

§106(b), 91 Stat. 384; Oct. 4, 1979, Pub. L. 96-79, title I, §104(a)(1), (b), 93 Stat. 595, 596, related to establishment of health service areas, prior to repeal by Pub. L. 99-660, title VII, §701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

A prior section 1502 of act July 1, 1944, ch. 373, title XV, was classified to section 300k-2 of this title prior to repeal by Pub. L. 99-660.

§ 300L-1. Requirement regarding medicaid

The Secretary may not make a grant under section 300k of this title for a program in a State unless the State plan under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.] for the State includes the screening procedures specified in subparagraphs (A) and (B) of section 300m(a)(2) of this title as medical assistance provided under the plan.

(July 1, 1944, ch. 373, title XV, §1502A, as added Pub. L. 102-531, title III, §307, Oct. 27, 1992, 106 Stat. 3495.)

REFERENCES IN TEXT

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title XIX of the Act is classified generally to subchapter XIX (§1396 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

PRIOR PROVISIONS

Prior sections 300L-1 to 300L-5 were repealed by Pub. L. 99-660, title VII, §701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

Section 300L-1, act July 1, 1944, ch. 373, title XV, §1512, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2232; amended Mar. 19, 1976, Pub. L. 94-237, §14(b), 90 Stat. 249; Oct. 12, 1976, Pub. L. 94-484, title IX, §902(a), 90 Stat. 2324; Aug. 1, 1977, Pub. L. 95-83, title I, §106(c), (d), 91 Stat. 384; Oct. 4, 1979, Pub. L. 96-79, title I, §§108(a)-(d)(1), (e), 109, 110(a)-(d)(1), (e)(1), (2)(A), (3), 111(a), (b), 112, 113(a), 114, 93 Stat. 601-607; Aug. 13, 1981, Pub. L. 97-35, title IX, §935(d), 95 Stat. 571; Oct. 22, 1986, Pub. L. 99-514, §2, 100 Stat. 2095, related to composition and operation of health systems agencies.

Section 300L-2, act July 1, 1944, ch. 373, title XV, §1513, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2235; amended Mar. 19, 1976, Pub. L. 94-237, §14(a), 90 Stat. 249; Aug. 1, 1977, Pub. L. 95-83, title I, §106(e)-(i), 91 Stat. 384, 385; July 10, 1979, Pub. L. 96-32, §7(m), 93 Stat. 84; Oct. 4, 1979, Pub. L. 96-79, title I, §§101(b)(1), 103(c), 107(a), 110(e)(4), (f), 115(b)(1), (2), (c)(2), (d)(1), (2), (e), (f), (h), (i)(1), 118(a)(1), (b)(1), (c), 119(b), 120(a), 121, 122(a), 123(c)(1)(B), 93 Stat. 593, 595, 600, 604, 607-610, 620-625; Oct. 17, 1979, Pub. L. 96-88, title V, §509(b), 93 Stat. 695; Jan. 2, 1980, Pub. L. 96-181, §15(b), 93 Stat. 1316; Oct. 7, 1980, Pub. L. 96-398, title VIII, §804(d), 94 Stat. 1608; Aug. 13, 1981, Pub. L. 97-35, title IX, §902(g)(4), 95 Stat. 561, related to functions of health systems agencies.

Section 300L-3, act July 1, 1944, ch. 373, title XV, §1514, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2239; amended Aug. 1, 1977, Pub. L. 95-83, title I, §106(j), 91 Stat. 385; Oct. 4, 1979, Pub. L. 96-79, title I, §105(f), 93 Stat. 598, provided for assistance to entities desiring to be designated as health systems agencies.

Section 300L-4, act July 1, 1944, ch. 373, title XV, §1515, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2239; amended Aug. 1, 1977, Pub. L. 95-83, title I, §106(k), 91 Stat. 385; Dec. 19, 1977, Pub. L. 95-215, §6(a)(1), 91 Stat. 1507; Oct. 4, 1979, Pub. L. 96-79, title I, §105(a)-(d)(1)(A), (2), (e), (g), (h), 93 Stat. 596-598; Oct. 17, 1979, Pub. L. 96-88, title V, §509(b), 93 Stat. 695, provided for designation of health systems agencies.

Section 300L-5, act July 1, 1944, ch. 373, title XV, §1516, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2241; amended Aug. 1, 1977, Pub. L. 95-83, title I, §102(a), 91 Stat. 383; Dec. 19, 1977, Pub. L. 95-215, §6(a)(2), 91 Stat.

1507; Oct. 4, 1979, Pub. L. 96-79, title I, §§106, 107(b), 127(a), 93 Stat. 598, 600, 629; Dec. 17, 1980, Pub. L. 96-538, title III, §302, 94 Stat. 3190; Aug. 13, 1981, Pub. L. 97-35, title IX, §§933(a)(1), 934(a), 95 Stat. 570, 571, provided for planning grants to health systems agencies.

§ 300m. Requirements with respect to type and quality of services

(a) Requirement of provision of all services by date certain

The Secretary may not make a grant under section 300k of this title unless the State involved agrees—

(1) to ensure that, initially and throughout the period during which amounts are received pursuant to the grant, not less than 60 percent of the grant is expended to provide each of the services or activities described in paragraphs (1) and (2) of section 300k(a) of this title, including making available screening procedures for both breast and cervical cancers;

(2) subject to subsection (b), to ensure that—

(A) in the case of breast cancer, both a physical examination of the breasts and the screening procedure known as a mammography are conducted; and

(B) in the case of cervical cancer, both a pelvic examination and the screening procedure known as a pap smear are conducted;

(3) to ensure that, by the end of any second fiscal year of payments pursuant to the grant, each of the services or activities described in section 300k(a) of this title is provided; and

(4) to ensure that not more than 40 percent of the grant is expended to provide the services or activities described in paragraphs (3) through (6) of such section.

(b) Use of improved screening procedures

The Secretary may not make a grant under section 300k of this title unless the State involved agrees that, if any screening procedure superior to a procedure described in subsection (a)(2) becomes commonly available and is recommended for use, any entity providing screening procedures pursuant to the grant will utilize the superior procedure rather than the procedure described in such subsection.

(c) Quality assurance regarding screening procedures

The Secretary may not make a grant under section 300k of this title unless the State involved agrees that the State will, in accordance with applicable law, assure the quality of screening procedures conducted pursuant to such section.

(d) Waiver of services requirement on division of funds

(1) In general

The Secretary shall establish a demonstration project under which the Secretary may waive the requirements of paragraphs (1) and (4) of subsection (a) for not more than 5 States, if—

(A) the State involved will use the waiver to leverage non-Federal funds to supplement each of the services or activities described in paragraphs (1) and (2) of section 300k(a) of this title;