

ATTACHMENT 1 –Authorizing Legislation

UNITED STATES CODE

TITLE 42: THE PUBLIC HEALTH AND WELFARE

CHAPTER 6A: PUBLIC HEALTH SERVICE

SUBCHAPTER XIII: PREVENTIVE HEALTH MEASURES WITH RESPECT TO BREAST AND CERVICAL CANCERS

Public Law 101-354: Breast and Cervical Cancer Mortality Prevention Act of 1990; 8/10/90, except as annotated.

“Breast and Cervical Cancer Mortality Prevention Act of 1990”

▶▶▶ UNABRIDGED AND ANNOTATED ◀◀◀

§ 300k. Establishment of program of grants to States

(a) In general

The Secretary, acting through the Director of the Centers for Disease Control and Prevention¹, 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.²
- (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 States³

(1) In general

A State receiving a grant under subsection (a) of this section may, subject to paragraphs (2) and (3), expend the grant to carry out the purpose described in such subsection through grants to public and nonprofit private entities and through contracts with public and private entities.⁴

(2) Certain applications

¹ In 1993, Public Law 103-183, Sec. 101(g)(1), substituted “Control and Prevention” for “Control” in introductory provisions.

² In 1998, underlined was amended by Public Law 105-340, Sec. 203(a).

³ In 1993, Public Law 103-183, Sec. 101(a), substituted “paragraphs (2) and (3)” for “paragraph (2)” in paragraph (1), added paragraphs (2) and (3), and struck out heading and text of former paragraph (2). Text read as follows: “In addition to the authority established in paragraph (1) for a State with respect to grants and contracts, the State may provide for screenings under subsection (a)(1) of this section through entering into contracts with private entities. The amount paid by a State to a private entity under the preceding sentence for a screening procedure may not exceed the amount that would be paid under part B of title XVIII of the Social Security Act if payment were made under such part for furnishing the procedure to a woman enrolled under such part.” Public Law 103-43, Sec. 2008(c)(1), designated existing provisions as paragraph (1), inserted paragraph heading, substituted “may, subject to paragraph (2), expend” for “may expend”, and added paragraph (2).

⁴ In 1998, Public Law 105-340, Sec. 203(b)(1), substituted “through grants to public and nonprofit private entities and through contracts with public and private entities.” for “through grants to, and contracts with, public or nonprofit private entities.”