

**(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).

**(2) Amount relating to population**

The amount referred to in subparagraph (A) of paragraph (1) for a State for a fiscal year is the product of—

(A) an amount equal to 80 percent of the amounts appropriated under section 300d-32(a) of this title for the fiscal year and available for allotment under section 300d-11(a) of this title; and

(B) a percentage equal to the quotient of—

(i) an amount equal to the population of the State; divided by

(ii) an amount equal to the population of all States.

**(3) Amount relating to square mileage**

The amount referred to in subparagraph (B) of paragraph (1) for a State for a fiscal year is the product of—

(A) an amount equal to 20 percent of the amounts appropriated under section 300d-32(a) of this title for the fiscal year and available for allotment under section 300d-11(a) of this title; and

(B) a percentage equal to the quotient of—

(i) an amount equal to the lesser of 266,807 and the amount of the square mileage of the State; divided by

(ii) an amount equal to the sum of the respective amounts determined for the States under clause (i).

**(c) Disposition of certain funds appropriated for allotments****(1) In general**

Amounts described in paragraph (2) shall, in accordance with paragraph (3), be allotted by the Secretary to States receiving payments under section 300d-11(a) of this title for the fiscal year (other than any State referred to in paragraph (2)(C)).

**(2) Type of amounts**

The amounts referred to in paragraph (1) are any amounts made available pursuant to 300d-32(b)(3) of this title that are not paid under section 300d-11(a) of this title to a State as a result of—

(A) the failure of the State to submit an application under section 300d-17 of this title;

(B) the failure, in the determination of the Secretary, of the State to prepare within a reasonable period of time such application in compliance with such section; or

(C) the State informing the Secretary that the State does not intend to expend the full amount of the allotment made for the State.

**(3) Amount**

The amount of an allotment under paragraph (1) for a State for a fiscal year shall be an amount equal to the product of—

(A) an amount equal to the amount described in paragraph (2) for the fiscal year involved; and

(B) the percentage determined under subsection (b)(2) of this section for the State.

(July 1, 1944, ch. 373, title XII, §1218, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2924.)

**§ 300d-19. Failure to comply with agreements****(a) Repayment of payments****(1) Requirement**

The Secretary may, in accordance with subsection (b) of this section, require a State to repay any payments received by the State pursuant to section 300d-11(a) of this title that the Secretary determines were not expended by the State in accordance with the agreements required to be made by the State as a condition of the receipt of payments under such section.

**(2) Offset of amounts**

If a State fails to make a repayment required in paragraph (1), the Secretary may offset the amount of the repayment against any amount due to be paid to the State under section 300d-11(a) of this title.

**(b) Opportunity for hearing**

Before requiring repayment of payments under subsection (a)(1) of this section, the Secretary shall provide to the State an opportunity for a hearing.

(July 1, 1944, ch. 373, title XII, §1219, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2925.)

**§ 300d-20. Prohibition against certain false statements****(a) In general****(1) False statements or representations**

A person may not knowingly and willfully make or cause to be made any false statement or representation of a material fact in connection with the furnishing of items or services for which payments may be made by a State from amounts paid to the State under section 300d-11(a) of this title.

**(2) Concealing or failing to disclose information**

A person with knowledge of the occurrence of any event affecting the right of the person to receive any payments from amounts paid to the State under section 300d-11(a) of this title may not conceal or fail to disclose any such event with the intent of fraudulently securing such amount.

**(b) Criminal penalty for violation of prohibition**

Any person who violates a prohibition established in subsection (a) of this section may for each violation be fined in accordance with title 18, or imprisoned for not more than 5 years, or both.

(July 1, 1944, ch. 373, title XII, §1220, as added Pub. L. 101-590, §3, Nov. 16, 1990, 104 Stat. 2925.)

**§ 300d-21. Technical assistance and provision by Secretary of supplies and services in lieu of grant funds****(a) Technical assistance**

The Secretary shall, without charge to a State receiving payments under section 300d-11(a) of this title, provide to the State (or to any public or nonprofit private entity designated by the State) technical assistance with respect to the planning, development, and operation of any