”.

8 (r) INSTITUTIONALIZED PERSONS DEFINITIONS.—
9 Section 2(1)(B) of the Civil Rights of Institutionalized
10 Persons Act (42 U.S.C. 1997(1)(B)) is amended—

11 (1) in clause (i) by striking “disabled, or re-
12 tarded, or chronically ill or handicapped” and insert-
13 ing “physically or intellectually disabled, or chron-
14 ically ill”; and

15 (2) in clause (iv)(III) by striking “mentally ill
16 or disabled, mentally retarded, or chronically ill or
17 handicapped” and inserting “mentally ill, physically
18 or intellectually disabled, or chronically ill”.

19 (s) PROGRAMS FOR INDIVIDUALS WITH DEVELOP-
20 MENTAL DISABILITIES.—Title I of the Developmental
21 Disabilities Assistance and Bill of Rights Act of 2000 (42
22 U.S.C. 15001 et seq.) is amended—

23 (1) by striking “Intermediate Care Facility
24 (Mental Retardation)” and inserting “intermediate

1 care facility for individuals with intellectual disabili-
2 ties” each place it appears;

3 (2) in section 109(a)(4)(B)(i) by striking “the
4 mentally retarded” and inserting “individuals with
5 intellectual disabilities”; and

6 (3) in section 125(e)(7)(F)(i) by striking “In-
7 termediate Care Facilities (Mental Retardation)”
8 and inserting “intermediate care facilities for indi-
9 viduals with intellectual disabilities”.

10 **SEC. 3. REGULATIONS.**

11 For the purposes of a regulation issued to carry out
12 a provision amended by this Act—

13 (1) before the regulation is amended to carry
14 out this Act—

15 (A) a reference in the regulation to “men-
16 tal retardation” shall be considered to be a ref-
17 erence to “an intellectual disability”; and

18 (B) a reference in the regulation to “the
19 mentally retarded”, or “individuals who are
20 mentally retarded”, shall be considered to be a
21 reference to “individuals with intellectual dis-
22 abilities”; and

23 (2) in amending a regulation to carry out this
24 Act, a Federal agency shall ensure that the regula-
25 tion clearly states—

1 (A) that “an intellectual disability” was
2 formerly termed “mental retardation”; and

3 (B) that “individuals with intellectual dis-
4 abilities” were formerly termed “the mentally
5 retarded” or “individuals who are mentally re-
6 tarded”.

7 **SEC. 4. RULE OF CONSTRUCTION.**

8 This Act shall be construed to amend Federal law
9 to remove the term “mentally retarded” and “mental re-
10 tardation” without any intent to—

11 (1) change the coverage, eligibility, rights, re-
12 sponsibilities, or definitions referred to in the
13 amended provisions; or

14 (2) compel States to change terminology in
15 State laws for individuals covered by a provision
16 amended by this Act.

