

right to any such payment conceals or fails to disclose such event with an intent fraudulently to secure such payment either in a greater amount than is due or when no such payment is authorized,

shall be fined not more than \$25,000 or imprisoned for not more than five years, or both.

(July 1, 1944, ch. 373, title XIX, §1909, as added Pub. L. 97-35, title IX, §901, Aug. 13, 1981, 95 Stat. 542.)

### § 300w-9. Emergency medical services for children

#### (a) Grant authority

For activities in addition to the activities which may be carried out by States under section 300w-3(a)(1)(F)<sup>1</sup> of this title, the Secretary may make grants to States or accredited schools of medicine in States to support a program of demonstration projects for the expansion and improvement of emergency medical services for children who need treatment for trauma or critical care. Any grant made under this subsection shall be for not more than a 4-year period (with an optional 5th year based on performance), subject to annual evaluation by the Secretary. Only 3 grants under this subsection may be made in a State (to a State or to a school of medicine in such State) in any fiscal year.

#### (b) Renewals

The Secretary may renew a grant made under subsection (a) of this section for one additional one-year period only if the Secretary determines that renewal of such grant will provide significant benefits through the collection, analysis, and dissemination of information or data which will be useful to States in which grants under such subsection have not been made.

#### (c) Definitions

For purposes of this section—

(1) the term “school of medicine” has the same meaning as in section 292a(4)<sup>1</sup> of this title; and

(2) the term “accredited” has the same meaning as in section 292a(5)<sup>1</sup> of this title.

#### (d) Authorization of appropriations

To carry out this section, there are authorized to be appropriated \$2,000,000 for fiscal year 1985 and for each of the two succeeding fiscal years, \$3,000,000 for fiscal year 1989, \$4,000,000 for fiscal year 1990, \$5,000,000 for each of the fiscal years 1991 and 1992, such sums as may be necessary for each of the fiscal years 1993 through 2005, \$25,000,000 for fiscal year 2010, \$26,250,000 for fiscal year 2011, \$27,562,500 for fiscal year 2012, \$28,940,625 for fiscal year 2013, \$30,387,656 for fiscal year 2014, and \$20,213,000 for each of fiscal years 2015 through 2019.

(July 1, 1944, ch. 373, title XIX, §1910, as added Pub. L. 98-555, §7, Oct. 30, 1984, 98 Stat. 2856; amended Pub. L. 99-272, title XVII, §17004, Apr. 7, 1986, 100 Stat. 360; Pub. L. 100-607, title III, §302, Nov. 4, 1988, 102 Stat. 3112; Pub. L. 101-590, §5, Nov. 16, 1990, 104 Stat. 2928; Pub. L. 102-410,

§11, Oct. 13, 1992, 106 Stat. 2101; Pub. L. 105-392, title IV, §415, Nov. 13, 1998, 112 Stat. 3590; Pub. L. 111-148, title V, §5603, Mar. 23, 2010, 124 Stat. 679; Pub. L. 113-180, §2, Sept. 26, 2014, 128 Stat. 1915.)

#### REFERENCES IN TEXT

Section 300w-3(a)(1) of this title, referred to in subsec. (a), was amended generally by Pub. L. 102-531, title I, §102(a), Oct. 27, 1992, 106 Stat. 3470, and, as so amended, provisions formerly appearing in subpar. (F) are contained in subpar. (C).

Section 292a of this title, referred to in subsec. (c), was in the original a reference to section 701 of act July 1, 1944. Section 701 of that Act was omitted in the general revision of subchapter V of this chapter by Pub. L. 102-408, title I, §102, Oct. 13, 1992, 106 Stat. 1994. Pub. L. 102-408 enacted a new section 701 of act July 1, 1944, relating to statement of purpose, and a new section 702, relating to scope and duration of loan insurance program, which are classified to sections 292 and 292a, respectively, of this title. For provisions relating to definitions, see section 295p of this title.

#### AMENDMENTS

2014—Subsec. (d). Pub. L. 113-180 substituted “\$30,387,656” for “and \$30,387,656” and inserted before period at end “, and \$20,213,000 for each of fiscal years 2015 through 2019”.

2010—Subsec. (a). Pub. L. 111-148, §5603(1), substituted “4-year period (with an optional 5th year” for “3-year period (with an optional 4th year”.

Subsec. (d). Pub. L. 111-148, §5603(2), substituted “such sums” for “and such sums” and inserted “, \$25,000,000 for fiscal year 2010, \$26,250,000 for fiscal year 2011, \$27,562,500 for fiscal year 2012, \$28,940,625 for fiscal year 2013, and \$30,387,656 for fiscal year 2014” before period at end.

1998—Subsec. (a). Pub. L. 105-392, §415(1), substituted “3-year period (with an optional 4th year based on performance)” for “two-year period” and “3 grants” for “one grant”.

Subsec. (d). Pub. L. 105-392, §415(2), substituted “2005” for “1997”.

1992—Subsec. (a). Pub. L. 102-410, §11(1), substituted “grants” for “not more than four grants in any fiscal year” after “Secretary may make” in first sentence.

Subsec. (d). Pub. L. 102-410, §11(2), substituted “\$5,000,000” for “and \$5,000,000” and inserted before period “, and such sums as may be necessary for each of the fiscal years 1993 through 1997”.

1990—Subsec. (a). Pub. L. 101-590, §5(1)(A), which directed the substitution of “grants” for “not more than four grants in any fiscal year” could not be executed because the language to be stricken did not appear in text.

Pub. L. 101-590, §5(1)(B), struck out “in such States” after “demonstration projects” in first sentence.

Subsec. (d). Pub. L. 101-590, §5(2), substituted “each of the fiscal years 1991 and 1992” for “fiscal year 1991”.

1988—Subsec. (a). Pub. L. 100-607, §302(a), substituted “shall be for not more than a two-year period, subject to annual evaluation by the Secretary” for “shall be for a one-year period”.

Subsec. (d). Pub. L. 100-607, §302(b), inserted “, \$3,000,000 for fiscal year 1989, \$4,000,000 for fiscal year 1990, and \$5,000,000 for fiscal year 1991” before period at end.

1986—Subsec. (a). Pub. L. 99-272, §17004(1), which directed substitution of “not more than four grants in any fiscal year to States or accredited schools of medicine in States” for “grant to not more than four States in any fiscal year” was made by substituting former phrase for “grants to not more than four States in any fiscal year”, as the probable intent of Congress.

Pub. L. 99-272, §17004(2), inserted at end “Only one grant under this subsection may be made in a State (to a State or to a school of medicine in such State) in any fiscal year.”

Subsec. (b). Pub. L. 99-272, §17004(3), substituted “States in which grants under such subsection have not been made” for “other States”.

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

Subsecs. (c), (d), Pub. L. 99-272, §17004(4), (5), added subsec. (c) and redesignated former subsec. (c) as (d).

**§ 300w-10. Repealed. Pub. L. 106-386, div. B, title IV, § 1401(b), Oct. 28, 2000, 114 Stat. 1513**

Section, act July 1, 1944, ch. 373, title XIX, §1910A, as added Pub. L. 103-322, title IV, § 40151, Sept. 13, 1994, 108 Stat. 1920, related to use of allotments for rape prevention education. See section 280b-1b of this title.

A prior section 300w-10, act July 1, 1944, ch. 373, title XIX, §1910A, as added Oct. 30, 1984, Pub. L. 98-555, § 8, 98 Stat. 2856, related to State planning grants, prior to repeal by Pub. L. 100-607, title III, §303, Nov. 4, 1988, 102 Stat. 3112.

**PART B—BLOCK GRANTS REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE**

**SUBPART I—BLOCK GRANTS FOR COMMUNITY MENTAL HEALTH SERVICES**

**§ 300x. Formula grants to States**

**(a) In general**

For the purpose described in subsection (b) of this section, the Secretary, acting through the Director of the Center for Mental Health Services, shall make an allotment each fiscal year for each State in an amount determined in accordance with section 300x-7 of this title. The Secretary shall make a grant to the State of the allotment made for the State for the fiscal year if the State submits to the Secretary an application in accordance with section 300x-6 of this title.

**(b) Purpose of grants**

A funding agreement for a grant under subsection (a) of this section is that, subject to section 300x-5 of this title, the State involved will expend the grant only for the purpose of—

- (1) carrying out the plan submitted under section 300x-1(a) of this title by the State for the fiscal year involved;
- (2) evaluating programs and services carried out under the plan; and
- (3) planning, administration, and educational activities related to providing services under the plan.

(July 1, 1944, ch. 373, title XIX, §1911, as added Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 378.)

**PRIOR PROVISIONS**

A prior section 300x, act July 1, 1944, ch. 373, title XIX, §1911, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 543; amended Oct. 19, 1984, Pub. L. 98-509, title I, §§101, 106(a), 98 Stat. 2353, 2358; Nov. 18, 1988, Pub. L. 100-690, title II, §2021, 102 Stat. 4194, authorized appropriations in fiscal years 1990 and 1991 for purpose of carrying out this subpart and section 290aa-11 of this title, prior to repeal by Pub. L. 102-321, §201(2).

**EFFECTIVE DATE**

Part effective July 10, 1992, with programs making awards providing financial assistance in fiscal year 1993 and subsequent years effective for awards made on or after Oct. 1, 1992, and with provision that section 205(a) of Pub. L. 102-321, set out below, regarding allotments made for fiscal year 1992 under this part as in effect on the day before July 10, 1992, applies with respect to the program established in this part, see section 801(b), (d) of Pub. L. 102-321, set out as an Effective Date of 1992 Amendment note under section 236 of this title.

**TEMPORARY PROVISIONS REGARDING FUNDING**

Section 205 of Pub. L. 102-321, as amended by Pub. L. 102-352, §2(c), Aug. 26, 1992, 106 Stat. 939; Pub. L. 102-408, title III, §312, Oct. 13, 1992, 106 Stat. 2091, provided that, with respect to allotments made for fiscal year 1992 under this part, as in effect on the day before July 10, 1992, any portion of the total of such allotments that has not been paid to the States as of the first day of the fourth quarter of such fiscal year be reallocated with the result that the total allotment made for a State for fiscal year 1992 be the amount indicated for the State in a specified table, authorized Secretary of Health and Human Services to make a grant to a State of the reallocation if the State agrees that the grant be subject to all conditions upon which allotments and payments under this part, as in effect on the day before July 10, 1992, are made for fiscal 1992, with specified exceptions, permitted transfers of allotments made in fiscal years 1993 and 1994 between this part and subpart II, section 300x-21 of this title, under certain circumstances, defined terms as used, and directed funding, subject to a limitation, of a program for pregnant and postpartum women for fiscal year 1993.

**REPORT ON ALLOTMENT FORMULA**

Section 707 of Pub. L. 102-321 directed Secretary of Health and Human Services to enter into a contract with National Academy of Sciences, or if such Academy declines, with another public or nonprofit private agency, for purpose of conducting a study or studies concerning statutory formulae under which funds made available under this section and section 300x-21 of this title are allocated among States and territories, specified findings to be made by the study or studies, directed Secretary to ensure that not later than 6 months after July 10, 1992, the study was completed and a report submitted to Committee on Energy and Commerce of House of Representatives and Committee on Labor and Human Resources of Senate, and directed entity preparing the report to consult with Comptroller General with Comptroller General to review the study after its submittal and within three months make appropriate recommendations concerning such report to such committees.

**§ 300x-1. State plan for comprehensive community mental health services for certain individuals**

**(a) In general**

The Secretary may make a grant under section 300x of this title only if—

- (1) the State involved submits to the Secretary a plan for providing comprehensive community mental health services to adults with a serious mental illness and to children with a serious emotional disturbance;
- (2) the plan meets the criteria specified in subsection (b) of this section; and
- (3) the plan is approved by the Secretary.

**(b) Criteria for plan**

With respect to the provision of comprehensive community mental health services to individuals who are either adults with a serious mental illness or children with a serious emotional disturbance, the criteria referred to in subsection (a) of this section regarding a plan are as follows:

**(1) Comprehensive community-based mental health systems**

The plan provides for an organized community-based system of care for individuals with mental illness and describes available services and resources in a comprehensive system of