

.H.R.6143

Ryan White HIV/AIDS Treatment Extension Act of 2009

SEC. 2604. USE OF AMOUNTS.

`(a) Requirements- The Secretary may not make a grant under section 2601(a) to the chief elected official of an eligible area unless such political subdivision agrees that--

`(1) subject to paragraph (2), the allocation of funds and services within the eligible area will be made in accordance with the priorities established, pursuant to section 2602(b)(4)(C), by the HIV health services planning council that serves such eligible area;

`(2) funds provided under section 2601 will be expended only for--

- `(A) core medical services described in subsection (c);
 - `(B) support services described in subsection (d); and
 - `(C) administrative expenses described in subsection (h);
- and

`(3) the use of such funds will comply with the requirements of this section.

`(b) Direct Financial Assistance to Appropriate Entities-

`(1) IN GENERAL- The chief elected official of an eligible area shall use amounts from a grant under section 2601 to provide direct financial assistance to entities described in paragraph (2) for the purpose of providing core medical services and support services.

`(2) APPROPRIATE ENTITIES- Direct financial assistance may be provided under paragraph (1) to public or nonprofit private entities, or private for-profit entities if such entities are the only available provider of quality HIV care in the area.

`(c) Required Funding for Core Medical Services-

`(1) IN GENERAL- With respect to a grant under section 2601 for an eligible area for a grant year, the chief elected official of the area shall, of the portion of the grant remaining after reserving amounts for purposes of paragraphs (1) and (5)(B)(i) of subsection (h), use not less than 75 percent to provide core medical services that are needed in the eligible area for individuals with HIV/AIDS who are identified and eligible under this title (including services regarding the co-occurring conditions of the individuals).

`(2) WAIVER-

`(A) IN GENERAL- The Secretary shall waive the application of paragraph (1) with respect to a chief elected official for a grant year if the Secretary determines that, within the eligible area involved--

`(i) there are no waiting lists for AIDS Drug Assistance Program services under section 2616; and

`(ii) core medical services are available to all individuals with HIV/AIDS identified and eligible under this title.

`(B) NOTIFICATION OF WAIVER STATUS- When informing the chief elected official of an eligible area that a grant under section 2601 is being made for the area for a grant year, the Secretary shall inform the official whether a waiver under subparagraph (A) is in effect for such year.

SEC. 2612. GENERAL USE OF GRANTS.

`(a) In General- A State may use amounts provided under grants made under section 2611 for--

`(1) core medical services described in subsection (b);

`(2) support services described in subsection (c); and

`(3) administrative expenses described in section 2618(b)(3).

`(b) Required Funding for Core Medical Services-

`(1) IN GENERAL- With respect to a grant under section 2611 for a State for a grant year, the State shall, of the portion of the grant remaining after reserving amounts for purposes of subparagraphs (A) and (E)(ii)(I) of section 2618(b)(3), use not less than 75 percent to provide core medical services that are needed in the State for individuals with HIV/AIDS who are identified and eligible under this title (including services regarding the co-occurring conditions of the individuals).

`(2) WAIVER-

`(A) IN GENERAL- The Secretary shall waive the application of paragraph (1) with respect to a State for a grant year if the Secretary determines that, within the State--

`(i) there are no waiting lists for AIDS Drug Assistance Program services under section 2616; and

`(ii) core medical services are available to all individuals with HIV/AIDS identified and eligible under this title.

`(B) NOTIFICATION OF WAIVER STATUS- When informing a State that a grant under section 2611 is being made to the State for a fiscal year, the Secretary shall inform the State whether a waiver under subparagraph (A) is in effect for the fiscal year.

`SEC. 2651. ESTABLISHMENT OF A PROGRAM.

`(a) In General- For the purposes described in subsection (b), the Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to public and nonprofit private entities specified in section 2652(a).

`(b) Requirements-

`(1) IN GENERAL- The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees to expend the grant only for--

`(A) core medical services described in subsection (c);

`(B) support services described in subsection (d); and

`(C) administrative expenses as described in section 2664(g)(3).

`(2) EARLY INTERVENTION SERVICES- An applicant for a grant under subsection (a) shall expend not less than 50 percent of the amount received under the grant for the services described in subparagraphs (B) through (E) of subsection (e)(1) for individuals with HIV/AIDS.

`(c) Required Funding for Core Medical Services-

`(1) IN GENERAL- With respect to a grant under subsection (a) to an applicant for a fiscal year, the applicant shall, of the portion of the grant remaining after reserving amounts for purposes of paragraphs (3) and (5) of section 2664(g), use not less than 75 percent to provide core medical services that are needed in the area involved for individuals with HIV/AIDS who are identified and eligible under this title (including services regarding the co-occurring conditions of the individuals).

`(2) WAIVER-

`(A) The Secretary shall waive the application of paragraph (1) with respect to an applicant for a grant if the Secretary determines that, within the service area of the applicant--

`(i) there are no waiting lists for AIDS Drug Assistance Program services under section 2616; and

`(ii) core medical services are available to all individuals with HIV/AIDS identified and eligible under this title.

`(B) NOTIFICATION OF WAIVER STATUS- When informing an applicant that a grant under subsection (a) is being made for a fiscal year, the Secretary shall inform the applicant whether a waiver under subparagraph (A) is in effect for the fiscal year.