

Section 1502 of the Public Health Service Act [42 USC 300l]

## **42 U.S. Code § 300l - Requirement of matching funds**

### **(a) In general**

The [Secretary](#) may not make a grant under [section 300k of this title](#) unless the State involved agrees, with respect to the costs to be incurred by the State in carrying out the purpose described in such section, to make available non-Federal contributions (in cash or in kind under subsection (b)) toward such costs in an amount equal to not less than \$1 for each \$3 of Federal funds provided in the grant. Such contributions may be made directly or through donations from public or private entities.

### **(b) Determination of amount of non-Federal contribution**

#### **(1) In general**

Non-Federal contributions required in subsection (a) may be in cash or in kind, fairly evaluated, including equipment or [services](#) (and excluding indirect or overhead costs). Amounts provided by the Federal Government, or [services](#) assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

#### **(2) Maintenance of effort**

In making a determination of the amount of non-Federal contributions for purposes of subsection (a), the [Secretary](#) may include only non-Federal contributions in excess of the average amount of non-Federal contributions made by the State involved toward the purpose described in [section 300k of this title](#) for the 2-year period preceding the first fiscal year for which the State is applying to receive a grant under such section.

#### **(3) Inclusion of relevant non-Federal contributions for medicaid**

In making a determination of the amount of non-Federal contributions for purposes of subsection (a), the [Secretary](#) shall, subject to paragraphs (1) and (2) of this subsection, include any non-Federal amounts expended pursuant to title XIX of the [Social Security Act](#) [42 U.S.C. 1396 et seq.] by the State involved toward the purpose described in paragraphs (1) and (2) of [section 300k\(a\) of this title](#).

(July 1, 1944, ch. 373, title XV, § 1502, as added [Pub. L. 101-354, § 2](#), Aug. 10, 1990, [104 Stat. 410](#).)