

PRIOR PROVISIONS

A prior section 1921 of act July 1, 1944, was classified to section 300x-9 of this title prior to repeal by Pub. L. 102-321.

Another prior section 1921 of act July 1, 1944, was classified to section 300y of this title prior to repeal by Pub. L. 100-690.

AMENDMENTS

2016—Subsec. (b). Pub. L. 114-255 inserted “carrying out the plan developed in accordance with section 300x-32(b) of this title and for” after “for the purpose of” and substituted “use disorders” for “abuse”.

§ 300x-22. Certain allocations**(a) Allocation regarding primary prevention programs**

A funding agreement for a grant under section 300x-21 of this title is that, in expending the grant, the State involved—

(1) will expend not less than 20 percent for programs for individuals who do not require treatment for substance abuse, which programs—

(A) educate and counsel the individuals on such abuse; and

(B) provide for activities to reduce the risk of such abuse by the individuals;

(2) will, in carrying out paragraph (1)—

(A) give priority to programs for populations that are at risk of developing a pattern of such abuse; and

(B) ensure that programs receiving priority under subparagraph (A) develop community-based strategies for the prevention of such abuse, including strategies to discourage the use of alcoholic beverages and tobacco products by individuals to whom it is unlawful to sell or distribute such beverages or products.

(b) Allocations regarding women**(1) In general**

Subject to paragraph (2), a funding agreement for a grant under section 300x-21 of this title for a fiscal year is that—

(A) in the case of a grant for fiscal year 1993, the State involved will expend not less than 5 percent of the grant to increase (relative to fiscal year 1992) the availability of treatment services designed for pregnant women and women with dependent children (either by establishing new programs or expanding the capacity of existing programs);

(B) in the case of a grant for fiscal year 1994, the State will expend not less than 5 percent of the grant to so increase (relative to fiscal year 1993) the availability of such services for such women; and

(C) in the case of a grant for any subsequent fiscal year, the State will expend for such services for such women not less than an amount equal to the amount expended by the State for fiscal year 1994.

(2) Waiver

(A) Upon the request of a State, the Secretary may provide to the State a waiver of all or part of the requirement established in paragraph (1) if the Secretary determines that the State is providing an adequate level of treat-

ments services for women described in such paragraph, as indicated by a comparison of the number of such women seeking the services with the availability in the State of the services.

(B) The Secretary shall approve or deny a request for a waiver under subparagraph (A) not later than 120 days after the date on which the request is made.

(C) Any waiver provided by the Secretary under subparagraph (A) shall be applicable only to the fiscal year involved.

(3) Childcare and prenatal care

A funding agreement for a grant under section 300x-21 of this title for a State is that each entity providing treatment services with amounts reserved under paragraph (1) by the State will, directly or through arrangements with other public or nonprofit private entities, make available prenatal care to women receiving such services and, while the women are receiving the services, childcare.

(July 1, 1944, ch. 373, title XIX, §1922, as added Pub. L. 102-321, title II, §202, July 10, 1992, 106 Stat. 389; amended Pub. L. 106-310, div. B, title XXXIII, §3303(a), (f)(2)(A), Oct. 17, 2000, 114 Stat. 1210, 1211.)

AMENDMENT OF SUBSECTION (b)(2), (3)

Pub. L. 106-310, div. B, title XXXIII, §3303(f)(2), Oct. 17, 2000, 114 Stat. 1211, provided that, effective upon publication of regulations developed in accordance with section 300x-32(e)(1) of this title, subsection (c) of this section [now subsection (b)] is amended by striking out paragraph (2) and redesignating paragraph (3) as paragraph (2).

PRIOR PROVISIONS

A prior section 1922 of act July 1, 1944, was classified to section 300x-9a of this title prior to repeal by Pub. L. 102-321.

Another prior section 1922 of act July 1, 1944, was classified to section 300y-1 of this title prior to repeal by Pub. L. 100-690.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-310, §3303(a), redesignated subsec. (b) as (a) and struck out heading and text of former subsec. (a). Text read as follows: “A funding agreement for a grant under section 300x-21 of this title is that, in expending the grant, the State involved will expend—

“(1) not less than 35 percent for prevention and treatment activities regarding alcohol; and

“(2) not less than 35 percent for prevention and treatment activities regarding other drugs.”

Subsec. (b). Pub. L. 106-310, §3303(a)(2), redesignated subsec. (c) as (b). Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 106-310, §3303(a)(2), redesignated subsec. (c) as (b).

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-310, div. B, title XXXIII, §3303(f)(2), Oct. 17, 2000, 114 Stat. 1211, provided that the amendment made by section 3303(f)(2) is effective upon the publication of the regulations developed in accordance with section 300x-32(e)(1) of this title.

§ 300x-23. Intravenous substance abuse**(a) Capacity of treatment programs****(1) Notification of reaching capacity**

A funding agreement for a grant under section 300x-21 of this title is that the State in-