

that the project will meet, and how such project aligns with the goals in section 296e(a) of this title. The recipient of a grant or contract under this section shall meet the standards set forth in the grant or contract application.

#### (d) Linkages

An application submitted under this section shall contain a description of the linkages with relevant educational and health care entities, including training programs for other health professionals as appropriate, that the project to be funded under the grant or contract will establish.

(July 1, 1944, ch. 373, title VIII, §802, as added Pub. L. 105-392, title I, §123(4), Nov. 13, 1998, 112 Stat. 3564; amended Pub. L. 116-136, div. A, title III, §3404(a)(2), Mar. 27, 2020, 134 Stat. 392.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 296a, act July 1, 1944, ch. 373, title VIII, §802, as added Sept. 4, 1964, Pub. L. 88-581, §2, 78 Stat. 909; amended Aug. 16, 1968, Pub. L. 90-490, title II, §201(b), 82 Stat. 780; Nov. 18, 1971, Pub. L. 92-158, §§2(d)(3), (e), (f), 13, 85 Stat. 468, 480; July 29, 1975, Pub. L. 94-63, title IX, §§910(a)(2), 941(a), 89 Stat. 355, 363, related to time of submission, determinations, etc., respecting applications for construction grants, prior to repeal by Pub. L. 99-92, §§9(a)(1), 10(a), Aug. 16, 1985, 99 Stat. 400, 402, effective Oct. 1, 1985.

##### AMENDMENTS

2020—Subsec. (c). Pub. L. 116-136 inserted “, and how such project aligns with the goals in section 296e(a) of this title” after “project will meet”.

### § 296b. Use of funds

#### (a) In general

Amounts provided under a grant or contract awarded under this subchapter may be used for training program development and support, faculty development, model demonstrations, trainee support including tuition, books, program fees and reasonable living expenses during the period of training, technical assistance, workforce analysis, and dissemination of information, as appropriate to meet recognized nursing objectives, in accordance with this subchapter.

#### (b) Maintenance of effort

With respect to activities for which a grant awarded under this subchapter is to be expended, the entity shall agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant. Such Federal funds are intended to supplement, not supplant, existing non-Federal expenditures for such activities.

(July 1, 1944, ch. 373, title VIII, §803, as added Pub. L. 105-392, title I, §123(4), Nov. 13, 1998, 112 Stat. 3564; amended Pub. L. 116-136, div. A, title III, §3404(a)(3), Mar. 27, 2020, 134 Stat. 392.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 296b, act July 1, 1944, ch. 373, title VIII, §803, as added Sept. 4, 1964, Pub. L. 88-581, §2, 78

Stat. 911; amended Aug. 16, 1968, Pub. L. 90-490, title II, §202, 82 Stat. 780; Nov. 18, 1971, Pub. L. 92-158, §§2(b), 13, 85 Stat. 465, 480; July 29, 1975, Pub. L. 94-63, title IX, §941(b), 89 Stat. 364, set forth provisions relating to amount of construction grant, prior to repeal by Pub. L. 99-92, §§9(a)(1), 10(a), Aug. 16, 1985, 99 Stat. 400, 402, effective Oct. 1, 1985.

##### AMENDMENTS

2020—Subsec. (b). Pub. L. 116-136 inserted at end “Such Federal funds are intended to supplement, not supplant, existing non-Federal expenditures for such activities.”

### § 296c. Matching requirement

The Secretary may require that an entity that applies for a grant or contract under this subchapter provide non-Federal matching funds, as appropriate, to ensure the institutional commitment of the entity to the projects funded under the grant. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in-kind, fairly evaluated, including plant, equipment, or services.

(July 1, 1944, ch. 373, title VIII, §804, as added Pub. L. 105-392, title I, §123(4), Nov. 13, 1998, 112 Stat. 3565.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 296c, act July 1, 1944, ch. 373, title VIII, §804, as added Sept. 4, 1964, Pub. L. 88-581, §2, 78 Stat. 911; amended Nov. 18, 1971, Pub. L. 92-158, §§2(d)(3), 13, 85 Stat. 468, 480; July 29, 1975, Pub. L. 94-63, title IX, §941(c), 89 Stat. 364, which related to recovery of payments of funds by United States for construction of facilities, was renumbered section 858 of act July 1, 1944, by Pub. L. 99-92 and transferred to section 298b-5 of this title.

### § 296d. Preference

In awarding grants or contracts under this subchapter, the Secretary shall give preference to applicants with projects that will substantially benefit rural or underserved populations, or help meet public health nursing needs in State or local health departments.

(July 1, 1944, ch. 373, title VIII, §805, as added Pub. L. 105-392, title I, §123(4), Nov. 13, 1998, 112 Stat. 3565.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 296d, act July 1, 1944, ch. 373, title VIII, §805, formerly §809, as added Nov. 18, 1971, Pub. L. 92-158, §2(c), 85 Stat. 465; renumbered §805 and amended July 29, 1975, Pub. L. 94-63, title IX, §§902(d), 910(b)(1)(A), (B)(i), (2), (c), 911(b), 941(d), 89 Stat. 355, 356, 364; Sept. 29, 1979, Pub. L. 96-76, title I, §103, 93 Stat. 579, related to applications, amounts, etc., for loan guarantees and interest subsidies for construction of training facilities by nonprofit nursing schools, prior to repeal by Pub. L. 99-92, §§9(a)(1), 10(a), Aug. 16, 1985, 99 Stat. 400, 402, effective Oct. 1, 1985.

Another prior section 296d, act July 1, 1944, ch. 373, title VIII, §805, as added Sept. 4, 1964, Pub. L. 88-581, §2, 78 Stat. 912; amended Aug. 16, 1968, Pub. L. 90-490, title II, §§211, 215, 82 Stat. 780, 783; Nov. 18, 1971, Pub. L. 92-158, §3(b), 85 Stat. 469, relating to special project grants and contracts for nurse training programs, was repealed by Pub. L. 94-63, title IX, §922, July 29, 1975, 89 Stat. 359, eff. July 1, 1975.

**§ 296e. Generally applicable provisions****(a) Awarding of grants and contracts**

The Secretary shall ensure that grants and contracts under this subchapter are awarded on a competitive basis, as appropriate, to carry out innovative demonstration projects or provide for strategic workforce supplementation activities as needed to address national nursing needs, including—

(1) addressing challenges, including through supporting training and education of nursing students, related to the distribution of the nursing workforce and existing or projected nursing workforce shortages in geographic areas that have been identified as having, or that are projected to have, a nursing shortage;

(2) increasing access to and the quality of health care services, including by supporting the training of professional registered nurses, advanced practice registered nurses, and advanced education nurses within community based settings and in a variety of health delivery system settings; or

(3) addressing the strategic goals and priorities identified by the Secretary and that are in accordance with this subchapter.

Contracts may be entered into under this subchapter with public or private entities as determined necessary by the Secretary.

**(b) Information requirements****(1) In general**

Recipients of grants and contracts under this subchapter shall meet information requirements as specified by the Secretary.

**(2) Evaluations**

The Secretary shall establish procedures to ensure the annual evaluation of programs and projects operated by recipients of grants under this subchapter. Such procedures shall ensure that continued funding for such programs and projects will be conditioned upon the reporting of data and information demonstrating that satisfactory progress has been made by the program or project in meeting the performance outcome standards (as described in section 296a of this title) of such program or project.

**(c) Training programs**

Training programs conducted with amounts received under this subchapter shall meet applicable accreditation and quality standards.

**(d) Duration of assistance****(1) In general**

Subject to paragraph (2), in the case of an award to an entity of a grant, cooperative agreement, or contract under this subchapter, the period during which payments are made to the entity under the award may not exceed 5 years. The provision of payments under the award shall be subject to annual approval by the Secretary of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments. This paragraph may not be construed as limiting the number of awards under the program involved that may be made to the entity.

**(2) Limitation**

In the case of an award to an entity of a grant, cooperative agreement, or contract under this subchapter, paragraph (1) shall apply only to the extent not inconsistent with any other provision of this subchapter that relates to the period during which payments may be made under the award.

**(e) Peer review regarding certain programs****(1) In general**

Each application for a grant under this subchapter, except advanced nurse traineeship grants under section 296j(a)(2) of this title, shall be submitted to a peer review group 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.

**(2) Composition**

Each peer review group under this subsection shall be composed principally of individuals who are not officers or employees of the Federal Government, and have relevant expertise and experience. In providing for the establishment of peer review groups and procedures, the Secretary shall, except as otherwise provided, ensure sex, racial, ethnic, and geographic representation among the membership of such groups.

**(3) Administration**

This subsection shall be carried out by the Secretary acting through the Administrator of the Health Resources and Services Administration.

**(f) Analytic activities**

The Secretary shall ensure that—

(1) cross-cutting workforce analytical activities are carried out as part of the workforce information and analysis activities under this subchapter; and

(2) discipline-specific workforce information is developed and analytical activities are carried out as part of—

(A) the advanced education nursing activities under part B;

(B) the workforce diversity activities under part C; and

(C) basic nursing education and practice activities under part D.

**(g) State and regional priorities**

Activities under grants or contracts under this subchapter shall, to the extent practicable, be consistent with related Federal, State, or regional nursing professions program plans and priorities.

**(h) Filing of applications****(1) In general**

Applications for grants or contracts under this subchapter may be submitted by health professions schools, schools of nursing, academic health centers, State or local governments, or other appropriate public or private nonprofit entities as determined appropriate by the Secretary in accordance with this subchapter.