

**Attachment Three**  
**Summary of Title X Federal Regulations**  
**Request for Proposal Number 5828 Z1**

**PROGRAM ADMINISTRATION**

SUBJECT	REQUIREMENT	REFERENCE: Title 42 (Public Health Services) Code of Federal Regulations Part 59
Rights to inventions	Rights to inventions made by nonprofit organizations and small business firms under government grants, contracts and cooperative agreements.	37 CFR Part 401
Appeal Procedure	Public Health Services grant appeals procedure	42 CFR Part 50 Subpart D
Target Population	Priority must be given to low income persons.	42 CFR 59.5 (a)(6)
Consumer Participation	Participation of consumers and community in planning, development, and implementation.	42 CFR 59.5 (b) (10)
Information and Education Advisory Committee	An advisory committee that consists of not less than 5 or more and 9 members broadly representative of the community for which materials are intended.  Review and approval of Information and Educational materials by an advisory committee before distribution.  Review Criteria:  Background of individuals addressed. Community standards. Factual correctness. Suitability.  Documentation of committee actions.	42 CFR 59.5 (a)(11) and 59.6
Delegate Participation	Participation of existing and potential subgrantees in policy and decision making; preparation of grant application; consolidation proposals.	42 CFR 59.5 (a)(10) (I) and (11)
Third Party Payment Collections	Third party payment must be collected from Title XIX, Title XX, and Health Insurance.	42 CFR 59.5 (a)(9)
Client Charges	No charge for services to low-income (100% CSA poverty level or below) except responsible third party payer including government.  Clients with incomes over 250% of the poverty level will be charged for reasonable cost of providing services.  Other clients must be charged according to a fee schedule based on ability to pay.	42 CFR 59.5 (a) (7)  42 CFR 59.5 (a) (8)  42 CFR 59.5 (a)(8)
Physician Direction	Medical services must be provided under direction of physician with family planning training or experience.	42 CFR 59.5 (b)(6)

Staff Training	Orientation and in-service training must be provided to all staff.	42 CFR 59.5 (b)(4)
Purchased Services Authorization	Services purchased for clients must be authorized by project director or designee.	42 CFR 59.5 (b)(7)
Purchased Services Reimbursement Rates	Reasonable reimbursement rates for purchased services must be established and documented.	42 CFR 59.5 (b)(9)
No Coercion Dignity No Discrimination	Services must be provided: Voluntarily without coercion to protect the dignity of clients without regard to: - Residency - Religion - Creed - Race, Color, National Origin - Handicapped condition - Age - Sex - Number of pregnancies - Marital status	42 CFR 59.5 (a)(2) 42 CFR 59.5 (a)(3) 42 CFR 59.5 (b)(5) 42 CFR 59.5 (b)(4)
Confidentiality	Personal information must not be disclosed without client consent except in summary form. When provided where required by law or necessary to provide services, confidentiality must be safeguarded.	42 CFR 59.11
No Referral Requirement	Without requiring referral from a private physician.	42 CFR 59.5 (b)(5)
No Abortions	Service provided must not include abortion as a method of family planning.	42 CFR 59.5 (b)(2)
Clinic Services	Services must include: - Broad range of medically approved and accepted family planning methods - Natural family planning - Provision for diagnosis and treatment of infertility - Physician's consultation - Physical examination - Prescription - Laboratory tests (Continuing Supervision) - Contraceptive Supplies - Services to adolescents	42 CFR 59.5 (a)(1) 42 CFR 59.5 (a)(2) 42 CFR 59.5 (b)(8) 42 CFR 59.5 (b)(1) 42 CFR 59.5 (b)(1)
Social Services	Services must include family planning related counseling and referral	42 CFR 59.5 (b)(2)
Coordination and	Services must include referral for other medical	42 CFR 59.5 (b)(1)

Referral	and social services.  Programs must have referral arrangements with other health care providers, welfare departments, hospitals and voluntary agencies.	42 CFR 59.5 (b)(9)  42 CFR 59.5 (b)(8)
Community Education, Outreach and Follow-Up	Services must include community education to achieve community understanding, inform potential clients of availability of services, and promote continued participation of clinic clients	42 CFR 59.5 (b)(3)
Inventions or Discoveries	Subject to federal regulations, 45 CFR, parts 6 and 8	42 CFR 59.12
Grant Appeals Board Procedure	Procedures of the Departmental Grant Appeals Board	45 CFR Part 16
Uniform Administrative Requirements	Uniform administrative requirements for awards and sub-awards to institutions of higher education, hospitals, other nonprofit organizations, and commercial organizations; and certain grants and agreements with states, local governments, and Indian tribal governments	45 CFR Part 74
Nondiscrimination	Nondiscrimination under programs receiving Federal assistance through HHS effectuation of Title VI of the Civil Rights Act of 1964	45 CFR Part 80
Nondiscrimination Hearing Procedure	Practice and procedure for hearing under Part 80 of this Title	45 CFR Part 81
Nondiscrimination on basis of disability	Nondiscrimination on the basis of disability in program and activities receiving or benefitting from Federal financial assistance	45 CFR Part 84
Nondiscrimination of basis of age	Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance	45 CFR Part 91
Uniform Administrative requirements	Uniform administrative requirements for grants and cooperative agreements to State and local governments	45 CFR Part 92
Intergovernmental Review	Intergovernmental Review of Department of Health and Human Services Programs and Activities	45 CFR Part 100

**NOTE:** The Title X Regulations were published prior to the 1981 parental participation amendment to the Title X Legislation which states: “To the extent practical, entities which receive grants or contracts under this subsection (Section 1001) shall encourage family participation in projects assisted under this subsection.”

In addition the following statutory and regulatory provisions may be applicable to grants under Title X:

- The Patient Protection and Affordable Care Act (Public Law 111-148);
- The Trafficking Victims Protection Act of 2000, as amended (Public Law 106-386);
- Sex Trafficking of Children or by Force, Fraud, or Coercion (18 USC 1591);

- The Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191); and
- Appropriations language that applies to the Title X program for the relevant fiscal year.

**COMMONLY USED REFERENCES**

As a Federal grant program, requirements for the Title X Family Planning Program are established by Federal law and regulations. For ease of reference, the law and regulations most cited in this document are listed below. Other applicable regulations and laws are cited throughout the document.

Law	Title X Public Law (“Family Planning Services and Population Research Act of 1970”)	Public Law 91-572
Law	Title X Statute (“Title X of the Public Health Service Act”)	42 U.S.C. 300 <i>et seq</i>
Regulation	Sterilization Regulations (“Sterilization of persons in Federally Assisted Family Planning Projects”)	42 CFR part 50 subpart B
Regulation	Title X Regulations (“Project Grants for Family Planning Services”)	42 CFR part 48 subpart A
Regulation	HHS Grants Administration Regulations (“Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Nonprofit Organizations, and Commercial Organizations” (part 74) and “Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Tribal Governments” (part 92))	45 CFR parts 74 and 92
Regulation	“Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Nonprofit Organizations”	2 CFR 215 (OMB Circular A-110)
OMB Circular	“Grants and Cooperative Agreements with State and Local Governments”	OMB Circular A-102

**ABBREVIATIONS OF CLINIC STAFF TITLES**

APRN	Advanced Practice Registered Nurse
CA	Clinic Assistant
CMA	Certified Medical Assistant
CNM	Certified Nurse Midwife
LPN	Licensed Practical Nurse
LPNC	Licensed Practical Nurse Certified
MA	Medical Assistant
MD	Medical Doctor
Med. Dir.	Medical Director
NP	Nurse Practitioner
OA	Office Assistant
PA-C	Physician Assistant Certified
Recept.	Receptionist
RN	Registered Nurse
RNC	Registered Nurse Certified
WHNP	Women’s Health Nurse Practitioner
WHCNP	Women’s Health Certified Nurse Practitioner