

maintenance of State public assistance expenditures, prior to repeal by Pub. L. 90-248, title II, §221(d), Jan. 2, 1968, 81 Stat. 900, eff. July 1, 1968.

#### AMENDMENTS

2003—Pub. L. 108-173, §900(e)(1)(A)(i), substituted "Appointment of the Administrator and Chief Actuary of the Centers for Medicare & Medicaid Services" for "Appointment of Administrator and Chief Actuary of Health Care Financing Administration" in section catchline.

Subsec. (a). Pub. L. 108-173, §900(e)(1)(A)(ii), substituted "Centers for Medicare & Medicaid Services" for "Health Care Financing Administration".

Subsec. (b)(1). Pub. L. 108-173, §900(e)(1)(A)(iii), substituted "Centers for Medicare & Medicaid Services" for "Health Care Financing Administration" and "such Centers" for "such Administration".

Subsec. (b)(3). Pub. L. 108-173, §900(c), added par. (3). 1997—Pub. L. 105-33 amended section catchline, designated existing provisions as subsec. (a), and added subsec. (b).

#### EFFECTIVE DATE

Pub. L. 98-369, div. B, title III, §2332(c), July 18, 1984, 98 Stat. 1089, provided that: "The amendments made by this section [enacting this section and amending section 5315 of Title 5, Government Organization and Employees] shall apply to appointments made after the date of the enactment of this Act [July 18, 1984]."

### § 1318. Alternative Federal payment with respect to public assistance expenditures

In the case of any State which has in effect a plan approved under subchapter XIX of this chapter for any calendar quarter, the total of the payments to which such State is entitled for such quarter, and for each succeeding quarter in the same fiscal year (which for purposes of this section means the 4 calendar quarters ending with September 30), under paragraphs (1) and (2) of sections 303(a),<sup>1</sup> 1203(a),<sup>1</sup> 1353(a),<sup>1</sup> and 1383(a)<sup>1</sup> of this title shall, at the option of the State, be determined by application of the Federal medical assistance percentage (as defined in section 1396d of this title), instead of the percentages provided under each such section, to the expenditures under its State plans approved under subchapters I, X, XIV, and XVI of this chapter, which would be included in determining the amounts of the Federal payments to which such State is entitled under such sections, but without regard to any maximum on the dollar amounts per recipient which may be counted under such sections. For purposes of the preceding sentence, the term "Federal medical assistance percentage" shall, in the case of Puerto Rico, the Virgin Islands, and Guam, mean 75 per centum.

(Aug. 14, 1935, ch. 531, title XI, §1118, as added Pub. L. 89-97, title IV, §411, July 30, 1965, 79 Stat. 423; amended Pub. L. 90-248, title II, §241(c)(7), Jan. 2, 1968, 81 Stat. 917; Pub. L. 94-273, §2(23), Apr. 21, 1976, 90 Stat. 376; Pub. L. 95-600, title VIII, §802(a), Nov. 6, 1978, 92 Stat. 2945; Pub. L. 96-272, title III, §305(c), June 17, 1980, 94 Stat. 530; Pub. L. 100-485, title VI, §601(c)(3), Oct. 13, 1988, 102 Stat. 2408; Pub. L. 104-193, title I, §108(g)(4), Aug. 22, 1996, 110 Stat. 2168.)

#### REFERENCES IN TEXT

Paragraph (1) of sections 303(a), 1203(a), and 1353(a) of this title, referred to in text, were repealed by Pub. L.

97-35, title XXI, §2184(a)(4)(A), (c)(2)(A), Aug. 13, 1981, 95 Stat. 816, 817.

Section 1383(a) of this title, referred to in text, is a reference to section 1383(a) of this title as it existed prior to the general revision of subchapter XVI of this chapter by Pub. L. 92-603, title III, §301, Oct. 30, 1972, 86 Stat. 1465, eff. Jan. 1, 1974. The prior section (which is set out as a note under section 1383 of this title) continues in effect for Puerto Rico, Guam, and the Virgin Islands.

#### AMENDMENTS

1996—Pub. L. 104-193 struck out "603(a)," before "1203(a)," "and part A of subchapter IV of this chapter," after "XVI of this chapter," and "and shall, in the case of American Samoa, mean 75 per centum with respect to part A of subchapter IV of this chapter" after "the Virgin Islands, and Guam, mean 75 per centum".

1988—Pub. L. 100-485 inserted before period at end "and shall, in the case of American Samoa, mean 75 per centum with respect to part A of subchapter IV of this chapter".

1980—Pub. L. 96-272 struck out "when applied to quarters in the fiscal year ending September 30, 1979" after "means 75 per centum".

1978—Pub. L. 95-600, inserted provision relating to definition of "Federal medical assistance percentage" in the case of Puerto Rico, the Virgin Islands, and Guam.

1976—Pub. L. 94-273 substituted "September" for "June".

1968—Pub. L. 90-248 struck out "IV," after "I," and inserted "and part A of subchapter IV of this chapter," after "XVI of this chapter".

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-193 effective July 1, 1997, with transition rules relating to State options to accelerate such date, rules relating to claims, actions, and proceedings commenced before such date, rules relating to closing out of accounts for terminated or substantially modified programs and continuance in office of Assistant Secretary for Family Support, and provisions relating to termination of entitlement under AFDC program, see section 116 of Pub. L. 104-193, set out as an Effective Date note under section 601 of this title.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-485 effective Oct. 1, 1988, see section 601(d) of Pub. L. 100-485, set out as an Effective and Termination Dates of 1988 Amendment note under section 1301 of this title.

### § 1319. Federal participation in payments for repairs to home owned by recipient of aid or assistance

In the case of an expenditure for repairing the home owned by an individual who is receiving aid or assistance, other than medical assistance to the aged, under a State plan approved under subchapter I, X, XIV, or XVI of this chapter, if—

- (1) the State agency or local agency administering the plan approved under such subchapter has made a finding (prior to making such expenditure) that (A) such home is so defective that continued occupancy is unwarranted, (B) unless repairs are made to such home, rental quarters will be necessary for such individual, and (C) the cost of rental quarters to take care of the needs of such individual (including his spouse living with him in such home and any other individual whose needs were taken into account in determining the need of such individual) would exceed (over such time as the Secretary may specify)

<sup>1</sup> See References in Text note below.