

Public Law 101-374
101st Congress

An Act

Aug. 15, 1990
[S. 2461]

To amend the Public Health Service Act to revise and extend the program of grants for reducing the waiting period for receiving treatment services for drug abuse, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Drug Abuse
Treatment
Waiting Period
Reduction
Amendments of
1990.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Drug Abuse Treatment Waiting Period Reduction Amendments of 1990".

SEC. 2. REVISION AND EXTENSION OF PROGRAM FOR REDUCING WAITING PERIOD FOR DRUG ABUSE TREATMENT.

(a) TECHNICAL AMENDMENT REGARDING WAITING PERIOD.—Section 509E(a) of the Public Health Service Act (42 U.S.C. 290aa-12(a)) is amended by striking "the waiting list" and all that follows and inserting the following: "the waiting period for receiving, with respect to drug abuse, treatment services from public and nonprofit private providers of such services."

(b) PRIORITIES IN MAKING GRANTS; AUTHORITY FOR POSTTREATMENT SERVICES.—Section 509E of the Public Health Service Act (42 U.S.C. 290aa-12) is amended—

- (1) by striking subsection (d);
- (2) by redesignating subsections (c), (e), and (f) as subsections (e), (f), and (g), respectively; and
- (3) by inserting after subsection (b) the following new subsections:

Women.

"(c) Subject to the availability of qualified applicants, the Secretary shall, in making grant under subsection (a), give priority to applicants that will provide, directly or through arrangements with public or nonprofit private entities, treatment services for drug abuse to pregnant or postpartum women.

"(d) A grantee under subsection (a) may expend not more than 50 percent of the grant to develop and provide, directly or through arrangements with public or nonprofit private entities, follow-up services to prevent the renewed abuse of drugs by individuals who have successfully completed, with respect to such abuse, a program of treatment provided by the grantee."

(c) FUNDING.—

(1) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—Paragraph (1) of section 509E(g) of the Public Health Service Act, as redesignated by subsection (b)(2) of this section, is amended to read as follows:

Appropriation
authorization.

"(1) In addition to amounts otherwise appropriated to carry out this section prior to fiscal year 1991, there are authorized to be appropriated an additional \$40,000,000 to carry out this section."

(2) INCREASE REGARDING LIMITATION ON AGGREGATE AMOUNT OF GRANTS.—Paragraph (3) of section 509E(g) of the Public Health Service Act, as redesignated by subsection (b)(2) of this

section, is amended by striking “\$100,000,000” and inserting “\$140,000,000”.

(3) **AVAILABILITY OF CERTAIN FUNDS.**—Notwithstanding section 307 of Public Law 101-164, amounts appropriated in such Public Law for the purpose of carrying out section 509E of the Public Health Service Act shall remain available for obligation for such purpose through December 31, 1990.

(d) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration shall prepare and submit to the Senate Committee on Labor and Human Resources, and the House Committee on Energy and Commerce, a report concerning the waiting-period-reduction grant program under section 509E of the Public Health Service Act. Such report shall include—

(1) a list and description of the programs that have been awarded grants under such section;

(2) with respect to the process by which funds awarded under such section are expended for treatment services for drug abuse, a description of the extent to which such process is different than the process by which funds received by the States under subpart B of title XIX of such Act are expended by entities to which the States have awarded such funds for the purpose of providing treatment services (including a description of the extent to which there are differences in the 2 processes in the manner in which the providers of such treatment services obligate and draw down funds);

(3) an assessment of the validity of waiting lists as a measure of treatment need and, if the report concludes that waiting lists are not the most accurate measure of treatment need, a description of other, more accurate means of measuring the need for treatment services within a specified geographic area;

(4) the views of State, local, and nongovernmental treatment experts with respect to the validity of waiting lists as a measure of treatment need and with respect to the efficacy of the waiting period reduction grant program; and

(5) an assessment of the effectiveness of the treatment programs that receive funding under such section, including the usefulness of mechanisms, such as drug testing, that detect renewed substance abuse, and information with respect to the current use of such mechanisms.

(e) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect upon the date of the enactment of this Act.

42 USC 290aa-12
note.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN DRUG ABUSE DEMONSTRATION PROJECTS.

(a) **IN GENERAL.**—Section 517 of the Public Health Service Act (42 U.S.C. 290cc-1) is amended by striking “There are” and all that follows through “section 515” and inserting the following: “For the purpose of carrying out this subpart, there are authorized to be appropriated”.

42 USC 290cc-2.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect October 1, 1990, or upon the date of the enactment of this Act, whichever occurs later.

42 USC 290cc-2
note.

SEC. 4. TECHNICAL AMENDMENTS TO CERTAIN PROGRAMS.

(a) FORM OF ASSISTANCE FOR CONSTRUCTION OF FACILITIES TO SUPPLY SPECIALIZED MICE FOR BIOMEDICAL RESEARCH.—Public Law 101-190 (42 U.S.C. 289e note) is amended—

(1) in section 1—

(A) in the heading for the section, by striking “CONTRACT” and inserting “GRANT”;

(B) in subsection (a), by striking “entering into a contract with” and inserting “making a grant to”; and

(C) in subsection (b), by striking “contract” and inserting “grant”;

(2) in section 2—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “enter into a contract” and inserting “make a grant”;

(B) in subsection (a)(1), by striking “contract” and inserting “grant”;

(C) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “contractor” and inserting “grantee”;

(D) in subsection (b)(1), in subparagraphs (A) and (B), by striking “a contract” each place such term appears and inserting “an agreement”;

(E) in subsection (b)(2), by striking “contractor” and inserting “grantee”;

(F) in subsection (d)(1), in the heading, by striking “contractor” and inserting “grantee”; and

(G) in subsection (d)(1)—

(i) by striking “enter into a contract” and inserting “make a grant”; and

(ii) by striking “the contract” and inserting “the grant”;

(3) in section 3(a)—

(A) by striking “enter into a contract” and inserting “make a grant”; and

(B) by striking “the contract” and inserting “the grant”;

(4) in section 4—

(A) in subsection (a)(1), in the first sentence—

(i) by striking “enter into a contract” and inserting “make a grant”; and

(ii) by striking “the contract” and inserting “the grant”;

(B) in subsection (a)(2)(A), in the second sentence, by striking “in the contract”;

(C) in subsection (b), in the matter preceding paragraph (1), by striking “enter into a contract” and inserting “make a grant”;

(D) in subsection (b)(1), by striking “contract” and inserting “grant”;

(E) in subsection (c), in the matter preceding paragraph (1), by striking “enter into a contract” and inserting “make a grant”; and

(F) in subsection (c)(1), by striking “contract” and inserting “grant”;

(5) in section 5—

(A) in subsection (a), in paragraphs (1) and (2), by striking “contractor” each place such term appears and inserting “grantee”;

(B) in subsection (b), in paragraphs (1) through (3), by striking “contractor” each place such term appears and inserting “grantee”; and

(C) in subsection (c), by striking “contractor” and inserting “grantee”; and

(6) in section 6(a), in the matter preceding paragraph (1), by striking “contractor” and inserting “grantee”.

(b) **INTRASTATE ALLOCATIONS FOR SUBSTANCE ABUSE PROGRAMS UNDER CERTAIN BLOCK GRANTS TO THE STATES.**—Section 1916(c)(6)(A) of the Public Health Service Act is amended—

42 USC 300x-4.

(1) in clause (i)—

(A) by striking “and” before “(III) in fiscal year 1989”; and

(B) by inserting before the period the following: “, and (IV) in fiscal year 1990 under appropriations made in Public Law 101-164 for allotments under this subpart”; and

(2) in clause (ii)—

(A) by striking “and” before “(III) in fiscal year 1989”; and

(B) by inserting before “bore to the funds” the following: “, and (IV) in fiscal year 1990 under appropriations made in Public Law 101-164 for allotments under this subpart”.

(c) **EFFECTIVE DATES FOR TECHNICAL AMENDMENTS.**—

(1) **CONSTRUCTION OF BIOMEDICAL FACILITIES.**—The amendments made by subsection (a) shall take effect as if included in Public Law 101-190.

42 USC 289e note.

(2) **INTRASTATE ALLOCATIONS FOR BLOCK GRANTS.**—The amendments made by subsection (b) shall take effect October 1, 1990, or upon the date of the enactment of this Act, whichever occurs later.

42 USC 300x-4 note.

Approved August 15, 1990.

LEGISLATIVE HISTORY—S. 2461:

SENATE REPORTS: No. 101-336 (Comm. on Labor and Human Resources).
CONGRESSIONAL RECORD, Vol. 136 (1990):

June 28, considered and passed Senate.

June 30, considered and passed House, amended.

Aug. 4, Senate concurred in House amendment.