

(iii) The capability of the applicant to carry out the proposed project;

(iv) The extent to which the project has joint program direction by qualified nurse and physician educators;

(v) The soundness of the fiscal plan for assuring effective utilization of grant funds; and

(vi) The potential of the project to continue on a self-sustaining basis after the project period.

(2) Pursuant to section 822(a)(1) of the Act, the Secretary will give special consideration to:

(i) Projects for programs for the education of nurse practitioners or nurse midwives who will practice in health professional shortage areas (designated under section 332 of the Act); and

(ii) Projects for education programs which emphasize education respecting the special problems of geriatric patients (particularly problems in the delivery of preventive care, acute care, and long-term care, including home health care and institutional care to such patients) and education to meet the particular needs of nursing home patients and patients confined to their homes.

(3) In determining the funding of applications approved under paragraph (a)(1) of this section, the Secretary will also consider other special factors relating to national needs as the Secretary may from time to time announce in the FEDERAL REGISTER.

(b) *Grant awards.* (1) The Secretary will determine the amount of any award on the basis of his or her estimate on the sum necessary for the cost (including both direct and indirect costs) of the project.

(2) All grant awards shall be in writing and shall set forth the amount of funds granted and the period for which such funds will be available for obligation by the grantee.

(3) Neither the approval of any project 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 project or portion thereof. For continuation support, grantees must make separate application at such times and in such form as the Secretary may prescribe.

(c) *Noncompeting continuation awards.*

If a grantee has filed an application for continuation support and within the limits of funds available for this purpose, the Secretary may make a grant award for an additional budget period for any previously approved project if (1) the application is for a project which meets the regulations of this subpart and (2) on the basis of such progress and accounting records as may be required, the Secretary finds that the project's activities during the current budget period justify continued support of the project for an additional budget period. If the Secretary decides to continue support, the amount of the grant award will be determined in accordance with paragraph (b)(1) of this section. If the Secretary decides not to continue supporting a project for an additional budget period, he will notify the grantee in writing before the end of the current budget period. In addition, the Secretary may provide financial support for the orderly phaseout of the supported project, if he determines that such support is necessary.

[43 FR 43416, Sept. 25, 1978, as amended at 52 FR 27343, July 21, 1987; 53 FR 14792, Apr. 26, 1988; 57 FR 45741, Oct. 5, 1992]

§ 57.2407 Grant payments.

The Secretary will from time to time make payments to the grantee of all or a portion of any grant award, either by way of reimbursement for expenses incurred in the budget period, or in advance for expenses to be incurred, to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

[42 FR 60883, Nov. 29, 1977]

§ 57.2408 Expenditure of grant funds.

(a) Any funds granted pursuant to this subpart shall be expended solely for carrying out the approved project in accordance with section 822 of the Act, the regulations of this subpart, the terms and conditions of the award, and the applicable cost principles prescribed by subpart Q of 45 CFR part 74; *Provided*, That such funds shall not be expended for sectarian instruction or for any religious purpose.

(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.

[43 FR 43416, Sept. 25, 1978, as amended at 52 FR 27343, July 21, 1987; 57 FR 45741, Oct. 5, 1992]

§ 57.2409 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 (nonprocurement) 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 Activities Receiving Federal Financial Assistance.

45 CFR part 93—New restrictions on lobbying.

[52 FR 27344, July 21, 1987, as amended at 57 FR 45741, Oct. 5, 1992; 61 FR 6126, Feb. 16, 1996]

§ 57.2410 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the public health, or the conservation of grant funds.

[43 FR 43416, Sept. 25, 1978. Redesignated at 52 FR 27344, July 21, 1987]

APPENDIX TO SUBPART Y—GUIDELINES FOR NURSE PRACTITIONER AND NURSE MIDWIFERY PROGRAMS

The guidelines set forth below have been prescribed by the Secretary after consultation with appropriate educational organizations and professional nursing and medical organizations, as required by section 822(a)(2)(B) of the Public Health Service Act.

A. *Definitions.* 1. "Programs for the education of nurse practitioners or nurse midwives" means a full-time educational program for registered nurses (irrespective of the type of school of nursing in which the nurses received their training) which meets the guidelines prescribed herein and which has as its objective the education of nurses (including pediatric and geriatric nurses) who will, upon completion of their studies in such program be qualified to effectively provide primary health care, including primary health care in homes and in ambulatory care facilities, long-term care facilities, where appropriate, and other health care institutions.

2. "Nurse practitioner" means a registered nurse who has successfully completed a formal program of study designed to prepare registered nurses to perform in an expanded role in the delivery of primary health care including the ability to:

- a. Assess the health status of individuals and families through health and medical history taking, physical examination, and defining of health and developmental problems;
- b. Institute and provide continuity of health care to clients (patients), work with the client to insure understanding of and compliance with the therapeutic regimen within established protocols, and recognize when to refer the client to a physician or other health care provider;
- c. Provide instruction and counseling to individuals, families and groups in the areas