

Public Law 98-509
98th Congress

An Act

To amend the Public Health Service Act to revise and extend the authorities of that Act for assistance for alcohol and drug abuse and mental health services.

Oct. 19, 1984

[S. 2303]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Alcohol Abuse, Drug Abuse, and Mental Health Amendments of 1984".

Alcohol Abuse,
Drug Abuse, and
Mental Health
Amendments of
1984.

42 USC 201 note.

(b) Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act.

TITLE I—AMENDMENTS TO TITLE XIX OF THE PUBLIC
HEALTH SERVICE ACT

SEC. 101. Section 1911 (42 U.S.C. 300x) is amended by striking out "and" after "1983," and by inserting before the period a comma and the following: "\$515,000,000 for fiscal year 1985, \$545,000,000 for fiscal year 1986, and \$576,000,000 for fiscal year 1987".

SEC. 102. (a) Title XIX is amended by striking out section 1912 and inserting in lieu thereof the following:

"GRANTS

"SEC. 1912. (a) The Secretary may use not more than 1 percent of the amount appropriated under section 1911 for any fiscal year to make grants to public and nonprofit private entities for projects for the training and retraining of employees adversely affected by changes in the delivery of mental health services and for providing such employees assistance in securing employment.

42 USC 300x-1.

"(b) No grant may be made by the Secretary under subsection (a) unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain and be accompanied by such information, as the Secretary may specify. No such application may be approved unless it contains assurances that the applicant will use the funds provided only for the purposes specified in the approved application and will establish such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting of Federal funds paid to the applicant under subsection (a).

"ALLOTMENTS

"SEC. 1913. (a)(1) If the amount available for allotment from appropriations under section 1911 for a fiscal year does not exceed \$490,000,000, the Secretary shall allot such amount—

42 USC 300x-1a.

“(A) on the basis of a formula prescribed by the Secretary which is based equally—

“(i) on the population of each State, and

“(ii) the population of each State weighted by its relative per capita income, or

“(B) on the basis of the amount received by a State in fiscal year 1984,

whichever yields a higher amount. For purposes of subparagraph (A), the term ‘relative per capita income’ means the quotient of the per capita income of the United States and the per capita income of the State, except that if the State is Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, the Commonwealth of Puerto Rico, or the Virgin Islands, the quotient shall be considered to be one.

42 USC 300x.

“(2) If the amount available for allotment from appropriations under section 1911 for a fiscal year is at least \$490,000,000, the Secretary shall allot \$490,000,000 in accordance with paragraph (1) and shall allot the amount which is in excess of such amount on the basis of the formula described in paragraph (1)(A).

“(3) Notwithstanding paragraph (1), if the aggregate of the amounts to be allotted to each State pursuant to paragraph (1)(B) in any fiscal year exceeds the total amount available for allotment from appropriations under section 1911, the amount to be allotted to a State for such fiscal year shall be an amount which bears the same ratio to the amount which is to be allotted to the State pursuant to such paragraph as the total amount available for allotment from appropriations under section 1911 bears to the total of the amount required to be appropriated and made available under such section for allotments to provide each State with the allotment required by such paragraph.

“(4) To the extent that all the funds appropriated under section 1911 for a fiscal year and available for allotment in such fiscal year are not otherwise allotted to States because—

“(A) one or more States have not submitted an application or description of activities in accordance with section 1916 for the fiscal year;

“(B) one or more States have notified the Secretary that they do not intend to use the full amount of their allotment; or

“(C) some State allotments are offset or repaid under section 1917(b)(3);

such excess shall be allotted among each of the remaining States in proportion to the amount otherwise allotted to such States for the fiscal year without regard to this paragraph.

Indians.

“(b)(1) If the Secretary—

“(A) receives a request from the governing body of an Indian tribe or tribal organization within any State that funds under this part be provided directly by the Secretary to such tribe or organization, and

“(B) determines that the members of such tribe or tribal organization would be better served by means of grants made directly by the Secretary on this part,

the Secretary shall reserve from amounts which would otherwise be allotted to such State under subsection (a) for the fiscal year the amount determined under paragraph (2).

“(2) The Secretary shall reserve for the purpose of paragraph (1) from amounts that would otherwise be allotted to such State under subsection (a) an amount equal to the amount which bears the same

ratio to the State's allotment for the fiscal year involved as the total amount provided or allotted for fiscal year 1980 by the Secretary to such tribe or tribal organization under—

"(A) the Community Mental Health Centers Act,

"(B) the Mental Health Systems Act,

"(C) section 301 of this Act,

"(D) sections 301 and 312 of the Comprehensive Alcohol Abuse and Alcoholism, Prevention, Treatment, and Rehabilitation Act of 1970, and

"(E) sections 409 and 410 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act,

bore to the total amount provided or allotted for such fiscal year by the Secretary to the State and entities (including Indian tribes and tribal organizations) in the State under such provisions of law.

"(3) The amount reserved by the Secretary on the basis of a determination under this subsection shall be granted to the Indian tribe or tribal organization serving the individuals for whom such a determination has been made.

"(4) In order for an Indian tribe or tribal organization to be eligible for a grant for a fiscal year under this subsection, it shall submit to the Secretary a plan for such fiscal year which meets such criteria as the Secretary may prescribe.

"(5) The terms 'Indian tribe' and 'tribal organization' have the same meaning given such terms in section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act."

(b)(1) The Secretary of Health and Human Services shall enter into an agreement with a nongovernmental entity to review the allotment of funds to the States under part B of title XIX of the Public Health Service Act for the purpose of determining whether a formula for the allotment of funds under such part can be devised which is more equitable than the formula specified in section 1913 of such Act. In conducting such review, such entity shall consider—

(A) the financial resources of the various States;

(B) the populations of the States;

(C) any relevant conditions or circumstances which have changed since the date of enactment of such part B; and

(D) any other factor which the Secretary may consider appropriate.

(2) In conducting the review required by paragraph (1), such entity shall consult with appropriate representatives of State and local governments.

(3) By October 1, 1986, the Secretary shall prepare and transmit to the Congress a report concerning the review conducted under paragraph (1) which includes such recommendations as the Secretary considers appropriate.

SEC. 103. (a) Section 1915(c)(6) (42 U.S.C. 300x-4(c)(6)) is amended by striking out subparagraphs (B) and (C) and inserting in lieu thereof the following:

"(B) The State agrees to use 75 percent of the funds allotted to it under section 1913 for fiscal years beginning after fiscal year 1984 for the mental health and alcohol and drug abuse activities prescribed by section 1915(a) as prescribed by subparagraph (A)."

(b) Section 1915(c) is amended—

(1) in paragraph (2) by striking out "fiscal years 1982, 1983, and 1984" and inserting in lieu thereof "fiscal years 1985, 1986, and 1987"; and

42 USC 2681
note.

42 USC 9401
note.

42 USC 241.

42 USC 4571,
4578.

21 USC 1176
note, 1177.

25 USC 450b.

42 USC 300x-1a
note.

42 USC 300x.

42 USC 300x-2.

Report.

Post, p. 2359.

Women.

(2) by adding at the end thereof the following:

"(14) Of the amount allotted to a State under this part in any fiscal year, the State agrees to use not less than 5 percent of such amount to initiate and provide new alcohol and drug abuse services for women.

"(15) Of the amounts to be used in any fiscal year for mental health activities, the State agrees to use not less than 10 percent of such amount to initiate and provide (A) new mental health services for severely disturbed children and adolescents, and (B) new comprehensive community mental health programs for underserved areas or for underserved populations."

Post, p. 2359.

42 USC 300x-4.
Comprehensive
plan.

(d)(1) Section 1915 is amended by redesignating subsection (e) as subsection (h) and by inserting after subsection (d) the following new subsections:

"(e) With amounts available under section 1915(a), the chief executive officer of a State may prepare and submit a comprehensive mental health plan which shall include—

"(1) an identification of the mental health service areas within the State and the agency responsible for the delivery and coordination of mental health services within the State;

"(2) an identification of the need in each mental health service area of the State for mental health and related services, particularly the need for services to chronically mentally ill individuals, seriously mentally ill children, adolescents, and elderly individuals, and other identified populations;

"(3) a description of the resources devoted to and activities to be carried out under the plan, including—

"(A) a description of mental health activities (including activities for chronically mentally ill individuals) funded or supported under this Act,

"(B) a description of mental health activities (including activities for chronically mentally ill individuals) funded or supported by State appropriations,

"(C) a description of mental health and related support activities (including activities for chronically mentally ill individuals) funded under or supported through title XIX of the Social Security Act and other programs of Federal assistance, and

"(D) to the extent feasible, a description of mental health activities reimbursed or provided in the State by private third party insurers and local governments;

"(4) the mental health prevention and treatment objectives to be achieved under the plan and a listing of the programs and resources to be used to meet such objectives;

"(5) a strategy for the establishment and implementation for chronically mentally ill individuals of an organized community-based system of care which shall provide for quantitative targets to be achieved in the implementation of the plan, including numbers of chronically mentally ill individuals residing in the areas to be served, a description of services to be provided to such individuals in gaining access to essential mental health services, and a description of medical and dental care and rehabilitation services and employment, housing, and other support services designed to enable such individuals to function outside of inpatient institutions to the maximum extent of their capabilities;

42 USC 1396.

"(6) quantitative targets for provision of community-based mental health services for underserved populations, with particular emphasis on elderly individuals, children and adolescents, and individuals residing in areas without adequate outpatient treatment facilities; and

"(7) a method for the periodic evaluation of the plan's effectiveness in meeting the objectives set forth in the plan.

"(f) With amounts available under section 1915(a), the chief executive officer of the State may establish a State mental health services planning council which will—

"(1) serve as an advocate for chronically mentally ill individuals, seriously mentally ill children, adolescents, elderly individuals, and other individuals with mental illness or emotional problems, and

"(2) monitor, review, and evaluate, not less often than annually, the allocation and adequacy of mental health services within the State.

Such a council shall be made up of residents of the State and include in its membership representatives of the principal State agencies involved in mental health, higher education training facilities, and public and private entities concerned with the need, planning, operation, funding, and use of mental health and related services and activities. At least one half of the membership shall consist of individuals who are not State employees or providers of mental health services.

"(g) The Secretary shall report annually to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate on the new programs and services initiated and provided in accordance with paragraphs (14) and (15) of subsection (c). The report shall include a detailed description of such programs and services, an assessment of the adequacy of such programs and services in meeting the alcohol and drug abuse treatment needs of women and the mental health needs of severely disturbed children and adolescents, and such other information, including legislative and administrative recommendations, as the Secretary deems appropriate."

Report.

(2) Section 1915(c)(2) is amended by striking out "(e)" and inserting in lieu thereof "(h)".

Post, p. 2359.
42 USC 300x-4.

(3) Section 1915(c)(4)(C) is amended by inserting before the comma the following: "or psychosocial rehabilitation services".

SEC. 104. (a) Section 1916(a) (42 U.S.C. 300x-5(a)) is amended by striking out "and (3)" and inserting in lieu thereof "(3) to furnish the Secretary a detailed description of the new programs and services initiated and provided in accordance with paragraphs (14) and (15) of section 1916(c), and (4)".

Post, p. 2359.

(b) Paragraph (2) of section 1916(b) is amended to read as follows:

"(2) Each State shall provide for one of the following:

Audits.
42 USC 300x-5.

"(A) A financial and compliance audit of the funds provided the State under section 1914. Such audits shall be performed biennially, shall cover expenditures in each fiscal year, and shall be conducted in accordance with standards established by the Comptroller General for the audit of governmental organizations, programs, activities, and functions.

Post, p. 2359.
42 USC 300x-3.

"(B) A single financial and compliance audit of each entity administering funds provided under section 1914. An audit of such an entity shall be conducted biennially, shall cover expenditures in each fiscal year, and shall be conducted in accordance

Report.
Public
availability.

with standards of the Comptroller General referred to in subparagraph (A).

Within 30 days after completion of an audit under subparagraph (A) or (B), a copy of the audit report shall be transmitted to the State legislature and the Secretary and shall be made available for public inspection. For purposes of subparagraphs (A) and (B), the term 'financial and compliance audit' means an audit to determine whether the financial statements of an audited entity present fairly the financial position and the results of financial operations in accordance with generally accepted accounting principles, and whether the entity has complied with laws and regulations that may have a material effect upon the financial statements."

Post, p. 2359.
42 USC 300x-5.

(c) Paragraph (6) of section 1916(b) is amended by striking out "1983" and inserting in lieu thereof "1986".

(d) Section 1916 is amended by adding at the end thereof the following new subsection:

"(d) The Secretary, in consultation with appropriate national organizations, shall develop model criteria and forms for the collection of data and information with respect to services provided under this part in order to enable States to share uniform data and information with respect to the provision of such services."

Post, p. 2359.
42 USC 300x-9.

SEC. 105. (a) Section 1920 is amended to read as follows:

"TECHNICAL ASSISTANCE; DATA COLLECTION

"SEC. 1920. The Secretary, through the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, shall—

42 USC 300x.

"(1) provide technical assistance to States (including public and nonprofit private entities within States) with respect to programs conducted under part B of title XIX; and

"(2) conduct data collection activities with respect to such programs, including data collection activities concerning the types of alcoholism, alcohol abuse, drug abuse, and mental health treatment and prevention activities conducted under such part, the number and types of individuals receiving services under such programs and activities, and the sources of funding (other than funding provided under such part) for such programs and activities."

42 USC 300x-3.

(b) Section 1914(a) is amended—

(1) by striking out paragraph (2),

(2) by striking out "(1)", and

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by redesignating clauses (i) through (v) as subparagraphs (A) through (E), respectively.

42 USC 300x,
300x-2—300x-5,
300x-7.

SEC. 106. (a) Sections 1911, 1913, 1914, 1915, 1916, and 1918 are each amended by striking out "1912" each place it occurs and inserting in lieu thereof "1913".

42 USC 300x-3,
300x-5, 300-6.

(b) Sections 1914, 1915, and 1916 are each amended by striking out "1913" each place it occurs and inserting in lieu thereof "1914".

(c) Sections 1913 and 1915 are each amended by striking out "1914" each place it appears and inserting in lieu thereof "1915".

42 USC 300x-2,
300x-3, 300x-5,
300x-6.

(d) Sections 1913, 1914, 1916, and 1917 are each amended by striking out "1915" each place it occurs and inserting in lieu thereof "1916".

42 USC 300x-1,
300x-2.

(e) Sections 1912 and 1913 are each amended by striking out "1916" each place it occurs and inserting in lieu thereof "1917".

(f) Section 1915 is amended by striking out "1917" and inserting in lieu thereof "1918".

42 USC 300x-4.

(g) The section entitled "Payments Under Allotments to States" is redesignated as section 1914 and the existing section 1914 and sections 1915 through 1920 are redesignated as sections 1915 through 1920A, respectively.

42 USC 300x-2.
42 USC 300x-4—
300x-9.

(h) The sections of the Public Health Service Act amended by this section are sections of the Act as in effect on the day before the date of the enactment of this Act.

42 USC 300x
note.

SEC. 107. The amendments made by this title shall apply with respect to applications for allotments under part B of title XIX of the Public Health Service Act for fiscal years beginning after fiscal year 1984 and to allotments made under such part for such fiscal years.

Effective date.
42 USC 300x
note.
42 USC 300x.

TITLE II—AMENDMENTS TO TITLE V OF THE PUBLIC HEALTH SERVICE ACT

SEC. 201. (a) Section 501(c) is amended to read as follows:

42 USC 290aa.
Alcohol, Drug
Abuse, and
Mental Health
Advisory Board,
establishment.

"(c)(1) There is established the Alcohol, Drug Abuse, and Mental Health Advisory Board (hereinafter in this subsection referred to as the 'Board'). The Board shall—

"(A) periodically assess the national needs for alcoholism, alcohol abuse, drug abuse, and mental health services and the extent to which those needs are being met by State, local, and private programs and programs receiving funds under this title and part B of title XIX, and

"(B) provide advice to the Secretary and the Administrator respecting activities carried out under this title and part B of title XIX.

"(2)(A) The Board shall consist of fifteen members appointed by the Secretary and such ex officio members from the National Institute on Alcohol Abuse and Alcoholism, the National Institute on Drug Abuse, and the National Institute of Mental Health as the Secretary may designate. Of the members appointed to the Board, at least six members shall represent State and private, nonprofit providers of prevention and treatment services for alcoholism, alcohol abuse, drug abuse, and mental illness, at least six members shall be individuals with expertise in public education and prevention services for alcoholism, alcohol abuse, drug abuse, and mental illness, and at least three members shall be appointed from members of the general public who are knowledgeable about alcoholism, alcohol abuse, drug abuse, and mental illness.

"(B) The term of office of a member appointed to the Board is four years, except that of the members first appointed to the Board—

"(i) five shall serve for terms of one year,

"(ii) five shall serve for terms of two years,

"(iii) five shall serve for terms of three years,

as designated by the Secretary at the time of appointment. Any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of such member was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of the member's term until the successor of the member has taken office.

"(3)(A) Except as provided in subparagraph (B), members of the Board shall (i) be paid not more than the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General

5 USC 5332 note.

Schedule for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Board, and (ii) while away from their homes or regular places of business and while serving in the business of the Board, be entitled to receive transportation expenses as prescribed by section 5703 of title 5, United States Code.

"(B) Members of the Board who are full-time officers or employees of the United States shall receive no additional pay, allowances, or benefits by reason of their service on the Board.

"(4) The Board may appoint such staff personnel as the Board considers appropriate.

"(5) The Secretary shall designate the chairman of the Board.

"(6) The Board shall meet at least three times each calendar year.

Report.

"(7) The Board shall report annually to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate on its activities during the prior year and shall include in such report such recommendations for legislation and administrative action as it deems appropriate."

42 USC 290aa.

(b) Section 501 is amended by inserting at the end the following:

Grants.

"(g) The Secretary, acting through the Administrator, shall make grants to schools of the health professions and schools of social work to support the training of students in such schools in the identification and treatment of alcohol and drug abuse. Grants under this subsection shall be made from funds available under this title and section 303.

"(h)(1) The Administrator may obtain (in accordance with section 3109 of title 5, United States Code, but without regard to the limitation in such section on the number of days or the period of service) the services of not more than 20 experts or consultants who have scientific or professional qualifications. Such experts and consultants shall be obtained for the Administration and for each of the research institutes under the Administration.

"(2)(A) Experts and consultants whose services are obtained under paragraph (1) shall be paid or reimbursed for their expenses associated with traveling to and from their assignment location in accordance with sections 5724, 5724a(a)(1), 5724a(a)(3), and 5726(c) of title 5, United States Code.

"(B) Expenses specified in subparagraph (A) may not be allowed in connection with the assignment of an expert or consultant whose services are obtained under paragraph (1), unless and until the expert or consultant agrees in writing to complete the entire period of assignment or one year, whichever is shorter, unless separated or reassigned for reasons beyond the control of the expert or consultant that are acceptable to the Secretary. If the expert or consultant violates the agreement, the money spent by the United States for the expenses specified in subparagraph (A) is recoverable from the expert or consultant as a debt of the United States. The Secretary may waive in whole or in part a right of recovery under this subparagraph."

42 USC 290aa-2.

SEC. 202. Section 503 is amended by striking out subsection (d) and by redesignating subsection (e) as subsection (d).

42 USC 290aa-3.

SEC. 203. Subsection (e) of section 504 is amended (1) by striking out "Minority Concerns" each place it occurs and inserting in lieu thereof "Special Populations", and (2) by inserting "women and" before "minority" each place it occurs.

SEC. 204. Section 504 is amended by adding at the end the following: 42 USC 290aa-3.

"(f)(1) The Secretary, acting through the Director, may make grants to States, political subdivisions of States, and private non-profit agencies for mental health services demonstration projects for the planning, coordination, and improvement of community services for chronically mentally ill individuals, seriously mentally disturbed children, and elderly individuals, and for the conduct of research concerning such services.

Grants.

"(2) The Secretary may make a grant under paragraph (1) for not more than three consecutive one-year periods, except that the Secretary may waive the limitation of this paragraph with respect to a particular grant if the Secretary determines that extenuating circumstances exist which merit such waiver.

"(3) For purposes of paragraphs (1) and (2) there are authorized to be appropriated \$20,000,000 for each of the fiscal years 1985, 1986, and 1987.

"(g) The Secretary, acting through the Director, may make grants to States for the purpose of developing State comprehensive mental health plans referred to in section 1915(e).

Ante, p. 2356.
42 USC 290bb.

SEC. 205. (a)(1) Section 510(b)(3) is amended (1) by striking out "and" at the end of subparagraph (F), (2) by striking out the period at the end of subparagraph (G) and inserting in lieu thereof "; and", and (3) by adding after subparagraph (G) the following:

"(H) alcoholism and alcohol abuse among women."

(2) Section 515(a) is amended by adding at the end the following: "In making grants and contracts to carry out paragraphs (4) and (5), the Director shall give special consideration to projects relating to drug abuse among women."

42 USC 290cc.

(b)(1) Section 503(e) is amended (1) by striking out "and" at the end of paragraph (2), (2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and", and (3) by adding at the end the following:

42 USC 290aa-2.

"(4) prepare for distribution announcements for television to educate the public concerning the dangers resulting from the consumption of drugs and, to the extent feasible, use appropriate private organizations and business concerns in the preparation of such announcements."

Public
information.

(2) Section 502 is amended by adding at the end the following:

42 USC 290aa-1.

"(e) The Secretary shall prepare for distribution announcements for television to educate the public concerning the dangers resulting from the consumption of alcoholic beverages and, to the extent feasible, use appropriate private organizations and business concerns in the preparation of such announcements."

SEC. 206. (a) Section 512 is redesignated as section 513 and subpart 1 of part B of title V is amended by adding after section 511 the following new section:

42 USC 290bb-2.

"ALCOHOL ABUSE AND ALCOHOLISM DEMONSTRATION PROJECTS

"SEC. 512. (a) The Secretary, through the Director, may make grants to public and nonprofit private entities to support projects—

Grants.
42 USC
290bb-1a.

"(1) for the development and demonstration of methods for—

"(A) the prevention of alcohol abuse, alcoholism, and other problems relating to the consumption of alcoholic beverages; and

“(B) the treatment and rehabilitation of individuals suffering from alcohol abuse, alcoholism, or other problems relating to the consumption of alcoholic beverages; and

“(2)(A) which emphasize the development and demonstration of new and improved methods of treatment, screening, early detection, referral, and diagnosis of individuals with a risk of developing alcohol abuse, alcoholism, or other problems relating to the consumption of alcoholic beverages;

“(B) which emphasize the development and demonstration of new and improved methods of dissemination of knowledge concerning projects supported under this section and methods developed or demonstrated under this section; and

“(C) which emphasize the development and demonstration of new and improved methods for the dissemination to the general public of information on the importance of early detection and prevention of alcohol abuse, alcoholism, and other problems relating to the consumption of alcoholic beverages.

“(b) A grant may be made under subsection (a) for a project which meets the requirements of subsection (a) and also deals with drug abuse.

“(c) No entity may receive grants under subsection (a) for more than three years.”

(b) Subpart 2 of part B is amended by adding after section 515 the following new section:

“DRUG ABUSE DEMONSTRATION PROJECTS

“SEC. 516. (a) The Secretary, through the National Institute on Drug Abuse, may make grants to and enter into contracts with individuals and public and nonprofit private entities to support projects—

“(1) for the development and demonstration of methods for—

“(A) the prevention of drug abuse and other problems relating to drug abuse, and

“(B) the treatment and rehabilitation of individuals suffering from drug abuse and other problems relating to the misuse of drugs; and

“(2)(A) which emphasize the development and demonstration of new and improved methods of screening and early detection, referral, and diagnosis of individuals with a risk of drug abuse,

“(B) which develop and evaluate new and improved techniques of prevention and treatment services for use in States and local communities, and

“(C) which emphasize the development and demonstration of new and improved methods for the dissemination of research findings and knowledge of effective strategies of early detection, prevention, and treatment of drug abuse.

“(b) A grant or contract may be made under subsection (a) for a project which meets the requirements of subsection (a) and also deals with alcohol abuse and alcoholism.

“(c) No entity may receive grants under subsection (a) for more than three years.”

(c)(1) Section 510(a) is amended by striking out “demonstrations,”

(2) Section 515(a) is amended by striking out “demonstrations,”

SEC. 207. (a) The first sentence of section 513 (as so redesignated) is amended by striking out “and” after “1983” and inserting in lieu thereof a comma and by inserting a comma before the period at the

Grants.
Contracts with
U.S.
42 USC 290cc-1.

42 USC 290bb.
42 USC 290cc.
42 USC 290bb-2.

end and the following: "\$52,000,000 for fiscal year 1985, and \$61,000,000 for fiscal year 1986".

(b) Section 515 is amended by striking out subsection (c) and subpart 2 of part B is amended by adding after the section added by section 206(b) of this Act the following:

42 USC 290cc.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 517. There are authorized to carry out this subpart \$68,000,000 for fiscal year 1985 and \$74,000,000 for fiscal year 1986."

42 USC 290cc-2.

Sec. 208. By October 1, 1985, the Secretary of Health and Human Services shall prepare and transmit to the Congress a report which sets forth a comprehensive national plan to combat alcohol abuse and alcoholism. The report shall include—

Report.

(1) a description of a model program for activities to be conducted by the States to combat alcohol abuse and alcoholism;

(2) an analysis of the social and economic costs of alcoholism and alcohol abuse to the Nation, including amounts expended by public agencies and private organizations—

(A) for the treatment of individuals for alcohol abuse and alcoholism, including a division of such amounts among the types of settings in which such treatment is provided;

(B) for treatment of individuals for health problems resulting from alcohol abuse and alcoholism; and

(C) to meet other costs resulting from alcohol abuse and alcoholism, such as costs resulting from lost employee productivity;

(3) an assessment of current treatment and rehabilitation needs and the current integration and financing of alcoholism treatment and rehabilitation into the Nation's health care system;

(4) an assessment of personnel needs in the fields of research, treatment, rehabilitation, and prevention;

(5) a statement of specific goals and objectives to meet the Nation's current treatment, rehabilitation, and personnel needs in the area of alcoholism and alcohol abuse and plans to meet those needs through specific modification of Federal, State, local, and private policies and regulations, including a specification of recommendations for legislation—

(A) to establish Federal programs and to provide Federal funds to encourage States to adopt and implement the model program described under paragraph (1); and

(B) to modify programs and activities conducted, and services provided, under—

(i) part B of title XIX of the Public Health Service Act;

(ii) titles XVIII and XIX of the Social Security Act;

(iii) chapter 89 of title 5, United States Code; and

(iv) sections 1079 and 1080 of title 10, United States Code,

42 USC 300x.

42 USC 1395,

1396.

5 USC 8901 *et seq.*

in order to ensure appropriate cost-effective treatment and prevention of alcohol abuse and alcoholism; and

(6) estimates of public and private resources needed to accomplish the goals and objectives referred to in paragraph (5) as well as resource savings that can be anticipated from achieving the national objectives.

TITLE III—OTHER AMENDMENTS

SEC. 301. (a) Section 102(28) of the Controlled Substances Act (21 U.S.C. 802) is amended by striking out "twenty-one" and inserting in lieu thereof "one hundred and eighty".

Regulations.
Report.
21 USC 802 note.

(b) The Secretary of Health and Human Services shall, within ninety days of the date of the enactment of this Act, promulgate regulations for the administration of section 102(28) of the Controlled Substances Act as amended by subsection (a) and shall include in the first report submitted under section 505(b) of the Public Health Service Act after the expiration of such ninety days the findings of the Secretary with respect to the effect of the amendment made by subsection (a).

(c) Section 2(b) of the Alcohol and Drug Abuse Amendments of 1983 (97 Stat. 181) is amended—

42 USC 290aa.

(1) by striking out "210" in paragraph (2) and inserting in lieu thereof "201"; and

42 USC 290dd,
290dd-1.

(2) by striking out "201, 301" in paragraph (13) and inserting in lieu thereof "301, 201".

Repeal.

(d) Title III of the Drug Abuse Prevention, Treatment, and Rehabilitation Act (21 U.S.C. 1161-1165) is repealed.

SEC. 302. Section 217(a) (42 U.S.C. 218(a)) is amended by adding after the third sentence the following: "In the case of the National Advisory Council on Alcohol Abuse and Alcoholism, the Secretary shall assure that its membership is broadly representative of experts in the fields of prevention, research, and treatment of alcohol abuse, alcoholism, and rehabilitation of alcohol abusers."

Approved October 19, 1984.

LEGISLATIVE HISTORY—S. 2303:

HOUSE REPORT No. 98-1123 (Comm. of Conference).
SENATE REPORT No. 98-381 (Comm. on Labor and Human Resources).
CONGRESSIONAL RECORD, Vol. 130 (1984):

Apr. 26, considered and passed Senate.

June 28, considered and passed House, amended.

Oct. 4, Senate and House agreed to conference report.