

1993—Par. (3). Pub. L. 103-183, §101(g)(2)(A), substituted “public and nonprofit private entities; and” for “public or nonprivate entities (and additionally, in the case of services and activities under section 300k(a)(1) of this title, with any similar services or activities of private entities); and”.

Pub. L. 103-43 inserted before semicolon “(and additionally, in the case of services and activities under section 300k(a)(1) of this title, with any similar services or activities of private entities)”.

Par. (4). Pub. L. 103-183, §101(g)(2)(B), inserted “will” after “grant funds”.

#### 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.

### § 300n-2. Requirement of submission of application

The Secretary may not make a grant under section 300k of this title unless an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in section 300n-1 of this title, and the application 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 subchapter.

(July 1, 1944, ch. 373, title XV, §1506, as added Pub. L. 101-354, §2, Aug. 10, 1990, 104 Stat. 414.)

#### PRIOR PROVISIONS

A prior section 300n-2, act July 1, 1944, ch. 373, title XV, §1533, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2253, provided for technical assistance to health systems agencies and State agencies, prior to repeal by Pub. L. 99-660, title VII, §701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

### § 300n-3. Technical assistance and provision of supplies and services in lieu of grant funds

#### (a) Technical assistance

The Secretary may provide training and technical assistance with respect to the planning, development, and operation of any program or service carried out pursuant to section 300k of this title. The Secretary may provide such technical assistance directly or through grants to, or contracts with, public and private entities.

#### (b) Provision of supplies and services in lieu of grant funds

##### (1) In general

Upon the request of a State receiving a grant under section 300k of this title, the Secretary may, subject to paragraph (2), provide supplies, equipment, and services for the purpose of aiding the State in carrying out such section and, for such purpose, may detail to the State any officer or employee of the Department of Health and Human Services.

##### (2) Corresponding reduction in payments

With respect to a request described in paragraph (1), the Secretary shall reduce the amount of payments under the grant under section 300k of this title to the State involved by an amount equal to the costs of detailing personnel (including pay, allowances, and

travel expenses) and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

(July 1, 1944, ch. 373, title XV, §1507, as added Pub. L. 101-354, §2, Aug. 10, 1990, 104 Stat. 414.)

#### PRIOR PROVISIONS

A prior section 300n-3, act July 1, 1944, ch. 373, title XV, §1534, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2255; amended Aug. 1, 1977, Pub. L. 95-83, title I, §102(d), 91 Stat. 383; Oct. 4, 1979, Pub. L. 96-79, title I, §§125, 127(d), 93 Stat. 628, 629; Aug. 13, 1981, Pub. L. 97-35, title IX, §933(a)(3), 95 Stat. 570, provided for developing new centers for health planning, prior to repeal by Pub. L. 99-660, title VII, §701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

### § 300n-4. Evaluations and reports

#### (a) Evaluations

The Secretary shall, directly or through contracts with public or private entities, provide for annual evaluations of programs carried out pursuant to section 300k of this title. Such evaluations shall include evaluations of—

(1) the extent to which States carrying out such programs are in compliance with section 300k(a)(2) of this title and with section 300n(c) of this title; and

(2) the extent to which each State receiving a grant under this subchapter is in compliance with section 300l of this title, including identification of—

(A) the amount of the non-Federal contributions by the State for the preceding fiscal year, disaggregated according to the source of the contributions; and

(B) the proportion of such amount of non-Federal contributions relative to the amount of Federal funds provided through the grant to the State for the preceding fiscal year.

#### (b) Report to Congress

The Secretary shall, not later than 1 year after April 20, 2007,<sup>1</sup> and annually thereafter, submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report summarizing evaluations carried out pursuant to subsection (a) of this section during the preceding fiscal year and making such recommendations for administrative and legislative initiatives with respect to this subchapter as the Secretary determines to be appropriate, including recommendations regarding compliance by the States with section 300k(a)(2) of this title and with section 300n(c) of this title.

(July 1, 1944, ch. 373, title XV, §1508, as added Pub. L. 101-354, §2, Aug. 10, 1990, 104 Stat. 415; amended Pub. L. 103-183, title I, §101(e), Dec. 14, 1993, 107 Stat. 2228; Pub. L. 110-18, §2(3), Apr. 20, 2007, 121 Stat. 83.)

#### REFERENCES IN TEXT

April 20, 2007, referred to in subsec. (b), was in the original “the date of the enactment of the National

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