

## AMENDMENTS

2014—Subsec. (c)(2). Pub. L. 113-77, §3(1), struck out comma after “Congress”.

Subsec. (d). Pub. L. 113-77, §3(2), added subsec. (d) and struck out former subsec. (d). Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out this section, such sums as may be necessary for fiscal year 2009, and \$800,000 for each of fiscal years 2010 through 2014.”

2008—Pub. L. 110-377 amended section generally. Prior to amendment, section required the Secretary to establish a national media campaign to educate the public and health care providers about poison control and prevention and authorized appropriations for fiscal years 2000 through 2009.

## EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-377, §4(b), Oct. 8, 2008, 122 Stat. 4065, provided that: “The amendment made by this section [amending this section] shall be effective on the date of the enactment of this Act [Oct. 8, 2008] and shall apply to contracts entered into on or after January 1, 2009.”

**§ 300d-73. Maintenance of the poison control center grant program****(a) Authorization of program**

The Secretary shall award grants to poison control centers accredited under subsection (c) (or granted a waiver under subsection (d)) and professional organizations in the field of poison control for the purposes of preventing, and providing treatment recommendations for, poisonings and complying with the operational requirements needed to sustain the accreditation of the center under subsection (c).

**(b) Additional uses of funds**

In addition to the purposes described in subsection (a), a poison center or professional organization awarded a grant, contract, or cooperative agreement under such subsection may also use amounts received under such grant, contract, or cooperative agreement—

(1) to research, establish, implement, and evaluate best practices in the United States for poison prevention, poison control center outreach, and emergency and preparedness programs;

(2) to research, develop, implement, revise, and communicate standard patient management guidelines for commonly encountered toxic exposures;

(3) to improve national toxic exposure surveillance by enhancing cooperative activities between poison control centers in the United States and the Centers for Disease Control and Prevention;

(4) to research, improve, and enhance the communications and response capability and capacity of the nation’s network of poison control centers to facilitate increased access to the centers through the integration and modernization of the current poison control centers communications and data system, including enhancing the network’s telephony, Internet, data and social networking technologies;

(5) to develop, support, and enhance technology and capabilities of professional organizations in the field of poison control to collect national poisoning, toxic occurrence, and related public health data;

(6) to develop initiatives to foster the enhanced public health utilization of national poison data collected by organizations described in paragraph (5);

(7) to support and expand the toxicologic expertise within poison control centers; and

(8) to improve the capacity of poison control centers to answer high volumes of calls and Internet communications, and to sustain and enhance the poison control center’s network capability to respond during times of national crisis or other public health emergencies.

**(c) Accreditation**

Except as provided in subsection (d), the Secretary may award a grant to a poison control center under subsection (a) only if—

(1) the center has been accredited by a professional organization in the field of poison control, and the Secretary has approved the organization as having in effect standards for accreditation that reasonably provide for the protection of the public health with respect to poisoning; or

(2) the center has been accredited by a State government, and the Secretary has approved the State government as having in effect standards for accreditation that reasonably provide for the protection of the public health with respect to poisoning.

**(d) Waiver of accreditation requirements****(1) In general**

The Secretary may grant a waiver of the accreditation requirements of subsection (c) with respect to a nonaccredited poison control center that applies for a grant under this section if such center can reasonably demonstrate that the center will obtain such an accreditation within a reasonable period of time as determined appropriate by the Secretary.

**(2) Renewal**

The Secretary may renew a waiver under paragraph (1).

**(3) Limitation**

In no case may the sum of the number of years for a waiver under paragraph (1) and a renewal under paragraph (2) exceed—

(A) 5 years; or

(B) in the case of a nonaccredited poison control center operating pursuant to a waiver under this subsection as of October 1, 2014, 6 years.

**(e) Supplement not supplant**

Amounts made available to a poison control center under this section shall be used to supplement and not supplant other Federal, State or local funds provided for such center.

**(f) Maintenance of effort**

A poison control center, in utilizing the proceeds of a grant under this section, shall maintain the expenditures of the center for its activities at a level that is not less than the level of expenditures maintained by the center for the fiscal year preceding the fiscal year for which the grant is received.

**(g) Authorization of appropriations**

There is authorized to be appropriated to carry out this section, \$28,600,000 for each of fis-

cal years 2015 through 2019. The Secretary may utilize an amount not to exceed 6 percent of the amount appropriated under this preceding sentence in each fiscal year for coordination, dissemination, technical assistance, program evaluation, data activities, and other program administration functions, which are determined by the Secretary to be appropriate for carrying out the program under this section.

(July 1, 1944, ch. 373, title XII, §1273, as added Pub. L. 108-194, §3, Dec. 19, 2003, 117 Stat. 2889; amended Pub. L. 110-377, §5(a), Oct. 8, 2008, 122 Stat. 4065; Pub. L. 113-77, §4(a), Jan. 24, 2014, 128 Stat. 644.)

#### AMENDMENTS

2014—Subsec. (a). Pub. L. 113-77, §4(a)(1), substituted “accredited” for “certified” and “accreditation” for “certification”.

Subsec. (b)(1). Pub. L. 113-77, §4(a)(2)(A), substituted “research, establish, implement,” for “establish”.

Subsec. (b)(4). Pub. L. 113-77, §4(a)(2)(C), added par. (4). Former par. (4) redesignated (5).

Subsec. (b)(5). Pub. L. 113-77, §4(a)(2)(B), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Subsec. (b)(6). Pub. L. 113-77, §4(a)(2)(B), (D), redesignated par. (5) as (6) and substituted “paragraph (5)” for “paragraph (4)”. Former par. (6) redesignated (7).

Subsec. (b)(7). Pub. L. 113-77, §4(a)(2)(B), redesignated par. (6) as (7). Former par. (7) redesignated (8).

Subsec. (b)(8). Pub. L. 113-77, §4(a)(2)(B), (E), redesignated par. (7) as (8) and substituted “and Internet communications, and to sustain and enhance the poison control center’s network capability to respond” for “and respond”.

Subsec. (c). Pub. L. 113-77, §4(a)(3), substituted “Accreditation” for “Certification” in heading and “accredited” for “certified” and “accreditation” for “certification” in pars. (1) and (2).

Subsec. (d). Pub. L. 113-77, §4(a)(4)(A), substituted “accreditation” for “certification” in heading.

Subsec. (d)(1). Pub. L. 113-77, §4(a)(4)(B), substituted “the accreditation” for “the certification”, “a non-accredited” for “a noncertified”, and “an accreditation” for “a certification”.

Subsec. (d)(3). Pub. L. 113-77, §4(a)(4)(C), substituted “exceed—” for “exceed 5 years. The preceding sentence shall take effect as of October 8, 2008.” and added subpars. (A) and (B).

Subsec. (f). Pub. L. 113-77, §4(a)(5), substituted “for its activities” for “for activities of the center”.

Subsec. (g). Pub. L. 113-77, §4(a)(6), added subsec. (g) and struck out former subsec. (g) which authorized appropriations for fiscal years 2009 through 2014 and limited the amount allowed to be spent on certain administrative functions.

2008—Pub. L. 110-377 amended section generally. Prior to amendment, section related to awarding of grants to certified regional poison control centers and additional uses of appropriated funds by Secretary and authorized appropriations for fiscal years 2000 through 2009.

#### EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-77, §4(b), Jan. 24, 2014, 128 Stat. 646, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on the date of the enactment of this Act [Jan. 24, 2014] and shall apply to grants made on or after October 1, 2014.”

#### EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-377, §5(b), Oct. 8, 2008, 122 Stat. 4067, provided that: “The amendment made by this section [amending this section] shall be effective as of the date of the enactment of this Act [Oct. 8, 2008] and shall apply to grants made on or after January 1, 2009.”

### § 300d-74. Rule of construction

Nothing in this part may be construed to ease any restriction in Federal law applicable to the

amount or percentage of funds appropriated to carry out this part that may be used to prepare or submit a report.

(July 1, 1944, ch. 373, title XII, §1274, as added Pub. L. 108-194, §3, Dec. 19, 2003, 117 Stat. 2891.)

#### PART H—TRAUMA SERVICE AVAILABILITY

### § 300d-81. Grants to States

#### (a) Establishment

To promote universal access to trauma care services provided by trauma centers and trauma-related physician specialties, the Secretary shall provide funding to States to enable such States to award grants to eligible entities for the purposes described in this section.

#### (b) Awarding of grants by States

Each State may award grants to eligible entities within the State for the purposes described in subparagraph (d).

#### (c) Eligibility

##### (1) In general

To be eligible to receive a grant under subsection (b) an entity shall—

(A) be—

(i) a public or nonprofit trauma center or consortium thereof that meets that<sup>1</sup> requirements of paragraphs (1), (2), and (5) of section 300d-41(b) of this title;

(ii) a safety net public or nonprofit trauma center that meets the requirements of paragraphs (1) through (5) of section 300d-41(b) of this title; or

(iii) a hospital in an underserved area (as defined by the State) that seeks to establish new trauma services; and

(B) submit to the State an application at such time, in such manner, and containing such information as the State may require.

##### (2) Limitation

A State shall use at least 40 percent of the amount available to the State under this part for a fiscal year to award grants to safety net trauma centers described in paragraph (1)(A)(ii).

#### (d) Use of funds

The recipient of a grant under subsection (b) shall carry out 1 or more of the following activities consistent with subsection (b):

(1) Providing trauma centers with funding to support physician compensation in trauma-related physician specialties where shortages exist in the region involved, with priority provided to safety net trauma centers described in subsection (c)(1)(A)(ii).

(2) Providing for individual safety net trauma center fiscal stability and costs related to having service that is available 24 hours a day, 7 days a week, with priority provided to safety net trauma centers described in subsection (c)(1)(A)(ii) located in urban, border, and rural areas.

(3) Reducing trauma center overcrowding at specific trauma centers related to throughput of trauma patients.

<sup>1</sup> So in original. Probably should be “the”.