

APPROVAL OF APPLICATIONS

SEC. 3. (a) An application for a grant with respect to any project may be approved by the Secretary under this Act only if an application for a grant with respect to such project has been filed under the Medical Facilities Acts (which for purposes of this Act means title VI of the Public Health Service Act or, where appropriate, title II or part C of title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963) and—

- (1) has been approved under the Medical Facilities Acts and the application filed under this Act is for additional funds in connection therewith, or
- (2) has been denied under the Medical Facilities Acts because insufficient funds are available from the allotments of the District of Columbia under such Acts to permit approval of the application.

In determining whether to approve an application for a grant with respect to any project in the District of Columbia under the Medical Facilities Acts, the availability of additional funds for such project under this Act shall be taken into consideration; and, in any such case, approval under the Medical Facilities Acts may be made contingent upon the approval of an application with respect to such project under this Act and upon such additional funds being made so available.

(b) The Secretary shall establish criteria for determining the order in which to approve, under this Act, applications for grants with respect to projects. Such criteria with respect to construction projects for the same type of facility (or for modernization projects) shall be the criteria developed by the State agency of the District of Columbia pursuant to the State plan approved under the Medical Facilities Acts.

(c) In the case of any project with respect to which an application for a grant is filed under this Act and with respect to which an application for a grant has been denied under the Medical Facilities Act, such application under this Act may be approved only if there is compliance with the same terms and conditions (including determination, in accordance with the applicable State plan, that the project is needed) as are applicable to applications for grants under the Medical Facilities Act, other than the availability of sufficient funds in the appropriate allotment of the District of Columbia.

(d) An application for a grant under this Act with respect to any project may not be approved unless an opportunity to review the application has been afforded to a body, found by the Secretary to be a responsible metropolitan area-wide planning body, and any recommendations of such body that were timely made have been considered by the appropriate State agency of the District of Columbia and have been submitted to the Surgeon General in connection with the application.

PAYMENTS

SEC. 4. (a) Payments under this Act with respect to any project shall be made in the manner provided under the Medical Facilities Act for payments of the Federal share of the cost of projects for which applications are approved under such Acts; except that such payments shall also be subject to such reasonable conditions as the Secretary deems appropriate to safeguard the Federal interest.

(b) The total of the payments made under this Act with respect to any project, together with any payments with respect thereto under the Medical Facilities Act, may not exceed—

- (1) in the case of a construction project for a long-term care facility, a diagnostic or treatment center, or a rehabilitation facility, 66 $\frac{2}{3}$ per centum of the cost of such project; and
- (2) in the case of any other project (including a modernization project), 50 per centum of the cost of such project.

RECOVERY OF PAYMENTS

SEC. 5. Payments under this Act shall be subject to recovery or recapture under the same conditions and to the same extent as is provided under the Medical Facilities Acts with respect to payments made thereunder.