

purposes for which they were authorized by law and can be tracked for accounting purposes.

(July 1, 1944, ch. 373, title XIX, §1956, as added Pub. L. 106-310, div. B, title XXXIV, §3407, Oct. 17, 2000, 114 Stat. 1222; amended Pub. L. 117-328, div. FF, title I, §1241(a)(13), Dec. 29, 2022, 136 Stat. 5678.)

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-328 substituted “substance use disorders” for “substance abuse”.

§ 300x-67. Public health emergencies

In the case of a public health emergency (as determined under section 247d of this title), the Secretary, on a State by State basis, may, as the circumstances of the emergency reasonably require and for the period of the emergency, grant an extension, or waive application deadlines or compliance with any other requirement, of a grant authorized under section 290cc-21, 300x, or 300x-21 of this title or an allotment authorized under Public Law 99-319 (42 U.S.C. 10801 et seq.).

(July 1, 1944, ch. 373, title XIX, §1957, as added Pub. L. 114-255, div. B, title VIII, §8003(3), Dec. 13, 2016, 130 Stat. 1233.)

Editorial Notes

REFERENCES IN TEXT

Public Law 99-319, referred to in text, is Pub. L. 99-319, May 23, 1986, 100 Stat. 478, popularly known as the Protection and Advocacy for Individuals with Mental Illness Act, which is classified generally to chapter 114 (§10801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 10801 of this title and Tables.

§ 300x-68. Joint applications

The Secretary, acting through the Assistant Secretary for Mental Health and Substance Use, shall permit a joint application to be submitted for grants under subpart I and subpart II upon the request of a State. Such application may be jointly reviewed and approved by the Secretary with respect to such subparts, consistent with the purposes and authorized activities of each such grant program. A State submitting such a joint application shall otherwise meet the requirements with respect to each such subpart.

(July 1, 1944, ch. 373, title XIX, §1958, as added Pub. L. 114-255, div. B, title VIII, §8003(3), Dec. 13, 2016, 130 Stat. 1233.)

PART C—CERTAIN PROGRAMS REGARDING MENTAL HEALTH AND SUBSTANCE USE

Editorial Notes

CODIFICATION

Pub. L. 117-328, div. FF, title I, §1241(b)(1), Dec. 29, 2022, 136 Stat. 5678, substituted “Substance Use” for “Substance Abuse” in part heading.

Pub. L. 106-310, div. B, title XXXIV, §3404(1), Oct. 17, 2000, 114 Stat. 1220, added part C heading and struck out former part C heading “Certain Programs Regarding Substance Abuse”.

SUBPART I—DATA INFRASTRUCTURE DEVELOPMENT

Editorial Notes

CODIFICATION

Pub. L. 106-310, div. B, title XXXIV, §3404(1), Oct. 17, 2000, 114 Stat. 1220, added subpart I heading and struck out former subpart I heading “Expansion of Capacity for Providing Treatment”.

§ 300y. Data infrastructure development

(a) In general

The Secretary may make grants to, and enter into contracts or cooperative agreements with States for the purpose of developing and operating mental health or substance use data collection, analysis, and reporting systems with regard to performance measures including capacity, process, and outcomes measures.

(b) Projects

The Secretary shall establish criteria to ensure that services will be available under this section to States that have a fundamental basis for the collection, analysis, and reporting of mental health and substance use performance measures and States that do not have such basis. The Secretary will establish criteria for determining whether a State has a fundamental basis for the collection, analysis, and reporting of data.

(c) Condition of receipt of funds

As a condition of the receipt of an award under this section a State shall agree to collect, analyze, and report to the Secretary within 2 years of the date of the award on a core set of performance measures to be determined by the Secretary in conjunction with the States.

(d) Matching requirement

(1) In general

With respect to the costs of the program to be carried out under subsection (a) by a State, the Secretary may make an award under such subsection only if the applicant agrees to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 50 percent of such costs.

(2) Determination of amount contributed

Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

(e) Duration of support

The period during which payments may be made for a project under subsection (a) may be not less than 3 years nor more than 5 years.

(f) Authorization of appropriation

(1) In general

For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001, 2002 and 2003.

(2) Allocation

Of the amounts appropriated under paragraph (1) for a fiscal year, 50 percent shall be expended to support data infrastructure development for mental health and 50 percent shall be expended to support data infrastructure development for substance use.

(July 1, 1944, ch. 373, title XIX, §1971, as added Pub. L. 106-310, div. B, title XXXIV, §3404(2), Oct. 17, 2000, 114 Stat. 1220; amended Pub. L. 117-328, div. FF, title I, §1241(b)(2), Dec. 29, 2022, 136 Stat. 5678.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 300y, act July 1, 1944, ch. 373, title XIX, §1971, as added Pub. L. 102-321, title II, §204, July 10, 1992, 106 Stat. 410; amended Pub. L. 102-352, §2(a)(13), Aug. 26, 1992, 106 Stat. 939, related to categorical grants to States for programs regarding substance abuse, prior to repeal by Pub. L. 106-310, div. B, title XXXIV, §3404(2), Oct. 17, 2000, 114 Stat. 1220.

Another prior section 300y, act July 1, 1944, ch. 373, title XIX, §1921, as added Oct. 27, 1986, Pub. L. 99-570, title IV, §4002, 100 Stat. 3207-103, related to establishment of special alcohol abuse and drug abuse programs, prior to repeal by Pub. L. 100-690, title II, §2038(1), Nov. 18, 1988, 102 Stat. 4203.

Another prior section 300y, act July 1, 1944, ch. 373, title XIX, §1921, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 552, related to planning grants, prior to repeal by Pub. L. 99-280, §5, Apr. 24, 1986, 100 Stat. 400.

Prior sections 300y-1 and 300y-2 were repealed by Pub. L. 100-690, title II, §2038(1), Nov. 18, 1988, 102 Stat. 4203.

Section 300y-1, act July 1, 1944, ch. 373, title XIX, §1922, as added Oct. 27, 1986, Pub. L. 99-570, title IV, §4002, 100 Stat. 3207-106, related to transfer of funds to Administrator of Veterans' Affairs.

Another prior section 300y-1, act July 1, 1944, ch. 373, title XIX, §1922, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 552, authorized appropriations, prior to repeal by Pub. L. 99-280, §5, Apr. 24, 1986, 100 Stat. 400.

Section 300y-2, act July 1, 1944, ch. 373, title XIX, §1923, as added Oct. 27, 1986, Pub. L. 99-570, title IV, §4002, 100 Stat. 3207-106, related to evaluation of treatment programs.

Another prior section 300y-2, act July 1, 1944, ch. 373, title XIX, §1923, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 552, provided for grants under section 254c of this title, prior to repeal by Pub. L. 99-280, §5, Apr. 24, 1986, 100 Stat. 400.

Prior sections 300y-3 to 300y-10 were repealed by Pub. L. 99-280, §5, Apr. 24, 1986, 100 Stat. 400.

Section 300y-3, act July 1, 1944, ch. 373, title XIX, §1924, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 553, provided that allotments be based upon prior year distributions and provided for direct distributions to Indian tribes.

Section 300y-4, act July 1, 1944, ch. 373, title XIX, §1925, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 553, related to payments under allotments to States.

Section 300y-5, act July 1, 1944, ch. 373, title XIX, §1926, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 554, related to State grants to community health centers from allotments.

Section 300y-6, act July 1, 1944, ch. 373, title XIX, §1927, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 556, related to application requirements and submittal, availability for public comment, and revision of a description of intended use of funds.

Section 300y-7, act July 1, 1944, ch. 373, title XIX, §1928, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 557, related to reporting and auditing requirements.

Section 300y-8, act July 1, 1944, ch. 373, title XIX, §1929, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 558, related to withholding of funds from a State not in compliance.

Section 300y-9, act July 1, 1944, ch. 373, title XIX, §1930, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 558, related to nondiscrimination requirements. Section 300y-10, act July 1, 1944, ch. 373, title XIX, §1931, as added Aug. 13, 1981, Pub. L. 97-35, title IX, §901, 95 Stat. 559, provided criminal penalty for false statements.

AMENDMENTS

2022—Subsecs. (a), (b), (f)(2). Pub. L. 117-328 substituted “substance use” for “substance abuse”.

SUBPART II—INTERIM MAINTENANCE TREATMENT OF NARCOTICS DEPENDENCE**§ 300y-11. Interim maintenance treatment****(a) Requirement regarding Secretary**

Subject to the following subsections of this section, for the purpose of reducing the incidence of the transmission of HIV disease pursuant to the intravenous use of heroin or other morphine-like drugs, the Secretary, in establishing conditions for the use of methadone in public or nonprofit private programs of treatment for dependence on such drugs, shall authorize such programs—

(1) to dispense methadone for treatment purposes to individuals who—

(A) meet the conditions for admission to such programs that dispense methadone as part of comprehensive treatment for such dependence; and

(B) are seeking admission to such programs that so dispense methadone, but as a result of the limited capacity of the programs, will not gain such admission until 14 or more days after seeking admission to the programs; and

(2) in dispensing methadone to such individuals, to provide only minimum ancillary services during the period in which the individuals are waiting for admission to programs of comprehensive treatment.

(b) Inapplicability of requirement in certain circumstances**(1) In general**

The requirement established in subsection (a) for the Secretary does not apply if any or all of the following conditions are met:

(A) The preponderance of scientific research indicates that the risk of the transmission of HIV disease pursuant to the intravenous use of drugs is minimal.

(B) The preponderance of scientific research indicates that the medically supervised dispensing of methadone is not an effective method of reducing the extent of dependence on heroin and other morphine-like drugs.

(C) The preponderance of available data indicates that, of treatment programs that dispense methadone as part of comprehensive treatment, a substantial majority admit all individuals seeking services to the programs not later than 14 days after the individuals seek admission to the programs.