

SUBPART II—AIDS EDUCATION AND TRAINING
CENTERS

§ 300ff-111. HIV/AIDS communities, schools, and centers

(a) Schools; centers

(1) In general

The Secretary may make grants and enter into contracts to assist public and nonprofit private entities and schools and academic health science centers in meeting the costs of projects—

(A) to train health personnel, including practitioners in programs under this subchapter and other community providers, in the diagnosis, treatment, and prevention of HIV/AIDS, including the prevention of the perinatal transmission of the disease, including measures for the prevention and treatment of opportunistic infections, and including (as applicable to the type of health professional involved), prenatal and other gynecological care for women with HIV/AIDS;

(B) to train the faculty of schools of, and graduate departments or programs of, medicine, nursing, osteopathic medicine, dentistry, public health, allied health, and mental health practice to teach health professions students to provide for the health care needs of individuals with HIV/AIDS;

(C) to develop and disseminate curricula and resource materials relating to the care and treatment of individuals with such disease and the prevention of the disease among individuals who are at risk of contracting the disease; and

(D) to develop protocols for the medical care of women with HIV/AIDS, including prenatal and other gynecological care for such women.

(2) Preference in making grants

In making grants under paragraph (1), the Secretary shall give preference to qualified projects which will—

(A) train, or result in the training of, health professionals who will provide treatment for minority individuals and Native Americans with HIV/AIDS and other individuals who are at high risk of contracting such disease;

(B) train, or result in the training of, minority health professionals and minority allied health professionals to provide treatment for individuals with such disease; and

(C) train or result in the training of health professionals and allied health professionals to provide treatment for hepatitis B or C co-infected individuals.

(3) Application

No grant or contract may be made under paragraph (1) unless an application is submitted to the Secretary in such form, at such time, and containing such information, as the Secretary may prescribe.

(b) Dental schools

(1) In general

(A) Grants

The Secretary may make grants to dental schools and programs described in subpara-

graph (B) to assist such schools and programs with respect to oral health care to patients with HIV/AIDS.

(B) Eligible applicants

For purposes of this subsection, the dental schools and programs referred to in this subparagraph are dental schools and programs that were described in section 294o(b)(4)(B) of this title as such section was in effect on the day before November 13, 1998, and in addition dental hygiene programs that are accredited by the Commission on Dental Accreditation.

(2) Application

Each dental school or program described in section¹ the section referred to in paragraph (1)(B) may annually submit an application documenting the unreimbursed costs of oral health care provided to patients with HIV/AIDS by that school or hospital during the prior year.

(3) Distribution

The Secretary shall distribute the available funds among all eligible applicants, taking into account the number of patients with HIV/AIDS served and the unreimbursed oral health care costs incurred by each institution as compared with the total number of patients served and costs incurred by all eligible applicants.

(4) Maintenance of effort

The Secretary shall not make a grant under this subsection if doing so would result in any reduction in State funding allotted for such purposes.

(5) Community-based care

The Secretary may make grants to dental schools and programs described in paragraph (1)(B) that partner with community-based dentists to provide oral health care to patients with HIV/AIDS in unserved areas. Such partnerships shall permit the training of dental students and residents and the participation of community dentists as adjunct faculty.

(c) Authorization of appropriations

(1) Schools; centers

For the purpose of awarding grants under subsection (a), there are authorized to be appropriated \$34,700,000 for each of the fiscal years 2007 through 2009, \$36,535,000 for fiscal year 2010, \$38,257,000 for fiscal year 2011, \$40,170,000 for fiscal year 2012, and \$42,178,000 for fiscal year 2013.

(2) Dental schools

For the purpose of awarding grants under subsection (b), there are authorized to be appropriated \$13,000,000 for each of the fiscal years 2007 through 2009, \$13,650,000 for fiscal year 2010, \$14,333,000 for fiscal year 2011, \$15,049,000 for fiscal year 2012, and \$15,802,000 for fiscal year 2013.

(July 1, 1944, ch. 373, title XXVI, § 2692, formerly title VII, § 776, as added Pub. L. 102-408, title I, § 102, Oct. 13, 1992, 106 Stat. 2050; amended Pub.

¹ So in original.

L. 102-531, title III, §313(a)(4), Oct. 27, 1992, 106 Stat. 3507; renumbered title XXVI, §2692, and amended Pub. L. 104-146, §3(h), May 20, 1996, 110 Stat. 1363; Pub. L. 104-166, §5(2), July 29, 1996, 110 Stat. 1449; Pub. L. 106-345, title IV, §402(a)(1), (b), (c), Oct. 20, 2000, 114 Stat. 1348, 1349; Pub. L. 109-415, title VI, §602, title VII, §§702(3), 703, Dec. 19, 2006, 120 Stat. 2817, 2820; Pub. L. 111-87, §2(a)(1), (3)(A), (f)(1), Oct. 30, 2009, 123 Stat. 2885, 2886.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 294n of this title prior to renumbering by Pub. L. 104-146.

AMENDMENTS

2009—Pub. L. 111-87, §2(a)(1), (3)(A), repealed Pub. L. 109-415, §703, and revived the provisions of this section as in effect on Sept. 30, 2009. See 2006 Amendment note and Effective Date of 2009 Amendment; Revival of Section note below.

Subsec. (c)(1). Pub. L. 111-87, §2(f)(1)(A), substituted “are authorized” for “is authorized” and inserted “, \$36,535,000 for fiscal year 2010, \$38,257,000 for fiscal year 2011, \$40,170,000 for fiscal year 2012, and \$42,178,000 for fiscal year 2013” before period at end.

Subsec. (c)(2). Pub. L. 111-87, §2(f)(1)(B), substituted “are authorized” for “is authorized” and inserted “, \$13,650,000 for fiscal year 2010, \$14,333,000 for fiscal year 2011, \$15,049,000 for fiscal year 2012, and \$15,802,000 for fiscal year 2013” before period at end.

2006—Pub. L. 109-415, §703, which directed repeal of this section effective Oct. 1, 2009, was itself repealed by Pub. L. 111-87, §2(a)(1), effective Sept. 30, 2009.

Pub. L. 109-415, §702(3), substituted “HIV/AIDS” for “HIV disease” wherever appearing in text.

Subsec. (a)(2)(A). Pub. L. 109-415, §602(a)(1)(A), inserted “and Native Americans” after “minority individuals”.

Subsec. (a)(2)(C). Pub. L. 109-415, §602(a)(1)(B), (2), (3), added subpar. (C).

Subsec. (c). Pub. L. 109-415, §602(b), reenacted heading without change and amended text generally, substituting provisions authorizing appropriations for fiscal years 2007 through 2009 for provisions authorizing appropriations for fiscal years 2001 through 2005.

2000—Subsec. (a)(1)(A). Pub. L. 106-345, §402(a)(1)(A), substituted “to train” for “training”, substituted “, including” for “and including” after “transmission of the disease”, and inserted “, and including (as applicable to the type of health professional involved), prenatal and other gynecological care for women with HIV disease” before semicolon at end.

Subsec. (a)(1)(D). Pub. L. 106-345, §402(a)(1)(B)-(D), added subpar. (D).

Subsec. (b)(1). Pub. L. 106-345, §402(b)(1), amended heading and text of par. (1) generally. Prior to amendment, text read as follows: “The Secretary may make grants to assist dental schools and programs described in section 294o(b)(4)(B) of this title with respect to oral health care to patients with HIV disease.”

Subsec. (b)(2). Pub. L. 106-345, §402(b)(2), substituted “the section referred to in paragraph (1)(B)” for “294o(b)(4)(B) of this title”.

Subsec. (b)(5). Pub. L. 106-345, §402(b)(3), added par. (5).

Subsec. (c)(1). Pub. L. 106-345, §402(c)(1), substituted “fiscal years 2001 through 2005” for “fiscal years 1996 through 2000”.

Subsec. (c)(2). Pub. L. 106-345, §402(c)(2), amended heading and text of par. (2) generally. Prior to amendment, text read as follows: “For the purpose of grants under subsection (b) of this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1996 through 2000.”

1996—Pub. L. 104-146, §3(h)(1), (2)(A), substituted “HIV/AIDS communities, schools, and centers” for

“Acquired immune deficiency syndrome” as section catchline.

Subsec. (a)(1)(A). Pub. L. 104-166, §5(2)(A), substituted “in programs under this subchapter” for “in subchapter XXIV programs” and struck out “infection and” after “prevention of HIV”.

Pub. L. 104-146, §3(h)(2)(B)(iii), added subpar. (A). Former subpar. (A) redesignated (B).

Subsec. (a)(1)(B). Pub. L. 104-146, §3(h)(2)(B)(iv), inserted “and” after semicolon.

Pub. L. 104-146, §3(h)(2)(B)(i), (ii), redesignated subpar. (A) as (B) and struck out former subpar. (B) which read as follows: “to train practitioners to provide for the health care needs of such individuals;”.

Subsec. (a)(1)(C), (D). Pub. L. 104-146, §3(h)(2)(B)(i), (ii), redesignated subpar. (D) as (C) and struck out former subpar. (C) which read as follows: “with respect to improving clinical skills in the diagnosis, treatment, and prevention of such disease, to educate and train the health professionals and clinical staff of schools of medicine, osteopathic medicine, and dentistry; and”.

Subsec. (c). Pub. L. 104-166, §5(2)(B), added subsec. (c) and struck out heading and text of former subsec. (c). Text read as follows: “For purposes of this section:

“(1) The term ‘HIV disease’ means infection with the human immunodeficiency virus, and includes any condition arising from such infection.

“(2) The term ‘human immunodeficiency virus’ means the etiologic agent for acquired immune deficiency syndrome.”

Subsec. (d). Pub. L. 104-166, §5(2)(B), struck out heading and text of subsec. (d) relating to authorization of appropriations for fiscal years 1996 through 2000. Text read as follows: “There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of the fiscal years 1996 through 2000.”

Pub. L. 104-166, §5(2)(B), struck out heading and text of subsec. (d) relating to authorization of appropriations for fiscal years 1993 through 1995. Text read as follows:

“(1) SCHOOLS; CENTERS.—For the purpose of grants under subsection (a) of this section, there is authorized to be appropriated \$23,000,000 for each of the fiscal years 1993 through 1995.

“(2) DENTAL SCHOOLS.—For the purpose of grants under subsection (b) of this section, there is authorized to be appropriated \$7,000,000 for each of the fiscal years 1993 through 1995.”

Pub. L. 104-146, §3(h)(4), added subsec. (d) relating to authorization of appropriations for fiscal years 1996 through 2000.

1992—Subsec. (a)(3). Pub. L. 102-531, which directed the substitution of “No grant” for “no grant” in par. (3), could not be executed because the words “no grant” did not appear in par. (3).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2009 AMENDMENT; REVIVAL OF SECTION

For provisions that repeal by section 2(a)(1) of Pub. L. 111-87 of section 703 of Pub. L. 109-415 be effective Sept. 30, 2009, that the provisions of this section as in effect on Sept. 30, 2009, be revived, and that amendment by section 2(f)(1) of Pub. L. 111-87 be applicable to this section as so revived and effective as if enacted on Sept. 30, 2009, see section 2(a)(2), (3) of Pub. L. 111-87, set out as a note under section 300ff-11 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-146 effective Oct. 1, 1996, see section 13 of Pub. L. 104-146, set out as a note under section 300ff-11 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-531 effective immediately after enactment of Pub. L. 102-408, see section 313(c) of Pub. L. 102-531, set out as a note under section 292y of this title.

DISSEMINATION OF TREATMENT GUIDELINES; MEDICAL
CONSULTATION ACTIVITIES

Pub. L. 106-345, title IV, § 402(a)(2), Oct. 20, 2000, 114 Stat. 1349, provided that: "Not later than 90 days after the date of the enactment of this Act [Oct. 20, 2000], the Secretary of Health and Human Services shall issue and begin implementation of a strategy for the dissemination of HIV treatment information to health care providers and patients."

SUBPART III—MINORITY AIDS INITIATIVE

§ 300ff-121. Minority AIDS initiative**(a) In general**

For the purpose of carrying out activities under this section to evaluate and address the disproportionate impact of HIV/AIDS on, and the disparities in access, treatment, care, and outcomes for, racial and ethnic minorities (including African Americans, Alaska Natives, Latinos, American Indians, Asian Americans, Native Hawaiians, and Pacific Islanders), there are authorized to be appropriated \$131,200,000 for fiscal year 2007, \$135,100,000 for fiscal year 2008, \$139,100,000 for fiscal year 2009, \$146,055,000 for fiscal year 2010, \$153,358,000 for fiscal year 2011, \$161,026,000 for fiscal year 2012, and \$169,077,000 for fiscal year 2013. The Secretary shall develop a formula for the awarding of grants under subsections (b)(1)(A) and (b)(1)(B) that ensures that funding is provided based on the distribution of populations disproportionately impacted by HIV/AIDS.

(b) Certain activities**(1) In general**

In carrying out the purpose described in subsection (a), the Secretary shall provide for—

- (A) emergency assistance under part A;
- (B) care grants under part B;
- (C) early intervention services under part C;
- (D) services through projects for HIV-related care under part D; and
- (E) activities through education and training centers under section 300ff-111 of this title.

(2) Allocations among activities

Activities under paragraph (1) shall be carried out by the Secretary in accordance with the following:

- (A) For supplemental grants to improve HIV-related health outcomes to reduce existing racial and ethnic health disparities, the Secretary shall, of the amount appropriated under subsection (a) for a fiscal year, reserve the following, as applicable:
 - (i) For fiscal year 2007, \$43,800,000.
 - (ii) For fiscal year 2008, \$45,400,000.
 - (iii) For fiscal year 2009, \$47,100,000.
 - (iv) For fiscal year 2010, \$46,738,000.
 - (v) For fiscal year 2011, \$49,075,000.
 - (vi) For fiscal year 2012, \$51,528,000.
 - (vii) For fiscal year 2013, \$54,105,000.
- (B) For grants used for supplemental support education and outreach services to increase the number of eligible racial and ethnic minorities who have access to treatment through the program under section 300ff-26 of this title for therapeutics, the Secretary

shall, of the amount appropriated for a fiscal year under subsection (a), reserve the following, as applicable:

- (i) For fiscal year 2007, \$7,000,000.
- (ii) For fiscal year 2008, \$7,300,000.
- (iii) For fiscal year 2009, \$7,500,000.
- (iv) For fiscal year 2010, \$8,763,000.
- (v) For fiscal year 2011, \$9,202,000.
- (vi) For fiscal year 2012, \$9,662,000.
- (vii) For fiscal year 2013, \$10,145,000.

(C) For planning grants, capacity-building grants, and services grants to health care providers who have a history of providing culturally and linguistically appropriate care and services to racial and ethnic minorities, the Secretary shall, of the amount appropriated for a fiscal year under subsection (a), reserve the following, as applicable:

- (i) For fiscal year 2007, \$53,400,000.
- (ii) For fiscal year 2008, \$55,400,000.
- (iii) For fiscal year 2009, \$57,400,000.
- (iv) For fiscal year 2010, \$61,343,000.
- (v) For fiscal year 2011, \$64,410,000.
- (vi) For fiscal year 2012, \$67,631,000.
- (vii) For fiscal year 2013, \$71,012,000.

(D) For eliminating racial and ethnic disparities in the delivery of comprehensive, culturally and linguistically appropriate care services for HIV/AIDS for women, infants, children, and youth, the Secretary shall, of the amount appropriated under subsection (a), reserve the following, as applicable:

- (i) For fiscal year 2010, \$20,448,000.
- (ii) For fiscal year 2011, \$21,470,000.
- (iii) For fiscal year 2012, \$22,543,000.
- (iv) For fiscal year 2013, \$23,671,000.

(E) For increasing the training capacity of centers to expand the number of health care professionals with treatment expertise and knowledge about the most appropriate standards of HIV/AIDS-related treatments and medical care for racial and ethnic minority adults, adolescents, and children with HIV/AIDS, the Secretary shall, of the amount appropriated under subsection (a), reserve the following, as applicable:

- (i) For fiscal year 2010, \$8,763,000.
- (ii) For fiscal year 2011, \$9,201,000.
- (iii) For fiscal year 2012, \$9,662,000.
- (iv) For fiscal year 2013, \$10,144,000.

(c) Consistency with prior program

With respect to the purpose described in subsection (a), the Secretary shall carry out this section consistent with the activities carried out under this subchapter by the Secretary pursuant to the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2002 (Public Law 107-116).

(d) Synchronization of minority AIDS initiative

For fiscal year 2010 and each subsequent fiscal year, the Secretary shall incorporate and synchronize the schedule of application submissions and funding availability under this section with the schedule of application submissions and funding availability under the corresponding provisions of this subchapter as follows: