

**§ 57.2106**

(1) The degree to which the applicant can arrange to continue the proposed project beyond the federally funded project period;

(2) The degree to which the proposed project meets three or more of the purposes as described in § 57.2104;

(3) The relationship of the objectives of the proposed project to the goals of the plan that will be developed pursuant to § 57.2104(a)(1);

(4) The administration and managerial ability of the applicant to carry out the project in a cost effective manner;

(5) The adequacy of the staff and faculty to carry out the program;

(6) The soundness of the budget for assuring effective utilization of grant funds, and the proportion of total program funds which come from non-federal sources and the degree to which they are projected to increase over the grant period;

(7) The number of individuals who can be expected to benefit from the project; and

(8) The overall impact the project will have on strengthening the school's capacity to train minority health professionals and increase the supply of minority health professionals available to serve minority populations in underserved areas.

(b) In determining the funding of applications approved under paragraph (a) of this section, the Secretary will consider any special factors relating to national needs as the Secretary may from time to time announce in the FEDERAL REGISTER.

[38 FR 20447, Aug. 1, 1973, as amended at 61 FR 6126, Feb. 16, 1996]

**§ 57.2106 How long does grant support last?**

(a) The notice of grant award specifies the length of time the Secretary intends to support the project without requiring the project to re compete for funds. This period, called the project period, will not exceed 3 years.

(b) Generally, the grant will initially be funded for 1 year, and subsequent continuation awards will also be for 1 year at a time. Decisions regarding the continuation awards and the funding levels of these awards will be made after consideration of such factors as

the grantee's progress, including the degree that the projected portion of non-federal funds supporting the project has been met, and management practices, the existence of legislative authority, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other award with respect to any approved application or portion of an approved application. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

**§ 57.2107 For what purposes may grant funds be spent?**

(a) A grantee shall only spend funds it receives under this subpart according to the approved application and budget, the authorizing legislation, terms and conditions of the grant award, applicable cost principles specified in subpart Q of 45 CFR part 74, and these regulations.

(b) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. If at any time during a budget period it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's needs for the period, the Secretary may adjust the amounts awarded by withdrawing the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

(c) The grantee may spend grant funds to pay individual participants in the program a per diem when the grantee determines that—

(1) The training program requires the individual to establish a temporary new residence;

(2) The program is offered at a time when the individual would not be at the training site in a regular course of education or employed as a faculty member at that institution; and

(3) No other Federal financial assistance program is authorized to provide this support.

(d) The grantee may spend grant funds to provide one round trip per participant between the place of residence and the training site, provided that conditions in paragraphs (c)(1) and (2) of this section are met.

(e) The grantee may not spend grant funds for stipends, licensing exams, loan or scholarship support, support of research faculty or projects and related activities, establishment of research centers, establishment of planning offices, support of commercial ventures, entertainment, dependency allowances, new construction of facilities, acquisition of land, fund raising, or for sectarian instruction or any religious purpose.

[54 FR 28067, July 5, 1989, as amended at 57 FR 45740, Oct. 5, 1992]

#### § 57.2108 What additional Department regulations apply to grantees?

Several other regulations apply to grants under this subpart. These 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.

[54 FR 28067, July 5, 1989, as amended at 57 FR 45740, Oct. 5, 1992; 61 FR 6126, Feb. 16, 1996]

#### § 57.2109 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]

#### § 57.2110 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.

### Subpart W—Physician Shortage Area Scholarship Grants

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216).

SOURCE: 39 FR 28730, Aug. 9, 1974, unless otherwise noted.

#### § 57.2201 Applicability.

The regulations of this subpart are applicable to scholarship grants awarded under section 784 of the Public Health Service Act, which authorizes the Secretary to award scholarship grants to students of medicine and osteopathy who agree to engage in the full-time practice of primary care for a prescribed period of time (a) in a physician shortage area or (b) in such manner as to assure that of the patients receiving medical care in such practice a substantial portion will consist of migratory agricultural workers or members of their families.