

§§ 104(c)(2), 108(d)(2), 117(b)(3), 126(a)(1), (b), 93 Stat. 596, 602, 619, 628; Dec. 17, 1980, Pub. L. 96-538, title III, §§ 308, 309, 94 Stat. 3192; Aug. 13, 1981, Pub. L. 97-35, title IX, § 936(a), 95 Stat. 572, defined terms applicable to this subchapter, prior to repeal by Pub. L. 99-660, title VII, § 701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

#### AMENDMENTS

1993—Subsec. (c)(3). Pub. L. 103-183 added par. (3).

### § 300n-1. Description of intended uses of grant

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

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

(2) the description identifies the populations, areas, and localities in the State with a need for the services or activities described in section 300k(a) of this title;

(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 and private entities; and

(4) the description provides assurances that the grant funds will be used in the most cost-effective manner.

(July 1, 1944, ch. 373, title XV, § 1505, as added Pub. L. 101-354, § 2, Aug. 10, 1990, 104 Stat. 414; amended Pub. L. 103-43, title XX, § 2008(c)(2), June 10, 1993, 107 Stat. 211; Pub. L. 103-183, title I, § 101(g)(2), Dec. 14, 1993, 107 Stat. 2229; Pub. L. 105-392, title IV, § 401(b)(6), Nov. 13, 1998, 112 Stat. 3587.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300n-1, act July 1, 1944, ch. 373, title XV, § 1532, as added Jan. 4, 1975, Pub. L. 93-641, § 3, 88 Stat. 2251; amended Oct. 8, 1976, Pub. L. 94-460, title I, § 117(a), 90 Stat. 1954; Nov. 9, 1978, Pub. L. 95-619, title III, § 303(b), (c), 92 Stat. 3248; Oct. 4, 1979, Pub. L. 96-79, title I, §§ 103(d), 116, 117(b)(5), 93 Stat. 595, 610, 620; Dec. 17, 1980, Pub. L. 96-538, title III, § 310, 94 Stat. 3192, provided for procedures and criteria for review of proposed health system changes, prior to repeal by Pub. L. 99-660, title VII, § 701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

#### AMENDMENTS

1998—Par. (3). Pub. L. 105-392 struck out “nonprofit” before “private entities”.

1993—Par. (3). Pub. L. 103-183, § 101(g)(2)(A), substituted “public and nonprofit private entities; and” for “public or nonprivate entities (and additionally, in the case of services and activities under section 300k(a)(1) of this title, with any similar services or activities of private entities); and”.

Pub. L. 103-43 inserted before semicolon “(and additionally, in the case of services and activities under section 300k(a)(1) of this title, with any similar services or activities of private entities)”.

Par. (4). Pub. L. 103-183, § 101(g)(2)(B), inserted “will” after “grant funds”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-392 deemed to have taken effect immediately after enactment of Pub. L. 103-183,

see section 401(e) of Pub. L. 105-392, set out as a note under section 242m of this title.

### § 300n-2. Requirement of submission of application

The Secretary may not make a grant under section 300k of this title unless an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in section 300n-1 of this title, 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 subchapter.

(July 1, 1944, ch. 373, title XV, § 1506, as added Pub. L. 101-354, § 2, Aug. 10, 1990, 104 Stat. 414.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300n-2, act July 1, 1944, ch. 373, title XV, § 1533, as added Jan. 4, 1975, Pub. L. 93-641, § 3, 88 Stat. 2253, provided for technical assistance to health systems agencies and State agencies, prior to repeal by Pub. L. 99-660, title VII, § 701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

### § 300n-3. Technical assistance and provision of supplies and services in lieu of grant funds

#### (a) Technical assistance

The Secretary may provide training and technical assistance with respect to the planning, development, and operation of any program or service carried out pursuant to section 300k of this title. The Secretary may provide such technical assistance directly or through grants to, or contracts with, public and private entities.

#### (b) Provision of supplies and services in lieu of grant funds

##### (1) In general

Upon the request of a State receiving a grant under section 300k of this title, the Secretary may, subject to paragraph (2), provide supplies, equipment, and services for the purpose of aiding the State in carrying out such section and, for such purpose, may detail to the State any officer or employee of the Department of Health and Human Services.

##### (2) Corresponding reduction in payments

With respect to a request described in paragraph (1), the Secretary shall reduce the amount of payments under the grant under section 300k of this title to the State involved by an amount equal to the costs of detailing personnel (including pay, allowances, and travel expenses) and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

(July 1, 1944, ch. 373, title XV, § 1507, as added Pub. L. 101-354, § 2, Aug. 10, 1990, 104 Stat. 414.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300n-3, act July 1, 1944, ch. 373, title XV, § 1534, as added Jan. 4, 1975, Pub. L. 93-641, § 3, 88