

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1872

To amend the Public Health Service Act to revise and extend programs established pursuant to the Ryan White Comprehensive AIDS Resources Emergency Act of 1990.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1995

Mr. BILIRAKIS (for himself, Mr. WAXMAN, Mr. BLILEY, Mr. DINGELL, Mr. HASTERT, Mr. WYDEN, Mr. UPTON, Mr. MANTON, Mr. KLUG, Mr. TOWNS, Mr. GREENWOOD, Mr. STUDDS, Mr. BILBRAY, Mr. BROWN of Ohio, Mr. GANSKE, Ms. FURSE, Mr. MOORHEAD, Mr. DEUTSCH, Mr. RUSH, Ms. ESHOO, Mr. STUPAK, Mr. GUNDERSON, and Ms. PELOSI) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend the Public Health Service Act to revise and extend programs established pursuant to the Ryan White Comprehensive AIDS Resources Emergency Act of 1990.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ryan White CARE  
5 Act Amendments of 1995”.

1 **SEC. 2. REFERENCES.**

2 Whenever in this Act an amendment is expressed in  
3 terms of an amendment to a section or other provision,  
4 the reference shall be considered to be made to that sec-  
5 tion or other provision of the Public Health Service Act  
6 (42 U.S.C. 201 et seq.).

7 **TITLE I—EMERGENCY RELIEF**  
8 **FOR AREAS WITH SUBSTAN-**  
9 **TIAL NEED FOR SERVICES**

10 **SEC. 101. ESTABLISHMENT OF PROGRAM OF GRANTS; DE-**  
11 **LAYED EFFECTIVE DATE FOR MODIFICA-**  
12 **TIONS.**

13 (a) IN GENERAL.—Effective October 1, 1996, section  
14 2601 (42 U.S.C. 300ff–11) is amended—

15 (1) in subsection (a)—

16 (A) by striking “subject to subsection (b)”  
17 and inserting “subject to subsections (b)  
18 through (d)”; and

19 (B) by striking “metropolitan area” and  
20 all that follows and inserting the following:  
21 “metropolitan area for which there has been re-  
22 ported to the Director of the Centers for Dis-  
23 ease Control and Prevention a cumulative total  
24 of more than 2,000 cases of acquired immune  
25 deficiency syndrome for the most recent period

1 of five calendar years for which such data are  
2 available.”; and

3 (2) by adding at the end thereof the following  
4 subsections:

5 “(c) REQUIREMENT REGARDING POPULATION.—In  
6 the case of a metropolitan area that was not an eligible  
7 area under this part for fiscal year 1996, the Secretary  
8 may not make a grant under this section for the area un-  
9 less the area has a population of 500,000 or more individ-  
10 uals. For purposes of eligibility under this part, the bound-  
11 aries of each metropolitan area are the boundaries in ef-  
12 fect for fiscal year 1994.

13 “(d) CONTINUED STATUS AS ELIGIBLE AREA.—A  
14 metropolitan area that was an eligible area under this part  
15 for fiscal year 1996 is an eligible area for fiscal year 1997  
16 and each subsequent fiscal year.”.

17 (b) CONFORMING AMENDMENT REGARDING DEFINI-  
18 TION OF ELIGIBLE AREA.—Effective October 1, 1996,  
19 section 2607(1) (42 U.S.C. 300ff-17(1)) is amended by  
20 striking “The term” and all that follows and inserting the  
21 following: “The term ‘eligible area’ means a metropolitan  
22 area meeting the requirements of section 2601 that are  
23 applicable to the area.”.

1 **SEC. 102. HIV HEALTH SERVICES PLANNING COUNCIL.**

2 (a) ESTABLISHMENT.—Section 2602(b)(1) (42  
3 U.S.C. 300ff–12(b)(13)) is amended—

4 (1) in subparagraph (A), by inserting before the  
5 semicolon the following: “, including federally quali-  
6 fied health centers”;

7 (2) in subparagraph (D), by inserting before  
8 the semicolon the following: “and providers of serv-  
9 ices regarding substance abuse”;

10 (3) in subparagraph (G), by inserting before the  
11 semicolon the following: “and historically under-  
12 served groups and subpopulations”;

13 (4) in subparagraph (I), by inserting before the  
14 semicolon the following: “, including the State med-  
15 icaid agency and the agency administering the pro-  
16 gram under part B”;

17 (5) in subparagraph (J), by striking “and”  
18 after the semicolon;

19 (6) by striking subparagraph (K); and

20 (7) by adding at the end the following subpara-  
21 graphs:

22 “(K) grantees under section 2671, or, if  
23 none are operating in the area, representatives  
24 of organizations in the area with a history of  
25 serving children, youth, women, and families  
26 living with HIV; and

1           “(L) grantees under other HIV-related  
2           Federal programs.”.

3           (b) DUTIES.—Section 2602(b)(3) (42 U.S.C. 300ff–  
4 12(b)(3)) is amended—

5           (1) by striking “The planning” in the matter  
6           preceding subparagraph (A) and all that follows  
7           through the semicolon at the end of subparagraph  
8           (A) and inserting the following: “The planning coun-  
9           cil under paragraph (1) shall carry out the following:

10           “(A) Establish priorities for the allocation  
11           of funds within the eligible area based on the  
12           following factors:

13           “(i) Documented needs of the HIV-in-  
14           fected population.

15           “(ii) Cost and outcome effectiveness  
16           of proposed strategies and interventions, to  
17           the extent that such data are reasonably  
18           available.

19           “(iii) Priorities of the HIV-infected  
20           communities for whom the services are in-  
21           tended.

22           “(iv) Availability of other govern-  
23           mental and nongovernmental resources.”;

24           (2) in subparagraph (B)—

1 (A) by striking “develop” and inserting  
2 “Develop”; and

3 (B) by striking “; and” and inserting a pe-  
4 riod;

5 (3) in subparagraph (C)—

6 (A) by striking “assess” and inserting  
7 “Assess”;

8 (B) by striking “rapidly”; and

9 (C) by inserting before the period the fol-  
10 lowing: “, and assess the effectiveness, either  
11 directly or through contractual arrangements,  
12 of the services offered in meeting the identified  
13 needs”; and

14 (4) by adding at the end the following subpara-  
15 graphs:

16 “(D) Participate in the development of the  
17 statewide coordinated statement of need initi-  
18 ated by the State health department.

19 “(E) Obtain input on community needs  
20 through conducting public meetings.”

21 (c) GENERAL PROVISIONS.—Section 2602(b) (42  
22 U.S.C. 300ff-12(b)) is amended by adding at the end the  
23 following paragraph:

24 “(4) GENERAL PROVISIONS.—

1           “(A) COMPOSITION OF COUNCIL.—The  
2           planning council under paragraph (1) shall (in  
3           addition to requirements under such paragraph)  
4           reflect in its composition the demographics of  
5           the epidemic in the eligible area involved, with  
6           particular consideration given to disproportion-  
7           ately affected and historically underserved  
8           groups and subpopulations. Nominations for  
9           membership on the council shall be identified  
10          through an open process, and candidates shall  
11          be selected based on locally delineated and pub-  
12          licized criteria. Such criteria shall include a  
13          conflict-of-interest standard for each nominee.

14          “(B) CERTAIN RESTRICTIONS.—The plan-  
15          ning council under paragraph (1) may not be  
16          directly involved in the administration of a  
17          grant under section 2601(a). With respect to  
18          compliance with the preceding sentence, the  
19          planning council may not designate (or other-  
20          wise be involved in the selection of) particular  
21          entities as recipients of any of the amounts pro-  
22          vided in the grant.”.

1 **SEC. 103. TYPE AND DISTRIBUTION OF GRANTS.**

2 (a) FORMULA GRANTS BASED ON RELATIVE NEED  
3 OF AREAS.—Section 2603(a) (42 U.S.C. 300ff-13(a)) is  
4 amended—

5 (1) in paragraph (1)—

6 (A) in the second sentence, by inserting “,  
7 subject to paragraph (4)” before the period;  
8 and

9 (B) by adding at the end the following sen-  
10 tence: “Grants under this paragraph for a fiscal  
11 year shall be disbursed not later than 60 days  
12 after the date on which amounts appropriated  
13 under section 2677 become available for the fis-  
14 cal year, subject to any waivers under section  
15 2605(d).”;

16 (2) in paragraph (2), by amending the para-  
17 graph to read as follows:

18 “(2) ALLOCATIONS.—Of the amount available  
19 under section 2677 for a fiscal year for making  
20 grants under section 2601(a)—

21 “(A) the Secretary shall reserve 50 percent  
22 for making grants under paragraph (1) in  
23 amounts determined in accordance with para-  
24 graph (3); and

25 “(B) the Secretary shall, after compliance  
26 with subparagraph (A), reserve such funds as

1           may be necessary to carry out paragraph (4).”;  
2           and

3           (3) by adding at the end the following para-  
4           graph:

5           “(4) MAXIMUM REDUCTION IN GRANT.—In the  
6           case of any eligible area for which a grant under  
7           paragraph (1) was made for fiscal year 1995, the  
8           Secretary, in making grants under such paragraph  
9           for the area for the fiscal years 1996 through 2000,  
10          shall (subject to the extent of the amount available  
11          under section 2677 for the fiscal year involved for  
12          making grants under section 2601(a)) ensure that  
13          the amounts of the grants do not, relative to such  
14          grant for the area for fiscal year 1995, constitute a  
15          reduction of more than the following, as applicable  
16          to the fiscal year involved:

17                   “(A) 1 percent, in the case of fiscal year  
18                   1996.

19                   “(B) 2 percent, in the case of fiscal year  
20                   1997.

21                   “(C) 3 percent, in the case of fiscal year  
22                   1998.

23                   “(D) 4 percent, in the case of fiscal year  
24                   1999.

1           “(E) 5 percent, in the case of fiscal year  
2           2000.”.

3           (b) SUPPLEMENTAL GRANTS.—Section 2603(b) (42  
4 U.S.C. 300ff-13(b)) is amended—

5           (1) in paragraph (1)—

6           (A) in the matter preceding subparagraph  
7           (A), by striking “Not later than” and all that  
8           follows through “section 2605(b)—” and insert-  
9           ing the following: “After allocating in accord-  
10          ance with subsection (a) the amounts available  
11          under section 2677 for grants under section  
12          2601(a) for a fiscal year, the Secretary, in car-  
13          rying out section 2601(a), shall from the re-  
14          maining amounts make grants to eligible areas  
15          described in this paragraph. Such grants shall  
16          be disbursed not later than 150 days after the  
17          date on which amounts appropriated under sec-  
18          tion 2677 become available for the fiscal year.  
19          An eligible area described in this paragraph is  
20          an eligible area whose application under section  
21          2605(b)—”;

22          (B) in subparagraph (D), by striking  
23          “and” after the semicolon;

24          (C) in subparagraph (E), by striking the  
25          period at the end and inserting “; and”; and

1 (D) by adding at the end thereof the fol-  
2 lowing subparagraph:

3 “(F) demonstrates the manner in which  
4 the proposed services are consistent with the  
5 local needs assessment and the statewide co-  
6 ordinated statement of need.”; and

7 (2)(A) by redesignating paragraphs (2) through  
8 (4) as paragraphs (3) through (5), respectively; and

9 (B) by inserting after paragraph (1) the follow-  
10 ing paragraph:

11 “(2) PRIORITY.—

12 “(A) SEVERE NEED.—In determining se-  
13 vere need in accordance with paragraph (1)(B),  
14 the Secretary shall give priority consideration in  
15 awarding grants under this subsection to eligi-  
16 ble areas that (in addition to complying with  
17 paragraph (1)) demonstrate a more severe need  
18 based on the prevalence in the eligible area of—

19 “(i) sexually transmitted diseases,  
20 substance abuse, tuberculosis, severe men-  
21 tal illness, or other conditions determined  
22 relevant by the Secretary, which signifi-  
23 cantly affect the impact of HIV disease;

1                   “(ii) subpopulations with HIV disease  
2                   that were previously unknown in such area;  
3                   or

4                   “(iii) homelessness.

5                   “(B) PREVALENCE.—In determining prev-  
6                   alence of conditions under subparagraph (A),  
7                   the Secretary shall use data on the prevalence  
8                   of the conditions described in such subpara-  
9                   graph among individuals with HIV disease (ex-  
10                  cept that, in the case of an eligible area for  
11                  which such data are not available, the Secretary  
12                  shall use data on the prevalences of the condi-  
13                  tions in the general population of such area).”.

14                  (c) ADDITIONAL REQUIREMENTS FOR GRANTS.—  
15                  Section 2603 (42 U.S.C. 300ff-13) is amended by adding  
16                  at the end the following subsection:

17                  “(c) COMPLIANCE WITH PRIORITIES OF HIV PLAN-  
18                  NING COUNCIL.—Notwithstanding any other provision of  
19                  this part, the Secretary, in carrying out section 2601(a),  
20                  may not make any grant under subsection (a) or (b) to  
21                  an eligible area unless the application submitted by such  
22                  area under section 2605 for the grant involved dem-  
23                  onstrates that the grants made under subsections (a) and  
24                  (b) to the area for the preceding fiscal year (if any) were  
25                  expended in accordance with the priorities applicable to

1 such year that were established, pursuant to section  
2 2602(b)(3)(A), by the planning council serving the area.”.

3 **SEC. 104. USE OF AMOUNTS.**

4 Section 2604 (42 U.S.C. 300ff-14) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1)(A), by striking “in-  
7 cluding case management and comprehensive  
8 treatment services, for individuals” and insert-  
9 ing the following: “including HIV-related com-  
10 prehensive treatment services (including treat-  
11 ment education and measures for the preven-  
12 tion and treatment of opportunistic infections),  
13 case management, and substance abuse treat-  
14 ment and mental health treatment, for individ-  
15 uals”;

16 (B) in paragraph (2)(A)—

17 (i) by inserting after “nonprofit pri-  
18 vate entities,” the following: “, or private  
19 for-profit entities if such entities are the  
20 only available provider of quality HIV care  
21 in the area,” ; and

22 (ii) by striking “and homeless health  
23 centers” and inserting “homeless health  
24 centers, substance abuse treatment pro-  
25 grams, and mental health programs”; and

1 (C) by adding at the end the following  
2 paragraph:

3 “(3) PRIORITY FOR WOMEN, INFANTS AND  
4 CHILDREN.—For the purpose of providing health  
5 and support services to infants, children, and women  
6 with HIV disease, the chief elected official of an eli-  
7 gible area shall use, of the grants made for the area  
8 under section 2601(a) for a fiscal year, not less than  
9 the percentage constituted by the ratio of the popu-  
10 lation in such area of infants, children, and women  
11 with HIV disease to the general population in such  
12 area of individuals with such disease, or 15 percent,  
13 whichever is less. In expending the funds reserved  
14 under the preceding sentence for a fiscal year, the  
15 chief elected official shall give priority to providing,  
16 for pregnant women, measures to prevent the  
17 perinatal transmission of HIV.”; and

18 (2) in subsection (e), by adding at the end  
19 thereof the following sentence: “In the case of enti-  
20 ties to which such officer allocates amounts received  
21 by the officer under the grant, the officer shall en-  
22 sure that, of the aggregate amount so allocated, the  
23 total of the expenditures by such entities for admin-  
24 istrative expenses does not exceed 10 percent (with-

1 out regard to whether particular entities expend  
2 more than 10 percent for such expenses).”.

3 **SEC. 105. APPLICATION.**

4 Section 2605 (42 U.S.C. 300ff-15) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1)(B), by striking “1-  
7 year period” and all that follows through “eligi-  
8 ble area” and inserting “preceding fiscal year”;

9 (B) in paragraph (4), by striking “and” at  
10 the end thereof;

11 (C) in paragraph (5), by striking the pe-  
12 riod at the end thereof and inserting “; and”;  
13 and

14 (D) by adding at the end thereof the fol-  
15 lowing paragraph:

16 “(6) that the applicant will participate in the  
17 process for the statewide coordinated statement of  
18 need (where it has been initiated by the State), and  
19 will ensure that the services provided under the com-  
20 prehensive plan are consistent with such state-  
21 ment.”;

22 (2) in subsection (b)—

23 (A) in the subsection heading, by striking  
24 “ADDITIONAL”; and

1 (B) in the matter preceding paragraph (1),  
2 by striking “additional”;

3 (3) by redesignating subsections (c) and (d) as  
4 subsections (d) and (e), respectively; and

5 (4) by inserting after subsection (b), the follow-  
6 ing subsection:

7 “(c) SINGLE APPLICATION.—Upon the request of the  
8 chief elected official of an eligible area, the Secretary shall  
9 authorize the official to submit a single application  
10 through which the official simultaneously requests a grant  
11 pursuant to subsection (a) of section 2603 and a grant  
12 pursuant to subsection (b) of such section. The Secretary  
13 may establish such criteria for carrying out this subsection  
14 as the Secretary determines to be appropriate.”.

15 **SEC. 106. TECHNICAL ASSISTANCE; PLANNING GRANTS.**

16 Section 2606 (42 U.S.C. 300ff-16) is amended—

17 (1) by inserting before “The Administrator” the  
18 following: “(a) IN GENERAL.—”;

19 (2) by striking “may, beginning” and all that  
20 follows through “title,” and inserting “(referred to  
21 in this section as the ‘Administrator’) shall”; and

22 (3) by adding at the end the following sub-  
23 section:

24 “(b) PLANNING GRANTS REGARDING INITIAL ELIGI-  
25 BILITY FOR GRANTS.—

1           “(1) ADVANCE PAYMENTS ON FIRST-YEAR FOR-  
2           MULA GRANTS.—With respect to a fiscal year (re-  
3           ferred to in this subsection as the ‘planning year’),  
4           if a metropolitan area has not previously received a  
5           grant under section 2601 and the Administrator rea-  
6           sonably projects that the area will be eligible for  
7           such a grant for the subsequent fiscal year, the Ad-  
8           ministrator may make a grant for the planning year  
9           for the purpose of assisting the area in preparing for  
10          the responsibilities of the area in carrying out activi-  
11          ties under this part.

12           “(2) REQUIREMENTS.—

13           “(A) IN GENERAL.—A grant under para-  
14           graph (1) for a planning year shall be made di-  
15           rectly to the chief elected official of the city or  
16           urban county that administers the public health  
17           agency to which section 2602(a)(1) is projected  
18           to apply for purposes of such paragraph. The  
19           grant may not be made in an amount exceeding  
20           \$75,000.

21           “(B) OFFSETTING REDUCTION IN FIRST  
22           FORMULA GRANT.—In the case of a metropoli-  
23           tan area that has received a grant under para-  
24           graph (1) for a planning year, the first grant  
25           made pursuant to section 2603(a) for such area

1 shall be reduced by an amount equal to the  
2 amount of the grant under such paragraph for  
3 the planning year. With respect to amounts re-  
4 sulting from reductions under the preceding  
5 sentence for a fiscal year, the Secretary shall  
6 use such amounts to make grants under section  
7 2603(a) for the fiscal year, subject to ensuring  
8 that none of such amounts are provided to any  
9 metropolitan area for which such a reduction  
10 was made for the fiscal year.

11 “(3) FUNDING.—Of the amounts available  
12 under section 2677 for a fiscal year for carrying out  
13 this part, the Administrator may reserve not more  
14 than 1 percent for making grants under paragraph  
15 (1).”.

## 16 **TITLE II—CARE GRANT** 17 **PROGRAM**

### 18 **SEC. 201. GENERAL USE OF GRANTS.**

19 Section 2612 (42 U.S.C. 300ff-22) is amended to  
20 read as follows:

### 21 **“SEC. 2612. GENERAL USE OF GRANTS.**

22 (a) IN GENERAL.—A State may use amounts pro-  
23 vided under grants made under this part for the following:

24 “(1) To provide the services described in section  
25 2604(b)(1) for individuals with HIV disease.

1           “(2) To provide to such individuals treatments  
2 that in accordance with section 2616 have been de-  
3 termined to prolong life or prevent serious deteriora-  
4 tion of health.

5           “(3) To provide home- and community-based  
6 care services for such individuals in accordance with  
7 section 2614.

8           “(4) To provide assistance to assure the con-  
9 tinuity of health insurance coverage for such individ-  
10 uals in accordance with section 2615.

11           “(5) To establish and operate consortia under  
12 section 2613 within areas most affected by HIV dis-  
13 ease, which consortia shall be designed to provide a  
14 comprehensive continuum of care to individuals and  
15 families with such disease in accordance with such  
16 section.

17           “(b) PRIORITY FOR WOMEN, INFANTS AND CHIL-  
18 DREN.—For the purpose of providing health and support  
19 services to infants, children, and women with HIV disease,  
20 a State shall use, of the funds allocated under this part  
21 to the State for a fiscal year, not less than the percentage  
22 constituted by the ratio of the population in the State of  
23 infants, children, and women with HIV disease to the gen-  
24 eral population in the State of individuals with such dis-  
25 ease, or 15 percent, whichever is less. In expending the

1 funds reserved under the preceding sentence for a fiscal  
2 year, the State shall give priority to providing, for preg-  
3 nant women, measures to prevent the perinatal trans-  
4 mission of HIV.”.

5 **SEC. 202. GRANTS TO ESTABLISH HIV CARE CONSORTIA.**

6 Section 2613 (42 U.S.C. 300ff-23) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by inserting “(or pri-  
9 vate for-profit providers or organizations if such  
10 entities are the only available providers of qual-  
11 ity HIV care in the area)” after “nonprofit pri-  
12 vate,”; and

13 (B) in paragraph (2)(A)—

14 (i) by inserting “substance abuse  
15 treatment, mental health treatment,” after  
16 “nursing,”; and

17 (ii) by inserting after “monitoring,”  
18 the following: “measures for the prevention  
19 and treatment of opportunistic infections,  
20 treatment education for patients (provided  
21 in the context of health care delivery),” ;  
22 and

23 (2) in subsection (c)(2)—

24 (A) in clause (ii) of subparagraph (A), by  
25 striking “and” after the semicolon;

1 (B) in subparagraph (B), by striking the  
2 period at the end and inserting “; and”; and

3 (C) by adding after subparagraph (B) the  
4 following subparagraph:

5 “(C) grantees under section 2671, or, if  
6 none are operating in the area, representatives  
7 in the area of organizations with a history of  
8 serving children, youth, women, and families  
9 living with HIV.”.

10 **SEC. 203. PROVISION OF TREATMENTS.**

11 Section 2616(a) (42 U.S.C. 300ff-26(a)) is  
12 amended—

13 (1) by striking “may use amounts” and insert-  
14 ing “shall use a portion of the amounts”;

15 (2) by striking “section 2612(a)(4)” and insert-  
16 ing “section 2612(a)(2)”; and

17 (3) by inserting before the period the following:  
18 “, including measures for the prevention and treat-  
19 ment of opportunistic infections”.

20 **SEC. 204. STATE APPLICATION.**

21 Section 2617(b)(2) (42 U.S.C. 300ff-27(b)(2)) is  
22 amended—

23 (1) in subparagraph (A), by striking “and”  
24 after the semicolon; and

1 (2) in subparagraph (B), by striking “and”  
2 after the semicolon; and

3 (3) by adding at the end thereof the following  
4 subparagraphs:

5 “(C) a description of the activities carried  
6 out by the State under section 2616; and

7 “(D) a description of how the allocation  
8 and utilization of resources are consistent with  
9 a statewide coordinated statement of need, de-  
10 veloped in partnership with other grantees in  
11 the State that receive funding under this title  
12 and after consultation with individuals receiving  
13 services under this part.”.

14 **SEC. 205. ALLOCATION OF ASSISTANCE BY STATES; PLAN-**  
15 **NING, EVALUATION, AND ADMINISTRATION.**

16 Section 2618(c) (42 U.S.C. 300ff-28(c)) is  
17 amended—

18 (1) by striking paragraph (1);

19 (2) by redesignating paragraphs (2) through  
20 (5) as paragraphs (1) through (4), respectively; and

21 (3) in paragraph (3) (as so redesignated), by  
22 adding at the end the following sentences: “In the  
23 case of entities to which the State allocates amounts  
24 received by the State under the grant (including con-  
25 sortia under section 2613), the State shall ensure

1 that, of the aggregate amount so allocated, the total  
2 of the expenditures by such entities for administra-  
3 tive expenses does not exceed 10 percent (without  
4 regard to whether particular entities expend more  
5 than 10 percent for such expenses). For purposes of  
6 the preceding sentence, the costs of establishing and  
7 operating consortia under section 2613 shall be con-  
8 sidered administrative expenses.”.

9 **SEC. 206. TECHNICAL ASSISTANCE.**

10 Section 2619 (42 U.S.C. 300ff–29) is amended by  
11 inserting before the period the following: “, including tech-  
12 nical assistance for the development and implementation  
13 of statewide coordinated statements of need”.

14 **TITLE III—EARLY**  
15 **INTERVENTION SERVICES**

16 **SEC. 301. ESTABLISHMENT OF PROGRAM.**

17 Section 2651(b) (42 U.S.C. 300ff–51(b)) is  
18 amended—

19 (1) in paragraph (1), by inserting before the pe-  
20 riod the following: “, and unless the applicant agrees  
21 to expend not less than 50 percent of the grant for  
22 such services that are specified in subparagraphs  
23 (B) through (E) of such paragraph”; and

24 (2) in paragraph (4), by inserting after “non-  
25 profit private entities” the following: “(or private

1 for-profit entities, if such entities are the only avail-  
2 able providers of quality HIV care in the area)”.  
3

3 **SEC. 302. MINIMUM QUALIFICATIONS OF GRANTEES.**

4 Section 2652(b)(1)(B) (42 U.S.C. 300ff-  
5 52(b)(1)(B)) is amended by inserting after “nonprofit pri-  
6 vate entity” the following: “(or a private for-profit entity,  
7 if such an entity is the only available provider of quality  
8 HIV care in the area)”.  
9

9 **SEC. 303. MISCELLANEOUS PROVISIONS; PLANNING AND**  
10 **DEVELOPMENT GRANTS.**

11 Section 2654 (42 U.S.C. 300ff-54) is amended by  
12 adding at the end thereof the following subsection:

13 “(c) PLANNING AND DEVELOPMENT GRANTS.—

14 “(1) IN GENERAL.—The Secretary may provide  
15 planning grants, in an amount not to exceed  
16 \$50,000 for each such grant, to public and nonprofit  
17 private entities for the purpose of enabling such en-  
18 tities to provide early intervention services.

19 “(2) REQUIREMENT.—The Secretary may  
20 award a grant to an entity under paragraph (1) only  
21 if the Secretary determines that the entity will use  
22 such grant to assist the entity in qualifying for a  
23 grant under section 2651.

24 “(3) PREFERENCE.—In awarding grants under  
25 paragraph (1), the Secretary shall give preference to

1 entities that provide HIV primary care services in  
2 rural or underserved communities.

3 “(4) LIMITATION.—Not to exceed 1 percent of  
4 the amount appropriated for a fiscal year under sec-  
5 tion 2655 may be used to carry out this section.”.

6 **SEC. 304. ADDITIONAL REQUIRED AGREEMENTS.**

7 Section 2664(a)(1) (42 U.S.C. 300ff-64(a)(1)) is  
8 amended—

9 (1) in subparagraph (A), by striking “and”  
10 after the semicolon;

11 (2) in subparagraph (B), by striking the period  
12 at the end and inserting “; and”; and

13 (3) by adding at the end the following subpara-  
14 graph:

15 “(C) evidence that the proposed program is  
16 consistent with the statewide coordinated state-  
17 ment of need and that the applicant will partici-  
18 pate in the ongoing revision of such statement  
19 of need.”.

20 **SEC. 305. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 2655 (42 U.S.C. 300ff-55) is amended by  
22 striking “\$75,000,000” and all that follows and inserting  
23 “such sums as may be necessary for each of the fiscal  
24 years 1996 through 2000.”.

1                   **TITLE IV—GENERAL**  
2                   **PROVISIONS**

3 **SEC. 401. GRANTS REGARDING CLINICAL RESEARCH AND**  
4                   **WOMEN, INFANTS, AND CHILDREN.**

5           (a) IN GENERAL.—Section 2671 (42 U.S.C. 300ff–  
6 71) is amended—

7               (1) in subsection (a), by amending the sub-  
8               section to read as follows:

9               “(a) IN GENERAL.—

10               “(1) PROGRAM OF GRANTS.—The Secretary,  
11               acting through the Administrator of the Health Re-  
12               sources and Services Administration and in consulta-  
13               tion with the Director of the National Institutes of  
14               Health, shall make grants to public and nonprofit  
15               private entities that provide primary care (directly or  
16               through contracts) for the purpose of—

17               “(A) providing through such entities, in  
18               accordance with this section, opportunities for  
19               women, infants, and children to participate as  
20               subjects in research of potential clinical benefit  
21               to individuals with HIV disease; and

22               “(B) providing to women, infants, and chil-  
23               dren health care on an outpatient basis.

24               “(2) PROVISIONS REGARDING PARTICIPATION  
25               IN RESEARCH.—With respect to the projects of re-

1 search with which an applicant under paragraph (1)  
2 is concerned, the Secretary may not make a grant  
3 under such paragraph to the applicant unless the  
4 following conditions are met:

5 “(A) The applicant agrees to make reason-  
6 able efforts—

7 “(i) to identify the needs of the  
8 projects for women, infants, and children  
9 to participate as subjects in the projects;

10 “(ii) to identify which of the patients  
11 of the applicant are women, infants, and  
12 children who would be appropriate subjects  
13 in the projects; and

14 “(iii) to offer women, infants, and  
15 children the opportunity to so participate  
16 (as appropriate), including the provision of  
17 services under subsection (f).

18 “(B) The applicant agrees that the appli-  
19 cant, and the projects of research, will comply  
20 with accepted standards of protection for  
21 human subjects (including the provision of writ-  
22 ten informed consent) who participate as sub-  
23 jects in clinical research.

24 “(C) For the second or subsequent fiscal  
25 year for which a grant under such paragraph is

1           sought by the applicant, the Secretary has de-  
2           termined that—

3                   “(i) a significant number of women,  
4                   infants, and children who are patients of  
5                   the applicant are participating in the  
6                   projects (except to the extent this clause is  
7                   waived under subsection (k)); and

8                   “(ii) the applicant, and the projects of  
9                   research, have complied with the standards  
10                  referred to in subparagraph (B).

11               “(3) PROHIBITION.—Receipt of services by a  
12               patient shall not be conditioned upon the consent of  
13               the patient to participate in research.

14               “(4) CONSIDERATION BY SECRETARY OF CER-  
15               TAIN CIRCUMSTANCES.—In administering the re-  
16               quirement of paragraph (2)(C)(i), the Secretary  
17               shall take into account circumstances in which a  
18               grantee under paragraph (1) is temporarily unable  
19               to comply with the requirement for reasons beyond  
20               the control of the grantee, and shall in such cir-  
21               cumstances provide to the grantee a reasonable pe-  
22               riod of opportunity in which to reestablish compli-  
23               ance with the requirement.”;

24               (2) in subsection (c), by amending the sub-  
25               section to read as follows:

1       “(c) PROVISIONS REGARDING CONDUCT OF RE-  
2 SEARCH.—With respect to eligibility for a grant under  
3 subsection (a):

4           “(1) A project of research for which subjects  
5 are sought pursuant to such subsection may be con-  
6 ducted by the applicant for the grant, or by an en-  
7 tity with which the applicant has made arrange-  
8 ments for purposes of the grant. The grant may not  
9 be expended for the conduct of any project of re-  
10 search.

11          “(2) The grant may not be made unless the  
12 Secretary makes the following determinations:

13           “(A) The applicant or other entity (as the  
14 case may be under paragraph (1)) is appro-  
15 priately qualified to conduct the project of re-  
16 search.

17           “(B) The project of research is being con-  
18 ducted in accordance with a research protocol  
19 to which the Secretary gives priority regarding  
20 the prevention and treatment of HIV disease in  
21 women, infants, and children. After consulta-  
22 tion with public and private entities that con-  
23 duct such research, and with providers of serv-  
24 ices under this section and recipients of such  
25 services, the Secretary shall establish a list of

1 such protocols that are appropriate for purposes  
2 of this section. The Secretary may give priority  
3 under this subparagraph to a research protocol  
4 that is not on such list.”;

5 (3) by striking subsection (i);

6 (4) by redesignating subsections (g) and (h) as  
7 subsections (h) and (i), respectively;

8 (5) by inserting after subsection (f) the follow-  
9 ing subsection:

10 “(g) ADDITIONAL PROVISIONS.—The Secretary may  
11 not make a grant under subsection (a) unless the appli-  
12 cant for the grant agrees as follows:

13 “(1) The applicant will coordinate activities  
14 under the grant with other providers of health care  
15 services under this Act, and under title V of the So-  
16 cial Security Act.

17 “(2) The applicant will participate in the state-  
18 wide coordinated statement of need under part B  
19 and in revisions of such statement.”;

20 (6) by redesignating subsection (j) as sub-  
21 section (m); and

22 (7) by inserting before subsection (m) (as so re-  
23 designated) the following subsections:

24 “(j) COORDINATION WITH NATIONAL INSTITUTES OF  
25 HEALTH.—The Secretary shall develop and implement a

1 plan that provides for the coordination of the activities of  
2 the National Institutes of Health with the activities car-  
3 ried out under this section. In carrying out the preceding  
4 sentence, the Secretary shall ensure that projects of re-  
5 search conducted or supported by such Institutes are  
6 made aware of applicants and grantees under this section,  
7 and shall require that the projects, as appropriate, enter  
8 into arrangements for purposes of this section.

9 “(k) TEMPORARY WAIVER REGARDING SIGNIFICANT  
10 PARTICIPATION.—

11 “(1) IN GENERAL.—In the case of an applicant  
12 under subsection (a) who received a grant under this  
13 section for fiscal year 1995, the Secretary may, sub-  
14 ject to paragraph (2), provide to the applicant a  
15 waiver of the requirement of subsection (a)(2)(C)(i)  
16 if the Secretary determines that the applicant is  
17 making reasonable progress toward meeting the re-  
18 quirement.

19 “(2) TERMINATION OF AUTHORITY FOR WAIV-  
20 ERS.—The Secretary may not provide any waiver  
21 under paragraph (1) on or after October 1, 1998.  
22 Any such waiver provided prior to such date termi-  
23 nates on such date, or on such earlier date as the  
24 Secretary may specify.

1       “(l) TRAINING AND TECHNICAL ASSISTANCE.—Of  
2 the amounts appropriated under subsection (m) for a fis-  
3 cal year, the Secretary may use not more than five percent  
4 to provide training and technical assistance to assist appli-  
5 cants and grantees under subsection (a) in complying with  
6 the requirements of this section.”.

7       (b) CONFORMING AMENDMENTS.—Section 2671 (42  
8 U.S.C. 300ff-71) is amended—

9           (1) in the heading for the section, by striking  
10       “**DEMONSTRATION**” and all that follows and in-  
11       serting “**GRANTS REGARDING CLINICAL RE-**  
12       **SEARCH AND WOMEN, INFANTS, AND CHIL-**  
13       **DREN.**”;

14           (2) in subsection (b), by striking “pediatric pa-  
15       tients and pregnant women” and inserting “women,  
16       infants, and children”; and

17           (3) in each of subsections (d) through (f), by  
18       striking “pediatric”.

19       (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
20 2671 (42 U.S.C. 300ff-71) is amended in subsection (m)  
21 (as redesignated by subsection (a)(6)) by striking “there  
22 are” and all that follows and inserting the following:  
23 “there are authorized to be appropriated such sums as  
24 may be necessary for each of the fiscal years 1996 through  
25 2000.”.

1 **SEC. 402. PROJECTS OF NATIONAL SIGNIFICANCE.**

2 (a) IN GENERAL.—Part D of title XXVI (42 U.S.C.  
3 300ff–71 et seq.) is amended by inserting after section  
4 2673 the following section:

5 **“SEC. 2673A. DEMONSTRATION PROJECTS OF NATIONAL**  
6 **SIGNIFICANCE.**

7 “(a) IN GENERAL.—The Secretary shall make grants  
8 to public and nonprofit private entities (including non-  
9 profit private community-based organizations) for the pur-  
10 pose of carrying out demonstration projects that provide  
11 for the care and treatment of individuals with HIV dis-  
12 ease, and that—

13 “(1) assess the effectiveness of particular mod-  
14 els for the care and treatment of individuals with  
15 such disease;

16 “(2) are of an innovative nature; and

17 “(3) have the potential to be replicated in simi-  
18 lar localities, or nationally.

19 “(b) CERTAIN PROJECTS.—Demonstration projects  
20 under subsection (a) shall include the development and as-  
21 sessment of innovative models for the delivery of HIV  
22 services that are designed—

23 “(1) to address the needs of special populations  
24 (including individuals and families with HIV disease  
25 living in rural communities, adolescents with HIV  
26 disease, Native American individuals and families

1 with HIV disease, homeless individuals and families  
2 with HIV disease, hemophiliacs with HIV disease,  
3 and incarcerated individuals with HIV disease); and

4 “(2) to ensure the ongoing availability of serv-  
5 ices for Native American communities to enable such  
6 communities to care for Native Americans with HIV  
7 disease.

8 “(c) COORDINATION.—The Secretary may not make  
9 a grant under this section unless the applicant submits  
10 evidence that the proposed program is consistent with the  
11 applicable statewide coordinated statement of need under  
12 part B, and the applicant agrees to participate in the on-  
13 going revision process of such statement of need.

14 “(d) REPLICATION.—The Secretary shall make infor-  
15 mation concerning successful models developed under this  
16 section available to grantees under this title for the pur-  
17 pose of coordination, replication, and integration.

18 “(e) FUNDING; ALLOCATION OF AMOUNTS.—

19 “(1) IN GENERAL.—Of the amounts available  
20 under this title for a fiscal year for each program  
21 specified in paragraph (2), the Secretary shall re-  
22 serve 3 percent for making grants under subsection  
23 (a).

24 “(2) RELEVANT PROGRAMS.—The programs re-  
25 ferred to in subsection (a) are the program under

1 part A, the program under part B, the program  
2 under part C, the program under section 2671, the  
3 program under section 2672, and the program under  
4 section 2673.”.

5 (b) STRIKING OF RELATED PROVISION.—Section  
6 2618 (42 U.S.C. 300ff–28) is amended striking subsection  
7 (a).

8 **SEC. 403. SPECIAL TRAINING PROJECTS.**

9 (a) TRANSFER OF PROGRAM.—The Public Health  
10 Service Act (42 U.S.C. 201 et seq.) is amended—

11 (1) by transferring section 776 from the cur-  
12 rent placement of the section;

13 (2) by redesignating the section as section  
14 2673B; and

15 (3) by inserting the section after section 2673A  
16 (as added by section 402).

17 (b) MODIFICATIONS.—Section 2673B (as transferred  
18 and redesignated by subsection (a)) is amended—

19 (1) in subsection (a)(1)—

20 (A) by striking subparagraphs (B) and  
21 (C);

22 (B) by redesignating subparagraphs (A)  
23 and (D) as subparagraphs (B) and (C), respec-  
24 tively;

1 (C) by inserting before subparagraph (B)  
2 (as so redesignated) the following subpara-  
3 graph:

4 “(A) training health personnel, including  
5 practitioners in programs under this title and  
6 other community providers, in the diagnosis,  
7 treatment, and prevention of HIV disease, in-  
8 cluding the prevention of the perinatal trans-  
9 mission of the disease and including measures  
10 for the prevention and treatment of opportun-  
11 istic infections;”;

12 (D) in subparagraph (B) (as so redesign-  
13 ated), by adding “and” after the semicolon;  
14 and

15 (E) in subparagraph (C) (as so redesign-  
16 ated), by striking “curricula and”;

17 (2) by striking subsection (c) and redesignating  
18 subsection (d) as subsection (c); and

19 (3) in subsection (c) (as so redesignated), by  
20 amending the subsection to read as follows:

21 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the  
22 purpose of carrying out this section, there are authorized  
23 to be appropriated such sums as may be necessary for  
24 each of the fiscal years 1996 through 2000.”.

1 **SEC. 404. EVALUATIONS AND REPORTS.**

2 Section 2674 (42 U.S.C. 300ff-74) is amended—

3 (1) in subsection (b)—

4 (A) in the matter preceding paragraph (1),  
5 by striking “not later than 1 year” and all that  
6 follows through “title,” and inserting the fol-  
7 lowing: “not later than October 1, 1996,”;

8 (B) by striking paragraphs (1) through (3)  
9 and inserting the following paragraph:

10 “(1) evaluating the programs carried out under  
11 this title; and”;

12 (C) by redesignating paragraph (4) as  
13 paragraph (2); and

14 (2) by adding at the end the following sub-  
15 section:

16 “(c) ALLOCATION OF FUNDS.—The Secretary shall  
17 carry out this section with amounts available under section  
18 241. Such amounts are in addition to any other amounts  
19 that are available to the Secretary for such purpose.”.

20 **SEC. 405. COORDINATION OF PROGRAM.**

21 Section 2675 of the Public Health Service Act (42  
22 U.S.C. 300ff-75) is amended by adding at the end the  
23 following subsection:

24 “(d) ANNUAL REPORT.—Not later than October 1,  
25 1996, and annually thereafter, the Secretary shall submit  
26 to the appropriate committees of the Congress a report

1 concerning coordination efforts under this title at the Fed-  
2 eral, State, and local levels, including a statement of  
3 whether and to what extent there exist Federal barriers  
4 to integrating HIV-related programs.”.

5 **TITLE V—ADDITIONAL**  
6 **PROVISIONS**

7 **SEC. 501. AMOUNT OF EMERGENCY RELIEF GRANTS.**

8 Paragraph (3) of section 2603(a) (42 U.S.C. 300ff-  
9 13(a)(3)) is amended to read as follows:

10 “(3) AMOUNT OF GRANT.—

11 “(A) IN GENERAL.—Subject to the extent  
12 of amounts made available in appropriations  
13 Acts, a grant made for purposes of this para-  
14 graph to an eligible area shall be made in an  
15 amount equal to the product of—

16 “(i) an amount equal to the amount  
17 available for distribution under paragraph  
18 (2) for the fiscal year involved; and

19 “(ii) the percentage constituted by the  
20 ratio of the distribution factor for the eligi-  
21 ble area to the sum of the respective dis-  
22 tribution factors for all eligible areas.

23 “(B) DISTRIBUTION FACTOR.—For pur-  
24 poses of subparagraph (A)(ii), the term ‘dis-  
25 tribution factor’ means the product of—

1           “(i) an amount equal to the estimated  
2           number of living cases of acquired immune  
3           deficiency syndrome in the eligible area in-  
4           volved, as determined under subparagraph  
5           (C); and

6           “(ii) the cost index for the eligible  
7           area involved, as determined under sub-  
8           paragraph (D).

9           “(C) ESTIMATE OF LIVING CASES.—The  
10          amount determined in this subparagraph is an  
11          amount equal to the product of—

12          “(i) the number of cases of acquired  
13          immune deficiency syndrome in the eligible  
14          area during each year in the most recent  
15          120-month period for which data are avail-  
16          able with respect to all eligible areas, as in-  
17          dicated by the number of such cases re-  
18          ported to and confirmed by the Director of  
19          the Centers for Disease Control and Pre-  
20          vention for each year during such period;  
21          and

22          “(ii) with respect to—

23                  “(I) the first year during such  
24                  period, .06;

1           “(II) the second year during such  
2 period, .06;

3           “(III) the third year during such  
4 period, .08;

5           “(IV) the fourth year during  
6 such period, .10;

7           “(V) the fifth year during such  
8 period, .16;

9           “(VI) the sixth year during such  
10 period, .16;

11          “(VII) the seventh year during  
12 such period, .24;

13          “(VIII) the eighth year during  
14 such period, .40;

15          “(IX) the ninth year during such  
16 period, .57; and

17          “(X) the tenth year during such  
18 period, .88.

19           “(D) COST INDEX.—The amount deter-  
20 mined in this subparagraph is an amount equal  
21 to the sum of—

22           “(i) the product of—

23           “(I) the average hospital wage  
24 index reported by hospitals in the eli-  
25 gible area involved under section

1 1886(d)(3)(E) of the Social Security  
2 Act for the 3-year period immediately  
3 preceding the year for which the grant  
4 is being awarded; and

5 “(II) .70; and

6 “(ii) .30.

7 “(E) UNEXPENDED FUNDS.—The Sec-  
8 retary may, in determining the amount of a  
9 grant for a fiscal year under this paragraph,  
10 adjust the grant amount to reflect the amount  
11 of unexpended and uncanceled grant funds re-  
12 maining at the end of the fiscal year preceding  
13 the year for which the grant determination is to  
14 be made. The amount of any such unexpended  
15 funds shall be determined using the financial  
16 status report of the grantee.

17 “(F) PUERTO RICO, VIRGIN ISLANDS,  
18 GUAM.—For purposes of subparagraph (D), the  
19 cost index for an eligible area within Puerto  
20 Rico, the Virgin Islands, or Guam shall be  
21 1.0.”.

22 **SEC. 502. AMOUNT OF CARE GRANTS.**

23 Section 2618 (42 U.S.C. 300ff-28), as amended by  
24 section 402(b), is amended by striking subsection (b) and  
25 inserting the following subsections:

1 “(a) AMOUNT OF GRANT.—

2 “(1) IN GENERAL.—Subject to subsection (b)  
3 (relating to minimum grants), the amount of a grant  
4 under this part for a State for a fiscal year shall be  
5 the sum of—

6 “(A) the amount determined for the State  
7 under paragraph (2); and

8 “(B) the amount determined for the State  
9 under paragraph (4) (if applicable).

10 “(2) PRINCIPAL FORMULA GRANTS.—For pur-  
11 poses of paragraph (1)(A), the amount determined  
12 under this paragraph for a State for a fiscal year  
13 shall be the product of—

14 “(A) the amount available under section  
15 2677 for carrying out this part, less the res-  
16 ervation of funds made in paragraph (4)(A) and  
17 less any other applicable reservation of funds  
18 authorized or required in this title (which  
19 amount is subject to subsection (b)); and

20 “(B) the percentage constituted by the  
21 ratio of—

22 “(i) the distribution factor for the  
23 State; to

24 “(ii) the sum of the distribution fac-  
25 tors for all States.

1           “(3) DISTRIBUTION FACTOR FOR PRINCIPAL  
2           FORMULA GRANTS.—For purposes of paragraph  
3           (2)(B), the term “distribution factor” means the fol-  
4           lowing, as applicable:

5                   “(A) In the case of each of the 50 States,  
6           the product of—

7                           “(i) the number of cases of acquired  
8                           immune deficiency syndrome in the State,  
9                           as indicated by the number of cases re-  
10                           ported to and confirmed by the Secretary  
11                           for the 2 most recent fiscal years for which  
12                           such data are available; and

13                           “(ii) the cube root of the ratio (based  
14                           on the most recent available data) of—

15                                   “(I) the average per capita in-  
16                                   come of individuals in the United  
17                                   States (including the territories); to

18                                   “(II) the average per capita in-  
19                                   come of individuals in the State.

20                   “(B) In the case of a territory of the Unit-  
21                   ed States, the number of additional cases of  
22                   such syndrome in the specific territory, as indi-  
23                   cated by the number of cases reported to and  
24                   confirmed by the Secretary for the 2 most re-

1 cent fiscal years for which such data is avail-  
2 able.

3 “(4) SUPPLEMENTAL AMOUNTS FOR CERTAIN  
4 STATES.—For purposes of paragraph (1)(B), an  
5 amount shall be determined under this paragraph  
6 for each State that does not contain any metropoli-  
7 tan area whose chief elected official received a grant  
8 under part A for fiscal year 1996. The amount de-  
9 termined under this paragraph for such a State for  
10 a fiscal year shall be the product of—

11 “(A) an amount equal to 7 percent of the  
12 amount available under section 2677 for carry-  
13 ing out this part for the fiscal year (subject to  
14 subsection (b)); and

15 “(B) the percentage constituted by the  
16 ratio of—

17 “(i) the number of cases of acquired  
18 immune deficiency syndrome in the State  
19 (as determined under paragraph (3)(A)(i));  
20 to

21 “(ii) the sum of the respective num-  
22 bers determined under clause (i) for each  
23 State to which this paragraph applies.

24 “(5) DEFINITIONS.—For purposes of this sub-  
25 section and subsection (b):

1           “(A) The term ‘State’ means each of the  
2           50 States, the District of Columbia, and the  
3           Commonwealth of Puerto Rico.

4           “(B) The term ‘territory of the United  
5           States’ means the Virgin Islands, Guam, Amer-  
6           ican Samoa, the Commonwealth of the North-  
7           ern Mariana Islands, and the Republic of the  
8           Marshall Islands.

9           “(b) MINIMUM AMOUNT OF GRANT.—

10           “(1) IN GENERAL.—Subject to the extent of the  
11           amounts specified in paragraphs (2)(A) and (4)(A)  
12           of subsection (a), a grant under this part for a State  
13           for a fiscal year shall be the greater of—

14           “(A) the amount determined for the State  
15           under subsection (a); and

16           “(B) the amount applicable under para-  
17           graph (2) to the State.

18           “(2) APPLICABLE AMOUNT.—For purposes of  
19           paragraph (1)(B), the amount applicable under this  
20           paragraph for a fiscal year is the following:

21           “(A) In the case of each of the 50 States  
22           and the District of Columbia—

23           “(i) \$100,000, if the State or District  
24           has less than 90 cases of acquired immune

1           deficiency syndrome (as determined under  
2           subsection (a)(3)(A)(i)); and

3           “(ii) \$250,000, if the State or District  
4           has 90 or more such cases (as so deter-  
5           mined).

6           “(B) In the case of each of the territories  
7           of the United States, \$0.0.”.

8   **SEC. 503. CONSOLIDATION OF AUTHORIZATIONS OF APPRO-**  
9                           **PRIATIONS.**

10       (a) IN GENERAL.—Part D of title XXVI (42 U.S.C.  
11 300ff–71) is amended by adding at the end thereof the  
12 following section:

13   **“SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.**

14       “(a) IN GENERAL.—For the purpose of carrying out  
15 parts A and B, there are authorized to be appropriated  
16 such sums as may be necessary for each of the fiscal years  
17 1996 through 2000. Subject to section 2673A and to sub-  
18 section (b), of the amount appropriated under this section  
19 for a fiscal year, the Secretary shall make available 64  
20 percent of such amount to carry out part A and 36 percent  
21 of such amount to carry out part B.

22       “(b) DEVELOPMENT OF METHODOLOGY.—With re-  
23 spect to each of the fiscal years 1997 through 2000, the  
24 Secretary may develop and implement a methodology for  
25 adjusting the percentages referred to in subsection (a).”.

1 (b) REPEALS.—Sections 2608 and 2620 (42 U.S.C.  
2 300ff-18 and 300ff-30) are repealed.

3 (c) CONFORMING AMENDMENTS.—Title XXVI is  
4 amended—

5 (1) in section 2603(b)(1), by striking “2608”  
6 and inserting “2677”;

7 (2) in section 2605(c)(1), by striking “2608”  
8 and inserting “2677”; and

9 (3) in section 2618—

10 (A) in subsection (a)(1), by striking  
11 “2620” and inserting “2677”; and

12 (B) in subsection (b)(1), by striking  
13 “2620” and inserting “2677”.

## 14 **TITLE VI—EFFECTIVE DATE**

### 15 **SEC. 601. EFFECTIVE DATE.**

16 Except as provided in section 101, this Act takes effect  
17 October 1, 1995.

○

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