



**Mississippi Department of Mental Health**  
**Provider Bulletin**  
**Number PR0091**

**Subject: Substance Abuse Block Grant – NEW Terms & Conditions**

**Issue Date:** January 27, 2020

**Effective Date:** February 15, 2020

**Scope**

All DMH Certified and Funded Substance Use Disorder Prevention and Treatment Providers

**Purpose**

The Department of Mental Health is notifying all certified and funded providers of the NEW Terms and Conditions set by the Substance Abuse and Mental Health Services Administration (SAMHSA) regarding the Substance Abuse Block Grant (SABG).

**Background**

The Substance Abuse and Mental Health Services Administration awards the Mississippi Department of Mental Health, Bureau of Behavioral Health/Addictive Services federal funds for Substance Abuse Prevention and Treatment Services. As the primary award recipient of the Substance Abuse Block Grant, the DMH and its subrecipients must adhere to the statutes and regulations set forth and abide by the terms and conditions.

Acceptance of Substance Abuse Block Grant funds, including the “NEW Terms and Conditions,” is acknowledged by the MS Department of Mental Health whenever funds are drawn down or otherwise obtained from grantee’s payment system.

**Subject**

As the regulatory entity for SUD Treatment facilities in the State, and the primary award recipient of the SABG, the Department of Mental Health is requiring all SABG subrecipients to comply with the following Terms and Conditions:

**Grant funds may not be used, directly, or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. 45 C.F.R. § 75.300(a) (requiring HHS to “ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.”); 21 U.S.C. §§ 812(c) (10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being**

**evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.**

All SABG Subrecipients must submit an attestation statement to the DMH, certifying that the funded agency will comply with the NEW Terms and Conditions by submitting an Attestation Statement no later than February 15, 2020.

The attestation statement should read as; I certify that (Name of SABG Sub-recipient) will comply with the following Terms & Conditions:

Grant funds will not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. 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 . . . requirements.”); 21 U.S.C. §§ 812(c) (10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

The attestation statement must be on company letterhead and signed by the Executive Director. Please submit the required attestation statement to [Belen.White@dmh.ms.gov](mailto:Belen.White@dmh.ms.gov).

***End of Provider Bulletin***