

openings which the contractor proposes to fill from within his own organization. This exclusion does not apply to a particular opening once an employer decides to consider applicants outside his own organization for that opening.

\* \* \* \* \*

[FR Doc. 96-3425 Filed 2-15-96; 8:45 am]  
BILLING CODE 4510-27-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

#### 42 CFR Parts 57 and 58

RIN: 0906-AA38

#### Grants for Construction of Teaching Facilities, Educational Improvements, Scholarships, and Student Loans and Grants for Training of Public Health and Allied Health Personnel

**AGENCY:** Health Resources and Services Administration, HHS.

**ACTION:** Final regulation.

**SUMMARY:** This final rule revises existing regulations which govern various Public Health Service (PHS) health professions, nursing, and allied health training grant, scholarship, traineeship, and loan programs. The affected regulations are amended primarily by the Health Professions Extension Amendments of 1992 which: Renumbered the various PHS Act section numbers and their corresponding United States Code numbers; repealed the authority for the National Advisory Council on Health Professions Education; and repealed and eliminated various title VII and VIII health professions, nursing, and allied health training grant and traineeship programs. Some of the currently codified regulations no longer reflect the current provisions of the statute and are not modifiable as such and, therefore, are also being removed from the Code of Federal Regulations (CFR). The definition of "State" is being revised in each of the program regulations in accordance with the 1994 Compact of Free Association with [the Republic of] Palau. Other changes for consistency are made to the regulations and are technical or clarifying in nature.

**EFFECTIVE DATE:** These regulations are effective February 16, 1996.

**FOR FURTHER INFORMATION CONTACT:** Betty B. Hambleton, Chief, Planning, Evaluation, and Legislation Branch, Office of Research and Planning, Bureau of Health Professions, Health Resources and Services Administration, room 8-67, Parklawn Building, 5600 Fishers

Lane, Rockville, Maryland 20857; telephone: (301) 443-1590.

**SUPPLEMENTARY INFORMATION:** This final rule amends various Public Health Service (PHS) health professions, nursing, and allied health training grant, traineeship, scholarship, and student loan program regulations under title 42, parts 57 and 58 to bring these programs into conformity with statutory amendments made to the various sections of the PHS Act under titles VII and VIII. The following ministerial and technical changes are being made to the various titles VII and VIII programs:

(1) The Health Professions Extension Amendments of 1992, Pub. L. 102-408, reorganized and renumbered the sections in the Public Health Service (PHS) Act and their corresponding United States Code numbers. Technical changes affecting the various programs under titles VII and VIII are being made to revise the PHS section numbers in the regulations (see part 57, subparts C, H, I, L, Q, S, V, CC, DD, EE, FF; part 58, subparts C, and D);

(2) The reference to former sections 799A and 845 of the PHS Act (referenced in each of our regulatory sections entitled, "*What additional Department regulations apply to grantees?*") codified under 45 CFR part 83 is being revised to read "section 794" and "section 855" of the PHS Act. The footnote to the citation "45 CFR part 83" is being deleted (see part 57, subparts C, D, F, H, L, Q, R, S, V, Y, Z, CC, DD, EE, FF, OO, and PP; and part 58, subparts C and D). Former section 799A, 42 U.S.C. 295h-9, "Discrimination on Basis of Sex Prohibited" was redesignated as section 704 by Pub. L. 94-484 and was renumbered as section 794 (42 U.S.C. 295m) by Pub. L. 102-408. Former section 845 was redesignated as section 855 (42 U.S.C. 298b-2), "Prohibition Against Discrimination by Schools on the Basis of Sex" by Pub. L. 94-63;

(3) Pub. L. 102-408 amended title VII programs by repealing the National Advisory Council on Health Professions Education effective October 1, 1992. Therefore, in accordance with the repealing of this National Advisory Council, as it affects the evaluation and recommendation process of awarding grant applications, the Department is removing the definition of "Council" and the reference to the National Advisory Council on Health Professions Education in the various programs to reflect current statutory language under section 798(a)(2)(A) of the PHS Act (see part 57, subparts H, L, Q, S, V, EE, and FF);

(4) Section 212 of Pub. L. 102-408 amended section 851 of the PHS Act by

revising the title of the National Advisory Council on Nurse Training to read "National Advisory Council on Nurse Education and Practice". Therefore, the Department is revising the reference to the Advisory Council's name in the following nursing programs: part 57, subparts Y and Z;

(5) Pub. L. 101-219, the 1994 Compact of Free Association with [the Republic of] Palau, ended the United States' responsibility for Palau under the Trusteeship Agreement (the Trust Territories of the Pacific Islands). The reference to the "Trust Territories of the Pacific Islands" in the definition of "State" is removed (see part 57, subparts C, D, F, H, L, Q, R, S, V, Y, Z, CC, DD, EE, FF, OO, and PP; and part 58, subparts C, and D); the reference to "Trust Territories of the Pacific Islands (TTPI)" in the program regulations (regarding eligibility in relation to a resident, citizen, or national of the United States) is removed (see part 57, subparts C, D, F, S, CC, and DD; part 58, subpart D). The reference to Palau is now stated as "the Republic of Palau".

(6) The reference to former section 705 of the PHS Act (now renumbered as section 798(e)) concerning audit and inspection requirements is being removed. The reference to section 705 is redundant to the requirements that are already covered under 45 CFR part 74—Administration of Grants, which is referenced in each training grant regulatory section entitled, "*What other audit and inspection requirements apply to grantees?*" (see part 57, subparts H, L, Q, S, V, CC, DD, EE, FF, and OO; and part 58, subparts C & D);

(7) Additionally, the parenthetical phrase citing the OMB approval number "0915-0060" regarding information collection requirements at the end of each regulatory section entitled, "*What other audit and inspection requirements apply to grantees?*", is no longer necessary and is also being removed (see part 57, subparts H, L, Q, S, V, EE, and FF, and OO);

(8) The preamble also includes discussions on those subparts under parts 57 and 58 that are no longer viable programs (see part 57, subparts T, AA, HH, and NN; and part 58, subparts A, B, E, and F). Some of these regulations no longer reflect the current provisions of the statute and are not modifiable as such, or their legislative authorities have expired or were eliminated or repealed by Pub. L. 102-408. Therefore, the above subparts are being removed and placed in reserve status in the CFR.

Additional revisions to the following programs, implemented by the Health Resources and Services Administration, Bureau of Health Professions, codified

at 42 CFR parts 57 and 58, are discussed below according to the subparts, section numbers, and headings affected.

#### Subpart C—Health Professions Student Loans

This final rule amends Part 57, subpart C governing the Health Professions Student Loan program under sections 721–735 of the PHS Act to:

1. Revise § 57.202, entitled “Definitions.”, by revising the definitions of “Health professions school or school” and “State” to reflect current Department policy language for consistency in title 42, part 57 and part 58 definitions.

2. Revise § 57.205, entitled “Health professions student loan funds.”, by adding a parenthetical phrase at the end of the section citing the current OMB control number.

3. Revise § 57.206, entitled “Eligibility and selection of health professions student loan applicants.”, by removing paragraph (a)(2) regarding the repayment of loans by service obligation in a health professions shortage area. (The provisions in former section 741(f) were eliminated by Pub. L. 102–408.) Paragraph (a)(3) is redesignated as (a)(2).

4. Revise § 57.210, entitled “Repayment and collection of health professions student loans”, by revising the parenthetical phrase at the end of the section providing the current OMB control number; and by removing the phrase “or cancellation or repayment under section 741(f) of the Act” in paragraph (b)(2)(i), in accordance with Pub. L. 102–408 which eliminated the HPSL loan repayment by service obligation authority.

5. Remove and reserve in the CFR § 57.212, entitled “Repayment or cancellation of loans for practice in a health professional shortage area.”, in accordance with Pub. L. 102–408 which eliminated the HPSL loan repayment by service obligation authority. Succeeding section numbers under this subpart (§§ 57.213–57.218) will *not* be redesignated but remain the same.

#### Subpart S—Educational Assistance to Individuals From Disadvantaged Backgrounds

This final rule amends Part 57, subpart S governing the Educational Assistance to Individuals from Disadvantaged Backgrounds program under section 740 of the PHS Act to revise paragraph (b) in § 57.1804, entitled “Who is eligible for educational assistance?”. Paragraph (b) indicates a requirement for eligibility that individuals must “have completed at least the junior year of high school (or

its equivalent)”. The Department is adding the words “except in the case of Model Demonstration programs” at the end of the sentence to provide flexibility for the Department to administer a limited number of awards to test the feasibility or viability of a Model Demonstration program permitting students prior to the junior year to receive assistance under these programs.

#### Subpart T—Nursing Special Project Grants

Section 820 of the PHS Act, 42 U.S.C. 296k, as it was in effect for Nursing Special Project Grants, was amended by Pub. L. 102–408, the Health Professions Extension Amendments of 1992, to substitute for the existing authority a new four-part authority and revised former project purposes, eligibility provisions, and other requirements. The Department is, therefore, removing from title 42, part 57 of the *Code of Federal Regulations* this program under subpart T, consisting of §§ 57.1901 through 57.1910, and placing it in reserve status.

#### Subpart Z—Grants for the Advanced Nurse Education Programs

This final rule amends Part 57, subpart Z governing the Grants for Advanced Nurse Education Programs under section 821 of the PHS Act to:

1. Revise § 57.2501, entitled “Applicability.”, by revising the phrase “expand” in (b) to read “significantly expand existing programs” and removing the phrase “maintain programs” in (c) in accordance with the amendments in Pub. L. 102–408. This section is further revised to remove two types of nurse specialties that can obtain support under this authority in accordance with Pub. L. 102–408. The two types of specialties that are being removed are nurse administrators and nurse researchers.

2. Revise § 57.2503, entitled “Eligibility.”, by revising paragraph (b)(2) to indicate that a grant would meet the cost for a project to “significantly” expand an advanced nurse education program through the indicated activities listed. Paragraph (b)(3), that indicates that a grant would meet the cost for a project to “maintain” an advanced nurse education program, is being removed in accordance with Pub. L. 102–408.

3. Revise § 57.2504, entitled “Application.”, by revising paragraph (c)(1) to state the current statutory language for grants to contain a proposal for a project to: (i) Plan, develop, and operate new programs, or (ii) significantly expand an advanced nurse education program. Former paragraph (c)(1)(iii) is removed and paragraph (d)

is revised to reflect the current statutory language.

4. Revise § 57.2506, entitled “Evaluation and grant awards.”, by removing the reference to the funding priority for educational programs in geriatric and gerontological nursing. Pub. L. 102–408 repealed the funding priority.

#### Subpart AA—Grants for Nurse Practitioner and Nurse Midwifery Traineeship Programs

Section 822(b) of the PHS Act, 42 U.S.C. 296m, as it was in effect for Grants for Nurse Practitioner and Nurse Midwifery Traineeship Programs for service-conditional nurse practitioner and nurse midwifery traineeships was eliminated by section 204 of Public Law 102–408, the Health Professions Extension Amendments of 1992 (106 Stat. 2072). The Department is, therefore, removing from title 42, part 57 of the Code of Federal Regulations this program under subpart AA, consisting of §§ 57.2601 through 57.2617, and placing it in reserve status.

#### Subpart DD—Financial Assistance for Disadvantaged Health Professions Students

This final rule amends Part 57, subpart DD governing the program for Financial Assistance for Disadvantaged Health Professions Students under section 740 of the PHS Act to:

1. Revise § 57.2904, entitled “Eligibility and selection of aid recipients.”, by revising the parenthetical phrase at the end of the section providing the current OMB control number.

2. Revise § 57.2909, entitled “What other records, audit, and inspection requirements apply to schools?”, by revising the parenthetical phrase at the end of the section providing the current OMB control number.

#### Subpart HH—Programs for the Training of Expanded Function Dental Auxiliaries

Section 2740(c)(1) of Pub. L. 97–35, the Omnibus Budget Reconciliation Act of 1981, 95 Stat. 922, amended section 783(a) of the PHS Act to authorize provisions only for physician assistant training. Concurrently, section 2744 of Pub. L. 97–35 (95 Stat. 924) restructured the provisions in section 783(a)(2) for Grants for Programs for the Training of Expanded Functional Dental Auxiliaries and the provisions were subsumed under the authority of redesignated section 788(b), as it was in effect for Conversion and Curriculum Grants for Various Health Professions, 42 U.S.C. 295g–8. Subsequently, the provisions

under section 788(b) were amended by Pub. L. 99-129, the Health Professions Training Assistance Act of 1985, to provide for more broad provisions in health promotion and disease prevention, various curriculum development training, and health professions initiatives.

Pub. L. 102-408, the Health Professions Education Extension Amendments of 1992, repealed several existing definitions under former section 701 of the PHS Act (now renumbered as section 799), including the definition for "program for the training of expanded function dental auxiliaries", as being no longer needed for administration of title VII programs. The Department is, therefore, removing from title 42, part 57 of the Code of Federal Regulations this program under subpart HH, consisting of §§ 57.3301 through 57.3303, and placing it in reserve status.

#### Subpart NN—Various Health Professions Projects (Model Education)

Pub. L. 102-408 repealed section 788(b) of the PHS Act, the authority as it was in effect for grants or contracts for the development and implementation of model projects in areas such as faculty and curriculum development, and development of new clinical training sites. The Department is, therefore, removing from title 42, part 57 of the Code of Federal Regulations this program under subpart NN, consisting of §§ 57.3901 through 57.3910, and placing it in reserve status.

#### Part 58—Grants for Training of Public Health and Allied Health Personnel

##### Subpart A—Grants to Graduate Programs in Health Administration

Section 791 of the PHS Act, 42 U.S.C. 295h, as it was in effect for Grants to Graduate Programs in Health Administration for institutional grants to graduate programs in health administration was repealed by Pub. L. 102-408, the Health Professions Extension Amendments of 1992. The Department is, therefore, removing from title 42, part 58 of the Code of Federal Regulations this program under subpart A, consisting of §§ 58.1 through 58.11, and placing it in reserve status.

##### Subpart B—Special Project Grants for Graduate Programs in Public Health

Section 788(b) of the PHS Act, 42 U.S.C. 295g-8, as it was in effect for Special Project Grants for Graduate Programs in Public Health was repealed by section 2744 of Public Law 97-35, the Omnibus Budget Reconciliation Act of 1981 (95 Stat. 923). The Department

is, therefore, removing from title 42, part 58 of the Code of Federal Regulations this program under subpart B, consisting of §§ 58.20 through 58.29, and placing it in reserve status.

##### Subpart C—Grants for Public Health Traineeships for Students in Schools of Public Health and in Other Graduate Public Health Programs

This final rule amends Part 58, subpart C governing the Grants for Public Health Traineeships for Students in Schools of Public Health and in Other Graduate Public Health Programs under section 761 of the PHS Act to:

1. Revise § 58.202, entitled "Definitions.", to amend the definitions of "Educational entity", "Nonprofit", and "State" to reflect current Department policy language for consistency in title 42, part 57 and part 58 definitions.

2. Revise § 58.205, entitled "How is the amount of the award determined?", to:

(a) Remove paragraph (a)(1) to reflect current Department policy language for consistency in title 42 CFR part 58 regulations; and

(b) Redesignate paragraph (a)(2) as paragraph (a) and revise the eligibility element in the formula for the distribution of funds as follows: The proportion of eligible full-time and full-time equivalent graduate students of each applicant enrolled in severe shortage occupations targeted for support (epidemiology, environmental health, biostatistics, toxicology, public health nutrition, and maternal and child health) to the total full-time and full-time equivalent enrollment of students in these fields of all applicants having approved applications. Modifications in the formula are the result of statutory changes in Pub. L. 102-408. The number of full-time equivalent students means the number of part-time students converted to full-time by dividing the total number of credit hours in which part-time students are enrolled by nine.

Subsequently, Pub. L. 103-43, the National Institutes of Health Revitalization Act of 1993, enacted June 10, 1993 (107 Stat. 217) added "maternal and child health" as a severe shortage health professions field eligible for support.

3. Revise § 58.208, entitled "What are the requirements for traineeships and the appointment of trainees?", to:

(a) Remove the words "traineeships and the" in the heading and remove paragraphs (a) through (e), in accordance with Pub. L. 102-408 which eliminated requirements for traineeships (paragraphs (f) through (i)

are redesignated as paragraphs (a) through (d)); and

(b) Add the current OMB control number for information collections at the end of the section.

4. Revise in its entirety § 58.209, entitled "Who is eligible for financial assistance as a trainee?", to reflect the change in eligibility criteria in accordance with Pub. L. 102-408. The changes in criteria were announced in the Federal Register by proposed notice on April 13, 1993. A comment period of 30 days was established to allow public comment concerning the proposed review criteria. No comments were received. A final notice was published June 11, 1993. Further, Pub. L. 103-43, added the health professions field of "maternal and child health" to the list of fields in which there is a severe shortage of health professionals.

5. Revise § 58.213, entitled "What additional Department regulations apply to grantees?", to add a new CFR citation to bring this program into compliance with governmentwide requirements established for this Department under 45 CFR part 93, in accordance with Pub. L. 101-121, section 319, the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990, enacted on October 23, 1989, and an Interim-Final Rule, published in the Federal Register on February 26, 1990 (55 FR 6736). This CFR citation is cited in the amendatory language as "45 CFR part 93—New restrictions on lobbying".

##### Subpart D—Grants for Traineeships in Health Administration, Hospital Administration, or Health Policy Analysis and Planning at Public or Nonprofit Private Educational Institutions Other Than Schools of Public Health

This final rule amends Part 58, subpart D governing the Grants for Traineeships in Health Administration, Hospital Administration, or Health Policy Analysis and Planning at Public or Nonprofit Private Educational Institutions Other than Schools of Public Health under section 771 of the PHS Act to:

1. Revise the heading of Subpart D to read "Grants for Health Administration Traineeships and Special Projects Program", in accordance with Pub. L. 102-408.

2. Revise § 58.222, entitled "Definitions.", to amend the definitions of "Nonprofit" and "State" to reflect current Department policy language for consistency in title 42, part 57 and part 58 definitions.

3. Revise § 58.224, entitled "How will applications be evaluated?", to reflect current Department policy language for

consistency in 42 CFR part 57 and part 58 regulations and add the statutory criteria for the review of applications.

4. Remove § 58.228, entitled "What are the requirements for traineeships and the appointment of trainees?", in its entirety. Pub. L. 102-408 eliminated the traineeship requirements.

5. Redesignate § 58.229, entitled "Who is eligible for financial assistance as a trainee?", as § 58.228 and revise paragraph (a) concerning an eligible individual's citizenship status, the Immigration and Naturalization Service policy as it relates to the admission into the United States, its territories and possessions, to reflect current Department policy language for consistency in title 42, part 57 and part 58 regulations.

6. Redesignate § 58.230, entitled "What financial support is available to trainees?", as § 58.229.

7. Redesignate § 58.231, entitled "Duration of traineeships." as § 58.230.

8. Redesignate § 58.232, entitled "Termination of traineeships.", as § 58.231.

9. Redesignate § 58.233, entitled "What additional Department regulations apply to grantees?" as § 58.232 and revise it to add a new CFR citation to bring this program into compliance with governmentwide requirements established for this Department under 45 CFR part 93, in accordance with Pub. L. 101-121, section 319, the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990, enacted on October 23, 1989, and an Interim-Final Rule, published in the Federal Register on February 26, 1990 (55 FR 6736). This CFR citation is cited in the amendatory language as "45 CFR part 93—New restrictions on lobbying".

10. Redesignate § 58.234, entitled "What other audit and inspection requirements apply to grantees?" as § 58.233, remove the legislative authority citations in parenthesis at the end of the section, and revise the section text to reflect Department policy concerning audit and inspection.

11. Redesignate § 58.235, entitled "Additional conditions." as § 58.234.

*Subpart E—Grants for Allied Health Projects*

The authority for section 796(a) of the PHS Act, 42 U.S.C. 295h-5, as it was in effect for Grants for Allied Health Projects was not extended by Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981 (special projects relating to the training of allied health personnel was modified under former section 788(b), subpart NN). Pub. L. 100-607, the Health Professions Reauthorization Act of 1988 reinstated a section 797 for Allied Health Projects, but under different provisions. Because the current regulatory provisions and authority under former section 796(a) is not modifiable to the current section 797 provisions, the Department is removing from title 42, part 58 of the Code of Federal Regulations this program under subpart E, consisting of §§ 58.401 through 58.414, and placing it in reserve status.

*Subpart F—Grants for Traineeships for the Advanced Training of Allied Health Personnel*

The authority for section 797 of the PHS Act, 42 U.S.C. 295h-6, as it was in effect for Grants for Traineeships for the Advanced Training of Allied Health Personnel was not extended by Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981. The provisions were modified under former section 788(b), subpart NN. Pub. L. 100-607, the Health Professions Reauthorization Act of 1988 reinstated a section 797 for Allied Health Traineeships, but under different provisions. Because the current regulatory provisions and authority under former section 797 is not modifiable to the current section 797 provisions, the Department is removing from title 42, part 58 of the Code of Federal Regulations this program under subpart F, consisting of §§ 58.501 through 58.515, and placing it in reserve status.

Further, PHS strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of all tobacco products, and Pub. L. 103-

227, the Pro-Children Act of 1994, prohibits smoking in certain facilities that receive Federal funds in which education, library, day care, health care, and early childhood development services are provided to children.

*Justification for Omitting Notice of Proposed Rulemaking*

Since these amendments are of a technical nature, the Secretary has determined, pursuant to 5 U.S.C. 553 and departmental policy, that it is unnecessary and impractical to follow proposed rulemaking procedures or to delay the effective date of these regulations.

*Economic Impact*

Executive Order 12866 requires that all regulations reflect consideration of alternatives, of costs, of benefits, of incentives, of equity, and of available information. Regulations must meet certain standards, such as avoiding unnecessary burden. Regulations which are "significant" because of cost, adverse effects on the economy, inconsistency with other agency actions, effects on the budget, or novel legal or policy issues, require special analysis.

The Department believes that the resources required to implement the requirement in these regulations are minimal. Therefore, in accordance with the Regulatory Flexibility Act of 1980, the Secretary certifies that these regulations will not have a significant impact on a substantial number of small entities. For the same reasons, the Secretary has also determined that this is not a "significant" rule under Executive Order 12866.

*Paperwork Reduction Act of 1980*

The following list of subparts in this final rule contains information collection language which have been approved by the Office of Management and Budget under the Paperwork Reduction Act of 1980 and have been assigned control numbers for each affected section as listed below under each subpart.

Section No.	OMB control No.
<b>Part 57</b>	
Subpart C—Health Professions Student Loan Program:	
§ 57.205 .....	0915-0047
§ 57.206 .....	0915-0047
§ 57.208 .....	0915-0047
§ 57.210 .....	0915-0047
§ 57.211 .....	0915-0047
§ 57.215 .....	0915-0047
§ 57.216a .....	0915-0047

Section No.	OMB control No.
Subpart D—Nursing Student Loan Program:	
§ 57.305 .....	0915-0047
§ 57.306 .....	0915-0047
§ 57.308 .....	0915-0047
§ 57.310 .....	0915-0047
§ 57.311 .....	0915-0047
§ 57.312 .....	0915-0047
§ 57.315 .....	0915-0047
§ 57.316a .....	0915-0047
Subpart F—Grants for Nurse Anesthetist Traineeships:	
§ 57.509 .....	0915-0060
§ 57.510 .....	0915-0060
§ 57.512 .....	0915-0060
Subpart H—Grants for Physician Assistant Training Programs:	
§ 57.704 .....	0915-0060
§ 57.705 .....	0915-0060
Subpart L—Grants for Residency Training and Advanced Education in the General Practice of Dentistry:	
§ 57.1104 .....	0915-0060
Subpart Y—Grants for Nurse Practitioner and Nurse Midwifery Programs:	
§ 57.2404 .....	0915-0060
§ 57.2405 .....	0915-0060
Subpart Z—Grants for Advanced Nurse Education Programs:	
§ 57.2504 .....	0915-0060
Subpart CC—Scholarships for Students of Exceptional Financial Need (EFN):	
§ 57.2803 .....	0915-0028
§ 57.2804 .....	0915-0028
§ 57.2809 .....	0915-0028
Subpart DD—Financial Assistance for Disadvantaged Health Professions Students (FADHPS):	
§ 57.2904 .....	0915-0028
§ 57.2909 .....	0915-0028
Subpart EE—Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics:	
§ 57.3003 .....	0915-0060
§ 57.3004 .....	0915-0060
§ 57.3007 .....	0915-0060
Subpart FF—Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics:	
§ 57.3104 .....	0915-0060
Subpart PP—Grants for Faculty Training Projects in Geriatric Medicine and Dentistry:	
§ 57.4103 .....	0915-0060
§ 57.4110 .....	0915-0060

**Part 58**

Subpart C—Grants for Public Health Traineeships for Students in Schools of Public Health and in Other Graduate Public Health Programs: § 58.208 .....	0915-0060
Subpart D—Grants for Health Administration Traineeships and Special Projects Program: § 58.224 .....	0915-0060

List of Subjects in 42 CFR Parts 57 and 58

Aged, Dental health, Education of the disadvantaged, Educational facilities, Educational study programs, Grant programs—education, Grant programs—health, Health facilities, Health professions, Loan programs, Medical and dental schools, Student aid, Reporting and recordkeeping requirements, Scholarships and fellowships, Public health.

Dated: November 2, 1995.  
Ciro V. Sumaya,  
*Administrator, Health Resources and Services Administration.*

Approved: February 6, 1996.  
Donna E. Shalala,  
*Secretary.*

Accordingly, section 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216), 42 CFR parts 57 and 58 are amended as set forth below:

**PART 57—GRANTS FOR CONSTRUCTION OF TEACHING FACILITIES, EDUCATIONAL IMPROVEMENTS, SCHOLARSHIPS AND STUDENT LOANS**

**Subpart C—Health Professions Student Loans**

1. The authority for subpart C is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended, 63 Stat. 35 (42 U.S.C. 216); secs. 740-747 of the Public Health Service Act, 77 Stat. 170-173, as amended, 90 Stat. 2266-2268, 91 Stat. 390-391, 95 Stat. 920, 99 Stat. 532-536, and 102 Stat. 3125 (42 U.S.C. 294m-q); renumbered as secs. 721-735, as amended by Pub. L. 102-408, 106 Stat. 2011-2022 (42 U.S.C. 292q-292y).

2. Section 57.202 is amended by revising section number "741(b)" in the definition of *Full-time student* to read "722(b)"; and by revising the definitions of *Health professions school or school* and *State* to read as follows:

**§ 57.202 Definitions.**

\* \* \* \* \*

*Health professions school or school*, for purposes of this subpart, means a public or private nonprofit school of medicine, school of dentistry, school of osteopathic medicine, school of pharmacy, school of podiatric medicine, school of optometry, or school of veterinary medicine as defined in section 799(1)(A) of the Act.

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

**§ 57.203 [Amended]**

3. Section 57.203 is amended by revising section number "740" in paragraph (c) to read "721".

4. Section 57.205 is amended by revising section number "743" in paragraph (a)(1)(ii) to read "728"; and by adding the OMB information collections control number at the end of the section to read as follows:

**§ 57.205 Health professions student loan funds.**

\* \* \* \* \*

(Approved by the Office of Management and Budget under control number 0915-0047)

5. Section 57.206 is amended by removing paragraph (a)(2) and redesignating paragraph (a)(3) as paragraph (a)(2); and by revising paragraph (a)(1)(i) to read as follows:

**§ 57.206 Eligibility and selection of health professions student loan applicants.**

(a) \* \* \*

(1) \* \* \*

(i) Residents of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia;

\* \* \* \* \*

6. Section 57.210 is amended by revising section number "741(c)" in paragraph (b)(2)(ii) to read "722(c)"; by revising the first sentence in paragraph

(b)(2)(i); and by revising the parenthetical phrase at the end of the section to read as follows:

**§ 57.210 Repayment and collection of health professions student loans.**

\* \* \* \* \*

(b) \* \* \*

(2) *Late charge*. (i) For any health professions student loan made after June 30, 1969, but prior to October 22, 1985, the school may fix a charge for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment under section 722(c) of the Act for any failure to file timely and satisfactory evidence of the entitlement.

\* \* \*

\* \* \* \* \*

(Approved by the Office of Management and Budget under control number 0915-0047)

**§ 57.211 [Amended]**

7. Section 57.211 is amended by revising section number "741(d)" in paragraph (a) and (b) to read "722(d)".

**§ 57.212 [Removed and Reserved]**

8. Section 57.212 is removed and reserved.

**§ 57.213 [Amended]**

9. Section 57.213a is amended by revising section number "743" in paragraph (a)(2) to read "728".

**§ 57.214 [Amended]**

10. Section 57.214 is amended by revising section number 741(1)" in the introductory text to read "722(k)".

**§ 57.215 [Amended]**

11. Section 57.215 is amended by revising section number "705" in paragraph (a)(3) to read "798(e)".

**§ 57.216 [Amended]**

12. Section 57.216 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

**Subpart D—Nursing Student Loans**

1. The authority citation for subpart D is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); secs. 835-842 of the Public Health Service Act, 77 Stat. 913-916, as amended by 99 Stat. 397-400, 536-537, and 102 Stat. 3160-3161 (42 U.S.C. 297 a-i).

2. Section 57.302 is amended by revising the definition of *State* to read as follows:

**§ 57.302 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

3. Section 57.305 is amended by adding the OMB information collections control number at the end of the section to read:

**§ 57.305 Nursing student loan funds.**

\* \* \* \* \*

(Approved by the Office of Management and Budget under control number 0915-0047)

4. Section 57.306 is amended by revising paragraph (a)(1)(i) to read as follows:

**§ 57.306 Eligibility and selection of nursing student loan applicants.**

(a) \* \* \*

(1) \* \* \*

(i) Residents of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia;

\* \* \* \* \*

**§ 57.310 [Amended]**

5. Section 57.310 is amended by revising the Office of Management and Budget control number "0915-0094" in the parenthetical phrase at the end of the section to read "0915-0047".

**§ 57.312 [Amended]**

6. Section 57.312 is amended by revising section number "836(h)(1)(A)" in paragraph (a)(1) to read "846(a)(1)".

**§ 57.313 [Amended]**

7. Section 57.313 is amended by revising section number "836(i)" in paragraph (b) to read "836(h)".

**§ 57.314 [Amended]**

8. Section 57.314 is amended by revising section number "836(j)" in the introductory text to read "836(i)".

**§ 57.316 [Amended]**

9. Section 57.316 is amended by removing footnote three to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

**Subpart F—Grants for Nurse Anesthetist Traineeships**

1. The authority for subpart F is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 67 Stat. 631 (42 U.S.C. 216); sec. 831(a) of the Public Health Service Act, 93 Stat. 580, as amended by 96 Stat. 2061, and 99 Stat. 396-397 (42 U.S.C. 297-1).

2. Section 57.502 is amended by revising the definition of State to read as follows:

**§ 57.502 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

3. Section 57.509 is amended by revising paragraph (a) to read as follows:

**§ 57.509 Who is eligible for financial assistance as a trainee?**

\* \* \* \* \*

(a) Be a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia;

\* \* \* \* \*

**§ 57.513 [Amended]**

4. Section 57.513 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

**Subpart H—Grants for Physician Assistant Training Programs**

1. The authority for subpart H is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 783(a)(1) of the Public Health Service Act, 90 Stat. 2314, and 99 Stat. 524 (42 U.S.C. 295g-3(a)(1)); redesignated as sec. 788(d) and amended by 102 Stat. 3135 (42 U.S.C. 295g-8(d)); renumbered as sec. 750, as amended by Pub. L. 102-408, 106 Stat. 2044 (42 U.S.C. 293n).

**§ 57.701 [Amended]**

2. Section 57.701 is amended by revising the citation “788(d) of the

Public Health Service Act (42 U.S.C. 295g-8(d))” to read “750 of the Public Health Service Act (42 U.S.C. 293n)”.

3. Section 57.702 is amended by removing the term *Council*; by revising section number “701(5)” in the definition of *School of medicine or school of osteopathic medicine* to read “799(1)(E)”; and by revising the definition of *State* to read as follows:

**§ 57.702 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

**§ 57.704 [Amended]**

4. Section 57.704 is amended by revising the citation “788(d) of the Act” in paragraph (c)(1) to read “750 of the Act”.

5. Section 57.706 is amended by revising paragraph (a) introductory text and paragraph (a)(2) to read as follows:

**§ 57.706 Evaluation of applications.**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will approve or disapprove all applications filed in accordance with § 57.704, taking into consideration:

\* \* \* \* \*

(2) The potential effectiveness of the project in carrying out the purposes of section 750 of the Act and this subpart;

\* \* \* \* \*

**§ 57.707 [Amended]**

6. Section 57.707 is amended by revising the citation “788(d) of the Act” in paragraph (a)(1) to read “750 of the Act”.

**§ 57.709 [Amended]**

7. Section 57.709 is amended by revising the citation “788(d) of the Act” in paragraph (a) to read “750 of the Act”.

**§ 57.710 [Amended]**

8. Section 57.710 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by

revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

9. Section 57.711 is revised to read as follows:

**§ 57.711 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart I—Programs for the Training of Physician Assistants**

1. The authority for subpart I is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 701(8)(B), 90 Stat. 2247, as amended by 95 Stat. 913 and 99 Stat. 525-526 (42 U.S.C. 292a(8)(B)); renumbered as sec. 750, as amended by Pub. L. 102-408, 106 Stat. 2044 (42 U.S.C. 293n).

**§ 57.801 [Amended]**

2. Section 57.801 is amended by revising the citation “701(8)(B) of the Public Health Service Act (42 U.S.C. 292a(8)(B))” in paragraph (a) to read “750 of the Public Health Service Act (42 U.S.C. 293n)”.

**Subpart L—Grants for Residency Training and Advanced Education in the General Practice of Dentistry**

1. The authority for subpart L is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 786(b) of the Public Health Service Act, 90 Stat. 2317, as amended by 99 Stat. 540-541 (42 U.S.C. 295g-6(b)); redesignated as sec. 785 and amended by 102 Stat. 3130-3131 (42 U.S.C. 295g-5); renumbered as sec. 749, as amended by Pub. L. 102-408, 106 Stat. 2043-2044 (42 U.S.C. 293m).

**§ 57.1101 [Amended]**

2. Section 57.1101 is amended by revising the citation “785 of the Public Health Service Act (42 U.S.C. 295g-5)” in the introductory text to read “749 of the Public Health Service Act (42 U.S.C. 293m)”.

3. Section 57.1102 is amended by removing the phrase “as defined in 42 CFR part 57, subpart HH” at the end of the sentence in paragraph (4) of the definition of *Practice of general dentistry*; by revising section number “701(5)” in the definition of *School of dentistry* to read “799(1)(E)”; and by revising the definition of *State* to read as follows:

**§ 57.1102 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

4. Section 57.1106 is amended by revising the introductory text to read as follows:

**§ 57.1106 What are the criteria for deciding which applications are to be funded?**

As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will approve or disapprove applications filed in accordance with § 57.1104, taking into consideration, among other pertinent factors:

\* \* \* \* \*

**§ 57.1107 [Amended]**

5. Section 57.1107 is amended by revising the section number “785” in paragraph (a)(1) to read “749”.

**§ 57.1110 [Amended]**

6. Section 57.1110 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

7. Section 57.1111 is revised to read as follows:

**§ 57.1111 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart Q—Grants for Predoctoral, Graduate, and Faculty Development Education Programs in Family Medicine**

1. The authority for subpart Q is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 786(a) of the Public Health Service Act, 90 Stat. 2316, and as amended by 102 Stat. 3146 (42 U.S.C. 295g–6(a)); renumbered as sec. 747, as amended by Pub. L. 102–408, 106 Stat. 2042–2043 (42 U.S.C. 293k).

**§ 57.1601 [Amended]**

2. Section 57.1601 is amended by revising the citation “786(a) of the

Public Health Service Act (42 U.S.C. 295g–6(a))” in the introductory text to read “747 of the Public Health Service Act (42 U.S.C. 293k)”.

3. Section 57.1602 is amended by revising section number “701(5)” in the definition of *School of medicine or osteopathic medicine* to read “799(1)(E)”; and by revising the definition of *State* to read as follows:

**§ 57.1602 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

4. Section 57.1605 is amended by revising paragraph (a) introductory text to read as follows:

**§ 57.1605 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will approve projects which best promote the purposes of section 747 of the Act and these regulations. The Secretary will consider, among other factors:

\* \* \* \* \*

**§ 57.1608 [Amended]**

5. Section 57.1608 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

6. Section 57.1609 is revised to read as follows:

**§ 57.1609 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart R—Grants for the Establishment of Departments of Family Medicine**

1. The authority for subpart R continues to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35

(42 U.S.C. 216); sec. 780, Public Health Service Act, 90 Stat. 2311, as amended by 95 Stat. 221 and 102 Stat. 3146 (42 U.S.C. 295g); renumbered as sec. 747, as amended by Pub. L. 102–408, 106 Stat. 2042–2043 (42 U.S.C. 293k).

2. Section 57.1702 is amended by revising the definition of *State* to read as follows:

**§ 57.1702 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

**§ 57.1708 [Amended]**

3. Section 57.1708 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

**Subpart S—Educational Assistance to Individuals From Disadvantaged Backgrounds**

1. The authority for subpart S is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 787 of the Public Health Service Act, 90 Stat. 2317, as amended by 95 Stat. 923, 99 Stat. 541, and 102 Stat. 3131–3132 (42 U.S.C. 295g–7); renumbered as sec. 740, as amended by Pub. L. 102–408, 106 Stat. 2032–2033 (42 U.S.C. 293d).

**§ 57.1801 [Amended]**

2. Section 57.1801 is amended by revising the citation “787 of the Public Health Service Act” to read “740 of the Public Health Service Act”; and by adding the United States Code “(42 U.S.C. 293d)” after the word “Act.”

3. Section 57.1802 is amended by revising the section numbers “701(4)” and “701(5)” respectively, in the definition of *Health professions schools* to read “799(1) (A), (B), (C), and (D)” and “799(1)(E)” respectively; by revising the section number “701(10)” in the definition of *School of allied health* to read “799(4)”; and by revising the definition of *State* to read as follows:

**§ 57.1802 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau,



the Republic of the Marshall Islands and the Federated States of Micronesia.

4. Section 57.1804 is amended by revising paragraphs (a) and (b) to read as follows:

**§ 57.1804 Who is eligible for educational assistance?**

\* \* \* \* \*

(a) Be a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia;

(b) Have completed at least the junior year of high school (or its equivalent), except in the case of Model Demonstration programs; and

\* \* \* \* \*

5. Section 57.1806 is amended by revising paragraph (a) introductory text and the first and last sentence in paragraph (b) to read as follows:

**§ 57.1806 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will decide which applications to approve by considering, among other factors:

\* \* \* \* \*

(b) Within the limits of funds available, the Secretary will award grants to approved applicants with projects that will best promote the purposes of section 740 of the Act. \* \* \* Section 740(a)(2)(G) authorizes the payment of such stipends as the Secretary may approve for participants in a project for any period of education at any school eligible for a grant under this subpart.

\* \* \* \* \*

**§ 57.1809 [Amended]**

6. Section 57.1809 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

6. Section 57.1810 is revised to read as follows:

**§ 57.1810 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart T (§§ 57.1901–57.1910)— [Removed and Reserved]**

1. Part 57 is amended by removing and reserving subpart T (consisting of §§ 57.1901 through 57.1910).

**Subpart V—Grants for Centers of Excellence**

1. The authority for subpart V is revised to read as follows:

Authority: Sec. 788A of the Public Health Service Act, Pub. L. 100–97, 101 Stat. 713–714 (42 U.S.C. 295g–8a), and redesignated as section 782, as amended by Pub. L. 100–607, 102 Stat. 3136 (42 U.S.C. 295g–2); renumbered as sec. 739, as amended by Pub. L. 102–408, 106 Stat. 2027–2031 (42 U.S.C. 293c).

**§ 57.2101 [Amended]**

2. Section 57.2101 is amended by revising the citation "782 of the Public Health Service Act (42 U.S.C. 295g–2)" to read "739 of the Public Health Service Act (42 U.S.C. 293c)".

3. Section 57.2102 is amended by revising the section numbers "701(4)" and "701(5)" respectively, in the definition of *Health professions school* to read "799(1) (A), (B), (C), and (D)" and "799(1)(E)" respectively; and by revising the definition of *State* to read as follows:

**§ 57.1202 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

**§ 57.2103 [Amended]**

4. Section 57.2103 is amended by revising the section number "701(4)" in the first sentence to read "799(1) (A), (B), (C), and (D) of the Act".

5. Section 57.2105 is amended by revising paragraph (a) introductory text to read as follows:

**§ 57.2105 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the

proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will decide which applications to approve by considering, among other factors:

\* \* \* \* \*

**§ 57.2108 [Amended]**

6. Section 57.2108 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

7. Section 57.2109 is revised to read as follows:

**§ 57.2109 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart Y—Grants for Nurse Practitioner and Nurse Midwifery Programs**

1. The authority for subpart Y continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended, 63 Stat. 35 (42 U.S.C. 216); sec. 822(a) of the Public Health Service Act, 89 Stat. 361, as amended by 99 Stat. 394–395 and 548 (42 U.S.C. 296m).

2. Section 57.2402 is amended by revising paragraphs (c) and (k) to read as follows:

**§ 57.2402 Definitions.**

\* \* \* \* \*

(c) *Council* means the National Advisory Council on Nursing Education and Practice (established by section 851 of the Act).

\* \* \* \* \*

(k) *State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

**§ 57.2409 [Amended]**

3. Section 57.2409 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

**Subpart Z—Grants for Advanced Nurse Education Programs**

1. The authority for subpart Z is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 821 of the Public Health Service Act, 89 Stat. 361; as amended by 95 Stat. 930, 99 Stat. 394 and 548, and Pub. L. 102-408, 106 Stat. 2072 (42 U.S.C. 296l).

2. Section 57.2501 is revised to read as follows:

**§ 57.2501 Applicability.**

The regulations of this subpart apply to the award of grants to public and private nonprofit collegiate schools of nursing under section 821 of the Public Health Service Act (42 U.S.C. 296l) to meet the costs of projects to:

- (a) Plan, develop, and operate new programs; or
- (b) Significantly expand existing programs leading to advanced degrees that prepare nurses to serve as nurse educators or public health nurses, or in other clinical nurse specialties determined by the Secretary to require advanced education.

3. Section 57.2502 is amended by revising the definitions of *Council* and *State* to read as follows:

**§ 57.2502 Definitions.**

\* \* \* \* \*

*Council* means the National Advisory Council on Nurse Education and Practice established by section 851(a) of the Act.

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

4. Section 57.2503 is amended by removing paragraph (b)(3) and by revising the introductory text of (b)(2) to read as follows:

**§ 57.2503 Eligibility.**

\* \* \* \* \*

- (b) \* \* \*  
(2) A project to significantly expand an advanced nurse education program through one or more of the following activities:

\* \* \* \* \*

5. Section 57.2504 is amended by revising paragraphs (c)(1) and (d) to read as follows:

**§ 57.2504 Application.**

\* \* \* \* \*

(c) \* \* \*

- (1) A proposal for a project to:
  - (i) Plan, develop, and operate; or
  - (ii) Significantly expand an advanced nurse education program;

\* \* \* \* \*

(d) In the case of a project to significantly expand an advanced nurse education program, the application shall contain an assurance satisfactory to the Secretary that the applicant will expend, in carrying out the program for which a grant under this subpart is sought, an amount of non-Federal funds (excluding costs of construction) at least as great as the average amount of non-Federal funds (excluding expenditures of a nonrecurring nature, including costs of construction) expended for this purpose during the 3 fiscal years immediately preceding the fiscal year for which the grant is sought.

\* \* \* \* \*

6. Section 57.2506 is amended by revising paragraph (b) to read as follows:

**§ 57.2506 Evaluation and grant awards.**

\* \* \* \* \*

(b) *Funding preference.* In determining the funding of applications approved under paragraph (a) of this section, the Secretary may from time to time announce in the Federal Register special factors relating to national needs.

\* \* \* \* \*

**§ 57.2509 [Amended]**

7. Section 57.2509 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

**Subpart AA (§§ 57.2601–57.2617)— [Removed and Reserved]**

1. Part 57 is amended by removing and reserving subpart AA (consisting of §§ 57.2601 through 57.2617).

**Subpart CC—Scholarships for Students of Exceptional Financial Need**

1. The authority for subpart CC is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended, 63 Stat. 35 (42 U.S.C. 216); sec. 758 of the Public Health Service Act, 90 Stat. 2289, as amended by 102 Stat. 3126–3127 (42 U.S.C. 294z); renumbered as sec. 736, as amended by Pub. L. 102-408, 106 Stat. 2022 (42 U.S.C. 293).

**§ 57.2801 [Amended]**

2. Section 57.2801 is amended by revising the citation “758 of the Public

Health Service Act (42 U.S.C. 294z)” to read “736 of the Public Health Service Act (42 U.S.C. 293)”.

3. Section 57.2802 is amended by revising the citation “701(4) of the Act” in the definition of Full-time student to read “799(1)(A) of the Act”; by revising the citation “701(4) of the Act” and “701(5) of the Act” respectively, in the definition of *Health professions school or school* to read “799(1)(A) of the Act” and “799(1)(E) of the Act” respectively; and by revising the definition of *State* to read as follows:

**§ 57.2802 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

4. Section 57.2804 is amended by revising paragraph (a)(1) to read as follows:

**§ 57.2804 Students eligible for scholarships.**

(a) \* \* \*

(1) Is a resident of the United States, and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia.

\* \* \* \* \*

**§ 57.2805 [Amended]**

5. Section 57.2805 is amended by revising the citation “751(g)(3) of the Act” in paragraph (c) to read “338A(g)(3) of the Act”.

**§ 57.2808 [Amended]**

6. Section 57.2808 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

7. Section 57.2809 is amended by revising paragraph (a) to read as follows:

**§ 57.2809 What other records, audit, and inspection requirements apply to grantees?**

(a) Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

\* \* \* \* \*

**Subpart DD—Financial Assistance for Disadvantaged Health Professions Students**

1. The authority for subpart DD is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 787 of the Public Health Service Act, 90 Stat. 2309, as amended by 95 Stat. 923, 99 Stat. 541 (42 U.S.C. 295g-7); renumbered as sec. 740, as amended by Pub. L. 102-408, 106 Stat. 2032-2033 (42 U.S.C. 293d).

**§ 57.2901 [Amended]**

2. Section 57.2901 is amended by revising the section number “787(a)(2)(F) and (b)” to read “740(a)(2)(F) and (d)”.

3. Section 57.2902 is amended by revising the citation “701(4) of the Act” in the definitions of *Full-time student and School* to read “799(1)(A) of the Act”; and by revising the definition of *State* to read as follows:

**§ 57.2902 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

5. Section 57.2904 is amended by revising the OMB control number “0915-0110” in the parenthetical phrase at the end of the section to read “0915-0028”; and by revising paragraph (a)(1) to read as follows:

**§ 57.2904 Eligibility and selection of aid recipients.**

(a) \* \* \*

(1) Is a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia.

\* \* \* \* \*

**§ 57.2908 [Amended]**

6. Section 57.2908 is amended by revising the section number “704” in the heading of citation 45 CFR part 83 to read “794”.

7. Section 57.2909 is amended by revising the OMB control number “0915-0110” in the parenthetical phrase at the end of the section to read “0915-0028”; and by revising paragraph (a) to read as follows:

**§ 57.2909 What other records, audit, and inspection requirements apply to schools?”**

(a) Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

\* \* \* \* \*

**Subpart EE—Grants for Residency Training in Preventive Medicine**

1. The authority for subpart EE is revised to read as follows:

Authority: Sec. 793 of the Public Health Service Act, 95 Stat. 928 (42 U.S.C. 295h-1c); redesignated as section 788(c) of the Public Health Service Act, 102 Stat. 3134-3135 (42 U.S.C. 295g-8(e)); renumbered as sec. 763, as amended by Pub. L. 102-408, 106 Stat. 2047 (42 U.S.C. 294b).

**§ 57.3001 [Amended]**

2. Section 57.3001 is amended by revising the citation “788(c) of the Public Health Service Act (42 U.S.C. 295g-8(e))” to read “763 of the Public Health Service Act (42 U.S.C. 294b)”.

3. Section 57.3002 is amended by revising the definition of *State* to read as follows:

**§ 57.3002 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

4. Section 57.3005 is amended by revising paragraph (a) introductory text and paragraph (a)(1) to read as follows:

**§ 57.3005 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will decide which applications to approve by considering, among other factors:

(1) The potential effectiveness of the proposed project in carrying out the training purposes of section 763 of the PHS Act;

\* \* \* \* \*

**§ 57.3009 [Amended]**

5. Section 57.3009 is amended by removing the footnote to the CFR citation “45 CFR part 83” and by

revising the section numbers “799A and 845” in the citation’s heading to read “794 and 855”.

6. Section 57.3010 is revised to read as follows:

**§ 57.3010 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart FF—Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics**

1. The authority for subpart FF is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 63 Stat. 35 (42 U.S.C. 216); sec. 784 of the Public Health Service Act, 90 Stat. 2315, as amended by 95 Stat. 922-923 and 99 Stat. 540 (42 U.S.C. 295g-4); renumbered as sec. 748, as amended by Pub. L. 102-408, 106 Stat. 2043 (42 U.S.C. 293l).

**§ 57.3101 [Amended]**

2. Section 57.3101 is amended by revising the citation “784 of the Public Health Service Act (42 U.S.C. 295g-4)” in the introductory text to read “748 of the Public Health Service Act (42 U.S.C. 293l)”.

3. Section 57.3102 is amended by revising section number “701(5)” in the definition of *School of medicine and osteopathic medicine* to read “799(1)(E)”; by revising section number “784” in the definition of *Trainee* to read “748”; and by revising the definition of *State* to read as follows:

**§ 57.3102 Definitions.**

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

4. Section 57.3106 is amended by revising paragraph (a) introductory text to read as follows:

**§ 57.3106 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an

application unless a peer review group has recommended the application for approval. The Secretary will award grants to applicants whose projects best promote the purposes of section 748 of the Act. The Secretary will take into consideration, among other factors:

\* \* \* \* \*

#### § 57.3110 [Amended]

5. Section 57.3110 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

6. Section 57.3111 is revised to read as follows:

#### § 57.3111 What other audit and inspection requirements apply to grantees?

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

#### Subpart HH (§§ 57.3301–57.3303)— [Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart HH (consisting of §§ 57.3301 through 57.3303).

#### Subpart NN (§§ 57.3901–57.3910)— [Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart NN (consisting of §§ 57.3901 through 57.3910).

#### Subpart OO—Grants for Geriatric Education Centers

1. The authority for subpart OO continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); sec. 788(d) of the Public Health Service Act, 99 Stat. 542 (42 U.S.C. 295g–8); redesignated as sec. 789(a), as amended by Pub. L. 100–607, 102 Stat. 3136–37 (42 U.S.C. 295g–9(a)); renumbered as sec. 777(a), as amended by Pub. L. 102–408, 106 Stat. 2052–54 (42 U.S.C. 294o).

2. Section 57.4002 is amended by revising the definition of *State* to read as follows:

#### § 57.4002 Definitions.

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

#### § 57.4008 [Amended]

3. Section 57.4008 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

4. Section 57.4009 is revised to read as follows:

#### § 57.4009 What other audit and inspection requirements apply to grantees?

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

#### Subpart PP—Grants for Faculty Training Projects in Geriatric Medicine and Dentistry

1. The authority for subpart PP continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); sec. 789(b) of the PHS Act, as amended by Pub. L. 100–607, 102 Stat. 3136–3138 (42 U.S.C. 295g–9(b)); renumbered as sec. 777(b), as amended by Pub. L. 102–408, 106 Stat. 2052–54 (42 U.S.C. 294o).

2. Section 57.4102 is amended by revising the definition of *State* to read as follows:

#### § 57.4102 Definitions.

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

3. Section 57.4109 is amended by revising paragraph (a) to read as follows:

#### § 57.4109 Who is eligible for financial assistance as a fellow?

\* \* \* \* \*

(a) Be a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands, or a citizen of the Federated States of Micronesia;

\* \* \* \* \*

#### § 57.4113 [Amended]

4. Section 57.4113 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855".

#### PART 58—GRANTS FOR TRAINING OF PUBLIC HEALTH AND ALLIED HEALTH PERSONNEL

#### Subpart A (§§ 58.1–58.11)—[Removed and Reserved]

1. Part 58 is amended by removing and reserving subpart A (consisting of §§ 58.1 through 58.11).

#### Subpart B (§§ 58.20–58.29)—[Removed and Reserved]

1. Part 58 is amended by removing and reserving subpart B (consisting of §§ 58.20 through 58.29).

#### Subpart C—Grants for Public Health Traineeships for Students in Schools of Public Health and in Other Graduate Public Health Programs

1. The authority for subpart C is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 748 of the Public Health Service Act, 90 Stat. 2279, as amended by 91 Stat. 1505; as amended and redesignated as sec. 792 of the Public Health Service Act by 95 Stat. 927 (42 U.S.C. 295h–1b); renumbered as sec. 761, as amended by Pub. L. 102–408, 106 Stat. 2045 (42 U.S.C. 294).

#### § 58.201 [Amended]

2. Section 58.201 is amended by revising the citation "792 of the Public Health Service Act (42 U.S.C. 295h–1b)" to read "761 of the Public Health Service Act (42 U.S.C. 294)".

3. Section 58.202 is amended by revising the section number "701(5)" in the definition of *School of Public Health* to read "799(1)(E)"; and by revising the definitions of *Educational entity*, *Nonprofit*, and *State* to read as follows:

#### § 58.202 Definitions.

\* \* \* \* \*

*Educational entity* means a school, college, or university which is accredited by a body or bodies recognized for this purpose by the Secretary of Education or an institution which provides specialized training in public health.

\* \* \* \* \*

*Nonprofit* refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the

Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

**§ 58.203 [Amended]**

4. Section 58.203 is amended by revising the section number "791A" in the footnote of paragraph (b) to read "771".

**§ 58.204 [Amended]**

5. Section 58.204 is amended by revising the section number "792" in the concluding text of paragraph (b) to read "761".

6. Section 58.205 is amended by revising paragraph (a) to read as follows:

**§ 58.205 How is the amount of the award determined?**

(a) *Grants to schools of public health.* The Secretary will use a formula to determine the amount of the grant to be awarded to each school of public health with an approved application.

This formula is

$$G = \frac{SS}{TS} \times AF$$

G is the amount of the grant award; SS is the number of eligible full-time and full-time equivalent students of each applicant enrolled in severe shortage occupations targeted for support (epidemiology, environmental health, biostatistics, toxicology, public health nutrition, and maternal and child health); TS is the total number of students enrolled in graduate and specialized training in all schools of public health with approved applications; and AF is the amount of traineeship funds under this program that the Secretary has designated for award to schools of public health for that fiscal year. The Secretary will determine the number of students enrolled in graduate and specialized training in public health at the school (SS) with the formula

$$SS = FTS + \frac{PTC}{9}$$

FTS is the number of full-time students, and PTC is the total number of credit hours in which part-time students are enrolled. If necessary, the figure for

$$\frac{PTC}{9}$$

will be rounded to the next highest number. Students will be counted as of October 15 of the fiscal year in which application is made. The amount of a grant will never exceed the amount requested by the applicant.

\* \* \* \* \*

7. Section 58.208 is amended by removing paragraphs (a) through (e); by redesignating paragraphs (f) through (i) as paragraphs (a) through (d); by

revising the heading of the section; and by adding the OMB information collections control number at the end of the section to read as follows:

**§ 58.208 What are the requirements for appointment of trainees?**

\* \* \* \* \*

(Approved by the Office of Management and Budget under control number 0915-0060)

8. Section 58.209 is revised as follows:

**§ 58.209 Who is eligible for financial assistance as a trainee?**

(a) To be eligible for a traineeship, an individual must meet the following conditions:

(1) Trainees must be United States citizens, non-citizen nationals, or foreign nationals having in their possession a visa permitting permanent residence in the United States.

(2) New trainees must be pursuing a graduate degree in a health professions field in which there is a severe shortage of health professionals (including the fields of epidemiology, environmental health, biostatistics, toxicology, public health nutrition, and maternal and child health). Ongoing traineeship commitment will be continued.

(3) All trainees must meet the school's admission requirements specified in the approved grant application.

(b) Traineeship support may not be provided to:

(1) Individuals who do not meet the qualifications for admission as specified in the approved application;

(2) Full-time Federal employees unless they are on Leave Without Pay status;

(3) Students pursuing training at the undergraduate level;

(4) Students in programs designed to prepare them for careers in research;

(5) Preventive medicine and dental public health residents (section 763 of the Act may be used for these students); or

(6) Individuals on temporary or student visas.

9. Section 58.213 is amended by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855"; and by adding the following CFR reference at the end of the section to read as follows:

**§ 58.213 What additional Department regulations apply to grantees?**

\* \* \* \* \*

45 CFR part 93—New restrictions on lobbying

10. Section 58.214 is revised as follows:

**§ 58.214 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**Subpart D—Grants for Health Administration Traineeships and Special Projects Program**

1. The authority for subpart D is revised to read as follows:

2. The heading for subpart D is revised as set forth above.

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); sec. 749 of the Public Health Service Act, 90 Stat. 2280, Pub. L. 94-484 (42 U.S.C. 294s); redesignated as sec. 791A, amended by 95 Stat. 927, Pub. L. 97-35 and 96 Stat. 2061, Pub. L. 97-414 (42 U.S.C. 295h-1a); renumbered as sec. 771, amended by 106 Stat. 2049, Pub. L. 102-408 (42 U.S.C. 294i).

**§ 58.221 [Amended]**

3. Section 58.221 is amended by revising the citation "791A of the Public Health Service Act" to read "771 of the Public Health Service Act (42 U.S.C. 294i)".

4. Section 58.222 is amended by revising the citation "701(5) of the Act" in the definition of *School of public health* to read "799(1)(E) of the Act"; and by revising the definitions of *Nonprofit* and *State* to read as follows:

**§ 58.222 Definitions.**

\* \* \* \* \*

*Nonprofit* refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

\* \* \* \* \*

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

\* \* \* \* \*

**§ 58.223 [Amended]**

4. Section 58.223 is amended by revising the citation 701(5) of the Act" to read "799(1)(E) of the Act."

5. Section 58.224 is revised as follows:

**§ 58.224 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant

under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval.

(b) The following criteria will be used for review of applications:

(1) The administrative and management ability of the applicant to carry out the proposed project in a cost-effective manner;

(2) The adequacy of the staff and faculty;

(3) The adequacy of institutional resources available to conduct graduate level education, to include the adequacy of teaching facilities;

(4) The adequacy of recruitment and placement assistance for students in accord with the legislative purpose and intent; and

(5) The extent to which the application justifies the purpose, scope, and need for traineeship and or special project grant.

(Approved by the Office of Management and Budget under control number 0915-0060)

**§ 58.225 [Amended]**

6. Section 58.225 is amended by revising the section number "791A in the formula to read "771".

**§ 58.228 [Removed]**

7. Section 58.228 is removed.

**§ 58.229 [Redesignated as § 58.228]**

8. Section 58.229 is redesignated as § 58.228 and is amended by revising paragraph (a) to read as follows:

**§ 58.228 Who is eligible for financial assistance as a trainee?**

\* \* \* \* \*

(a) The individual must be a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands or a citizen of the Federated States of Micronesia.

\* \* \* \* \*

**§ 58.230 [Redesignated as § 58.229]**

9. Section 58.230 is redesignated as § 58.229.

**§ 58.231 [Redesignated as § 58.230]**

10. Section 58.231 is redesignated as § 58.230.

**§ 58.232 [Redesignated as § 58.231]**

11. Section 58.232 is redesignated as § 58.231.

**§ 58.233 [Redesignated as § 58.232]**

12. Section 58.233 is redesignated as § 58.232 and is amended by removing the parenthetical phrase at the end of the section; by removing the footnote to the CFR citation "45 CFR part 83" and by revising the section numbers "799A and 845" in the citation's heading to read "794 and 855"; and by adding the following CFR reference at the end of the section to read as follows:

**§ 58.232 What additional Department regulations apply to grantees?**

\* \* \* \* \*

45 CFR part 93—New restrictions on lobbying

**§ 58.234 [Redesignated as § 58.233]**

13. Section 58.234 is redesignated as § 58.233 and is revised to read as follows:

**§ 58.233 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 75 concerning audit and inspection.

**§ 58.235 [Redesignated as § 58.234]**

14. Section 58.235 is redesignated as § 58.234.

**Subpart E (§§ 58.401–58.414)—  
[Removed and Reserved]**

1. Part 58 is amended by removing and reserving subpart E (consisting of §§ 58.401 through 58.414).

**Subpart F (§§ 58.501–58.515)—  
[Removed and Reserved]**

1. Part 58 is amended by removing and reserving subpart F (consisting of §§ 58.501 through 58.515).

[FR Doc. 96-3054 Filed 2-15-96; 8:45 am]

BILLING CODE 4160-15-M

**FEDERAL COMMUNICATIONS  
COMMISSION**

**47 CFR Part 76**

[MM Docket No. 92-260; FCC 95-503]

**Cable Home Wiring**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; First Order on Reconsideration.

**SUMMARY:** The First Order on Reconsideration denies petitions for reconsideration of the Commission's

cable home wiring rules, except to specify the procedure a cable operator must follow when a subscriber terminates cable service. This order will facilitate competition in the video marketplace by clarifying rules governing the disposition of wiring. **EFFECTIVE DATE:** Upon approval by the Office of Management and Budget. At a later date, the Commission will publish a document reflecting the actual effective date.

**FOR FURTHER INFORMATION CONTACT:** Lynn Crakes or Rick Chessen, Cable Services Bureau, (202) 416-0800. For additional information concerning the information collections contained in this Order contact Dorothy Conway at 202-418-0217, or via the Internet at dconway@fcc.gov.

**SUPPLEMENTARY INFORMATION:** This First Order on Reconsideration contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995 ("PRA"), Pub. L. No. 104-13. It has been submitted to the Office of Management and Budget ("OMB") for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding.

Title: 47 CFR 76.802 Disposition of Cable Home Wiring

Type of Review: New Collection  
Respondents: Business of other for profit; individuals or households

Number of Respondents: 11,400 cable operators

Estimated Time Per Response: .083 hours (5 minutes)

Total Annual Burden: 18,039 hours

**Needs and Uses:** This information disclosure requirement ensures that consumers are informed of their cable home wiring purchase rights upon termination of cable service, including information regarding the purchase of their home wiring in a single contact, and the use of wiring to connect to an alternative video programming service. This rule promotes competition by clarifying the disposition of wiring upon termination of cable service. Cable operators' responsibilities are clearly defined and their property rights protected.

This is a synopsis of the Commission's First Order on Reconsideration in MM Docket No. 92-260, FCC No. 95-508, adopted December 15, 1995 and released January 26, 1996.

**I. Introduction**

1. In this First Order on Reconsideration, we grant in part and