

any other State with which the State shares any standard metropolitan statistical area.

(b) Certain standards with respect to trauma care centers and systems

(1) In general

The Secretary may not make payments under section 300d-11(a) of this title for a fiscal year unless the State involved agrees that, in carrying out paragraphs (3) through (5) of subsection (a), the State will adopt standards for the designation of trauma centers, and for triage, transfer, and transportation policies, and that the State will, in adopting such standards—

(A) take into account national standards that outline resources for optimal care of injured patients;

(B) consult with medical, surgical, and nursing speciality groups, hospital associations, emergency medical services State and local directors, concerned advocates, and other interested parties;

(C) conduct hearings on the proposed standards after providing adequate notice to the public concerning such hearing; and

(D) beginning in fiscal year 2008, take into account the model plan described in subsection (c).

(2) Quality of trauma care

The highest quality of trauma care shall be the primary goal of State standards adopted under this subsection.

(3) Approval by the Secretary

The Secretary may not make payments under section 300d-11(a) of this title to a State if the Secretary determines that—

(A) in the case of payments for fiscal year 2008 and subsequent fiscal years, the State has not taken into account national standards, including those of the American College of Surgeons, the American College of Emergency Physicians, and the American Academy of Pediatrics, in adopting standards under this subsection; or

(B) in the case of payments for fiscal year 2008 and subsequent fiscal years, the State has not, in adopting such standards, taken into account the model plan developed under subsection (c).

(c) Model trauma care plan

(1) In general

Not later than 1 year after May 3, 2007, the Secretary shall update the model plan for the designation of trauma centers and for triage, transfer, and transportation policies that may be adopted for guidance by the State. Such plan shall—

(A) take into account national standards, including those of the American College of Surgeons, American College of Emergency Physicians, and the American Academy of Pediatrics;

(B) take into account existing State plans;

(C) be developed in consultation with medical, surgical, and nursing speciality groups, hospital associations, emergency medical services State directors and associations, and other interested parties; and

(D) include standards for the designation of rural health facilities and hospitals best able to receive, stabilize, and transfer trauma patients to the nearest appropriate designated trauma center, and for triage, transfer, and transportation policies as they relate to rural areas.

(2) Applicability

Standards described in paragraph (1)(D) shall be applicable to all rural areas in the State, including both non-metropolitan areas and frontier areas that have populations of less than 6,000 per square mile.

(d) Rule of construction with respect to number of designated trauma centers

With respect to compliance with subsection (a) as a condition of the receipt of a grant under section 300d-11(a) of this title, such subsection may not be construed to specify the number of trauma care centers designated pursuant to such subsection.

(July 1, 1944, ch. 373, title XII, §1213, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2920; amended Pub. L. 103-183, title VI, §601(f)(3), Dec. 14, 1993, 107 Stat. 2239; Pub. L. 105-392, title IV, §401(b)(4), Nov. 13, 1998, 112 Stat. 3587; Pub. L. 110-23, §7, May 3, 2007, 121 Stat. 93.)

AMENDMENTS

2007—Pub. L. 110-23 amended section generally. Prior to amendment, section related to requirements with respect to carrying out purpose of allotments.

1998—Subsec. (a)(8). Pub. L. 105-392 substituted “provides for” for “provides for for”.

1993—Subsec. (a)(4). Pub. L. 103-183, §601(f)(3)(A), substituted “section 1395dd of this title” for “section 1395dd of this title”.

Subsec. (a)(8), (9). Pub. L. 103-183, §601(f)(3)(B), substituted “provides for” for “to provide” wherever appearing.

Subsec. (a)(10). Pub. L. 103-183, §601(f)(3)(C), substituted “conducts” for “to conduct”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-392 deemed to have taken effect immediately after enactment of Pub. L. 103-183, see section 401(e) of Pub. L. 105-392, set out as a note under section 242m of this title.

§ 300d-14. Requirement of submission to Secretary of trauma plan and certain information

(a) In general

For each fiscal year, the Secretary may not make payments to a State under section 300d-11(a) of this title unless, subject to subsection (b), the State submits to the Secretary the trauma care component of the State plan for the provision of emergency medical services, including any changes to the trauma care component and any plans to address deficiencies in the trauma care component.

(b) Interim plan or description of efforts

For each fiscal year, if a State has not completed the trauma care component of the State plan described in subsection (a), the State may provide, in lieu of such completed component, an interim component or a description of efforts made toward the completion of the component.

(c) Information received by State reporting and analysis system

The Secretary may not make payments to a State under section 300d-11(a) of this title unless the State agrees that the State will, not less than once each year, provide to the Secretary the information received by the State pursuant to section 300d-13(a)(7) of this title.

(d) Availability of emergency medical services in rural areas

The Secretary may not make payments to a State under section 300d-11(a) of this title unless—

- (1) the State identifies any rural area in the State for which—
 - (A) there is no system of access to emergency medical services through the telephone number 911;
 - (B) there is no basic life-support system; or
 - (C) there is no advanced life-support system; and
- (2) the State submits to the Secretary a list of rural areas identified pursuant to paragraph (1) or, if there are no such areas, a statement that there are no such areas.

(July 1, 1944, ch. 373, title XII, §1214, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2922; amended Pub. L. 110-23, §8, May 3, 2007, 121 Stat. 96.)

AMENDMENTS

2007—Pub. L. 110-23 amended section generally. Prior to amendment, section related to requirement of submission to Secretary of trauma plan and certain information for fiscal year 1991 and subsequent fiscal years.

§ 300d-15. Restrictions on use of payments**(a) In general**

The Secretary may not, except as provided in subsection (b), make payments under section 300d-11(a) of this title for a fiscal year unless the State involved agrees that the payments will not be expended—

- (1) for any purpose other than developing, implementing, and monitoring the modifications required by section 300d-11(b) of this title to be made to the State plan for the provision of emergency medical services;
- (2) to make cash payments to intended recipients of services provided pursuant to this section;
- (3) to purchase or improve real property (other than minor remodeling of existing improvements to real property);
- (4) to satisfy any requirement for the expenditure of non-Federal funds as a condition for the receipt of Federal funds; or
- (5) to provide financial assistance to any entity other than a public or nonprofit private entity.

(b) Waiver

The Secretary may waive a restriction under subsection (a) only if the Secretary determines that the activities outlined by the State plan submitted under section 300d-14(a) of this title by the State involved cannot otherwise be carried out.

(July 1, 1944, ch. 373, title XII, §1215, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2923; amended Pub. L. 110-23, §9, May 3, 2007, 121 Stat. 97.)

AMENDMENTS

2007—Pub. L. 110-23 amended section generally. Prior to amendment, section related to restrictions on use of payments.

§ 300d-16. Repealed. Pub. L. 110-23, § 10, May 3, 2007, 121 Stat. 97

Section, act July 1, 1944, ch. 373, title XII, §1216, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2923; amended Pub. L. 103-183, title VI, §601(c), Dec. 14, 1993, 107 Stat. 2238; Pub. L. 104-316, title I, §122(d), Oct. 19, 1996, 110 Stat. 3837, provided for requirement of reports by States.

§ 300d-17. Requirement of submission of application containing certain agreements and assurances

The Secretary may not make payments under section 300d-11(a) of this title to a State for a fiscal year unless—

- (1) the State submits to the Secretary an application for the payments containing agreements in accordance with this part;
- (2) the agreements are made through certification from the chief executive officer of the State;
- (3) with respect to such agreements, the application provides assurances of compliance satisfactory to the Secretary;
- (4) the application contains the plan provisions and the information required to be submitted to the Secretary pursuant to section 300d-14 of this title; and
- (5) the application otherwise is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this part.

(July 1, 1944, ch. 373, title XII, §1217, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2924.)

§ 300d-18. Determination of amount of allotment**(a) Minimum allotment**

Subject to the extent of amounts made available in appropriations Acts, the amount of an allotment under section 300d-11(a) of this title for a State for a fiscal year shall be the greater of—

- (1) the amount determined under subsection (b)(1) of this section; and
- (2) \$250,000 in the case of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, and \$50,000 in the case of each of the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(b) Determination under formula**(1) In general**

The amount referred to in subsection (a)(1) of this section for a State for a fiscal year is the sum of—

- (A) an amount determined under paragraph (2); and
- (B) an amount determined under paragraph (3).