

ments made pursuant to this part for fiscal year 1992.

### (3) Reservation of amounts

The Secretary shall each fiscal year reserve for the territories of the United States 1.5 percent of the amounts appropriated under section 300x-9(a) of this title for allotments under section 300x of this title for the fiscal year.

### (4) Availability of data on population

With respect to data on the civilian population of the territories of the United States, if the Secretary determines for a fiscal year that recent such data for purposes of paragraph (1)(B) do not exist regarding a territory, the Secretary shall for such purposes estimate the civilian population of the territory by modifying the data on the territory to reflect the average extent of change occurring during the ensuing period in the population of all territories with respect to which recent such data do exist.

### (5) Applicability of certain provisions

For purposes of subsection (a), the term “State” does not include the territories of the United States.

(July 1, 1944, ch. 373, title XIX, §1918, as added Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 385; amended Pub. L. 102-352, §2(a)(8), (9), Aug. 26, 1992, 106 Stat. 938; Pub. L. 105-277, div. A, §101(f) [title II, §218(a)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-362; Pub. L. 106-113, div. B, §1000(a)(4) [title II, §212(a)], Nov. 29, 1999, 113 Stat. 1535, 1501A-239; Pub. L. 106-310, div. B, title XXXII, §3205, Oct. 17, 2000, 114 Stat. 1193.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300x-7, act July 1, 1944, ch. 373, title XIX, §1919, formerly §1918, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 551; renumbered §1919 and amended Oct. 19, 1984, Pub. L. 98-509, title I, §106(a), (g), 98 Stat. 2358, 2359, related to nondiscrimination provisions with respect to alcohol, drug abuse, and mental health programs, prior to repeal by Pub. L. 102-321, §201(2).

A prior section 1918 of act July 1, 1944, was classified to section 300x-6 of this title prior to repeal by Pub. L. 102-321.

##### AMENDMENTS

2000—Subsec. (b). Pub. L. 106-310 reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “With respect to fiscal year 2000, the amount of the allotment of a State under section 300x of this title shall not be less than the amount the State received under section 300x of this title for fiscal year 1998.”

1999—Subsec. (b). Pub. L. 106-113 amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “For each of the fiscal years 1993 and 1994, the amount of the allotment required in section 300x of this title for a State for the fiscal year involved shall be the greater of—

“(1) the amount determined under subsection (a) of this section for the State for the fiscal year; and

“(2) an amount equal to 20.6 percent of the amount received by the State from allotments made pursuant to this part for fiscal year 1992 (including reallocations under section 205(a) of the ADAMHA Reorganization Act).”

1998—Subsec. (b). Pub. L. 105-277, temporarily amended subsec. (b) to read as follows: “(b) MINIMUM ALLOTMENTS FOR STATES.—

“(1) IN GENERAL.—With respect to fiscal year 1999, the amount of the allotment of a State under section 300x of this title shall not be less than the amount the State received under section 300x of this title for fiscal year 1998.”

See Effective and Termination Dates of 1998 Amendment note below.

1992—Subsec. (a)(5)(A)(iii). Pub. L. 102-352, §2(a)(8), substituted “45” for “25”.

Subsec. (c)(2)(C). Pub. L. 102-352, §2(a)(9), added subpar. (C).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE AND TERMINATION DATES OF 1998 AMENDMENT

Pub. L. 105-277, div. A, §101(f) [title II, §218(c)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-363, provided that:

“(1) IN GENERAL.—The amendments made by subsections (a) and (b) [amending this section and section 300x-33 of this title] shall become effective as if enacted on October 1, 1998 and shall only apply during fiscal year 1999.

“(2) APPLICATION.—Upon the expiration of the fiscal year described in paragraph (1), the provisions of sections 1918(b) and 1933(b) of the Public Health Service Act (42 U.S.C. 300x-7(b) and 300x-33(b)), as in effect on September 30, 1998, shall be applied as if the amendments made by this section had not been enacted.”

##### EFFECTIVE DATE OF 1992 AMENDMENTS

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-8. Definitions

For purposes of this subpart:

(1) The terms “adults with a serious mental illness” and “children with a serious emotional disturbance” have the meanings given such terms under section 300x-1(c)(1) of this title.

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

(July 1, 1944, ch. 373, title XIX, §1919, as added Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 388.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300x-8, act July 1, 1944, ch. 373, title XIX, §1920, formerly §1919, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 552; renumbered §1920, Oct. 19, 1984, Pub. L. 98-509, title I, §106(g), 98 Stat. 2359, authorized criminal penalty for false statements in connection with services furnished relative to alcohol, drug abuse, and mental health services block grant, prior to repeal by Pub. L. 102-321, §201(2).

A prior section 1919 of act July 1, 1944, was classified to section 300x-7 of this title prior to repeal by Pub. L. 102-321.

### § 300x-9. Funding

#### (a) Authorization of appropriations

For the purpose of carrying out this subpart, and subpart III and section 290aa-4(c) of this title with respect to mental health, there are authorized to be appropriated \$857,571,000 for each of fiscal years 2023 through 2027.

**(b) Allocations for technical assistance, data collection, and program evaluation****(1) In general**

For the purpose of carrying out section 300x-58(a) of this title with respect to mental health and the purposes specified in paragraphs (2) and (3), the Secretary shall obligate 5 percent of the amounts appropriated under subsection (a) for a fiscal year.

**(2) Data collection**

The purpose specified in this paragraph is carrying out sections 290aa-4(c) and 300y of this title with respect to mental health.

**(3) Program evaluation**

The purpose specified in this paragraph is the conduct of evaluations of prevention and treatment programs and services with respect to mental health to determine methods for improving the availability and quality of such programs and services.

**(c) Early serious mental illness****(1) In general**

Except as provided in paragraph (2), a State shall expend not less than 10 percent of the amount the State receives for carrying out this section for each fiscal year to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset.

**(2) State flexibility**

In lieu of expending 10 percent of the amount the State receives under this section for a fiscal year as required under paragraph (1), a State may elect to expend not less than 20 percent of such amount by the end of such succeeding fiscal year.

**(d) Crisis care****(1) In general**

Except as provided in paragraph (3), a State shall expend at least 5 percent of the amount the State receives pursuant to section 300x of this title for each fiscal year to support evidenced-based programs that address the crisis care needs of individuals with serious mental illnesses and children with serious emotional disturbances, which may include individuals (including children and adolescents) experiencing mental health crises demonstrating serious mental illness or serious emotional disturbance, as applicable.

**(2) Core elements**

At the discretion of the single State agency responsible for the administration of the program of the State under a grant under section 300x of this title, funds expended pursuant to paragraph (1) may be used to fund some or all of the core crisis care service components, as applicable and appropriate, including the following:

(A) Crisis call centers.

(B) 24/7 mobile crisis services.

(C) Crisis stabilization programs offering acute care or subacute care in a hospital or appropriately licensed facility, as determined by such State, with referrals to inpatient or outpatient care.

**(3) State flexibility**

In lieu of expending 5 percent of the amount the State receives pursuant to section 300x of this title for a fiscal year to support evidence-based programs as required by paragraph (1), a State may elect to expend not less than 10 percent of such amount to support such programs by the end of two consecutive fiscal years.

**(4) Rule of construction**

Section 300x-1(b)(1)(A)(vi) shall not be construed as limiting the provision of crisis care services pursuant to paragraph (1).

(July 1, 1944, ch. 373, title XIX, §1920, as added Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 388; amended Pub. L. 106-310, div. B, title XXXII, §3204(f), Oct. 17, 2000, 114 Stat. 1193; Pub. L. 114-255, div. B, title VIII, §8001(c), (f), Dec. 13, 2016, 130 Stat. 1228, 1229; Pub. L. 117-328, div. FF, title I, §1141(a), (b), Dec. 29, 2022, 136 Stat. 5657.)

**Editorial Notes****PRIOR PROVISIONS**

Prior sections 300x-9 to 300x-13 were repealed by Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 378.

Section 300x-9, act July 1, 1944, ch. 373, title XIX, §1921, formerly §1920, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 552; renumbered §1920A and amended Oct. 19, 1984, Pub. L. 98-509, title I, §§105(a), 106(g), 98 Stat. 2358, 2359; Oct. 7, 1985, Pub. L. 99-117, §7(c), 99 Stat. 493; renumbered §1921 and amended Nov. 18, 1988, Pub. L. 100-690, title II, §2038(2), (6), 102 Stat. 4203, authorized technical assistance with respect to development of services under alcohol, drug abuse, and mental health services block grants.

A prior section 1920 of act July 1, 1944, was classified to section 300x-8 of this title and repealed by Pub. L. 102-321.

Section 300x-9a, act July 1, 1944, ch. 373, title XIX, §1922, as added Nov. 18, 1988, Pub. L. 100-690, title II, §2039(a), 102 Stat. 4204; amended Aug. 16, 1989, Pub. L. 101-93, §2(n)(1), 103 Stat. 608, related to service research on community-based alcohol and drug abuse treatment programs.

Section 300x-9b, act July 1, 1944, ch. 373, title XIX, §1923, as added Nov. 18, 1988, Pub. L. 100-690, title II, §2040, 102 Stat. 4204; amended Aug. 16, 1989, Pub. L. 101-93, §2(q)(2), 103 Stat. 609, related to service research on community-based mental health treatment programs.

Section 300x-10, act July 1, 1944, ch. 373, title XIX, §1924, formerly §1920B, as added Nov. 14, 1986, Pub. L. 99-660, title V, §502(2), 100 Stat. 3795; renumbered §1924 and amended Nov. 18, 1988, Pub. L. 100-690, title II, §2038(3), (4), 102 Stat. 4203; Nov. 28, 1990, Pub. L. 101-639, §3(a)(1), 104 Stat. 4601, related to development grants for State comprehensive mental health services plans.

Section 300x-11, act July 1, 1944, ch. 373, title XIX, §1925, formerly §1920C, as added Nov. 14, 1986, Pub. L. 99-660, title V, §502(2), 100 Stat. 3795; renumbered §1925 and amended Nov. 18, 1988, Pub. L. 100-690, title II, §§2038(3), 2041(a), 102 Stat. 4203, 4205; Aug. 16, 1989, Pub. L. 101-93, §2(o)(1), 103 Stat. 608; Nov. 28, 1990, Pub. L. 101-639, §3(b), 104 Stat. 4601, related to State comprehensive mental health services plans.

Section 300x-12, act July 1, 1944, ch. 373, title XIX, §1926, formerly §1920D, as added Nov. 14, 1986, Pub. L. 99-660, title V, §502(2), 100 Stat. 3796; renumbered §1926 and amended Nov. 18, 1988, Pub. L. 100-690, title II, §2038(3), (5), 102 Stat. 4203; Aug. 16, 1989, Pub. L. 101-93, §2(o)(2), 103 Stat. 609; Nov. 28, 1990, Pub. L. 101-639, §3(c), 104 Stat. 4602, related to enforcement of requirement of developing State comprehensive mental health services plans.

Section 300x-13, act July 1, 1944, ch. 373, title XIX, §1927, formerly §1920E, as added Nov. 14, 1986, Pub. L.

99-660, title V, §502(2), 100 Stat. 3797; renumbered §1927, Nov. 18, 1988, Pub. L. 100-690, title II, §2038(3), 102 Stat. 4203, related to development of model standards for provision of care to chronically mentally ill persons.

#### AMENDMENTS

2022—Subsec. (a). Pub. L. 117-328, §1141(a), substituted “\$857,571,000 for each of fiscal years 2023 through 2027” for “\$532,571,000 for each of fiscal years 2018 through 2022”.

Subsec. (d). Pub. L. 117-328, §1141(b), added subsec. (d). 2016—Subsec. (a). Pub. L. 114-255, §8001(f)(1), substituted “section 290aa-4(c) of this title” for “section 290aa-4 of this title” and “\$532,571,000 for each of fiscal years 2018 through 2022.” for “\$450,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.”

Subsec. (b)(2). Pub. L. 114-255, §8001(f)(2), substituted “sections 290aa-4(c) and” for “sections 290aa-4 and”.

Subsec. (c). Pub. L. 114-255, §8001(c), added subsec. (c). 2000—Subsec. (a). Pub. L. 106-310, §3204(f)(1), substituted “\$450,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003” for “\$450,000,000 for fiscal year 1993, and such sums as may be necessary for fiscal year 1994”.

Subsec. (b)(2). Pub. L. 106-310, §3204(f)(2), substituted “sections 290aa-4 and 300y of this title” for “section 290aa-4 of this title”.

#### Statutory Notes and Related Subsidiaries

##### REPORT TO CONGRESS

Pub. L. 117-328, div. FF, title I, §1141(c), Dec. 29, 2022, 136 Stat. 5657, provided that: “Not later than September 30, 2025, and biennially thereafter, the Secretary shall provide a report to the Congress on the crisis care strategies and programs pursued by States pursuant to subsection (d) of section 1920 of the Public Health Service Act (42 U.S.C. 300x-9), as added by subsection (b). Such report shall include—

- “(1) a description of each State’s crisis care activities;
- “(2) the population served, including information on demographics, including age;
- “(3) the outcomes of such activities, including—
  - “(A) how such activities reduced hospitalizations and hospital stays;
  - “(B) how such activities reduced incidents of suicidal ideation and behaviors; and
  - “(C) how such activities reduced the severity of onset of serious mental illness and serious emotional disturbance, as applicable; and
- “(4) any other relevant information the Secretary determines is necessary.”

SUBPART II—BLOCK GRANTS FOR SUBSTANCE USE PREVENTION, TREATMENT, AND RECOVERY SERVICES

#### Editorial Notes

##### CODIFICATION

Pub. L. 117-328, div. FF, title I, §1241(a)(2), Dec. 29, 2022, 136 Stat. 5677, amended subpart heading generally. Prior to amendment, subpart heading read as follows: “Block Grants for Prevention and Treatment of Substance Abuse”.

#### § 300x-21. Formula grants to States

##### (a) In general

For the purpose described in subsection (b), the Secretary, acting through the Center for Substance Abuse Treatment, shall make an allotment each fiscal year for each State in an amount determined in accordance with section 300x-33 of this title. The Secretary shall make a

grant to the State of the allotment made for the State for the fiscal year if the State submits to the Secretary an application in accordance with section 300x-32 of this title.

##### (b) Authorized activities

A funding agreement for a grant under subsection (a) is that, subject to section 300x-31 of this title, the State involved will expend the grant only for the purpose of carrying out the plan developed in accordance with section 300x-32(b) of this title and for planning, carrying out, and evaluating activities to prevent, treat, and provide recovery support services for substance use disorders and for related activities authorized in section 300x-24 of this title.

(July 1, 1944, ch. 373, title XIX, §1921, as added Pub. L. 102-321, title II, §202, July 10, 1992, 106 Stat. 388; amended Pub. L. 114-255, div. B, title VIII, §8002(a), Dec. 13, 2016, 130 Stat. 1229; Pub. L. 117-328, div. FF, title I, §1242, Dec. 29, 2022, 136 Stat. 5678.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 1921 of act July 1, 1944, was classified to section 300x-9 of this title prior to repeal by Pub. L. 102-321.

Another prior section 1921 of act July 1, 1944, was classified to section 300y of this title prior to repeal by Pub. L. 100-690.

#### AMENDMENTS

2022—Subsec. (b). Pub. L. 117-328 substituted “activities to prevent, treat, and provide recovery support services for substance use disorders” for “activities to prevent and treat substance use disorders”.

2016—Subsec. (b). Pub. L. 114-255 inserted “carrying out the plan developed in accordance with section 300x-32(b) of this title and for” after “for the purpose of” and substituted “use disorders” for “abuse”.

#### § 300x-22. Certain allocations

##### (a) Allocation regarding primary prevention programs

A funding agreement for a grant under section 300x-21 of this title is that, in expending the grant, the State involved—

(1) will expend not less than 20 percent for programs for individuals who do not require treatment for substance use disorders, which programs—

(A) educate and counsel the individuals on such disorders; and

(B) provide for activities to reduce the risk of such disorders by the individuals;

(2) will, in carrying out paragraph (1)—

(A) give priority to programs for populations that are at risk of developing a pattern of such disorders; and

(B) ensure that programs receiving priority under subparagraph (A) develop community-based strategies for the prevention of such disorders, including strategies to discourage the use of alcoholic beverages and tobacco products by individuals to whom it is unlawful to sell or distribute such beverages or products.