America Advancement Act of 1996 (Public Law 104–121).''

See Effective and Termination Dates of 1998 Amendment note below.

1992—Subsec. (c)(2)(C). Pub. L. 102–352 added subpar. (C).

Statutory Notes and Related Subsidiaries

EFFECTIVE AND TERMINATION DATES OF 1998 AMENDMENT

Amendment by Pub. L. 105–277 effective as if enacted on Oct. 1, 1998, and applicable only during fiscal year 1999, and upon expiration of fiscal year 1999, subsec. (b) of this section, as in effect on Sept. 30, 1998, to be applied as if such amendment had not been enacted, see section 101(f) [title II, § 218(c)] of Pub. L. 105–277, set out as a note under section 300x–7 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102–352 effective immediately upon effectuation of amendment made by Pub. L. 102–321, see section 3(1) of Pub. L. 102–352, set out as a note under section 285n of this title.

§ 300x–34. Definitions

For purposes of this subpart:

(1) The term ''authorized activities'', subject to section 300x–31 of this title, means the activities described in section 300x–21(b) of this title.

(2) The term ''funding agreement'', with respect to a grant under section 300x–21 of this title to a State, means that the Secretary may make such a grant only if the State makes the agreement involved.

(3) The term ''prevention activities'', subject to section 300x–31 of this title, means activities to prevent substance use disorders.

(4) The term ''substance use disorder'' means the recurrent use of alcohol or other drugs that causes clinically significant impairment.

(5) The term ''treatment activities'' means treatment services and, subject to section 300x–31 of this title, authorized activities that are related to treatment services.

(6) The term ''treatment facility'' means an entity that provides treatment services.

(7) The term ''treatment services'', subject to section 300x–31 of this title, means treatment for substance use disorders.

(July 1, 1944, ch. 373, title XIX, § 1934, as added Pub. L. 102–321, title II, § 202, July 10, 1992, 106 Stat. 402; amended Pub. L. 114–255, div. B, title VIII, § 8002(j), Dec. 13, 2016, 130 Stat. 1232; Pub. L. 117–328, div. FF, title I, § 1241(a)(9), Dec. 29, 2022, 136 Stat. 5678.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1934 of act July 1, 1944, was classified to section 300y–24 of this title and subsequently omitted from the Code.

AMENDMENTS

2022—Par. (4). Pub. L. 117–328 amended par. (4) generally. Prior to amendment, par. (4) read as follows: ''The term 'substance abuse' means the abuse of alcohol or other drugs.''

2016—Pars. (3), (7). Pub. L. 114–255 substituted ''substance use disorders'' for ''substance abuse''.

§ 300x–35. Funding

(a) Authorization of appropriations

For the purpose of carrying out this subpart, subpart III and section 290aa–4(d) of this title with respect to substance use disorders, and section 290bb–21(d) of this title, there are authorized to be appropriated $1,908,079,000 for each of fiscal years 2023 through 2027.

(b) Allocations for technical assistance, national data base, data collection, and program evaluations

(1) In general

(A) For the purpose of carrying out section 300x–58(a) of this title with respect to substance use disorders, section 290bb–21(d) of this title, and the purposes specified in subparagraphs (B) and (C), the Secretary shall obligate 5 percent of the amounts appropriated under subsection (a) each fiscal year.

(B) The purpose specified in this subparagraph is carrying out sections 290aa–4(d) and 300y of this title with respect to substance use disorders.

(C) The purpose specified in this subparagraph is the conduct of evaluations of authorized activities to determine methods for improving the availability and quality of such activities.

(2) Activities of Center for Substance Abuse Prevention

Of the amounts reserved under paragraph (1) for a fiscal year, the Secretary, acting through the Director of the Center for Substance Abuse Prevention, shall obligate 20 percent for carrying out paragraph (1)(C), section 300x–58(a) of this title with respect to prevention activities, and section 290bb–21(d) of this title.

(3) Core data set

A State that receives a new grant, contract, or cooperative agreement from amounts available to the Secretary under paragraph (1), for the purposes of improving the data collection, analysis and reporting capabilities of the State, shall be required, as a condition of receipt of funds, to collect, analyze, and report to the Secretary for each fiscal year subsequent to receiving such funds a core data set to be determined by the Secretary in conjunction with the States.

(July 1, 1944, ch. 373, title XIX, § 1935, as added Pub. L. 102–321, title II, § 202, July 10, 1992, 106 Stat. 403; amended Pub. L. 106–310, div. B, title XXXIII, § 3303(g), Oct. 17, 2000, 114 Stat. 1211; Pub. L. 114–255, div. B, title VIII, § 8002(k), Dec. 13, 2016, 130 Stat. 1232; Pub. L. 117–328, div. FF, title I, §§ 1241(a)(10), 1245, Dec. 29, 2022, 136 Stat. 5678, 5679.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1935 of act July 1, 1944, was classified to section 300y–25 of this title and subsequently omitted from the Code.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117–328, § 1245(a), substituted ''appropriated $1,908,079,000 for each of fiscal years 2023

through 2027.'' for ''appropriated $1,858,079,000 for each of fiscal years 2018 through 2022..''

Pub. L. 117–328, §1241(a)(10)(A), substituted ''substance use disorders'' for ''substance abuse''.

Subsec. (b)(1). Pub. L. 117–328, §1241(a)(10)(B), substituted ''substance use disorders'' for ''substance abuse'' in subpars. (A) and (B).

Subsec. (b)(1)(B). Pub. L. 117–328, §1245(b), struck out ''the collection of data in this paragraph is'' after ''this subparagraph is''.

2016—Subsec. (a). Pub. L. 114–255, §8002(k)(1), substituted ''section 290aa–4(d) of this title'' for ''section 290aa–4 of this title'' and ''$1,858,079,000 for each of fiscal years 2018 through 2022.'' for ''$2,000,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003''.

Subsec. (b)(1)(B). Pub. L. 114–255, §8002(k)(2), substituted ''sections 290aa–4(d) and'' for ''sections 290aa–4 and''.

2000—Subsec. (a). Pub. L. 106–310, §3303(g)(1), substituted ''$2,000,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003'' for ''$1,500,000,000 for fiscal year 1993, and such sums as may be necessary for fiscal year 1994''.

Subsec. (b)(1)(B). Pub. L. 106–310, §3303(g)(2), substituted ''sections 290aa–4 and 300y of this title'' for ''section 290aa–4 of this title''.

Subsec. (b)(2). Pub. L. 106–310, §3303(g)(3), made technical amendment to reference in original act which appears in text as reference to section 300x–58(a) of this title.

Subsec. (b)(3). Pub. L. 106–310, §3303(g)(4), added par. (3).

SUBPART III—GENERAL PROVISIONS

§ 300x–51. Opportunity for public comment on State plans

A funding agreement for a grant under section 300x or 300x–21 of this title is that the State involved will make the plan required in section 300x–1 of this title, and the plan required in section 300x–32 of this title, respectively, public within the State in such manner as to facilitate comment from any person (including any Federal or other public agency) during the development of the plan (including any revisions) and after the submission of the plan to the Secretary.

(July 1, 1944, ch. 373, title XIX, §1941, as added Pub. L. 102–321, title II, §203(a), July 10, 1992, 106 Stat. 403.)

§ 300x–52. Requirement of reports and audits by States

(a) Report

A funding agreement for a grant under section 300x or 300x–21 of this title is that the State involved will submit to the Secretary a report in such form and containing such information as the Secretary determines (after consultation with the States) to be necessary for securing a record and a description of—

(1) the purposes for which the grant received by the State for the preceding fiscal year under the program involved were expended and a description of the activities of the State under the program;

(2) the recipients of amounts provided in the grant; and

(3) the amount provided to each recipient in the previous fiscal year.

(b) Audits

A funding agreement for a grant under section 300x or 300x–21 of this title is that the State will, with respect to the grant, comply with chapter 75 of title 31.

(c) Availability to public

A funding agreement for a grant under section 300x or 300x–21 of this title is that the State involved will—

(1) make copies of the reports and audits described in this section available for public inspection within the State; and

(2) provide copies of the report under subsection (a), upon request, to any interested person (including any public agency).

(July 1, 1944, ch. 373, title XIX, §1942, as added Pub. L. 102–321, title II, §203(a), July 10, 1992, 106 Stat. 403; amended Pub. L. 104–316, title I, §122(e), Oct. 19, 1996, 110 Stat. 3837; Pub. L. 117–328, div. FF, title I, §1246, Dec. 29, 2022, 136 Stat. 5679.)

Editorial Notes

AMENDMENTS

2022—Subsec. (a)(3). Pub. L. 117–328 added par. (3).

1996—Subsec. (a). Pub. L. 104–316 struck out ''and the Comptroller General'' after ''with the States'' in introductory provisions.

§ 300x–53. Additional requirements

(a) In general

A funding agreement for a grant under section 300x or 300x–21 of this title is that the State involved will—

(1)(A) for the fiscal year for which the grant involved is provided, provide for independent peer review to assess the quality, appropriateness, and efficacy of treatment services provided in the State to individuals under the program involved; and

(B) ensure that, in the conduct of such peer review, not fewer than 5 percent of the entities providing services in the State under such program are reviewed (which 5 percent is representative of the total population of such entities);

(2) permit and cooperate with Federal investigations undertaken in accordance with section 300x–55 of this title; and

(3) provide to the Secretary any data required by the Secretary pursuant to subsections (c) and (d) of section 290aa–4 of this title and will cooperate with the Secretary in the development of uniform criteria for the collection of data pursuant to such section.

(b) Patient records

The Secretary may make a grant under section 300x or 300x–21 of this title only if the State involved has in effect a system to protect from inappropriate disclosure patient records maintained by the State in connection with an activity funded under the program involved or by any entity which is receiving amounts from the grant.

(July 1, 1944, ch. 373, title XIX, §1943, as added Pub. L. 102–321, title II, §203(a), July 10, 1992, 106 Stat. 404; amended Pub. L. 102–352, §2(a)(12), Aug. 26, 1992, 106 Stat. 939; Pub. L. 114–255, div. B, title VIII, §8003(1), Dec. 13, 2016, 130 Stat. 1232.)