

and such sums as may be necessary for each of the fiscal years 2002 through 2005.”

EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective Sept. 30, 2009, and that the provisions of this section as in effect on Sept. 30, 2009, be revived, see section 2(a)(2), (3)(A) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

PART C—EARLY INTERVENTION SERVICES

§§ 300ff-41 to 300ff-50. Repealed. Pub. L. 106-345, title III, § 301(a), Oct. 20, 2000, 114 Stat. 1345

Section 300ff-41, act July 1, 1944, ch. 373, title XXVI, § 2641, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 597; amended Pub. L. 102-531, title III, § 312(d)(31), Oct. 27, 1992, 106 Stat. 3506, established program of formula grants to States.

Section 300ff-42, act July 1, 1944, ch. 373, title XXVI, § 2642, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 599, related to provision of services through medicaid providers.

Section 300ff-43, act July 1, 1944, ch. 373, title XXVI, § 2643, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 600; amended Pub. L. 102-531, title III, § 312(d)(32), Oct. 27, 1992, 106 Stat. 3506, related to requirement of matching funds.

Section 300ff-44, act July 1, 1944, ch. 373, title XXVI, § 2644, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 601, related to the offering and encouraging of early intervention services.

Section 300ff-45, act July 1, 1944, ch. 373, title XXVI, § 2645, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 602, related to notification of certain individuals receiving blood transfusions.

Section 300ff-46, act July 1, 1944, ch. 373, title XXVI, § 2646, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 602, related to reporting and partner notification.

Section 300ff-47, act July 1, 1944, ch. 373, title XXVI, § 2647, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 603; amended Pub. L. 101-502, § 6(c), Nov. 3, 1990, 104 Stat. 1291; Pub. L. 104-146, § 12(c)(4), May 20, 1996, 110 Stat. 1373, related to requirement of State law protection against intentional transmission.

Section 300ff-48, act July 1, 1944, ch. 373, title XXVI, § 2648, formerly Pub. L. 100-607, title IX, § 902, Nov. 4, 1988, 102 Stat. 3171; amended Pub. L. 100-690, title II, § 2605(a), Nov. 18, 1988, 102 Stat. 4234; renumbered § 2648 and amended Pub. L. 101-381, title III, § 301(b), Aug. 18, 1990, 104 Stat. 614; Pub. L. 104-146, § 12(c)(5), May 20, 1996, 110 Stat. 1374, related to testing and other early intervention services for State prisoners.

Section 300ff-49, act July 1, 1944, ch. 373, title XXVI, § 2649, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 604; amended Pub. L. 101-502, § 6(b), Nov. 3, 1990, 104 Stat. 1290; Pub. L. 102-531, title III, § 312(d)(33), Oct. 27, 1992, 106 Stat. 3506; Pub. L. 104-146, § 12(c)(6), May 20, 1996, 110 Stat. 1374, related to determination of amount of allotments.

Section 300ff-49a, act July 1, 1944, ch. 373, title XXVI, § 2649A, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 605, related to miscellaneous prerequisites for the Secretary to make a grant.

Section 300ff-50, act July 1, 1944, ch. 373, title XXVI, § 2650, as added Pub. L. 101-381, title III, § 301(a), Aug. 18, 1990, 104 Stat. 606, authorized appropriations.

SUBPART I—CATEGORICAL GRANTS AMENDMENTS

Pub. L. 106-345, title III, § 301(b)(1), Oct. 20, 2000, 114 Stat. 1345, redesignated subpart II as subpart I.

PRIOR PROVISIONS

A prior subpart I, consisting of sections 300ff-41 to 300ff-50, related to formula grants for States, prior to

repeal by Pub. L. 106-345, title III, § 301(a), Oct. 20, 2000, 114 Stat. 1345.

§ 300ff-51. Establishment of a program

(a) In general

For the purposes described in subsection (b), the Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to public and non-profit private entities specified in section 300ff-52(a) of this title.

(b) Requirements

(1) In general

The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees to expend the grant only for—

- (A) core medical services described in subsection (c);
- (B) support services described in subsection (d); and
- (C) administrative expenses as described in section 300ff-64(g)(3) of this title.

(2) Early intervention services

An applicant for a grant under subsection (a) shall expend not less than 50 percent of the amount received under the grant for the services described in subparagraphs (B) through (E) of subsection (e)(1) for individuals with HIV/AIDS.

(c) Required funding for core medical services

(1) In general

With respect to a grant under subsection (a) to an applicant for a fiscal year, the applicant shall, of the portion of the grant remaining after reserving amounts for purposes of paragraphs (3) and (5) of section 300ff-64(g) of this title, use not less than 75 percent to provide core medical services that are needed in the area involved for individuals with HIV/AIDS who are identified and eligible under this subchapter (including services regarding the co-occurring conditions of the individuals).

(2) Waiver

(A) The Secretary shall waive the application of paragraph (1) with respect to an applicant for a grant if the Secretary determines that, within the service area of the applicant—

- (i) there are no waiting lists for AIDS Drug Assistance Program services under section 300ff-26 of this title; and
- (ii) core medical services are available to all individuals with HIV/AIDS identified and eligible under this subchapter.

(B) NOTIFICATION OF WAIVER STATUS.—When informing an applicant that a grant under subsection (a) is being made for a fiscal year, the Secretary shall inform the applicant whether a waiver under subparagraph (A) is in effect for the fiscal year.

(3) Core medical services

For purposes of this subsection, the term “core medical services”, with respect to an individual with HIV/AIDS (including the co-occurring conditions of the individual) means the following services:

- (A) Outpatient and ambulatory health services.