

(C) the development of individualized plans for purposes of section 290ff-2 of this title;

(3) recreational activities for children provided access to the system; and

(4) such other services as may be appropriate in providing for the comprehensive needs with respect to mental health of children with a serious emotional disturbance.

**(b) Comprehensive plan**

The Secretary may make a grant under section 290ff(a) of this title only if, with respect to the jurisdiction of the public entity involved, the entity has submitted to the Secretary, and has had approved by the Secretary, a plan for the development of a jurisdiction-wide system of care for community-based services for children with a serious emotional disturbance that specifies the progress the public entity has made in developing the jurisdiction-wide system, the extent of cooperation across agencies serving children in the establishment of the system, the Federal and non-Federal resources currently committed to the establishment of the system, and the current gaps in community services and the manner in which the grant under section 290ff(a) of this title will be expended to address such gaps and establish local systems of care.

**(c) Limitation on imposition of fees for services**

A funding agreement for a grant under section 290ff(a) of this title is that, if a charge is imposed for the provision of services under the grant, such charge—

(1) will be made according to a schedule of charges that is made available to the public;

(2) will be adjusted to reflect the income of the family of the child involved; and

(3) will not be imposed on any child whose family has income and resources of equal to or less than 100 percent of the official poverty line, as established by the Director of the Office of Management and Budget and revised by the Secretary in accordance with section 9902(2) of this title.

**(d) Relationship to items and services under other programs**

A funding agreement for a grant under section 290ff(a) of this title is that the grant, and the non-Federal contributions made with respect to the grant, will not be expended to make payment for any item or service to the extent that payment has been made, or can reasonably be expected to be made, with respect to such item or service—

(1) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

(2) by an entity that provides health services on a prepaid basis.

**(e) Limitation on administrative expenses**

A funding agreement for a grant under section 290ff(a) of this title is that not more than 2 percent of the grant will be expended for administrative expenses incurred with respect to the grant by the public entity involved.

**(f) Reports to Secretary**

A funding agreement for a grant under section 290ff(a) of this title is that the public entity in-

involved will annually submit to the Secretary (and provide a copy to the State involved) a report on the activities of the entity under the grant that includes a description of the number of children provided access to systems of care operated pursuant to the grant, the demographic characteristics of the children, the types and costs of services provided pursuant to the grant, the availability and use of third-party reimbursements, estimates of the unmet need for such services in the jurisdiction of the entity, and the manner in which the grant has been expended toward the establishment of a jurisdiction-wide system of care for children with a serious emotional disturbance, and such other information as the Secretary may require with respect to the grant.

**(g) Description of intended uses of grant**

The Secretary may make a grant under section 290ff(a) of this title only if—

(1) the public entity involved submits to the Secretary a description of the purposes for which the entity intends to expend the grant;

(2) the description identifies the populations, areas, and localities in the jurisdiction of the entity with a need for services under this section; and

(3) the description provides information relating to the services and activities to be provided, including a description of the manner in which the services and activities will be coordinated with any similar services or activities of public or nonprofit entities.

**(h) Requirement of application**

The Secretary may make a grant under section 290ff(a) of this title only if an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in subsection (g), 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 section.

(July 1, 1944, ch. 373, title V, § 564, as added Pub. L. 102-321, title I, § 119, July 10, 1992, 106 Stat. 355; amended Pub. L. 114-255, div. B, title X, § 10001(c), Dec. 13, 2016, 130 Stat. 1262.)

AMENDMENTS

2016—Subsec. (f). Pub. L. 114-255 inserted “(and provide a copy to the State involved)” after “to the Secretary”.

EFFECTIVE DATE

Section effective Oct. 1, 1992, with provision for programs providing financial assistance, see section 801(c), (d) of Pub. L. 102-321, set out as an Effective Date of 1992 Amendment note under section 236 of this title.

**§ 290ff-4. General provisions**

**(a) Duration of support**

The period during which payments are made to a public entity from a grant under section 290ff(a) of this title may not exceed 6 fiscal years.

**(b) Technical assistance**

**(1) In general**

The Secretary shall, upon the request of a public entity, regardless of whether such pub-

lic entity is receiving a grant under section 290ff(a) of this title—

(A) provide technical assistance to the entity regarding the process of submitting to the Secretary applications for grants under section 290ff(a) of this title; and

(B) provide to the entity training and technical assistance with respect to the planning, development, and operation of systems of care described in section 290ff-1 of this title.

**(2) Authority for grants and contracts**

The Secretary may provide technical assistance under subsection (a) directly or through grants to, or contracts with, public and non-profit private entities.

**(c) Evaluations and reports by Secretary**

**(1) In general**

The Secretary shall, directly or through contracts with public or private entities, provide for annual evaluations of programs carried out pursuant to section 290ff(a) of this title. The evaluations shall assess the effectiveness of the systems of care operated pursuant to such section, including longitudinal studies of outcomes of services provided by such systems, other studies regarding such outcomes, the effect of activities under this part on the utilization of hospital and other institutional settings, the barriers to and achievements resulting from interagency collaboration in providing community-based services to children with a serious emotional disturbance, and assessments by parents of the effectiveness of the systems of care.

**(2) Report to Congress**

The Secretary shall, not later than 1 year after the date on which amounts are first appropriated under subsection (c), and annually thereafter, submit to the Congress a report summarizing evaluations carried out pursuant to paragraph (1) during the preceding fiscal year and making such recommendations for administrative and legislative initiatives with respect to this section as the Secretary determines to be appropriate.

**(d) Definitions**

For purposes of this part:

(1) The term “child” means an individual through the age of 21 years.

(2) The term “family”, with respect to a child provided access to a system of care under section 290ff-1(a) of this title, means—

(A) the legal guardian of the child; and

(B) as appropriate regarding mental health services for the child, the parents of the child (biological or adoptive, as the case may be) and any foster parents of the child.

(3) The term “funding agreement”, with respect to a grant under section 290ff(a) of this title to a public entity, means that the Secretary may make such a grant only if the public entity makes the agreement involved.

(4) The term “serious emotional disturbance” includes, with respect to a child, any child who has a serious emotional disorder, a serious behavioral disorder, or a serious mental disorder.

**(e) Rule of construction**

Nothing in this part shall be construed as limiting the rights of a child with a serious emotional disturbance under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.].

**(f) Funding**

**(1) Authorization of appropriations**

For the purpose of carrying out this part, there are authorized to be appropriated \$119,026,000 for each of fiscal years 2018 through 2022.

**(2) Limitation regarding technical assistance**

Not more than 10 percent of the amounts appropriated under paragraph (1) for a fiscal year may be expended for carrying out subsection (b).

(July 1, 1944, ch. 373, title V, §565, as added Pub. L. 102-321, title I, §119, July 10, 1992, 106 Stat. 356; amended Pub. L. 103-43, title XX, §2017(2), June 10, 1993, 107 Stat. 218; Pub. L. 106-310, div. B, title XXXI, §3105(c), (d), Oct. 17, 2000, 114 Stat. 1175; Pub. L. 114-255, div. B, title X, §10001(d), Dec. 13, 2016, 130 Stat. 1262.)

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsec. (e), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see section 1400 of Title 20 and Tables.

AMENDMENTS

2016—Subsec. (b)(1). Pub. L. 114-255, §10001(d)(1)(A), substituted “, regardless of whether such public entity is receiving a grant under section 290ff(a) of this title” for “receiving a grant under section 290ff(a) of this title” in introductory provisions.

Subsec. (b)(1)(B). Pub. L. 114-255, §10001(d)(1)(B), substituted “described in” for “pursuant to”.

Subsec. (d)(1). Pub. L. 114-255, §10001(d)(2), substituted “through the age of 21 years” for “not more than 21 years of age”.

Subsec. (f)(1). Pub. L. 114-255, §10001(d)(3), substituted “\$119,026,000 for each of fiscal years 2018 through 2022” for “\$100,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003”.

2000—Subsec. (a). Pub. L. 106-310, §3105(c), substituted “6 fiscal years” for “5 fiscal years”.

Subsec. (f)(1). Pub. L. 106-310, §3105(d), substituted “2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003” for “1993, and such sums as may be necessary for fiscal year 1994”.

1993—Subsec. (c)(1), (d), (f)(1). Pub. L. 103-43, §2017(2)(A), (B), (C)(i), substituted “this part” for “this subpart”.

Subsec. (f)(2). Pub. L. 103-43, §2017(2)(C)(ii), amended heading and text of par. (2) generally. Prior to amendment, text read as follows: “Of the amounts appropriated under paragraph (1) for a fiscal year, the Secretary shall make available not less than \$3,000,000 for the purpose of carrying out subsection (b) of this section.”

EFFECTIVE DATE

Section effective Oct. 1, 1992, with provision for programs providing financial assistance, see section 801(c), (d) of Pub. L. 102-321, set out as an Effective Date of 1992 Amendment note under section 236 of this title.

PART F—MODEL COMPREHENSIVE PROGRAM FOR  
TREATMENT OF SUBSTANCE ABUSE

**§ 290gg. Repealed. Pub. L. 106-310, div. B, title  
XXXIII, §3301(c)(4), Oct. 17, 2000, 114 Stat.  
1209**

Section, act July 1, 1944, ch. 373, title V, §571, as added Pub. L. 102-321, title III, §301, July 10, 1992, 106 Stat. 417, related to demonstration program in national capital area.

PART G—PROJECTS FOR CHILDREN AND  
VIOLENCE

CODIFICATION

This part is comprised of part G of title V of act July 1, 1944. Another part G of title V of act July 1, 1944, is classified to part J (§290kk et seq.) of this subchapter.

**§ 290hh. Children and violence**

**(a) In general**

The Secretary, in consultation with the Secretary of Education and the Attorney General, shall carry out directly or through grants, contracts or cooperative agreements with public entities a program to assist local communities in developing ways to assist children in dealing with violence.

**(b) Activities**

Under the program under subsection (a), the Secretary may—

- (1) provide financial support to enable local communities to implement programs to foster the health and development of children;
- (2) provide technical assistance to local communities with respect to the development of programs described in paragraph (1);
- (3) provide assistance to local communities in the development of policies to address violence when and if it occurs;
- (4) assist in the creation of community partnerships among law enforcement, education systems and mental health and substance abuse service systems; and
- (5) establish mechanisms for children and adolescents to report incidents of violence or plans by other children or adolescents to commit violence.

**(c) Requirements**

An application for a grant, contract or cooperative agreement under subsection (a) shall demonstrate that—

- (1) the applicant will use amounts received to create a partnership described in subsection (b)(4) to address issues of violence in schools;
- (2) the activities carried out by the applicant will provide a comprehensive method for addressing violence, that will include—
  - (A) security;
  - (B) educational reform;
  - (C) the review and updating of school policies;
  - (D) alcohol and drug abuse prevention and early intervention services;
  - (E) mental health prevention and treatment services; and
  - (F) early childhood development and psychosocial services; and
- (3) the applicant will use amounts received only for the services described in subparagraphs (D), (E), and (F) of paragraph (2).

**(d) Geographical distribution**

The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) will be distributed equitably among the regions of the country and among urban and rural areas.

**(e) Duration of awards**

With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years.

**(f) Evaluation**

The Secretary shall conduct an evaluation of each project carried out under this section and shall disseminate the results of such evaluations to appropriate public and private entities.

**(g) Information and education**

The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application under this section to the general public and to health care professionals.

**(h) Authorization of appropriations**

There is authorized to be appropriated to carry out this section, \$100,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.

(July 1, 1944, ch. 373, title V, §581, as added Pub. L. 106-310, div. B, title XXXI, §3101, Oct. 17, 2000, 114 Stat. 1168.)

CODIFICATION

Another section 581 of act July 1, 1944, is classified to section 290kk of this title.

**§ 290hh-1. Grants to address the problems of persons who experience violence related stress**

**(a) In general**

The Secretary shall award grants, contracts or cooperative agreements to public and nonprofit private entities, as well as to Indian tribes and tribal organizations, for the purpose of developing and maintaining programs that provide for—

- (1) the continued operation of the National Child Traumatic Stress Initiative (referred to in this section as the “NCTSI”), which includes a cooperative agreement with a coordinating center, that focuses on the mental, behavioral, and biological aspects of psychological trauma response, prevention of the long-term consequences of child trauma, and early intervention services and treatment to address the long-term consequences of child trauma; and
- (2) the development of knowledge with regard to evidence-based practices for identifying and treating mental, behavioral, and biological disorders of children and youth resulting from witnessing or experiencing a traumatic event.

**(b) Priorities**

In awarding grants, contracts or cooperative agreements under subsection (a)(2) (related to the development of knowledge on evidence-based practices for treating mental, behavioral, and