

Public Health Service, HHS

§ 57.2002

leading to a high school diploma, associate degree, undergraduate degree, or degree in the health or allied health professions.

(d) The grantee may spend grant funds to pay individuals in the program a stipend when the grantee determines that:

(1) The condition in paragraph (c)(2) of this section exists;

(2) No other Federal financial assistance program is authorized to provide this support; and

(3) The individual needs this support to participate in the program.

(e) The grantee may not spend grant funds to pay tuition or fees, train program staff, retrain health professionals, or for sectarian instruction, or for any religious purpose.

[45 FR 73052, Nov. 4, 1980, as amended at 56 FR 40566, Aug. 15, 1991]

§ 57.1809 What additional Department regulations apply to grantees?

Several other Department regulations apply to grantees. They include but are not limited to:

42 CFR part 50, subpart D—Public Health Service grant appeals procedure

45 CFR part 16—Procedures of the Departmental Grant Appeals Board

45 CFR part 46—Protection of human subjects

45 CFR part 74—Administration of grants

45 CFR part 75—Informal grant appeals procedures

45 CFR part 76—Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants)

45 CFR part 80—Nondiscrimination under programs receiving Federal assistance through the Department of Health and Human Services effectuation of title VI of the Civil Rights Act of 1964

45 CFR part 81—Practice and procedure for hearings under part 80 of this title

45 CFR part 83—Regulation for the administration and enforcement of sections 794 and 855 of the Public Health Service Act

45 CFR part 84—Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 86—Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 91—Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance

45 CFR part 93—New restrictions on Lobbying

[49 FR 38114, Sept. 27, 1984, as amended at 56 FR 40566, Aug. 15, 1991; 57 FR 45740, Oct. 5, 1992; 61 FR 6126, Feb. 16, 1996]

§ 57.1810 What other audit and inspection requirements apply to grantees?

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 74 concerning audit and inspection.

[61 FR 6126, Feb. 16, 1996; 61 FR 51020, Sept. 30, 1996]

§ 57.1811 Additional conditions.

The Secretary may impose additional conditions on any grant award before or at the time of any award if he or she determines that these conditions are necessary to assure or protect the advancement of the approved activity, the interest of the public health, or the conservation of grant funds.

[45 FR 73052, Nov. 4, 1980]

Subpart T [Reserved]

Subpart U—Armed Forces Health Professions Scholarship Program

AUTHORITY: Sec. 2(a), Pub. L. 92-426, 86 Stat. 719 (10 U.S.C. 2127(d)).

SOURCE: 38 FR 20447, Aug. 1, 1973, unless otherwise noted.

§ 57.2001 Applicability.

In the event the Secretary of Defense decides to enter into one or more contracts under 10 U.S.C. 2127(d), the regulations in this subpart outline considerations the Secretary of Defense will take into account in determining whether an accredited civilian educational institution has increased its total enrollment for the sole purpose of accepting members of the Armed Forces health professions scholarship program.

§ 57.2002 Definitions.

As used in this subpart:

(a) *Institution* means a college, university, or other institution or a department, division, or other administrative unit within a college, university, or other institution, which provides primarily or exclusively a course of study in medicine, dentistry, or other health profession, as determined under regulations prescribed by the Secretary of Defense, leading to a degree in one of said health professions, and which is accredited by an accrediting agency or association recognized by the United States Commissioner of Education.

(b) *Enrollment* in any fiscal year means the number of full-time students enrolled in an institution on October 15 of said year and pursuing a course of study which constitutes a full-time academic workload, as determined by the institution, leading to a degree in medicine, dentistry, or other health profession, as determined under regulations prescribed by the Secretary of Defense: *Provided*, That if the Secretary of Defense finds that a date other than October 15 would more accurately reflect an institution's enrollment in any fiscal year, the Secretary of Defense may use such other date in place of October 15 in making his determination under this subpart.

(c) *Fiscal year* means the Federal fiscal year beginning July 1 and ending on the following June 30.

(d) *Program* means the Armed Forces health professions scholarship program established under section 2(a) of the Uniformed Services Health Professions Revitalization Act of 1972 (86 Stat. 713, Pub. L. 92-426), and codified in chapter 105 of 10 U.S.C.

§ 57.2003 Determinations of increased enrollment solely for the program.

In the event the Secretary of Defense decides to enter into one or more contracts under 10 U.S.C. 2127(d), his determination as to whether an institution has increased its total enrollment in any fiscal year for the sole purpose of accepting members of the program will take into account the following considerations:

(a) A comparison of the total enrollment in said fiscal year with the total enrollments in immediately preceding fiscal years;

(b) Any increases in enrollment to which the institution has directly or indirectly committed itself in said fiscal year under: (1) Other Federal programs, such as those set forth in title VII and VIII of the Public Health Service Act (42 U.S.C. 292 *et seq.*), the Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972 (Pub. L. 92-541, 86 Stat. 1100 (38 U.S.C. 5070 *et seq.*)) and section 225 of the Public Health Service Act (sec. 5, Pub. L. 92-585, 86 Stat. 1293 (42 U.S.C. 234)); (2) programs of State or local governments or other public or private agencies, or (3) any legally binding arrangement: *Provided*, That insofar as a single increase may be applied to satisfy the commitments under two or more programs and/or other arrangements, said increase shall be considered to meet all such commitments;

(c) Any unusual factors, such as: (1) An institution having been newly established or (2) an institution experiencing what is for it an abnormal rate of attrition and/or admission.

Subpart V—Grants for Centers of Excellence

AUTHORITY: Sec. 788A of the Public Health Service Act, Pub. L. 100-97, 101 Stat. 713-714 (42 U.S.C. 295g-8a), and redesignated as section 782, as amended by Pub. L. 100-607, 102 Stat. 3136 (42 U.S.C. 295g-2); renumbered as sec. 739, as amended by Pub. L. 102-408, 106 Stat. 2027-2031 (42 U.S.C. 293c).

SOURCE: 54 FR 28067, July 5, 1989, unless otherwise noted.

§ 57.2101 To what projects do these regulations apply?

These regulations apply to grants awarded to public or nonprofit private health professions schools under section 739 of the Public Health Service Act (42 U.S.C. 293c) to assist such schools in supporting programs of excellence in health professions education for minority individuals.

[54 FR 28067, July 5, 1989, as amended at 61 FR 6126, Feb. 16, 1996]

§ 57.2102 Definitions.

Act means the Public Health Service Act, as amended.