



March 12, 2024

Dear Ryan White HIV/AIDS Program Part A Grant Recipients:

Re: Fiscal Year (FY) 2023 Final Unobligated Balance (UOB) Report and Final Carryover Request, and the Formula UOB Penalty Waiver

Part A funds awarded under the Ryan White HIV/AIDS Program (RWHAP) continue to be subject to Unobligated Balance (UOB) provisions in section 2603 of the Public Health Service Act.

RWHAP Part A recipients that have a UOB greater than five percent of the RWHAP Part A formula award are subject to two penalties:

- 1) A reduction in the RWHAP Part A formula award of a future year award equal to the amount of UOB minus any amount approved for carryover, and
- 2) Ineligibility to receive RWHAP Part A supplemental funds in a future year.¹

[Policy Notice 12-02](#) explains the UOB requirements and potential penalties imposed on recipients that do not comply with the requirements contained in the Public Health Service Act.

As described in the [FY 2023 Penalties Waiver Program Letter](#), the Coronavirus Disease 2019 (COVID-19) public health emergency continues to pose significant challenges for RWHAP recipients, providers, and clients to provide and access care. In FY 2023, RWHAP Part A recipients that would otherwise be penalized for failure to expend at least 95% of their Part A formula award, due to the pandemic, were able to request a UOB Penalty waiver at the time the FY 2023 Estimated UOB and Estimated Carryover report. **If recipients did not request a waiver with the submission of the FY 2023 Estimated UOB and Estimated Carryover report but determine that they do have formula UOB in excess of 5% due to the COVID-19 pandemic when completing their FY 2023 Expenditures Report and Federal Financial Report (FFR), you will be allowed to request a waiver by the final FY 2023 FFR deadline.**

To submit the waiver request by the final FY 2023 FFR deadline, recipients must utilize HRSA's Electronic Handbooks (EHBs) Prior Approval Module using the Prior Approval Request Type – Other/Other. A suggested template has been provided.

Instructions for reporting the final FY 2023 Part A Formula UOB and carryover request are provided below:

¹ RWHAP Part A legislation, section 2603(c)(3)(D) and (c)(4) of title XXVI of the Public Health Service Act, 42 U.S.C. 300ff-13 (c)(3)(D) and (c)(4).

- Use the suggested format provided in the enclosed “Ryan White HIV/AIDS Program (RWHAP) Part A Final Unobligated Balance (UOB) Report and Final Carryover Request Form” to develop and report FY 2023 Formula and Minority AIDS Initiative (MAI) UOB available for carryover into FY 2024
- Ensure to indicate if a waiver for the UOB Penalty was received if unable to expend at least 95% of the RWHAP Part A formula award due to the COVID-19 public health emergency and document impact of COVID-19 on expenditures as indicated

Note: You may not use carryover funds for administrative or clinical quality management costs.

Grant recipients are reminded that FY 2023 RWHAP Part A final FFRs are due May 29, 2024 and must be submitted through the [Payment Management System](#). In addition, your final FY 2023 Formula and/or MAI carryover request(s) must be submitted through the HRSA EHBs as a prior approval upon completion of the final FFR or within 30 days (no later than June 28, 2024). HRSA’s preferred method of submission is for the recipient to wait and submit the FY 2023 carryover request after their FFR has been reviewed and accepted by the grants management specialist (GMS). UOB amounts reported on your final FFR must reconcile with funds remaining in your Payment Management System account. Please be aware that carryover requests must be submitted by the June 28, 2024, due date, regardless of the FFR’s final acceptance date.

Note: Minority AIDS Initiative (MAI) funds are awarded on a formula basis but are **not** subject to RWHAP Part A UOB restrictions and penalties. Nevertheless, you must track and report MAI expenditures and UOB amounts separately on the final RWHAP “Part A Final Unobligated Balance Report and Final Carryover Request” Excel spreadsheet.

If you have any questions regarding the submission of your FY 2023 RWHAP Part A Final UOB Report and Final Carryover Request, please contact your project officer.

Sincerely,

/s/ Chrissy Abrahms Woodland

Chrissy Abrahms Woodland, MBA
Director
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