Health Center Program Statutory Changes: Frequently Asked Questions

1. **Do health centers have to directly employ a CEO/Project Director?** *- NEW*

    HRSA continues to assess changes made by the Bipartisan Budget Act of 2018 to section 330 of the Public Health Service Act. The law now requires a health center to directly employ its Chief Executive Officer (CEO)/Project Director (Section 330 (k)(3)(H)(ii)). HRSA anticipates releasing an updated Compliance Manual and compliance-related tools (i.e., Site Visit Protocol, Conditions Library) to align with statutory changes by July 2018. HRSA will begin assessing compliance with this new requirement through fiscal year (FY) 2019 Service Area Competition applications and operational site visits occurring after release of the updated Compliance Manual.

2. **When does HRSA plan to issue further guidance on statutory changes?**

    HRSA continues to assess the impact of changes made by the Bipartisan Budget Act of 2018 (BBA) to section 330 of the Public Health Service Act. HRSA recognizes there are a number of questions related to Health Center Program oversight and the impact of compliance status on project period length and awards. HRSA is working to address these inquiries on a rolling basis and will notify health centers and other stakeholders when additional FAQs are available through the Primary Health Care Digest.

3. **When does HRSA typically identify areas of non-compliance that would trigger a condition?**

    Non-compliance is generally identified through Operational Site Visit (OSV) findings and through the review of the Service Area Competition (SAC) applications. When HRSA identifies non-compliance, the applicable condition is applied. HRSA encourages all health centers to utilize the Compliance Manual and Site-Visit related resources available at https://bphc.hrsa.gov/programrequirements/index.html to resolve any active conditions and to prepare for upcoming SAC applications and OSVs.

4. **Will HRSA be changing Project Period length options in FY 2019 to include five year project periods in addition to one and three year project periods.**

    At this time, HRSA does not anticipate awarding 5-year project periods via the FY 2019 SAC.

5. **When does HRSA make project period length decisions?**

    HRSA determines project period length at the time Service Area Competition (SAC) awards are made. Project period length determinations are based on criteria included in the applicable SAC Notice of Funding Opportunity. Health centers that are determined to be compliant based on

the review of the SAC application and do not have unresolved conditions related to Health Center Program requirements will be awarded a 3-year project period.

HRSA does not anticipate shortening project periods as a result of non-compliance finding(s) mid-project period, except when a health center fails to adequately address conditions through the Progressive Action process or when HRSA determines that immediate enforcement actions are necessary. See Chapter 2: Health Center Program Oversight of the Health Center Program Compliance Manual for additional information. In such cases, HRSA may utilize available remedies, including terminating all or part of the Federal award/designation status before the health center's current project end date.

6. **What elements are assessed for compliance via the OSV process, and is there a corresponding condition for every element if found non-compliant?**

   Please review the Site Visit Protocol and related tools and resources available at https://bphc.hrsa.gov/programrequirements/svprotocol.html to view all elements assessed during an OSV. If HRSA determines that a health center does not demonstrate compliance with any of the elements reviewed via the OSV, a corresponding condition will be placed on the award/designation. More information and a full list of conditions is available at: https://bphc.hrsa.gov/programrequirements/conditions-library.html