

**Public Health Service, HHS**

**§ 57.710**

from time to time announce in the FEDERAL REGISTER.

[44 FR 36178, June 21, 1979, as amended at 52 FR 24160, June 29, 1987; 53 FR 14792, Apr. 26, 1988; 57 FR 45736, Oct. 5, 1992; 61 FR 6124, Feb. 16, 1996]

**§ 57.707 Grant award.**

(a) *General.* (1) Within the limits of funds available for this purpose, the Secretary may award grants to those applicants whose projects will, in his or her judgment best promote the purposes of section 750 of the Act as determined in accordance with § 57.706.

(2) 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 5 years.

(3) Neither the approval of any project nor any grant award 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 of an approved project. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

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

(c) 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 continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, 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.

[44 FR 36178, June 21, 1979, as amended at 57 FR 45736, Oct. 5, 1992; 61 FR 6124, Feb. 16, 1996]

**§ 57.708 Grant payments.**

The Secretary will from time to time make payments to a grantee of all or a

portion of any grant award, either in advance or by way of reimbursement.

[44 FR 36178, June 21, 1979]

**§ 57.709 Purposes for which grant funds must be spent.**

(a) Grant funds must be spent solely for carrying out the approved project under section 750 of the Act, these regulations, the terms and conditions of the grant award, and applicable cost principles specified in subpart Q of 45 CFR part 74.

(b) Grant funds may not be spent for sectarian instruction or for any religious purpose.

(c) 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.

[44 FR 36178, June 21, 1979, as amended at 52 FR 24160, June 29, 1987; 57 FR 45736, Oct. 5, 1992; 61 FR 6124, Feb. 16, 1996]

**§ 57.710 What additional Department regulations apply to grantees?**

Several other regulations apply to these grants. 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 (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

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- 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 of 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.

[52 FR 24161, June 29, 1987, as amended at 57 FR 45736, Oct. 5, 1992; 61 FR 6124, Feb. 16, 1996]

### § 57.711 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 6124, Feb. 16, 1996; 61 FR 51020, Sept. 30, 1996]

### § 57.712 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 or her judgment, these conditions are necessary to assure or protect advancement of the grant, the interest of the public health, or the conservation of grant funds.

[44 FR 36177, June 21, 1979. Redesignated at 52 FR 24161, June 29, 1987]

## Subpart I—Programs for the Training of Physician Assistants

AUTHORITY: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 701(8)(B), 90 Stat. 2247, as amended by 95 Stat. 913 and 99 Stat. 525-526 (42 U.S.C. 292a(8)(B)); renumbered as sec. 750, as amended by Pub. L. 102-408, 106 Stat. 2044 (42 U.S.C. 293n).

### § 57.801 Purpose and scope.

(a) Section 750 of the Public Health Service Act (42 U.S.C. 293n) requires the Secretary to develop regulations

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for programs for the training of physician assistants. The purpose of this subpart is to comply with this requirement.

(b) The regulations in this subpart apply to all programs for the training of physician assistants supported under title VII of the Public Health Service Act.

[44 FR 36177, June 21, 1979, as amended at 52 FR 24160, June 29, 1987; 61 FR 6124, Feb. 16, 1996]

### § 57.802 Definitions.

For purpose of this subpart:

*Academic year* means the approximately 9-12 month period of time during which the program is in session.

*Disease prevention* is the health strategy which emphasizes the development of individual and community measures to protect against disease or environmental hazards and their harmful consequence.

*Full-time student* means a student who is enrolled in a program and pursuing a course of study which constitutes a full-time academic workload, as determined by the program, and which leads to a degree, diploma, or certificate of completion.

*Geriatric medicine* is the prevention, diagnosis, care and treatment of illness and disability as required by the distinct needs of the elderly.

*Health professional shortage area* means an area designated under section 322 of the Public Health Service Act.

*Health promotion* is the health strategy which emphasizes individual responsibility for one's health, and community efforts to maintain and enhance well-being through lifestyle changes.

*Home health care* is the provision of medical and other health care services to maintain or restore the health of an ill or disabled person in their place of residence.

*Medical director* means the individual responsible for providing competent medical direction of the program.

*Physician assistant* means an individual who is qualified by academic and clinical training to provide patient care services under the supervision and responsibility of a doctor of medicine