

SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT PROVISIONS

This contract/grant agreement is funded by Federal block grant monies pursuant to the Federal Substance Abuse Prevention and Treatment Block Grant (SAPTBG) and in accordance with 42 U.S.C. § 300x-31 and 45 CFR § 96.135. No SAPTBG funds received through this contract/grant agreement shall be used to:

1. Provide inpatient hospital services unless it is determined, in accordance with guidelines issued by the Secretary of Health and Human Services, that such treatment is a medical necessity for the individual involved and that the primary diagnosis of the individual is substance abuse, the services can be reasonably expected to improve the individual's condition or level of functioning and the individual cannot be effectively treated in a community-based, non-hospital, residential program of treatment and the hospital's substance abuse program follows national standard of substance abuse professional practice. The daily rate of payment provided to the hospitals for providing the services to the individual shall not exceed the comparable daily rate provided for community-based, non-hospital, residential programs of treatment for substance abuse; and that payment is only for services that are medically necessary, that is, only for those days that the patient cannot be safely treated in a residential, community-based program.
2. Make cash payments to intended recipients of health services;
3. Purchase or improve land, purchase, construct or permanently improve (other than minor remodeling if provided for in the line item budget of this contract) any building or other facility, or purchase major medical equipment. (No minor equipment may be purchased unless the line item budget specifically provides for such purchase);
4. Satisfy any requirement for the expenditure of non-Federal funds as a condition for receipt of Federal funds;
5. Provide financial assistance to any entity other than a public or non-profit private entity; or
6. Provide individuals with hypodermic needles or syringes so that such individuals may use illegal drugs, unless the Surgeon General of the Public Health Service determines in writing that a demonstration needle exchange program would be effective in reducing drug abuse and the risk that the public will become infected with the etiologic agent for AIDS.
7. Provide workforce recruitment and retention measures involving staff loan repayments or tuition reimbursement.
8. Purchase, prescribe, or provide marijuana or treatment using marijuana. See, e.g., 45 C.F.R. 75.300(a) (requiring HHS to ensure that Federal funding is expended in full accordance with U.S. statutory and public policy requirements); 21 U.S.C. 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana).