

Attachment 2

**Authorizing Legislation: Public Law 101-354, The Breast and Cervical Cancer Mortality
Prevention Act of 1990 [42 U.S.C. § 300n-4a]**

§ 300k. Establishment of program of grants to States

- (a) In general. The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States on the basis of an established competitive review process for the purpose of carrying out programs—
 - (1) To screen women for breast and cervical cancer as a preventive health measure;
 - (2) To provide appropriate referrals for medical treatment of women screened pursuant to paragraph (1) and to ensure, to the extent practicable, the provision of appropriate follow-up services and support services such as case management (Women’s Health Research and Prevention Amendments of 1998, Public Law 105- 340);
 - (3) To develop and disseminate public information and education programs for the detection and control of breast and cervical cancer;
 - (4) To improve the education, training, and skills of health professionals (including allied health professionals) in the detection and control of breast and cervical cancer;
 - (5) To establish mechanisms through which the States can monitor the quality of screening procedures for breast and cervical cancer, including the interpretation of such procedures; and
 - (6) To evaluate activities conducted under paragraphs (1) through (5) through appropriate surveillance or program-monitoring activities.
- (b) Grant and contract authority of States.
 - (1) In general. A state receiving a grant under subsection (a) may, subject to paragraphs (2) and (3), expend the grant to carry out the purpose described in such subsection through grants to public and non profit private entities and through contracts with public and private entities (Women’s Health Research and Prevention Amendments of 1998, Public Law 105-340).
 - (2) CERTAIN APPLICATIONS- If a nonprofit private entity and a private entity that is not a nonprofit entity both submit applications to a State to receive an award of a grant or contract pursuant to paragraph (1), the State may give priority to the application submitted by the nonprofit private entity in any case in which the State determines that

the quality of such application is equivalent to the quality of the application submitted by the other private entity (Women's Health Research and Prevention Amendments of 1998, Public Law 105-340).

(3) Payments for screenings. The amount paid by a State to an entity under this subsection for a screening procedure under subsection (a)(1) may not exceed the amount that would be paid under part B of title XVIII of the Social Security Act [42 U.S.C. §§ 1395j et seq.] if payment were made under such part for furnishing the procedure to a woman enrolled under such part.

(c) Special consideration for certain States. In making grants under subsection (a) to States whose initial grants under such subsection are made for fiscal year 1995 or any subsequent fiscal year, the Secretary shall give special consideration to any State whose proposal for carrying out programs under such subsection—

(1) Has been approved through a process of peer review; and

(2) Is made with respect to geographic areas in which there is—

(a) A substantial rate of mortality from breast or cervical cancer; or

(b) A substantial incidence of either of such cancers.

[(d)](c) Coordinating committee regarding year 2000 health objectives. The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a committee to coordinate the activities of the agencies of the Public Health Service (and other appropriate Federal agencies) that are carried out toward achieving the objectives established by the Secretary for reductions in the rate of mortality from breast and cervical cancer in the United States by the year 2000. Such committee shall be comprised of Federal officers or employees designated by the heads of the agencies involved to serve on the committee as representatives of the agencies, and such representatives from other public or private entities as the Secretary determines to be appropriate.