

# STATE OF NEW YORK

S. 554

A. 554

## SENATE - ASSEMBLY

January 18, 2005

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government

### HEALTH AND MENTAL HYGIENE BUDGET

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. a) The several amounts specified in this chapter for state  
2 operations and for aid to localities, or so much thereof as shall be  
3 sufficient to accomplish the purposes designated by the appropriations,  
4 are hereby appropriated and authorized to be paid as hereinafter  
5 provided, to the respective public officers and for the several purposes  
6 specified.
- 7 b) Where applicable, appropriations made by this chapter for expendi-  
8 tures from federal grants for state operations and for aid to localities  
9 may be allocated for spending from federal grants for any grant period  
10 beginning during, or prior to, the state fiscal year beginning on April  
11 1, 2005.
- 12 c) The several amounts specified in this chapter for capital projects,  
13 or so much thereof as shall be necessary to accomplish the purpose of  
14 the appropriations, are appropriated by comprehensive construction  
15 programs (hereinafter referred to by the abbreviation CCP), purposes,  
16 and projects designated by the appropriations, and authorized to be made  
17 available as hereinafter provided to the respective public officers;  
18 such appropriations shall be deemed to provide all costs necessary and  
19 pertinent to accomplish the intent of the appropriations and are appro-  
20 priated in accordance with the provisions of section 93 of the state  
21 finance law and the provisions of section 8 of part II of chapter 59 of  
22 the laws of 2004.
- 23 d) Any amounts specified in this chapter for advances for capital  
24 projects, or so much thereof as shall be necessary to accomplish the  
25 purpose of the appropriations, are appropriated by comprehensive  
26 construction programs (hereinafter referred to by the abbreviation CCP),  
27 purposes and projects designated by the appropriations as advances from  
28 the capital projects fund in accordance with the provisions of sections  
29 40-a and 93 of the state finance law, and are authorized to be paid as  
30 hereinafter provided as an advance for a share, part or whole of the  
31 cost for such programs, purposes and projects hereinafter specified.
- 32 e) The several amounts specified in this chapter as capital projects -  
33 reappropriations, or so much thereof as shall be sufficient to accom-  
34 plish the purpose of the appropriations, as appropriated by comprehen-  
35 sive construction programs (hereinafter referred to by the abbreviation  
36 CCP), purposes, and projects, being the undisbursed balances of the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.

1 prior year's appropriations, are reappropriated and unless otherwise  
2 amended or repealed in part or total in this chapter shall continue to  
3 be available for the same purposes as the prior appropriations or as  
4 otherwise amended for the fiscal year beginning April 1, 2005.

5 The capital projects reappropriations contained in this chapter may be  
6 amended by repealing the items set forth in brackets and by adding ther-  
7 eto the underscored material. Certain reappropriations in this chapter  
8 are shown using abbreviated text, with three leader dots (an ellipsis)  
9 followed by three spaces (... ) used to indicate where existing law  
10 that is being continued is not shown. However, unless a change is clear-  
11 ly indicated by the use of brackets [-] for deletions and underscores  
12 for additions, the purpose, amounts, funding source and all other  
13 aspects pertinent to each item of appropriation shall be as last appro-  
14 priated.

15 For the purpose of complying with section 25 of the state finance law,  
16 the year, chapter and section of the last act reappropriating a former  
17 original appropriation or any part thereof are, unless otherwise indi-  
18 cated, chapter 54, section 1 or 2, of the laws of 2004.

19 f) The several amounts named herein, or so much thereof as shall be  
20 sufficient to accomplish the purpose designated, being the unexpended  
21 balances of the prior year's appropriations, are hereby reappropriated  
22 from the same funds and made available for the same purposes as the  
23 prior year's appropriations, unless herein amended, for the fiscal year  
24 beginning April 1, 2005. Certain reappropriations in this chapter are  
25 shown using abbreviated text, with three leader dots (an ellipsis)  
26 followed by three spaces (... ) used to indicate where existing law  
27 that is being continued is not shown. However, unless a change is clear-  
28 ly indicated by the use of brackets [-] for deletions and underscores  
29 for additions, the purposes, amounts, funding source and all other  
30 aspects pertinent to each item of appropriation shall be as last appro-  
31 priated.

32 For the purpose of complying with the state finance law, the year,  
33 chapter and section of the last act reappropriating a former original  
34 appropriation or any part thereof is, unless otherwise indicated, chap-  
35 ter 54, section 1 or 2, of the laws of 2004.

36 g) No moneys appropriated by this chapter shall be available for  
37 payment until a certificate of approval has been issued by the director  
38 of the budget, who shall file such certificate with the department of  
39 audit and control, the chairperson of the senate finance committee and  
40 the chairperson of the assembly ways and means committee.

41 h) The appropriations contained in this chapter shall be available for  
42 the fiscal year beginning on April 1, 2005.

43

## OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
2		
3		
4		
5	General Fund - State and Local .....	76,413,300 1,746,300
6	Special Revenue Funds - Federal ....	117,850,000 105,614,000
7	Special Revenue Funds - Other .....	4,300,000 0
8	Enterprise Funds .....	100,000 0
9		
10	All Funds .....	198,663,300 107,360,300
11		
12		

## 13 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
17				
18	GF-St/Local	2,289,000	74,124,300	0 76,413,300
19	SR-Federal	10,250,000	107,600,000	0 117,850,000
20	SR-Other	300,000	4,000,000	0 4,300,000
21	Enterprise	100,000	0	0 100,000
22				
23	All Funds	12,939,000	185,724,300	0 198,663,300
24				

## 26 SCHEDULE

28	ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM .....	12,939,000
29		
30		
31	General Fund / State Operations	
32	State Purposes Account - 003	
33		
34	Personal service .....	1,983,000
35	Nonpersonal service .....	306,000
36		
37	Program account subtotal .....	2,289,000
38		
39		
40	Special Revenue Funds - Federal / State Operations	
41	Federal Health and Human Services Fund - 265	
42		
43	For programs provided under the titles of	
44	the federal older Americans act and other	
45	health and human services programs:	
46		
47	For the grant period October 1, 2004 to	
48	September 30, 2005 .....	4,500,000
49	For the grant period October 1, 2005 to	
50	September 30, 2006 .....	4,200,000
51		
52	Program fund subtotal .....	8,700,000
53		
54		
55	Special Revenue Funds - Federal / State Operations	
56	Federal Operating Grants Fund - 290	
57	Office for the Aging Federal Grants Account	
58		
59	For services and expenses related to the	
60	provision of aging services programs:	
61		

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period October 1, 2004 to	
2	September 30, 2005 .....	800,000
3	For the grant period October 1, 2005 to	
4	September 30, 2006 .....	400,000
5		-----
6	Program account subtotal .....	1,200,000
7		-----
8		
9	Special Revenue Funds - Federal / State Operations	
10	Federal Operating Grants Fund - 290	
11	Senior Community Service Employment Account	
12		
13	For the senior community service employment	
14	program provided under title V of the	
15	federal older Americans act:	
16		
17	Federal funds authorized October 1, 2003 for	
18	the grant period beginning July 1, 2004 ..	60,000
19	Federal funds authorized October 1, 2004 for	
20	the grant period beginning July 1, 2005 ..	290,000
21		-----
22	Program account subtotal .....	350,000
23		-----
24		
25	Special Revenue Funds - Other / State Operations	
26	Combined Gifts, Grants and Bequests Fund - 020	
27	Aging Grants and Bequest Account	
28		
29	For services and expenses of the state	
30	office for the aging .....	250,000
31		-----
32	Program account subtotal .....	250,000
33		-----
34		
35	Special Revenue Funds - Other / State Operations	
36	HCRA Resources Fund - F04	
37	Long Term Care Insurance Resource Center Account	
38		
39	For services and expenses of the state	
40	office for the aging associated with	
41	coordinating the long term care insurance	
42	education and outreach program in ac-	
43	cordance with section 217-a of the elder	
44	law .....	50,000
45		-----
46	Program account subtotal .....	50,000
47		-----
48		
49	Enterprise Funds / State Operations	
50	Miscellaneous Enterprise Fund - 331	
51	Aging Enterprises Account	
52		
53	For services and expenses related to video	
54	and other media .....	100,000
55		-----
56	Program account subtotal .....	100,000
57		-----
58		
59	COMMUNITY SERVICES PROGRAM .....	185,724,300
60		-----
61		

## OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	General Fund / Aid to Localities	
2	Local Assistance Account - 001	
3		
4	For services and expenses, including the	
5	payment of liabilities incurred prior to	
6	April 1, 2005, related to the community	
7	services elderly grant program. No expend-	
8	itures shall be made from this appropri-	
9	ation until the director of the budget has	
10	approved a plan submitted by the office	
11	outlining the amounts and purposes of such	
12	expenditures and the allocation of funds	
13	among the counties. Notwithstanding any	
14	provision of law, rule or regulation to	
15	the contrary, subject to the approval of	
16	the director of the budget, funds appro-	
17	priated herein for the community services	
18	for the elderly program (CSE) and the	
19	expanded in-home services for the elderly	
20	program (EISEP) may be used in accordance	
21	with a waiver or reduction in county main-	
22	tenance of effort requirements established	
23	pursuant to section 214 of the elder law,	
24	except for base year expenditures. To the	
25	extent that funds hereby appropriated are	
26	sufficient to exceed the per capita limit	
27	established in section 214 of the elder	
28	law, the excess funds shall be available	
29	to supplement the existing per capita	
30	level in a uniform manner consistent with	
31	statutory allocations .....	16,621,000
32	For planning and implementation, including	
33	the payment of liabilities incurred prior	
34	to April 1, 2005, of a program of expanded	
35	in-home, case management and ancillary	
36	community services for the elderly	
37	(EISEP). No expenditures shall be made	
38	from this appropriation until the director	
39	of the budget has approved a plan submit-	
40	ted by the office outlining the amounts	
41	and purposes of such expenditures and the	
42	allocation of funds among the counties,	
43	including the city of New York .....	34,972,000
44	For services and expenses related to the	
45	congregate services initiative. No expend-	
46	itures shall be made from this appropri-	
47	ation until the director of the budget has	
48	approved a plan submitted by the office	
49	outlining the amounts and purposes of such	
50	expenditures and the allocation of funds	
51	among the counties .....	866,000
52	For services and expenses of grants to area	
53	agencies on aging for the establishment	
54	and operation of caregiver resource	
55	centers .....	360,000
56	For services and expenses, including the	
57	payment of liabilities incurred prior to	
58	April 1, 2005, associated with the supple-	
59	mental nutrition assistance program	
60	(SNAP), including a suballocation to the	
61	department of agriculture and markets to	
62	be transferred to state operations for	

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	administrative costs of the farmers market	
2	nutrition program. No expenditure shall be	
3	made from this appropriation until the	
4	director of the budget has approved a plan	
5	submitted by the office outlining the	
6	amounts and purpose of such expenditures	
7	and the allocation of funds among the	
8	counties .....	17,209,000
9	Local grants for services and expenses of	
10	the long-term care ombudsman program .....	746,000
11	For services and expenses of the retired and	
12	senior volunteer program (RSVP) .....	442,000
13	For services and expenses of the EAC/Nassau	
14	senior respite program .....	242,000
15	For services and expenses of the long-term	
16	senior respite care .....	145,000
17	For services and expenses of the New York	
18	foundation for senior citizens home shar-	
19	ing and respite care program .....	175,000
20	For services and expenses related to renewal	
21	of the 18 existing contracts for the so-	
22	cial model adult day services program ....	946,300
23	For services and expenses related to renewal	
24	of the 14 existing contracts for naturally	
25	occurring retirement communities (NORC) ..	1,200,000
26	For services and expenses of the foster	
27	grandparents program .....	200,000
28		-----
29	Program account subtotal .....	74,124,300
30		-----
31		
32	Special Revenue Funds - Federal / Aid to Localities	
33	Federal Health and Human Services Fund - 265	
34		
35	For programs provided under the titles of	
36	the federal older Americans act and other	
37	health and human services programs:	
38		
39	For the grant period October 1, 2004 to	
40	September 30, 2005:	
41		
42	Title III-b social services .....	17,000,000
43	Title III-c nutrition programs .....	23,000,000
44	Title III-e caregivers .....	7,000,000
45	Health and human services programs .....	2,500,000
46	Nutrition services incentive program .....	8,000,000
47		-----
48	Grant period total .....	57,500,000
49		-----
50		
51	For the grant period October 1, 2005 to	
52	September 30, 2006:	
53		
54	Title III-b social services .....	9,000,000
55	Title III-c nutrition programs, including a	
56	suballocation to the department of health	
57	for nutrition program activities .....	18,000,000
58	Title III-e caregivers .....	5,000,000
59	Health and human services programs .....	2,500,000
60	Nutrition services incentive program .....	8,000,000
61		-----

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Grant period total .....	42,500,000
2		-----
3	Program fund subtotal .....	100,000,000
4		-----
5		
6	Special Revenue Funds - Federal / Aid to Localities	
7	Federal Operating Grants Fund - 290	
8	Office for the Aging Federal Grants Account	
9		
10	For services and expenses related to the	
11	provision of aging services programs:	
12		
13	For the grant period October 1, 2004 to	
14	September 30, 2005 .....	300,000
15	For the grant period October 1, 2005 to	
16	September 30, 2006 .....	300,000
17		-----
18	Program account subtotal .....	600,000
19		-----
20		
21	Special Revenue Funds - Federal / Aid to Localities	
22	Federal Operating Grants Fund - 290	
23	Senior Community Service Employment Account	
24		
25	For the senior community service employment	
26	program provided under title V of the	
27	federal older Americans act:	
28		
29	Federal funds authorized October 1, 2003 for	
30	the grant period beginning July 1, 2004 ..	1,500,000
31	Federal funds authorized October 1, 2004 for	
32	the grant period beginning July 1, 2005 ..	5,500,000
33		-----
34	Program account subtotal .....	7,000,000
35		-----
36		
37	Special Revenue Fund - Other / Aid to Localities	
38	Combined Gifts, Grants and Bequests Fund - 020	
39	Aging Grants and Bequest Account	
40		
41	For services and expenses of the state	
42	office for the aging .....	1,000,000
43		-----
44	Program account subtotal .....	1,000,000
45		-----
46		
47	Special Revenue Funds - Other / Aid to Localities	
48	HCRA Resources Fund - F04	
49	Long Term Care Insurance Resource Center Account	
50		
51	For services and expenses of the long term	
52	care insurance education and outreach pro-	
53	gram in accordance with section 217-a of	
54	the elder law .....	3,000,000
55		-----
56	Program account subtotal .....	3,000,000
57		-----
58		
59	Total new appropriations for state operations and aid to	
60	localities .....	198,663,300
61		=====

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 ADMINISTRATION PROGRAM  
2  
3 Special Revenue Funds - Federal / State Operations  
4 Federal Health and Human Services Fund - 265  
5  
6 By chapter 54, section 1, of the laws of 2002:  
7 For programs provided under the titles of the federal older Americans  
8 act and other health and human services programs:  
9 For the grant period October 1, 2001 to September 30, 2002: ... ..  
10 1,400,000 ..... (re. \$8,000)  
11  
12 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM  
13  
14 Special Revenue Funds - Federal / State Operations  
15 Federal Health and Human Services Fund - 265  
16  
17 By chapter 54, section 1, of the laws of 2004:  
18 For programs provided under the titles of the federal older Americans  
19 act and other health and human services programs:  
20 For the grant period October 1, 2003 to September 30, 2004 .....  
21 4,500,000 ..... (re. \$2,555,000)  
22 For the grant period October 1, 2004 to September 30, 2005 .....  
23 4,200,000 ..... (re. \$4,200,000)  
24  
25 By chapter 54, section 1, of the laws of 2002:  
26 For programs provided under the titles of the federal older Americans  
27 act and other health and human services programs:  
28 For the grant period October 1, 2002 to September 30, 2003: ... ..  
29 4,200,000 ..... (re. \$16,000)  
30  
31 Special Revenue Funds - Federal / State Operations  
32 Federal Operating Grants Fund - 290  
33 Senior Community Service Employment Account  
34  
35 By chapter 54, section 1, of the laws of 2004:  
36 For the senior community service employment program provided under  
37 title V of the federal older Americans act:  
38 Federal funds authorized October 1, 2003 for the grant period begin-  
39 ning July 1, 2004 ... 290,000 ..... (re. \$290,000)  
40  
41 COMMUNITY SERVICES PROGRAM  
42  
43 General Fund / Aid to Localities  
44 Local Assistance Account - 001  
45  
46 By chapter 54, section 1, of the laws of 2004:  
47 For services and expenses, including the payment of liabilities in-  
48 curred prior to April 1, 2004, associated with the supplemental  
49 nutrition assistance program (SNAP), including a suballocation to  
50 the department of agriculture and markets for the food coupon  
51 program. No expenditure shall be made from this appropriation until  
52 the director of the budget has approved a plan submitted by the  
53 office outlining the amounts and purpose of such expenditures and  
54 the allocation of funds among the counties .....  
55 17,209,000 ..... (re. \$300,000)  
56 For services and expenses related to renewal of existing contracts for  
57 the social model adult day services program .....  
58 946,300 ..... (re. \$946,300)  
59 For services and expenses related to renewal of existing contracts for  
60 naturally occurring retirement communities (NORC) .....  
61 1,200,000 ..... (re. \$500,000)  
62



## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Federal / State Operations  
 2 Federal Health and Human Services Fund - 265  
 3  
 4 By chapter 54, section 1, of the laws of 2002:  
 5 For programs provided under the titles of the federal older Americans  
 6 act and other health and human services programs:  
 7 For the grant period October 1, 2001 to September 30, 2002: ... ..  
 8 3,100,000 ..... (re. \$19,000)  
 9  
 10 By chapter 54, section 1, of the laws of 2001:  
 11 For programs provided under the titles of the federal older Americans  
 12 act and other health and human services programs:  
 13 For the grant period October 1, 2000 to September 30, 2001: ... ..  
 14 3,100,000 ..... (re. \$26,000)  
 15  
 16 Special Revenue Funds - Federal / Aid to Localities  
 17 Federal Health and Human Services Fund - 265  
 18  
 19 By chapter 54, section 1, of the laws of 2004:  
 20 For programs provided under the titles of the federal older Americans  
 21 act and other health and human services programs:  
 22 For the grant period October 1, 2003 to September 30, 2004: ... ..  
 23 57,500,000 ..... (re. \$47,000,000)  
 24 For the grant period October 1, 2004 to September 30, 2005: ... ..  
 25 41,000,000 ..... (re. \$41,000,000)  
 26  
 27 By chapter 54, section 1, of the laws of 2003:  
 28 For programs provided under the titles of the federal older Americans  
 29 act and other health and human services programs:  
 30 For the grant period October 1, 2002 to September 30, 2003: ... ..  
 31 49,500,000 ..... (re. \$5,000,000)  
 32  
 33 Special Revenue Funds - Federal / Aid to Localities  
 34 Federal Operating Grants Fund - 290  
 35 Senior Community Service Employment Account  
 36  
 37 By chapter 54, section 1, of the laws of 2004:  
 38 For the senior community service employment program provided under  
 39 title V of the federal older Americans act:  
 40 Federal funds authorized October 1, 2003 for the grant period begin-  
 41 ning July 1, 2004 ... 5,500,000 ..... (re. \$5,500,000)  
 42  
 43 Total reappropriations for state operations and aid to  
 44 localities ..... 107,360,300  
 45 =====  
 46

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	Special Revenue Funds - Federal ....	4,550,000	5,713,000
6	Enterprise Funds .....	10,000	0
7		-----	-----
8	All Funds .....	4,560,000	5,713,000
9		=====	=====

10

11 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

12

13		State	Aid to	Capital	
14	Fund Type	Operations	Localities	Projects	Total
15	-----	-----	-----	-----	-----
16	SR-Federal	4,550,000	0	0	4,550,000
17	Enterprise	10,000	0	0	10,000
18		-----	-----	-----	-----
19	All Funds	4,560,000	0	0	4,560,000
20		=====	=====	=====	=====

21

22 SCHEDULE

23

24	DEVELOPMENTAL DISABILITIES PLANNING PROGRAM .....	4,560,000
25		-----

26

27 Special Revenue Funds - Federal / State Operations  
 28 Federal Health and Human Services Fund - 265

29

30 For services and expenses related to the  
 31 provision of services to the develop-  
 32 mentally disabled under the provisions of  
 33 the federal developmental disabilities  
 34 bill of rights act of nineteen hundred  
 35 seventy-five:

36

37 For the grant period October 1, 2004 to  
 38 September 30, 2005:

39

40	Personal service .....	520,000
41	Nonpersonal service .....	220,000
42	Fringe benefits .....	240,000
43	Indirect costs .....	5,000
44	Maintenance undistributed .....	1,115,000
45		-----
46	Grant period total .....	2,100,000
47		-----

48

49 For the grant period October 1, 2005 to  
 50 September 30, 2006:

51

52	Personal service .....	520,000
53	Nonpersonal service .....	220,000
54	Fringe benefits .....	240,000
55	Indirect costs .....	5,000
56	Maintenance undistributed .....	1,465,000
57		-----
58	Grant period total .....	2,450,000
59		-----
60	Program fund subtotal .....	4,550,000
61		-----

62

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Enterprise Funds / State Operations		
2	Miscellaneous Enterprise Fund - 331		
3	Developmental Disabilities Planning Council Publications		
4	Account		
5			
6	For services and expenses incurred by the		
7	developmental disabilities planning coun-		
8	cil related to producing, reproducing,		
9	distributing, and mailing printed, re-		
10	corded and electronic media:		
11			
12	Nonpersonal service .....	10,000	
13		-----	
14	Program account subtotal .....	10,000	
15		-----	
16			
17	Total new appropriations for state operations and aid to		
18	localities .....		4,560,000
19			=====

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 DEVELOPMENTAL DISABILITIES PLANNING PROGRAM  
2  
3 Special Revenue Funds - Federal / State Operations  
4 Federal Health and Human Services Fund - 265  
5  
6 By chapter 54, section 1, of the laws of 2004:  
7 For services and expenses related to the provision of services to the  
8 developmentally disabled under the provisions of the federal  
9 developmental disabilities bill of rights act of nineteen hundred  
10 seventy-five:  
11 For the grant period October 1, 2003 to September 30, 2004: ... ..  
12 2,100,000 ..... (re. \$2,100,000)  
13 For the grant period October 1, 2004 to September 30, 2005: ... ..  
14 2,450,000 ..... (re. \$2,450,000)  
15  
16 By chapter 54, section 1, of the laws of 2003:  
17 For services and expenses related to the provision of services to the  
18 developmentally disabled under the provisions of the federal devel-  
19 opmental disabilities bill of rights act of nineteen hundred seven-  
20 ty-five:  
21 For the grant period October 1, 2002 to September 30, 2003: ... ..  
22 2,100,000 ..... (re. \$300,000)  
23 For the grant period October 1, 2003 to September 30, 2004: ... ..  
24 2,450,000 ..... (re. \$650,000)  
25  
26 By chapter 54, section 1, of the laws of 2002:  
27 For services and expenses related to the provision of services to the  
28 developmentally disabled under the provisions of the federal de-  
29 velopmental disabilities bill of rights act of nineteen hundred  
30 seventy-five:  
31 For the grant period October 1, 2002 to September 30, 2003: ... ..  
32 2,450,000 ..... (re. \$213,000)  
33  
34 Total reappropriations for state operations and aid to  
35 localities ..... 5,713,000  
36 =====

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local .....	8,207,661,600	143,635,000
6	Special Revenue Funds - Federal ....	28,978,466,000	39,275,667,500
7	Special Revenue Funds - Other .....	7,637,492,000	642,496,000
8	Capital Projects Funds .....	326,600,000	224,091,000
9	Enterprise Funds .....	10,000	0
10		-----	-----
11	All Funds .....	45,150,229,600	40,285,889,500
12		=====	=====

13 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

14					
15					
16		State	Aid to	Capital	
17	Fund Type	Operations	Localities	Projects	Total
18		-----	-----	-----	-----
19	GF-St/Local	184,565,000	8,023,096,600	0	8,207,661,600
20	SR-Federal	4,054,898,000	24,923,568,000	0	28,978,466,000
21	SR-Other	477,878,000	7,159,614,000	0	7,637,492,000
22	Cap Proj	0	0	326,600,000	326,600,000
23	Enterprise	10,000	0	0	10,000
24		-----	-----	-----	-----
25	All Funds	4,717,351,000	40,106,278,600	326,600,000	45,150,229,600
26		=====	=====	=====	=====

27 SCHEDULE

28		
29		
30	ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM .....	64,390,000
31		-----
32		
33	General Fund / State Operations	
34	State Purposes Account - 003	
35		
36	Personal service .....	7,463,000
37	Nonpersonal service .....	13,600,000
38		-----
39	Program account subtotal .....	21,063,000
40		-----
41		
42	General Fund / Aid to Localities	
43	Local Assistance Account - 001	
44		
45	For services and expenses of the office of	
46	minority health including competitive	
47	grants to promote community strategic	
48	planning or new or improved health care	
49	delivery systems and networks in minority	
50	areas. Up to \$102,000 of this appropri-	
51	ation may be transferred to state oper-	
52	ations for administration .....	602,000
53		-----
54	Program account subtotal .....	602,000
55		-----
56		
57	Special Revenue Funds - Federal / State Operations	
58	Federal USDA-Food and Nutrition Services Fund - 261	
59	Child and Adult Care Food Account	
60		
61	For the grant period October 1, 2004 to	
62	September 30, 2005 .....	360,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period October 1, 2005 to	
2	September 30, 2006 .....	458,000
3		-----
4	Program account subtotal .....	818,000
5		-----
6		
7	Special Revenue Funds - Federal / State Operations	
8	Federal USDA-Food and Nutrition Services Fund - 261	
9	Federal Food and Nutrition Services Account	
10		
11	For various food and nutritional services:	
12		
13	For the grant period October 1, 2003 to	
14	September 30, 2004 .....	1,320,000
15	For the grant period October 1, 2004 to	
16	September 30, 2005 .....	1,684,000
17		-----
18	Program account subtotal .....	3,004,000
19		-----
20		
21	Special Revenue Funds - Federal / State Operations	
22	Federal Health and Human Services Fund - 265	
23		
24	For administration of the national health	
25	services corps. Notwithstanding any incon-	
26	sistent provision of law, and subject to	
27	the approval of the director of the budg-	
28	et, moneys hereby appropriated may be	
29	suballocated to the higher education	
30	services corporation:	
31		
32	For grants beginning on or after April 1,	
33	2005 .....	1,085,000
34		-----
35	Program fund subtotal .....	1,085,000
36		-----
37		
38	Special Revenue Funds - Federal / State Operations	
39	Federal Block Grant Fund - 269	
40		
41	For various health prevention, diagnostic,	
42	detection and treatment services:	
43		
44	For the grant period October 1, 2004 to	
45	September 30, 2005 .....	2,287,000
46	For the grant period October 1, 2005 to	
47	September 30, 2006 .....	2,630,000
48		-----
49	Program fund subtotal .....	4,917,000
50		-----
51		
52	Special Revenue Funds - Other / State Operations	
53	Combined Gifts, Grants and Bequests Fund - 020	
54	Technology Transfer Account	
55		
56	For services and expenses related to the	
57	department of health's patent and technol-	
58	ogy transfer program. The department of	
59	health may receive and deposit revenue	
60	from the sale and licensing of inventions	
61	pursuant to a technology and patent trans-	
62	fer policy established in accordance with	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 section 64-a of the public officers law.  
2 Notwithstanding any other provision of  
3 law, these funds may be used for payments  
4 to Health Research, Inc. as reimbursement  
5 for expenses incurred in its patent and  
6 technology transfer operations, to support  
7 research, training, and infrastructure  
8 development in the department's research  
9 facilities, and for payments to inventors.  
10 The moneys hereby appropriated shall be  
11 available for liabilities heretofore and  
12 hereafter to accrue ..... 500,000  
13 -----  
14 Program account subtotal ..... 500,000  
15 -----

16  
17 Special Revenue Funds - Other / State Operations  
18 HCRA Resources Fund - F04  
19 Health Occupation Development and Workplace Demo Account  
20

21 For services and expenses related to admin-  
22 istration of the health occupation devel-  
23 opment and workplace demonstration program  
24 established pursuant to sections 2807-g  
25 and 2807-h of the public health law. Up to  
26 50 percent of this appropriation may be  
27 suballocated to the department of labor:  
28

29 Personal service ..... 589,000  
30 Nonpersonal service ..... 1,507,000  
31 Fringe benefits ..... 248,000  
32 -----  
33 Program account subtotal ..... 2,344,000  
34 -----

35  
36 Special Revenue Funds - Other / State Operations  
37 HCRA Resources Fund - F04  
38 Pilot Health Insurance Account  
39

40 For services and expenses related to the  
41 administration of the program authorized  
42 by section 2807-1 of the public health  
43 law:  
44

45 Personal service ..... 1,162,000  
46 Nonpersonal service ..... 704,000  
47 Fringe benefits ..... 489,000  
48 -----  
49 Program account subtotal ..... 2,355,000  
50 -----

51  
52 Special Revenue Funds - Other / State Operations  
53 HCRA Resources Fund - F04  
54 Primary Care Initiatives Account  
55

56 For services and expenses related to the  
57 administration of the program authorized  
58 by section 2807-1 of the public health  
59 law:  
60

61 Personal service ..... 445,000  
62 Nonpersonal service ..... 288,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Fringe benefits .....	187,000
2		-----
3	Program account subtotal .....	920,000
4		-----
5		
6	Special Revenue Funds - Other / State Operations	
7	HCRA Resources Fund - F04	
8	Health Care Delivery Administration Account	
9		
10	For services and expenses related to admin-	
11	istration of the health care and cancer	
12	initiative programs pursuant to section	
13	2807-1 of the public health law:	
14		
15	Personal service .....	323,000
16	Nonpersonal service .....	435,000
17	Fringe benefits .....	136,000
18		-----
19	Program account subtotal .....	894,000
20		-----
21		
22	Special Revenue Funds - Other / State Operations	
23	Miscellaneous Special Revenue Fund - 339	
24	Administration Program Account	
25		
26	For services and expenses, including indi-	
27	rect costs, related to the administration	
28	program:	
29		
30	Personal service .....	6,700,000
31	Nonpersonal service .....	2,400,000
32		-----
33	Program account subtotal .....	9,100,000
34		-----
35		
36	Special Revenue Funds - Other / State Operations	
37	Miscellaneous Special Revenue Fund - 339	
38	Health-SPARCS Account	
39		
40	For all services and expenses, including	
41	indirect costs, related to the statewide	
42	planning and research cooperative system:	
43		
44	Personal service .....	2,719,000
45	Nonpersonal service .....	3,355,000
46	Fringe benefits .....	1,150,000
47		-----
48	Program account subtotal .....	7,224,000
49		-----
50		
51	Special Revenue Funds - Other / State Operations	
52	Miscellaneous Special Revenue Fund - 339	
53	Professional Medical Conduct Account	
54		
55	For services and expenses, including indi-	
56	rect costs, related to the professional	
57	medical conduct program:	
58		
59	Personal service .....	3,780,000
60	Nonpersonal service .....	1,857,000



## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Fringe benefits .....	1,719,000	
2		-----	
3	Program account subtotal .....	7,356,000	
4		-----	
5			
6	Special Revenue Funds - Other / State Operations		
7	Miscellaneous Special Revenue Fund - 339		
8	Vital Records Management Account		
9			
10	For services and expenses including the		
11	collection of increased fees related to		
12	the vital records program:		
13			
14	Personal service .....	1,100,000	
15	Nonpersonal service .....	691,000	
16	Fringe benefits .....	417,000	
17		-----	
18	Program account subtotal .....	2,208,000	
19		-----	
20			
21	AIDS INSTITUTE PROGRAM .....		105,278,600
22			-----
23			
24	General Fund / State Operations		
25	State Purposes Account - 003		
26			
27	Personal service .....	10,357,000	
28	Nonpersonal service .....	5,431,000	
29			
30	Maintenance undistributed		
31	For suballocation to the office of children		
32	and family services through a memorandum		
33	of understanding with the AIDS institute,		
34	for services related to HIV policy devel-		
35	opment and training .....	150,000	
36	For suballocation to the state education		
37	department through a memorandum of under-		
38	standing with the AIDS institute, for the		
39	provision of AIDS education by AIDS		
40	regional training coordinators for staff		
41	in elementary and secondary schools .....	200,000	
42	For suballocation to the division of human		
43	rights through a memorandum of understand-		
44	ing with the AIDS institute, for services		
45	of the office of AIDS discrimination		
46	investigation .....	100,000	
47		-----	
48	Available for maintenance undistributed ..	450,000	
49		-----	
50	Program account subtotal .....	16,238,000	
51		-----	
52			
53	General Fund / Aid to Localities		
54	Local Assistance Account - 001		
55			
56	For grants to community based organizations		
57	to support permanency planning and support		
58	services for families affected by HIV ....	393,800	
59	For additional demonstration project grants		
60	to designated AIDS centers, and not-for-		
61	profit organizations, including but not		
62	limited to community service programs and		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	community-based organizations, providing	
2	specialized AIDS-related services for	
3	purposes of patient education and case	
4	management services related to promoting	
5	compliance with HIV-related treatment	
6	therapies and regimes .....	393,800
7		-----
8	Program account subtotal .....	787,600
9		-----
10		
11	Special Revenue Funds - Other / Aid to Localities	
12	HCRA Resources Fund - F04	
13	Health Care Services Account	
14		
15	For grants to community service programs	
16	including but not limited to community	
17	based organizations and other organiza-	
18	tions providing specialized AIDS - related	
19	services targeted to minority and other	
20	high risk populations. Up to \$125,000 may	
21	be transferred to the general fund - state	
22	purposes account for the administration of	
23	this program .....	20,603,000
24	For grants to existing community service	
25	programs to meet the increased demands for	
26	HIV education, prevention, outreach, legal	
27	and supportive services to high risk	
28	groups and to address increased operating	
29	costs of these programs .....	4,800,000
30	For additional grants to existing community	
31	service programs to meet the increased	
32	demands for HIV education, prevention,	
33	outreach, legal and supportive services to	
34	high-risk groups and to address increased	
35	operating costs of these programs. Such	
36	grants shall be equitably distributed ....	850,000
37	For services and expenses related to the	
38	operation of the Cornell university parent	
39	HIV/AIDS education project to provide	
40	educational workshops for parents in	
41	Nassau county, and to enhance the project	
42	in Suffolk county .....	75,000
43	For services and expenses of the Long Island	
44	association for AIDS care to conduct a	
45	study to (1) identify the medical and	
46	social service gaps for children orphaned	
47	by AIDS on Long Island, as well as strate-	
48	gies to link families with AIDS with	
49	community services in order to plan for	
50	future care needs of their children, and	
51	(2) develop innovative comprehensive model	
52	service programs for such children .....	50,000
53	For grants to county health departments for	
54	HIV-related public health activities in	
55	rural underserved counties and counties	
56	with the most rapid increases in HIV inci-	
57	dence .....	300,000
58	For services and expenses of the AIDS insti-	
59	tute related to training and education	
60	activities and continuum of care initi-	
61	atives .....	2,331,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses of a pilot	
2	surveillance project for investigation of	
3	reported AIDS cases by county health	
4	departments as authorized by the commis-	
5	sioner of health .....	90,000
6	For grants to community based organizations	
7	for the provision of services to parolees	
8	and their families. Up to \$730,000 of this	
9	appropriation may be transferred to the	
10	general fund - state purposes account for	
11	administration of this program .....	1,130,000
12	For HIV counseling and testing services in	
13	facilities operated by the New York state	
14	department of corrections. All or part of	
15	this appropriation may be transferred to	
16	the general fund - state purposes account	
17	for administration of this program .....	925,000
18	For grants for the provision of outreach and	
19	case management services to high-risk	
20	women and children .....	1,375,000
21	For services and expenses related to the	
22	provision of outreach and education to	
23	low-income and minority communities	
24	concerning the availability of and access	
25	to clinical drug trials .....	100,000
26	For services and expenses related to the	
27	care and service needs of children,	
28	adolescents and families with the HIV	
29	disease .....	1,838,000
30	For grants for the provision of comprehen-	
31	sive HIV prevention and health care	
32	services to high-risk adolescents and	
33	young adults. Up to 5 percent of this	
34	appropriation may be transferred to the	
35	general fund - state purposes account for	
36	the administration of this program .....	2,321,000
37	For grants for housing, supported housing	
38	and referral services for homeless persons	
39	with HIV/AIDS and their families, includ-	
40	ing those with tuberculosis or if	
41	warranted those with tuberculosis only, in	
42	areas as determined by data collected by	
43	the department of health .....	2,500,000
44	For transfer to the office of temporary and	
45	disability assistance for operational	
46	support to projects which have received	
47	capital grant awards through the homeless	
48	housing assistance program .....	1,000,000
49	For grants for the provision of HIV	
50	prevention and primary care services to	
51	high risk populations in community health	
52	centers and substance abuse programs .....	718,000
53	For grants to community based organizations	
54	for HIV prevention and outreach efforts	
55	targeted to substance abusers .....	470,000
56	For services and expenses related to educa-	
57	tion and prevention services and for	
58	nutritional services including individuals	
59	homebound with AIDS or in an adult day	
60	care or home care setting .....	4,900,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For grants to community based organizations	
2	to support permanency planning and support	
3	services for families affected by HIV. Up	
4	to 5 percent of this appropriation may be	
5	transferred to the general fund - state	
6	purposes account for the administration of	
7	this program .....	1,000,000
8	For grants to community based organizations	
9	and for services and expenses of the AIDS	
10	institute related to the provision of HIV	
11	education and prevention services. Up to	
12	10 percent of this appropriation may be	
13	transferred to the general fund - state	
14	purposes account for administration of	
15	this program .....	750,000
16	For services and expenses of surveillance	
17	projects for investigation of reported	
18	AIDS cases, including seroprevalence	
19	studies, as authorized by the commissioner	
20	of health .....	330,000
21	For provision of comprehensive HIV outreach	
22	and prevention services to adolescents and	
23	women .....	1,000,000
24	For state aid to municipalities pursuant to	
25	article 6 of the public health law or for	
26	grants to counties and local health	
27	departments for an HIV surveillance and	
28	partner notification program .....	4,100,000
29	For services and expenses of the medical	
30	society of the state of New York for a	
31	peer educational program for physicians	
32	regarding the testing and reporting of	
33	individuals who are infected with HIV ....	100,000
34	For grants for AIDS prevention and education	
35	and AIDS related services to community	
36	based organizations and to article 28 of	
37	the public health law diagnostic and	
38	treatment centers. For the purposes of	
39	this program, eligible organizations must	
40	(1) operate in a neighborhood or geograph-	
41	ic area with high concentrations of at	
42	risk populations; and (2) provide services	
43	and programs that are culturally sensitive	
44	to the special social and cultural needs	
45	of the at risk populations .....	12,300,000
46	For additional grants to existing community	
47	based organizations and to article 28 of	
48	the public health law diagnostic and	
49	treatment centers that must operate in a	
50	neighborhood or geographic area with high	
51	concentrations of at risk populations and	
52	provide services and programs that are	
53	culturally sensitive to the special social	
54	and cultural needs of the at risk popu-	
55	lations. Such grants shall be used to meet	
56	the increased demands for HIV education,	
57	prevention, outreach, and legal programs.	
58	Such grants shall be equitably distributed	
59	.....	850,000
60	For grants for the provision of primary	
61	health care services in drug treatment	
62	programs. Up to \$800,000 of this appropri-	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	ation can be used for services targeted to	
2	substance abusers at risk of becoming	
3	intravenous drug users. Up to 5 percent of	
4	this appropriation may be transferred to	
5	the general fund - state purposes account	
6	for the administration of this program ...	2,666,000
7	For services and expenses relating to the	
8	provision of HIV counseling and testing by	
9	family planning clinics and prenatal care	
10	assistance programs to the extent that	
11	reimbursement through medical assistance	
12	is not available. These funds shall not be	
13	used by the department for any costs	
14	directly related to the processing of	
15	tests .....	3,452,000
16	For grants for the development of women's	
17	HIV clinics to provide comprehensive	
18	obstetrical/gynecological services and for	
19	grants to health care facilities and	
20	community organizations for the provisions	
21	of primary care, subspecialty care and	
22	supportive services to HIV-infected women	
23	and children in underserved, high seropre-	
24	valence areas. Up to 5 percent of this	
25	appropriation may be transferred to the	
26	general fund - state purposes account for	
27	the administration of this program .....	1,294,000
28	For services and expenses related to the	
29	special program for HIV services for	
30	infants and pregnant women established	
31	pursuant to section 71 of chapter 731 of	
32	the laws of 1993 .....	1,500,000
33	For services and expenses associated with	
34	the HIV clinical education initiative	
35	program .....	1,600,000
36		-----
37	Program account subtotal .....	77,318,000
38		-----
39		
40	Special Revenue Funds - Other / Aid to Localities	
41	HCRA Resources Fund - F04	
42	Hospital Based Grants Program Account	
43		
44	For grants to community service programs	
45	including but not limited to community	
46	based organizations and other organiza-	
47	tions providing specialized AIDS-related	
48	services targeted to minority and other	
49	high-risk populations .....	1,038,000
50	For services and expenses of an HIV and	
51	substance abuse fellowship program to	
52	encourage physicians and nurses to work in	
53	clinical settings providing care and	
54	treatment to persons with HIV infection,	
55	including but not limited to designated	
56	care centers, community health centers,	
57	hospital outpatient clinics, substance	
58	abuse treatment programs, mental health	
59	clinics, family planning and prenatal	
60	clinics, for training in diagnosis and	
61	management of HIV illness and substance	
62	abuse treatment. Up to 5 percent of the	

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	amount appropriated may be transferred to	
2	the general fund - state purposes account	
3	for administration of the program .....	1,489,000
4	For services and expenses related to the	
5	provision of HIV counseling and testing by	
6	family planning clinics and prenatal care	
7	assistance programs .....	548,000
8	For services and expenses of the AIDS insti-	
9	tute related to training and education	
10	activities and continuum of care initi-	
11	atives .....	324,000
12	For grants for the provision of primary	
13	health care services in drug treatment	
14	programs. Up to 5 percent of this amount	
15	may be transferred to the general fund -	
16	state purposes account .....	368,000
17	For grants for the provision of comprehen-	
18	sive HIV prevention and health care	
19	service to high-risk adolescents and young	
20	adults .....	850,000
21	For grants for the development of women's	
22	HIV clinics to provide comprehensive	
23	obstetrical/gynecological services and for	
24	grants to health care facilities and	
25	community organizations for the provision	
26	of primary care, subspecialty care and	
27	supportive services to HIV infected women	
28	and children in underserved, high seropre-	
29	valence areas .....	806,000
30	For grants of the provision of HIV	
31	prevention and primary care services to	
32	high risk populations in community health	
33	centers and substance abuse programs .....	482,000
34	For grants to community based organizations	
35	for HIV prevention and outreach efforts	
36	targeted to substance abusers .....	30,000
37		-----
38	Program account subtotal .....	5,935,000
39		-----
40		
41	Special Revenue Funds - Other / Aid to Localities	
42	HCRA Resources Fund - F04	
43	Maternal and Child HIV Services Account	
44		
45	For services and expenses related to special	
46	programs for HIV services for infants and	
47	pregnant women established pursuant to	
48	section 71 of chapter 731 of the laws of	
49	1993. Such programs may provide continuing	
50	services to high-risk and HIV-positive	
51	women and children. Up to 5 percent of	
52	this appropriation may be transferred to	
53	the general fund-state purposes account	
54	for administration of this program .....	5,000,000
55		-----
56	Program account subtotal .....	5,000,000
57		-----
58		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 CENTER FOR COMMUNITY HEALTH PROGRAM ..... 1,461,924,000  
2 -----  
3  
4 General Fund / Aid to Localities  
5 Local Assistance Account - 001  
6  
7 State aid to municipalities for the opera-  
8 tion of local health departments and labo-  
9 ratories and for the provision of general  
10 public health services pursuant to article  
11 6 of the public health law for activities  
12 under the jurisdiction of the commissioner  
13 of health.  
14 Notwithstanding any other provision of arti-  
15 cle 6 of the public health law, a county  
16 may obtain reimbursement pursuant to this  
17 act, only after the county chief financial  
18 officer certifies, in the municipal health  
19 services plan, that county tax levies used  
20 to fund services carried out by the county  
21 health department have not been added to  
22 or supplanted directly or indirectly by  
23 any funds obtained by the county pursuant  
24 to the Master Settlement Agreement entered  
25 into on November 23, 1998 by the state and  
26 leading United States tobacco product  
27 manufacturers, except in the case of a  
28 public health emergency, as determined by  
29 the commissioner of health. Notwithstand-  
30 ing annual aggregate limits for bad debt  
31 and charity care allowances and any other  
32 provision of law, up to \$1,700,000 shall  
33 be transferred to the medical assistance  
34 program general fund - local assistance  
35 account for eligible publicly sponsored  
36 certified home health agencies that demon-  
37 strate losses from a disproportionate  
38 share of bad debt and charity care, pursu-  
39 ant to chapter 884 of the laws of 1990.  
40 Within the maximum limits specified here-  
41 in, the department shall transfer only  
42 those funds which are necessary to meet  
43 the state share requirements for  
44 disproportionate share adjustments  
45 expected to be paid for the period January  
46 1, 2005 through December 31, 2005. The  
47 moneys hereby appropriated shall be avail-  
48 able for payment of financial assistance  
49 heretofore accrued ..... 221,500,000  
50 For state aid to municipalities to respond  
51 to emergency public health needs pursuant  
52 to article 6 of the public health law.  
53 Notwithstanding any provision of law,  
54 rule, or regulation to the contrary and  
55 subject to the approval of the director of  
56 the budget, a portion of this appropri-  
57 ation may be made available for general  
58 public health services pursuant to article  
59 6 of the public health law for activities  
60 under the jurisdiction of the commissioner  
61 of health ..... 10,000,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For costs associated with expanded follow-up	
2	and interim housing for children identi-	
3	fied with elevated blood lead levels .....	720,000
4	For grants to community based organizations,	
5	in accordance with chapter 820 of the laws	
6	of 1987, for nutrition outreach in areas	
7	where a significant percentage or number	
8	of those potentially eligible for food	
9	assistance programs are not participating	
10	in such programs. A portion of this appro-	
11	priation, not to exceed \$600,000 shall be	
12	suballocated to the office of temporary	
13	and disability assistance. Up to 15	
14	percent of the funds appropriated may be	
15	allocated to fund a program of nutrition	
16	outreach as established pursuant to	
17	section 2597 of the public health law if	
18	such a program is administered through a	
19	contract arrangement .....	1,000,000
20	For services and expenses related to provid-	
21	ing nutritional services and to provide	
22	nutritional education to pregnant women,	
23	infants, and children, including suballo-	
24	cations to the department of agriculture	
25	and markets for the farmer's market nutri-	
26	tion program and migrant worker services	
27	and the office of temporary and disability	
28	assistance for prenatal care assistance	
29	program activities. Up to 5 percent of	
30	this amount may be transferred to the	
31	general fund - state purposes account,	
32	subject to approval by the director of the	
33	budget, for the administration of this	
34	program by the department of health .....	17,004,000
35	For additional services and expenses pro-	
36	vided to women, infants, and children	
37	whose incomes do not exceed 200 percent of	
38	the federal poverty level .....	4,900,000
39	For services provided by school based health	
40	centers .....	3,325,000
41	For additional services and expenses of the	
42	hunger prevention and nutrition assistance	
43	program for individuals and families whose	
44	incomes do not exceed 200 percent of the	
45	federal poverty level, including: addi-	
46	tional capacity and services for under-	
47	served communities and populations includ-	
48	ing those served by small food pantries;	
49	enhanced nutritional quality by accessing	
50	diversified food resources including from	
51	local farms and farmers' markets; and out-	
52	reach and referral to other programs de-	
53	signed to reduce dependence on emergency	
54	food. A portion of the \$12,000,000 ap-	
55	propriated herein may be made available	
56	through transfer to reimburse personal and	
57	nonpersonal service costs incurred in	
58	administering the provision of such ser-	
59	vices to such eligible individuals and	
60	families .....	12,000,000



## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses, including operat-	
2	ing expenses related to providing nutri-	
3	tional services and nutrition education	
4	for hunger prevention and nutrition	
5	assistance. Up to 5 percent of this amount	
6	may be transferred to the general fund -	
7	state purposes account, subject to ap-	
8	proval by the director of the budget, for	
9	the administration of this program by the	
10	department of health .....	10,840,000
11	For grants-in-aid to contract for hyperten-	
12	sion prevention, screening, and treatment	
13	programs .....	254,000
14	For services and expenses of a rabies	
15	program, including but not limited to	
16	reimbursement to counties for rabies	
17	expenses such as human post-exposure	
18	vaccination, and research studies in the	
19	control of wildlife rabies, pursuant to	
20	United States department of agriculture	
21	approval if necessary, to control the	
22	spread of rabies .....	1,486,000
23	For grants to rape crisis centers for	
24	services to rape victims and programs to	
25	prevent rape. Up to 5 percent of this	
26	amount may be transferred to the general	
27	fund - state purposes account, subject to	
28	approval by the director of the budget,	
29	for the administration of this program by	
30	the department of health .....	1,224,000
31	State grants for a program of family plan-	
32	ning services pursuant to article 2 of the	
33	public health law. Up to \$180,000 of the	
34	amount appropriated herein may be trans-	
35	ferred to the general fund - state pur-	
36	poses account, subject to approval by the	
37	director of the budget, for the admin-	
38	istration of this program .....	15,818,000
39	For grants to sudden infant death syndrome	
40	centers .....	41,100
41	For services and expenses of the tick-borne	
42	disease institute, including grants for	
43	research and prevention, detection, and	
44	treatment of Lyme disease and other tick-	
45	borne illnesses .....	150,000
46	For services and expenses to implement the	
47	lead poisoning prevention act of 1992,	
48	including funding to local health depart-	
49	ments to meet increased needs for educa-	
50	tion, screening and follow-up including a	
51	suballocation to the office of temporary	
52	and disability assistance .....	4,000,000
53	For services and expenses of existing	
54	Alzheimer's disease assistance centers as	
55	established pursuant to chapter 586 of the	
56	laws of 1987 .....	486,000
57	For services and expenses including payment	
58	of health insurance premiums and	
59	reimbursement of health care providers for	
60	services rendered to individuals enrolled	
61	in the cystic fibrosis program pursuant to	
62	chapter 851 of the laws of 1987 .....	621,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses to implement the	
2	early intervention program act of 1992.	
3	The moneys hereby appropriated shall be	
4	available for payment of financial assist-	
5	ance heretofore accrued or hereafter to	
6	accrue .....	260,000,000
7	For services and expenses of an early diag-	
8	nosis and control program for diabetes ...	148,900
9	For services and expenses including an	
10	education program related to a children's	
11	asthma program. The department shall make	
12	grants within the amounts appropriated	
13	therefor to local health agencies, health	
14	care providers, school, school-based	
15	health centers and community-based organ-	
16	izations and other organizations with	
17	demonstrated interest and expertise in	
18	serving persons with asthma to develop and	
19	implement regional or community plans	
20	which may include the following activ-	
21	ities: self-management programs in elemen-	
22	tary schools, conducting public and	
23	provider education programs and implement-	
24	ing protocols for collection of data on	
25	asthma-related school absenteeism and	
26	emergency room visits. In making grants	
27	the commissioner may give priority consid-	
28	eration to entities serving areas of the	
29	state with high incidence and prevalence	
30	of asthma .....	54,000
31	For services and expenses of an abstinence	
32	education program .....	2,600,000
33	For services and expenses of the cancer	
34	registry .....	50,000
35	For state grants for cancer detection and	
36	education program pursuant to chapter 328	
37	of the laws of 1989 as amended .....	4,000,000
38	For services and expenses of the health and	
39	social services sexuality-related programs	
40	.....	1,000,000
41	For services and expenses of the osteoporo-	
42	sis prevention and education program. The	
43	commissioner of health, pursuant to a plan	
44	subject to the approval of the director of	
45	the budget, may transfer funds to the	
46	state operations budget of Helen Hayes	
47	hospital for this program .....	66,000
48	For services and expenses of a childhood	
49	cancer awareness program .....	36,000
50		-----
51	Program account subtotal .....	573,324,000
52		-----
53		
54	Special Revenue Funds - Federal / State Operations	
55	Federal USDA-Food and Nutrition Services Fund - 261	
56	Child and Adult Care Food Account	
57		
58	For the grant period October 1, 2004 to	
59	September 30, 2005 .....	3,251,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period October 1, 2005 to	
2	September 30, 2006 .....	4,207,000
3		-----
4	Program account subtotal .....	7,458,000
5		-----
6		
7	Special Revenue Funds - Federal / Aid to Localities	
8	Federal USDA-Food and Nutrition Services Fund - 261	
9	Child and Adult Care Food Account	
10		
11	For various federal food and nutritional	
12	services. The moneys hereby appropriated	
13	shall be available for payment of finan-	
14	cial assistance heretofore accrued:	
15		
16	For the grant period October 1, 2004 to	
17	September 30, 2005 .....	82,300,000
18	For the grant period October 1, 2005 to	
19	September 30, 2006 .....	100,200,000
20		-----
21	Program account subtotal .....	182,500,000
22		-----
23		
24	Special Revenue Funds - Federal / State Operations	
25	Federal USDA-Food and Nutrition Services Fund - 261	
26	Federal Food and Nutrition Services Account	
27		
28	For various food and nutritional services:	
29		
30	For the grant period October 1, 2004 to	
31	September 30, 2005 .....	21,013,000
32	For the grant period October 1, 2005 to	
33	September 30, 2006 .....	26,288,000
34		-----
35	Program account subtotal .....	47,301,000
36		-----
37		
38	Special Revenue Funds - Federal / Aid to Localities	
39	Federal USDA-Food and Nutrition Services Fund - 261	
40	Federal Food and Nutrition Services Account	
41		
42	For various federal food and nutritional	
43	services. The moneys hereby appropriated	
44	shall be available for payment of finan-	
45	cial assistance heretofore accrued:	
46		
47	For the grant period October 1, 2004 to	
48	September 30, 2005 .....	176,700,000
49	For the grant period October 1, 2005 to	
50	September 30, 2006 .....	215,200,000
51		-----
52	Program account subtotal .....	391,900,000
53		-----
54		
55	Special Revenue Funds - Federal / State Operations	
56	Federal Health and Human Services Fund - 265	
57		
58	For various health prevention, diagnostic,	
59	detection and treatment services:	
60		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For grants beginning prior to April 1, 2005.	16,478,000
2	For grants beginning on or after April 1,	
3	2005 .....	7,671,000
4		-----
5	Program fund subtotal .....	24,149,000
6		-----
7		
8	Special Revenue Funds - Federal / Aid to Localities	
9	Federal Health and Human Services Fund - 265	
10		
11	For various health prevention, diagnostic,	
12	detection and treatment services:	
13		
14	For grants beginning prior to April 1, 2005.	75,000
15	For grants beginning on or after April 1,	
16	2005 .....	35,381,000
17		-----
18	Program fund subtotal .....	35,456,000
19		-----
20		
21	Special Revenue Funds - Federal / State Operations	
22	Federal Block Grant Fund - 269	
23		
24	For various health prevention, diagnostic,	
25	detection and treatment services:	
26		
27	For the grant period October 1, 2004 to	
28	September 30, 2005 .....	9,018,000
29	For the grant period October 1, 2005 to	
30	September 30, 2006 .....	10,370,000
31		-----
32	Program fund subtotal .....	19,388,000
33		-----
34		
35	Special Revenue Funds - Federal / Aid to Localities	
36	Federal Block Grant Fund - 269	
37		
38	For various health prevention, diagnostic,	
39	detection and treatment services:	
40		
41	For the grant period October 1, 2004 to	
42	September 30, 2005 .....	23,245,000
43	For the grant period October 1, 2005 to	
44	September 30, 2006 .....	26,732,000
45		-----
46	Program fund subtotal .....	49,977,000
47		-----
48		
49	Special Revenue Funds - Federal / State Operations	
50	Federal Block Grant Fund - 269	
51	Abstinence Education Account	
52		
53	For the grant period October 1, 2004 to	
54	September 30, 2005 .....	451,000
55	For the grant period October 1, 2005 to	
56	September 30, 2006 .....	451,000
57		-----
58	Program account subtotal .....	902,000
59		-----
60		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Special Revenue Funds - Federal / Aid to Localities	
2	Federal Block Grant Fund - 269	
3	Abstinence Education Account	
4		
5	For the grant period October 1, 2005 to	
6	September 30, 2006 .....	4,982,000
7		-----
8	Program account subtotal .....	4,982,000
9		-----
10		
11	Special Revenue Funds - Federal / State Operations	
12	Federal Block Grant Fund - 269	
13	Individuals with Disabilities-Part C Account	
14		
15	For activities related to a handicapped	
16	infants and toddlers program:	
17		
18	For the grant period October 1, 2004 to	
19	September 30, 2005 .....	8,150,000
20	For the grant period October 1, 2005 to	
21	September 30, 2006 .....	9,780,000
22		-----
23	Program account subtotal .....	17,930,000
24		-----
25		
26	Special Revenue Funds - Federal / Aid to Localities	
27	Federal Block Grant Fund - 269	
28	Individuals with Disabilities-Part C Account	
29		
30	For activities related to a handicapped	
31	infants and toddlers program:	
32		
33	For the grant period October 1, 2005 to	
34	September 30, 2006 .....	29,220,000
35		-----
36	Program account subtotal .....	29,220,000
37		-----
38		
39	Special Revenue Funds - Other / State Operations	
40	Combined Gifts, Grants and Bequests Fund - 020	
41	Alzheimer's Research Account	
42		
43	For alzheimer's disease research and assist-	
44	ance pursuant to chapter 590 of the laws	
45	of 1999 .....	1,000,000
46		-----
47	Program account subtotal .....	1,000,000
48		-----
49		
50	Special Revenue Funds - Other / State Operations	
51	Combined Gifts, Grants and Bequests Fund - 020	
52	Diabetes Research and Education Account	
53		
54	For diabetes research and education pursuant	
55	to chapter 339 of the laws of 2001 .....	100,000
56		-----
57	Program account subtotal .....	100,000
58		-----
59		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Special Revenue Funds - Other / State Operations	
2	Combined Gifts, Grants and Bequests Fund - 020	
3	Prostate and Testicular Cancer Research and Education	
4	Account	
5		
6	For prostate and testicular cancer research	
7	and education pursuant to section 97-ccc	
8	of the state finance law .....	150,000
9		-----
10	Program account subtotal .....	150,000
11		-----
12		
13	Special Revenue Funds - Other / Aid to Localities	
14	HCRA Resources Fund - F04	
15	Health Care Services Account	
16		
17	For services and expenses of a statewide	
18	public health campaign for tuberculosis	
19	control and prevention and for screening	
20	and education activities regarding sexual-	
21	ly transmitted diseases, provided that any	
22	funds allocated under this section shall	
23	not supplant existing local funds or state	
24	funds allocated to county health depart-	
25	ments under article 6 of the public health	
26	law. Up to \$300,000 of this appropriation	
27	may be transferred to the general fund -	
28	state purposes account for the adminis-	
29	tration of this program by the department	
30	of health .....	6,200,000
31	For services and expenses related to the	
32	Indian health program. The moneys hereby	
33	appropriated shall be for payment of	
34	financial assistance heretofore accrued or	
35	hereafter to accrue .....	13,500,000
36	State aid to municipalities for medical	
37	services for the rehabilitation of phys-	
38	ically handicapped children, pursuant to	
39	article 6 of the public health law .....	4,000,000
40	For services and expenses for a school	
41	health program .....	4,321,000
42	For services and expenses of the prenatal	
43	care assistance program. Up to 100 percent	
44	of this appropriation may be suballocated	
45	to the medical assistance program general	
46	fund - local assistance account to be	
47	matched by federal funds .....	2,640,000
48	For state grants for the breast cancer	
49	detection and education program pursuant	
50	to chapter 328 of the laws of 1989 as	
51	amended, which may include coverage of	
52	geographic areas not presently covered by	
53	the program where the need for such	
54	services is demonstrated. Up to \$110,000	
55	may be transferred to state operations for	
56	administration of this program .....	2,470,000
57	For breast cancer awareness programs for	
58	school students conducted by organizations	
59	approved pursuant to chapter 328 of the	
60	laws of 1989 as amended .....	150,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the statewide breast cancer hotline to	
2	provide breast cancer information, educa-	
3	tion and support services .....	175,000
4	For grants to community based programs	
5	providing support, educational and	
6	outreach services to persons diagnosed	
7	with breast cancer .....	250,000
8	For services and expenses related to tobacco	
9	enforcement, education and related activ-	
10	ities, pursuant to chapter 433 of the laws	
11	of 1997. Of amounts appropriated herein,	
12	up to \$500,000 may be used for educational	
13	programs. A portion of this appropriation	
14	may be transferred to state operations ...	2,500,000
15	For services and expenses of the maternity	
16	and early childhood foundation .....	1,300,000
17	For services and expenses of the Adelphi	
18	university breast cancer support program..	125,000
19	For transfer to the comprehensive care	
20	center for eating disorders development	
21	fund .....	500,000
22	For state aid to municipalities for a	
23	program of immunization against German	
24	measles and other communicable diseases,	
25	pursuant to article VI of the public	
26	health law .....	8,000,000
27	For services and expenses related to the	
28	childhood obesity prevention program .....	1,500,000
29		-----
30	Program account subtotal .....	47,631,000
31		-----
32		
33	Special Revenue Funds - Other / Aid to Localities	
34	HCRA Resources Fund - F04	
35	Hospital Based Grants Program Account	
36		
37	For services and expenses related to provid-	
38	ing nutritional services to pregnant	
39	women, infants, and children. Notwith-	
40	standing any other provision of law to the	
41	contrary, up to 5 percent of the amount	
42	appropriated may be transferred to the	
43	general fund - state purposes account for	
44	the administration of this program by the	
45	department of health .....	9,303,000
46	For grants in aid to contract for hyperten-	
47	sion prevention, screening and treatment	
48	programs .....	727,000
49	State grants for a program of family plan-	
50	ning services pursuant to article 2 of the	
51	public health law .....	2,497,000
52	For grants to rape crisis centers for	
53	services to rape victims and programs to	
54	prevent rape .....	131,000
55	For services and expenses for a school	
56	health program .....	2,179,000
57	For services and expenses of breast cancer	
58	detection and education .....	275,000
59	For services and expenses of tuberculosis	
60	treatment, detection and prevention .....	650,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses of a lead poison-	
2	ing prevention program .....	400,000
3		-----
4	Program account subtotal .....	16,162,000
5		-----
6		
7	Special Revenue Funds - Other / State Operations	
8	HCRA Resources Fund - F04	
9	Tobacco Control and Cancer Services Account	
10		
11	Maintenance undistributed	
12	For services and expenses related to the	
13	tobacco control and cancer services	
14	programs authorized pursuant to sections	
15	2807-r and 1399-ii of the public health	
16	law .....	2,260,000
17		-----
18	Program account subtotal .....	2,260,000
19		-----
20		
21	Special Revenue Funds - Other / State Operations	
22	Miscellaneous Special Revenue Fund - 339	
23	Cable Television Account	
24		
25	Maintenance undistributed	
26	For services and expenses related to public	
27	service education, with specific emphasis	
28	on public health issues .....	454,000
29		-----
30	Program account subtotal .....	454,000
31		-----
32		
33	Special Revenue Funds - Other / Aid to Localities	
34	Miscellaneous Special Revenue Fund - 339	
35	Comprehensive Care Center for Eating Disorders Develop-	
36	ment Grant Account	
37		
38	For services and expenses of providing	
39	development grants to comprehensive care	
40	centers for eating disorders provided	
41	pursuant to chapter 114 of the laws of	
42	2004 .....	1,000,000
43		-----
44	Program fund subtotal .....	1,000,000
45		-----
46		
47	Special Revenue Funds - Other / State Operations	
48	Miscellaneous Special Revenue Fund - 339	
49	CSFP Salvage Account	
50		
51	For services and expenses of the department	
52	of health related to the commodity supple-	
53	mental food program .....	25,000
54		-----
55	Program account subtotal .....	25,000
56		-----
57		
58	Special Revenue Funds - Other / Aid to Localities	
59	Miscellaneous Special Revenue Fund - 339	
60	Local Public Health Services Account	
61		



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses of the local	
2	public health services program. Notwith-	
3	standing section 607 of the public health	
4	law these funds shall be allocated for	
5	state aid to municipalities for a program	
6	of immunization against German measles,	
7	and other communicable diseases, pursuant	
8	to article 6 of the public health law ...	1,100,000
9	For state aid to municipalities, notwith-	
10	standing section 607 of the public health	
11	law, for the operation of local health	
12	departments and for the provision of	
13	general public health services pursuant to	
14	article 6 of the public health law for	
15	activities under the jurisdiction of the	
16	commissioner of health .....	3,050,000
17	Notwithstanding any other provision of law	
18	to the contrary, this appropriation is	
19	available for transfer to the state oper-	
20	ations miscellaneous special revenue fund	
21	- local public health services program	
22	account, in the administration and execu-	
23	tive direction program fiscal management	
24	group .....	230,000
25	Notwithstanding any other provision of law	
26	to the contrary, this appropriation is	
27	available for contractual audits of local-	
28	ities to supplement the audits performed	
29	by the department of health .....	200,000
30		-----
31	Program account subtotal .....	4,580,000
32		-----
33		
34	Special Revenue Funds - Other / Aid to Localities	
35	Miscellaneous Special Revenue Fund - 339	
36	NYS Prostate Cancer Research, Detection and Education	
37	Account	
38		
39	For prostate cancer research, detection and	
40	education pursuant to chapter 273 of the	
41	laws of 2004 .....	1,000,000
42		-----
43	Program account subtotal .....	1,000,000
44		-----
45		
46	Special Revenue Funds - Other / State Operations	
47	Miscellaneous Special Revenue Fund - 339	
48	Tobacco Enforcement and Education Account	
49		
50	For services and expenses related to tobacco	
51	enforcement, education and related activ-	
52	ities, pursuant to chapter 162 of the laws	
53	of 2002 .....	75,000
54		-----
55	Program account subtotal .....	75,000
56		-----
57		
58	Special Revenue Funds - Other / State Operations	
59	Miscellaneous Special Revenue Fund - 339	
60	Women, Infants, and Children (WIC) Civil Monetary	
61	Account	
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses of the department	
2	of health related to the special supple-	
3	mental nutrition program for women,	
4	infants and children .....	3,000,000
5		-----
6	Program account subtotal .....	3,000,000
7		-----
8		
9	CENTER FOR ENVIRONMENTAL HEALTH PROGRAM .....	51,579,000
10		-----
11		
12	General Fund / State Operations	
13	State Purposes Account - 003	
14		
15	Personal service .....	7,350,000
16	Nonpersonal service .....	1,937,000
17		-----
18	Program account subtotal .....	9,287,000
19		-----
20		
21	General Fund / Aid to Localities	
22	Local Assistance Account - 001	
23		
24	For services and expenses related to the	
25	water supply protection program .....	6,000,000
26		-----
27	Program account subtotal .....	6,000,000
28		-----
29		
30	Special Revenue Funds - Federal / State Operations	
31	Federal Health and Human Services Fund - 265	
32		
33	For various health prevention, diagnostic,	
34	detection and treatment services:	
35		
36	For grants beginning prior to April 1, 2005.	528,000
37	For grants beginning on or after April 1,	
38	2005 .....	1,193,000
39		-----
40	Program fund subtotal .....	1,721,000
41		-----
42		
43	Special Revenue Funds - Federal / State Operations	
44	Federal Block Grant Fund - 269	
45		
46	For various health prevention, diagnostic,	
47	detection and treatment services:	
48		
49	For the grant period October 1, 2004 to	
50	September 30, 2005 .....	2,754,000
51	For the grant period October 1, 2005 to	
52	September 30, 2006 .....	3,166,000
53		-----
54	Program fund subtotal .....	5,920,000
55		-----
56		
57	Special Revenue Funds - Federal / Aid to Localities	
58	Federal Block Grant Fund - 269	
59		
60	For services and expenses of various health	
61	prevention, diagnostic, detection and	
62	treatment services:	

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period October 1, 2004 to	
2	September 30, 2005 .....	1,491,000
3	For the grant period October 1, 2005 to	
4	September 30, 2006 .....	1,715,000
5		-----
6	Program fund subtotal .....	3,206,000
7		-----
8		
9	Special Revenue Funds - Federal / State Operations	
10	Federal Operating Grants Fund - 290	
11	Federal Environmental Protection Agency Grants Account	
12		
13	For various environmental projects including	
14	suballocation for the department of envi-	
15	ronmental conservation:	
16		
17	For the grant period October 1, 2004 to	
18	September 30, 2005 .....	3,873,000
19	For the grant period October 1, 2005 to	
20	September 30, 2006 .....	4,164,000
21		-----
22	Program account subtotal .....	8,037,000
23		-----
24		
25	Special Revenue Funds - Other / State Operations	
26	Environmental Conservation Special Revenue Fund - 301	
27	Low Level Radioactive Waste Account	
28		
29	For services and expenses of the low-level	
30	radioactive waste siting program:	
31		
32	Personal service .....	536,000
33	Nonpersonal service, including transfer to	
34	the energy research and development	
35	authority pursuant to chapter 673 of the	
36	laws of 1986, as amended by chapters 368	
37	and 913 of the laws of 1990 .....	506,000
38	Fringe benefits .....	242,000
39		-----
40	Program account subtotal .....	1,284,000
41		-----
42		
43	Special Revenue Funds - Other / State Operations	
44	Environmental Protection and Oil Spill Compensation Fund	
45	- 303	
46		
47	For services and expenses related to the oil	
48	spill relocation network program:	
49		
50	Personal service .....	150,000
51	Nonpersonal service .....	70,000
52	Fringe benefits .....	68,000
53		-----
54	Program fund subtotal .....	288,000
55		-----
56		
57	Special Revenue Funds - Other / Aid to Localities	
58	Training and Education Program on Occupational Safety	
59	and Health Fund - 305	
60	OSH Training and Education Account	
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	These funds shall be available to the	
2	department of health occupational safety	
3	and health training education account to	
4	conduct occupational and environmental	
5	lead study .....	200,000
6		-----
7	Program account subtotal .....	200,000
8		-----
9		
10	Special Revenue Funds - Other / State Operations	
11	Clean Air Fund - 314	
12	Operating Permit Program Account	
13		
14	For services and expenses of the department	
15	of health in developing, implementing and	
16	operating the operating permit program:	
17		
18	Personal service .....	327,000
19	Nonpersonal service .....	144,000
20	Fringe benefits .....	148,000
21		-----
22	Program account subtotal .....	619,000
23		-----
24		
25	Special Revenue Funds - Other / State Operations	
26	Miscellaneous Special Revenue Fund - 339	
27	Asbestos Safety Training Account	
28		
29	For services and expenses of the asbestos	
30	safety training program:	
31		
32	Personal service .....	276,000
33	Nonpersonal service .....	154,000
34	Fringe benefits .....	125,000
35		-----
36	Program account subtotal .....	555,000
37		-----
38		
39	Special Revenue Funds - Other / State Operations	
40	Miscellaneous Special Revenue Fund - 339	
41	Occupational Health Clinics Account	
42		
43	For services and expenses of implementing	
44	and operating a statewide network of occu-	
45	pational health clinics for diagnostic,	
46	screening, treatment, referral, and educa-	
47	tion services:	
48		
49	Personal service .....	312,000
50	Nonpersonal service .....	5,653,000
51	Fringe benefits .....	142,000
52		-----
53	Program account subtotal .....	6,107,000
54		-----
55		
56	Special Revenue Funds - Other / State Operations	
57	Miscellaneous Special Revenue Fund - 339	
58	Radiological Health Protection Program Account	
59		
60	For services and expenses related to the	
61	radiological health protection account:	
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Personal service .....	1,036,000	
2	Nonpersonal service .....	465,000	
3	Fringe benefits .....	469,000	
4			-----
5	Program account subtotal .....	1,970,000	
6			-----
7			
8	Special Revenue Funds - Other / State Operations		
9	Miscellaneous Special Revenue Fund - 339		
10	Radon Detection Device Account		
11			
12	For services and expenses of the radon		
13	detection device distribution program ....	200,000	
14			-----
15	Program account subtotal .....	200,000	
16			-----
17			
18	Special Revenue Funds - Other / State Operations		
19	Drinking Water Program Management and Administration		
20	Fund - 366		
21			
22	For services and expenses of the state		
23	revolving funds program:		
24			
25	Personal service .....	2,427,000	
26	Nonpersonal service .....	1,272,000	
27	Fringe benefits .....	1,086,000	
28			
29	For services and expenses of the state		
30	revolving fund source water delineations		
31	and assessments, including a suballocation		
32	to the department of environmental conser-		
33	vation .....	1,400,000	
34			-----
35	Program fund subtotal .....	6,185,000	
36			-----
37			
38	CHILD HEALTH INSURANCE PROGRAM .....		939,708,000
39			-----
40			
41	Special Revenue Funds - Federal / State Operations		
42	Federal Health and Human Services Fund - 265		
43	Children's Health Insurance Account		
44			
45	The money hereby appropriated is available		
46	for payment of aid heretofore accrued or		
47	hereafter accrued.		
48	For services and expenses related to the		
49	children's health insurance program		
50	provided pursuant to title XXI of the		
51	federal social security act.		
52	The money hereby appropriated is available		
53	for payment of aid heretofore accrued or		
54	hereafter accrued to municipalities.		
55	Notwithstanding any inconsistent provision		
56	of law and subject to a plan developed by		
57	the commissioner of health and approved by		
58	the director of the budget, local social		
59	services districts shall be reimbursed for		
60	additional administrative costs incurred		
61	for recipient and applicant eligibility		
62	and other administrative costs related to		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 the expansion of, or changes to, the  
 2 medical assistance program for children  
 3 under the age of 19 pursuant to P.L.  
 4 105-33 or chapter 2 of the laws of 1998.  
 5 Such reimbursement shall be made without  
 6 any local share of costs. Such reimburse-  
 7 ment shall not be subject to any aggregate  
 8 statewide reimbursement limit which may  
 9 otherwise limit reimbursement for the  
 10 administrative costs of the local social  
 11 services districts, provided, however,  
 12 such reimbursement shall be subject to the  
 13 limitation on certain payments for certain  
 14 expenditures set forth in subsection (c)  
 15 of section 2105 of the federal social  
 16 security act.

17		
18	For grants beginning prior to April 1, 2005.	26,235,000
19	For grants beginning on or after April 1,	
20	2005 .....	32,065,000
21		-----
22	Program account subtotal .....	58,300,000
23		-----

24  
 25 Special Revenue Funds - Federal / Aid to Localities  
 26 Federal Health and Human Services Fund - 265  
 27 Children's Health Insurance Account  
 28

29 The money hereby appropriated is available  
 30 for payment of aid heretofore accrued or  
 31 hereafter accrued.

32 For services and expenses related to the  
 33 children's health insurance program,  
 34 pursuant to title XXI of the federal  
 35 social security act. Notwithstanding any  
 36 inconsistent provision of law and subject  
 37 to the approval of the director of the  
 38 budget, moneys hereby appropriated may be  
 39 transferred to the medical assistance  
 40 program, medicaid direct account, for  
 41 expansions of or changes to the medical  
 42 assistance program related to children  
 43 under the age of 19 pursuant to P.L. 105-  
 44 33.

45 The money hereby appropriated is available  
 46 for payment of aid heretofore accrued or  
 47 hereafter accrued to municipalities.

48 Notwithstanding any inconsistent provision  
 49 of law and subject to the approval of the  
 50 director of the budget, moneys hereby  
 51 appropriated may be transferred to the  
 52 office of temporary and disability assist-  
 53 ance for payment of local administrative  
 54 costs related to the expansion of, or  
 55 changes to, the medical assistance program  
 56 related to children under the age of 19  
 57 pursuant to P.L. 105-33 or chapter 2 of  
 58 the laws of 1998.

59 Notwithstanding any inconsistent provision  
 60 of law and subject to a plan developed by  
 61 the commissioner of health and approved by  
 62 the director of the budget, local social

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 services districts shall be reimbursed for  
 2 additional administrative costs incurred  
 3 for recipient and applicant eligibility  
 4 and other administrative costs related to  
 5 the expansion of, or changes to, the  
 6 medical assistance program for children  
 7 under the age of 19 pursuant to P.L.  
 8 105-33 or chapter 2 of the laws of 1998.  
 9 Such reimbursement shall be made without  
 10 any local share of costs. Such reimburse-  
 11 ment shall not be subject to any aggregate  
 12 statewide reimbursement limit which may  
 13 otherwise limit reimbursement for the  
 14 administrative costs of the local social  
 15 services districts, provided, however,  
 16 such reimbursement shall be subject to the  
 17 limitation on certain payments for certain  
 18 expenditures set forth in subsection (c)  
 19 of section 2105 of the federal social  
 20 security act.

21	For grants beginning prior to April 1, 2005.	164,000,000
22	For grants beginning on or after April 1,	
23	2005 .....	271,000,000
24		-----
25	Program account subtotal .....	435,000,000
26		-----

27  
 28 Special Revenue Funds - Other / State Operations  
 29 HCRA Resources Fund - F04  
 30 Children's Health Insurance Account  
 31

32 The money hereby appropriated is available  
 33 for payment of aid heretofore accrued or  
 34 hereafter accrued.

35 For services and expenses related to the  
 36 children's health insurance program  
 37 authorized pursuant to title 1-A of arti-  
 38 cle 25 of the public health law.

39 The money hereby appropriated is available  
 40 for payment of aid heretofore accrued or  
 41 hereafter accrued to municipalities.

42 Notwithstanding any inconsistent provision  
 43 of law and subject to a plan developed by  
 44 the commissioner of health and approved by  
 45 the director of the budget, local social  
 46 services districts shall be reimbursed for  
 47 additional administrative costs incurred  
 48 for recipient and applicant eligibility  
 49 and other administrative costs related to  
 50 the expansion of, or changes to, the  
 51 medical assistance program for children  
 52 under the age of 19 pursuant to P.L.  
 53 105-33 or chapter 2 of the laws of 1998.  
 54 Such reimbursement shall be made without  
 55 any local share of costs. Such reimburse-  
 56 ment shall not be subject to any aggregate  
 57 statewide reimbursement limit which may  
 58 otherwise limit reimbursement for the  
 59 administrative costs of the local social  
 60 services districts, provided, however,  
 61 such reimbursement shall be subject to the

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 limitation on certain payments for certain  
2 expenditures set forth in subsection (c)  
3 of section 2105 of the federal social  
4 security act.

5		
6	Personal service .....	2,428,000
7	Nonpersonal service .....	7,881,000
8	Fringe benefits .....	1,099,000
9		-----
10	Program account subtotal .....	11,408,000
11		-----

12  
13 Special Revenue Funds - Other / Aid to Localities  
14 HCRA Resources Fund - F04  
15 Children's Health Insurance Account

16  
17 The money hereby appropriated is available  
18 for payment of aid heretofore accrued or  
19 hereafter accrued.

20 For services and expenses related to the  
21 children's health insurance program  
22 authorized pursuant to title 1-A of arti-  
23 cle 25 of the public health law.

24 The money hereby appropriated is available  
25 for payment of aid heretofore accrued or  
26 hereafter accrued to municipalities.

27 Notwithstanding any inconsistent provision  
28 of law and subject to the approval of the  
29 director of the budget, moneys hereby  
30 appropriated may be transferred to the  
31 office of temporary and disability assist-  
32 ance for payment of local administrative  
33 costs related to the expansion of, or  
34 changes to, the medical assistance program  
35 related to children under the age of 19  
36 pursuant to P.L. 105-33 or chapter 2 of  
37 the laws of 1998.

38 Notwithstanding any inconsistent provision  
39 of law and subject to a plan developed by  
40 the commissioner of health and approved by  
41 the director of the budget, local social  
42 services districts shall be reimbursed for  
43 additional administrative costs incurred  
44 for recipient and applicant eligibility  
45 and other administrative costs related to  
46 the expansion of, or changes to, the  
47 medical assistance program for children  
48 under the age of 19 pursuant to P.L.  
49 105-33 or chapter 2 of the laws of 1998.  
50 Such reimbursement shall be made without  
51 any local share of costs. Such reimburse-  
52 ment shall not be subject to any aggregate  
53 statewide reimbursement limit which may  
54 otherwise limit reimbursement for the  
55 administrative costs of the local social  
56 services districts, provided, however,  
57 such reimbursement shall be subject to the  
58 limitation on certain payments for certain  
59 expenditures set forth in subsection (c)  
60 of section 2105 of the federal social  
61 security act .....

435,000,000

62 -----



## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Program account subtotal .....	435,000,000
2		-----
3		
4	ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM .....	889,292,000
5		-----
6		
7	Special Revenue Funds - Federal / State Operations	
8	Federal Health and Human Services Fund - 265	
9		
10	A portion of the moneys hereby appropriated	
11	may be transferred to the general fund -	
12	aid to localities account, subject to a	
13	plan approved by the director of the bud-	
14	get.	
15		
16	For the grant period October 1, 2004 to	
17	September 30, 2005 .....	17,000,000
18	For the grant period October 1, 2005 to	
19	September 30, 2006 .....	17,000,000
20		-----
21	Program fund subtotal .....	34,000,000
22		-----
23		
24	Special Revenue Funds - Other / Aid to Localities	
25	HCRA Resources Fund - F04	
26	EPIC Premium Account	
27		
28	For services and expenses of the program for	
29	elderly pharmaceutical insurance coverage,	
30	including reimbursement to pharmacies par-	
31	ticipating in such program.	
32	The moneys hereby appropriated shall be	
33	available for payment of financial assis-	
34	tance heretofore accrued .....	580,000,000
35		-----
36	Program account subtotal .....	580,000,000
37		-----
38		
39	Special Revenue Funds - Other / State Operations	
40	Miscellaneous Special Revenue Fund - 339	
41	EPIC Premium Account	
42		
43	Personal service .....	1,400,000
44	Nonpersonal service .....	12,090,000
45	Fringe benefits .....	634,000
46		
47	Maintenance undistributed	
48	For suballocation to the state office for	
49	the aging for the administration of the	
50	elderly pharmaceutical insurance coverage	
51	program .....	168,000
52		-----
53	Program account subtotal .....	14,292,000
54		-----
55		
56	Special Revenue Funds - Other / Aid to Localities	
57	Miscellaneous Special Revenue Fund - 339	
58	EPIC Premium Account	
59		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses of the program for		
2	elderly pharmaceutical insurance coverage,		
3	including reimbursement to pharmacies		
4	participating in such program.		
5	The moneys hereby appropriated shall be		
6	available for payment of financial assist-		
7	ance heretofore accrued .....	261,000,000	
8			-----
9	Program account subtotal .....	261,000,000	
10			-----
11			
12	HEALTH CARE FINANCING PROGRAM .....		13,891,000
13			-----
14			
15	General Fund / State Operations		
16	State Purposes Account - 003		
17			
18	Personal service .....	3,996,000	
19	Nonpersonal service .....	811,000	
20			-----
21	Program account subtotal .....	4,807,000	
22			-----
23			
24	Special Revenue Funds - Other / State Operations		
25	HCRA Resources Fund - F04		
26	Provider Collection Monitoring Account		
27			
28	For services and expenses related to admin-		
29	istration of statutory duties for the		
30	collections authorized by sections 2807-j,		
31	2807-s, 2807-t and 2807-v of the public		
32	health law and the assessments authorized		
33	by sections 2807-d, 3614-a and 3614-b of		
34	the public health law and section 367-i of		
35	the social services law pursuant to chap-		
36	ter 41 of the laws of 1992:		
37			
38	Personal service .....	1,864,000	
39	Nonpersonal service .....	1,192,000	
40	Fringe benefits .....	843,000	
41			-----
42	Program account subtotal .....	3,899,000	
43			-----
44			
45	Special Revenue Funds - Other / State Operations		
46	Miscellaneous Special Revenue Fund - 339		
47	1200-Hospital and Nursing Home Management Account		
48			
49	For services and expenses of inspecting,		
50	regulating, supervising and auditing		
51	hospital and nursing home companies incor-		
52	porated and authorized under articles 28-A		
53	and 28-B of the public health law, from		
54	funds received pursuant to these activ-		
55	ities:		
56			
57	Personal service .....	2,603,000	
58	Nonpersonal service .....	1,404,000	
59	Fringe benefits .....	1,178,000	
60			-----
61	Program account subtotal .....	5,185,000	
62			-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	HEALTH CARE REFORM ACT PROGRAM .....	1,749,350,000
2		-----
3		
4	Special Revenue Funds - Other / Aid to Localities	
5	HCRA Resources Fund - F04	
6	HCRA Program Account	
7		
8	For services, expenses and transfers neces-	
9	sary to implement the health care reform	
10	act program in accordance with section	
11	2807-j, 2807-k, 2807-l, 2807-m, 2807-s and	
12	2807-v of the public health law. The	
13	moneys hereby appropriated shall be avail-	
14	able for payments heretofore accrued or	
15	hereafter to accrue. Notwithstanding any	
16	inconsistent provision of law, the moneys	
17	hereby appropriated may be increased or	
18	decreased by interchange or transfer with	
19	any appropriation of the department of	
20	health or by transfer or suballocation to	
21	any appropriation of the department of	
22	insurance, the office of mental health and	
23	the state office for the aging subject to	
24	the approval of the director of the	
25	budget, who shall file such approval with	
26	the department of audit and control and	
27	copies thereof with the chairman of the	
28	senate finance committee and the chairman	
29	of the assembly ways and means committee.	
30	With the approval of the director of the	
31	budget, up to 5 percent of this appropria-	
32	tion may be used for state operations	
33	purposes. At the direction of the director	
34	of the budget, funds may also be trans-	
35	ferred directly to the general fund for	
36	the purpose of repaying a draw on the	
37	tobacco revenue guarantee fund.	
38	For transfer to the pool administrator for	
39	the purpose of making graduate medical	
40	education payments .....	494,000,000
41	For transfer to Roswell park cancer insti-	
42	tute corporation .....	78,000,000
43	For suballocation to the state insurance	
44	department related to the healthy NY	
45	program .....	69,200,000
46	For suballocation to the state insurance de-	
47	partment related to the physicians excess	
48	medical malpractice program .....	65,000,000
49	For transfer to health research incorporated	
50	(HRI) for the AIDS drug assistance program	
51	.....	60,000,000
52	For state grants for the health workforce	
53	retraining program .....	58,400,000
54	For transfer to the pool administrator for	
55	the purposes of making state grants to	
56	public hospitals for recruitment and	
57	retention of health care workers .....	52,200,000
58	For suballocation to the state insurance	
59	department for the health maintenance or-	
60	ganization direct pay market program .....	40,000,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For state grants for the tobacco use pre-	
2	vention and control program .....	38,600,000
3	For services and expenses related to the	
4	health care stabilization program .....	28,000,000
5	For transfer to the domritory authority of	
6	the state of New York for the health	
7	facility restructuring program.....	20,000,000
8	For services and expenses related to the	
9	nursing home quality improvement demon-	
10	stration program .....	18,800,000
11	For state grants for rural health care	
12	access development and rural health care	
13	delivery development .....	19,200,000
14	For transfer to the pool administrator for	
15	state grants to public residential health	
16	care facilities for recruitment and	
17	retention of health care workers .....	16,200,000
18	For services and expenses related to	
19	priority pool distributions as designated	
20	by the commissioner of health .....	15,000,000
21	For state grants for cancer related services	
22	.....	10,600,000
23	For state grants pursuant to a memorandum of	
24	understanding entered into by the	
25	commissioner, the majority leader of the	
26	senate and the speaker of the assembly,	
27	for purposes outlined in such memorandum	
28	and upon the recommendation of the major-	
29	ity leader of the senate .....	8,500,000
30	For state grants pursuant to a memorandum of	
31	understanding entered into by the	
32	commissioner, the majority leader of the	
33	senate and the speaker of the assembly,	
34	for purposes outlined in such memorandum	
35	and upon the recommendation of the speaker	
36	of the assembly.....	8,500,000
37	For transfer to the pool administrator for	
38	distributions related to school based	
39	health clinics .....	7,000,000
40	For services and expenses related to the	
41	disease management demonstration program..	6,000,000
42	For transfer to the pool administrator for	
43	state grants to non-public general hos-	
44	pitals pursuant to paragraph (c) of subdi-	
45	vision 30 of section 2807-c of the public	
46	health law .....	5,600,000
47	For services and expenses related to	
48	auditing or payment of audit contracts to	
49	determine payor and provider compliance	
50	requirements .....	5,400,000
51	For transfer to the pool administrator for	
52	state grants for poison control centers ..	5,200,000
53	For transfer to the pool administrator for	
54	state grants to non-public general hos-	
55	pitals pursuant to paragraph (e) of subdi-	
56	vision 25 of section 2807-c of the public	
57	health law .....	5,000,000
58	For services and expenses related to the	
59	telemedicine demonstration program .....	4,000,000
60	For services and expenses related to the	
61	long term care insurance education and	
62	outreach program .....	1,950,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses related to study-	
2	ing pay for performance initiatives .....	2,500,000
3	For services and expenses related to sup-	
4	porting studies or investigations relating	
5	to health care financing undertaken by the	
6	commissioner .....	1,000,000
7	For services and expenses related to pur-	
8	chasing and operating mobile dental vans..	1,000,000
9	For services and expenses related to the	
10	pool administration .....	4,500,000
11		-----
12	Program account subtotal .....	1,149,350,000
13		-----
14		
15	Special Revenue Funds - Other / Aid to Localities	
16	HCRA Resources Fund - F04	
17	HCRA Transition Account	
18		
19	For services, expenses and transfers neces-	
20	sary to continue existing or planned con-	
21	tracts or other financing arrangements for	
22	the purposes of implementing the health	
23	care reform act program in accordance with	
24	section 2807-j, 2807-k, 2807-l, 2807-m,	
25	2807-s, and 2807-v of the public health	
26	law and utilizing allocations authorized	
27	prior to July 1, 2005. The moneys hereby	
28	appropriated shall be available for pay-	
29	ments heretofore accrued or hereafter to	
30	accrue. Notwithstanding any inconsistent	
31	provision of law, the moneys hereby appro-	
32	priated may be increased or decreased by	
33	interchange or transfer with any appropri-	
34	ation of the department of health or by	
35	transfer or suballocation to any appropri-	
36	ation of the department of insurance, the	
37	office of mental health or the state of-	
38	fice for the aging subject to the approval	
39	of the director of the budget, who shall	
40	file such approval with the department of	
41	audit and control and copies thereof with	
42	the chairman of the senate finance com-	
43	mittee and the chairman of the assembly	
44	ways and means committee .....	600,000,000
45		-----
46	Program account subtotal .....	600,000,000
47		-----
48		
49	HEALTH CARE STANDARDS AND SURVEILLANCE PROGRAM .....	133,408,000
50		-----
51		
52	General Fund / State Operations	
53	State Purposes Account - 003	
54		
55	Personal service .....	37,699,000
56	Nonpersonal service .....	16,107,000
57		
58	Maintenance undistributed	
59	For services and expenses related to re-	
60	quired criminal background checks of non-	
61	licensed long term care employees includ-	
62	ing employees of nursing homes, certified	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	home health agencies; long term home	
2	health care providers, AIDS home care	
3	providers, and licensed home care service	
4	agencies .....	500,000
5		-----
6	Program account subtotal .....	53,806,000
7		-----
8		
9	General Fund / Aid to Localities	
10	Local Assistance Account - 001	
11		
12	For contractual services related to medical	
13	necessity and quality of care reviews	
14	related to medicaid patients and to moni-	
15	tor health care services provided to	
16	persons with AIDS .....	9,185,000
17	For services and expenses related to adult	
18	home initiatives including but not limited	
19	to assessments; case management, medica-	
20	tion assistance, social and recreational	
21	services; and advocacy and legal support.	
22	Notwithstanding any inconsistent provision	
23	of law and subject to the approval of the	
24	director of the budget, moneys hereby	
25	appropriated may be transferred to the	
26	office of mental health, the office for	
27	the aging, and the commission on quality	
28	of care for the mentally disabled .....	2,000,000
29	For an operating assistance subprogram for	
30	enriched housing. To the extent that funds	
31	are appropriated for such purposes, the	
32	department is authorized to pay an operat-	
33	ing subsidy for SSI recipients who are	
34	residents in certified not-for-profit or	
35	public enriched housing programs. Such	
36	subsidy shall not exceed \$115 per month	
37	per each SSI recipient and will be paid	
38	directly to the certified operator. If	
39	appropriations are not sufficient to meet	
40	such maximum monthly payments, such subsi-	
41	dy shall be reduced proportionately .....	546,000
42		-----
43	Program account subtotal .....	11,731,000
44		-----
45		
46	Special Revenue Funds - Federal / State Operations	
47	Federal Health and Human Services Fund - 265	
48	Criminal Background Check	
49		
50	For services and expenses related to re-	
51	quired criminal background checks of non-	
52	licensed long term care employees includ-	
53	ing employees of nursing homes, certified	
54	home health agencies; long term home	
55	health care providers, AIDS home care pro-	
56	viders, and licensed home care service	
57	agencies .....	300,000
58		-----
59	Program account subtotal .....	300,000
60		-----
61		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Special Revenue Funds - Other / State Operations	
2	HCRA Resources Fund - F04	
3	Emergency Medical Services Account	
4		
5	For services and expenses related to emer-	
6	gency medical services administration:	
7	For expenses of the general public health	
8	work - EMS reimbursement .....	1,500,000
9	For expenses of the EMS regional councils	
10	and program agencies .....	3,455,000
11	Personal service .....	2,431,000
12	Fringe benefits and indirect costs .....	1,723,000
13	Other contractual services and nonpersonal	
14	service .....	1,241,000
15	For expenses related to training courses and	
16	instructor development .....	10,350,000
17		-----
18	Program account subtotal .....	20,700,000
19		-----
20		
21	Special Revenue Fund - Other / Aid to Localities	
22	HCRA Resources Fund - F04	
23	Health Services Account	
24		
25	For services and expenses related to adult	
26	home initiatives including but not limited	
27	to assessments; case management, medica-	
28	tion assistance, social and recreational	
29	services; and advocacy and legal support.	
30	Notwithstanding any inconsistent provision	
31	of law and subject to the approval of the	
32	director of the budget, moneys hereby	
33	appropriated may be transferred to the	
34	office of mental health, the office for	
35	the aging, and the commission on quality	
36	of care for the mentally disabled. Up to	
37	\$2,000,000 of the amount herein appropri-	
38	ated may be used for the purpose of award-	
39	ing grants to operators of adult homes,	
40	enriched housing programs and residences	
41	for adults to enhance the quality of life	
42	for residents. Use of program funds may	
43	include, but shall not be limited to,	
44	payment for resident clothing, telephones	
45	in resident rooms, air conditioning in	
46	resident rooms or common areas, computers	
47	for resident use, costs of resident	
48	participation in vocational and educa-	
49	tional programs, and enhancement of	
50	services to provide independent living	
51	skills. Such grants shall be made pursuant	
52	to criteria established by the department	
53	of health. A preference in funding shall	
54	be granted to applicants for use of	
55	program funds which would serve residents	
56	receiving supplemental security income	
57	and/or safety net benefits. No grants	
58	shall be made unless the department of	
59	health receives satisfactory documentation	
60	that the resident council of any facility	

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	for which funds are requested has endorsed	
2	the proposed use of funds as set forth in	
3	the grant application .....	2,750,000
4		-----
5	Program account subtotal .....	2,750,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Miscellaneous Special Revenue Fund - 339	
10	1200-Hospital and Nursing Home Management Account	
11		
12	For services and expenses of inspecting,	
13	regulating, supervising and auditing	
14	hospital and nursing home companies incor-	
15	porated and authorized under articles 28-A	
16	and 28-B of the public health law, from	
17	funds received pursuant to these activ-	
18	ities:	
19		
20	Personal service .....	534,000
21	Nonpersonal service .....	265,000
22	Fringe benefits .....	242,000
23		-----
24	Program account subtotal .....	1,041,000
25		-----
26		
27	Special Revenue Funds - Other / State Operations	
28	Miscellaneous Special Revenue Fund - 339	
29	Adult Home Quality Enhancement	
30		
31	For services and expenses to promote pro-	
32	grams to improve the quality of care for	
33	residents in adult homes .....	350,000
34		-----
35	Program account subtotal .....	350,000
36		-----
37		
38	Special Revenue Funds - Other / State Operations	
39	Miscellaneous Special Revenue Fund - 339	
40	Certificate of Need Account	
41		
42	For services and expenses, including indi-	
43	rect costs, related to the certificate of	
44	need program:	
45		
46	Personal service .....	2,146,000
47	Nonpersonal service .....	1,333,000
48	Fringe benefits .....	971,000
49		-----
50	Program account subtotal .....	4,450,000
51		-----
52		
53	Special Revenue Funds - Other / State Operations	
54	Miscellaneous Special Revenue Fund - 339	
55	Criminal Background Check Account	
56		
57	For services and expenses related to re-	
58	quired criminal background checks of non-	
59	licensed long term care employees includ-	
60	ing employees of nursing homes, certified	
61	home health agencies, long term home	



## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	health care providers, AIDS home care	
2	providers, and licensed home care service	
3	agencies .....	5,000,000
4		-----
5	Program account subtotal .....	5,000,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Miscellaneous Special Revenue Fund - 339	
10	Funeral Directing Account	
11		
12	For services and expenses of statewide,	
13	including indirect costs, related to the	
14	funeral direction administration program:	
15		
16	Personal service .....	188,000
17	Nonpersonal service .....	200,000
18	Fringe benefits .....	85,000
19		-----
20	Program account subtotal .....	473,000
21		-----
22		
23	Special Revenue Funds - Other / State Operations	
24	Miscellaneous Special Revenue Fund - 339	
25	Licensure for Assisted Living Residences Account	
26		
27	For services and expenses related to the	
28	oversight and licensing activities .....	2,000,000
29		-----
30	Program account subtotal .....	2,000,000
31		-----
32		
33	Special Revenue Funds - Other / State Operations	
34	Miscellaneous Special Revenue Fund - 339	
35	Nurses Aide Registry Account	
36		
37	For services and expenses of administrative	
38	costs related to the nurses aide registry	
39	program:	
40		
41	Personal service .....	145,000
42	Nonpersonal service .....	3,650,000
43	Fringe benefits .....	66,000
44		-----
45	Program account subtotal .....	3,861,000
46		-----
47		
48	Special Revenue Funds - Other / State Operations	
49	Miscellaneous Special Revenue Fund - 339	
50	Professional Medical Conduct Account	
51		
52	For services and expenses, including indi-	
53	rect costs, related to the professional	
54	medical conduct program:	
55		
56	Personal service .....	9,836,000
57	Nonpersonal service .....	9,869,000
58	Fringe benefits .....	4,451,000
59		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Maintenance undistributed	
2	For services and expenses of the medical	
3	society contract authorized pursuant to	
4	chapter 582 of the laws of 1984 .....	990,000
5	For services and expenses of the profes-	
6	sional medical conduct program .....	1,000,000
7		-----
8	Available for maintenance undistributed ..	1,990,000
9		-----
10	Program account subtotal .....	26,146,000
11		-----
12		
13	Special Revenue Funds - Other / State Operations	
14	Miscellaneous Special Revenue Fund - 339	
15	Quality of Care Improvement Account	
16		
17	For services and expenses related to the	
18	protection of the health or property of	
19	residents of residential health care	
20	facilities that are found to be deficient	
21	including, but not limited to, payment for	
22	the cost of relocation of residents to	
23	other facilities and the maintenance and	
24	operation of a facility pending correction	
25	of deficiencies or closure .....	800,000
26		-----
27	Program account subtotal .....	800,000
28		-----
29		
30	INSTITUTIONAL MANAGEMENT PROGRAM .....	150,909,000
31		-----
32		
33	Special Revenue Funds - Other / State Operations	
34	Combined Gifts, Grants and Bequests Fund - 020	
35	Batavia Home Donation Account	
36		
37	Maintenance undistributed	
38	For services and expenses of patient bene-	
39	fits and other activities and other	
40	services as funded by gifts and donations.	50,000
41		-----
42	Program account subtotal .....	50,000
43		-----
44		
45	Special Revenue Funds - Other / State Operations	
46	Combined Gifts, Grants and Bequests Fund - 020	
47	Helen Hayes Hospital Account	
48		
49	Maintenance undistributed	
50	For services and expenses of patient bene-	
51	fits and other activities and services as	
52	funded by gifts and donations .....	25,000
53		-----
54	Program account subtotal .....	25,000
55		-----
56		
57	Special Revenue Funds - Other / State Operations	
58	Combined Gifts, Grants and Bequests Fund - 020	
59	New York City Veterans' Home Donation Account	
60		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Maintenance undistributed	
2	For services and expenses of patient bene-	
3	fits and other activities and other	
4	services as funded by gifts and donations.	50,000
5		-----
6	Program account subtotal .....	50,000
7		-----
8		
9	Special Revenue Funds - Other / State Operations	
10	Combined Gifts, Grants and Bequests Fund - 020	
11	Montrose Donation Account	
12		
13	Maintenance undistributed	
14	For services and expenses of patient bene-	
15	fits and other activities and other	
16	services as funded by gifts and donations.	50,000
17		-----
18	Program account subtotal .....	50,000
19		-----
20		
21	Special Revenue Funds - Other / State Operations	
22	Combined Gifts, Grants and Bequests Fund - 020	
23	Oxford Gifts and Donations Account	
24		
25	Maintenance undistributed	
26	For services and expenses of patient bene-	
27	fits and other activities and services as	
28	funded by gifts and donations .....	200,000
29		-----
30	Program account subtotal .....	200,000
31		-----
32		
33	Special Revenue Funds - Other / State Operations	
34	Miscellaneous Special Revenue Fund - 339	
35	Helen Hayes Hospital Account	
36		
37	For services and expenses of the Helen Hayes	
38	hospital including an affiliation agree-	
39	ment contract. Up to \$558,335 of this	
40	amount may be transferred to the depart-	
41	ment of law for services and expenses of a	
42	collection unit at Helen Hayes hospital ..	60,525,000
43	For services and expenses of the Helen Hayes	
44	hospital account. Notwithstanding any	
45	other law, rule or regulation to the	
46	contrary, funds shall be available for	
47	distribution pursuant to a plan approved	
48	by the director of the budget .....	8,000,000
49		-----
50	Program account subtotal .....	68,525,000
51		-----
52		
53	Special Revenue Funds - Other / State Operations	
54	Miscellaneous Special Revenue Fund - 339	
55	New York City Veterans' Home Account	
56		
57	For services and expenses of the New York	
58	city veterans' home. Up to \$250,000 of	
59	this amount may be transferred to the	
60	department of law for services and	
61	expenses of a collection unit at the New	
62	York city veterans' home for the New York	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	state home for veterans and their depen-	
2	dents at Oxford, the New York city veter-	
3	ans' home, the Western New York veterans'	
4	home and New York state veterans' home at	
5	Montrose .....	23,301,000
6		-----
7	Program account subtotal .....	23,301,000
8		-----
9		
10	Special Revenue Funds - Other / State Operations	
11	Miscellaneous Special Revenue Fund - 339	
12	New York State Home for Veterans and Their Dependents at	
13	Oxford Account	
14		
15	For services and expenses of the New York	
16	state home for veterans and their depen-	
17	dents at Oxford .....	22,328,000
18		-----
19	Program account subtotal .....	22,328,000
20		-----
21		
22	Special Revenue Funds - Other / State Operations	
23	Miscellaneous Special Revenue Fund - 339	
24	New York State Home for Veterans in the Lower-Hudson	
25	Valley Account	
26		
27	Maintenance undistributed	
28	For services and expenses of the New York	
29	state home for veterans in the lower-Hud-	
30	son Valley account .....	25,336,000
31		-----
32	Program account subtotal .....	25,336,000
33		-----
34		
35	Special Revenue Funds - Other / State Operations	
36	Miscellaneous Special Revenue Fund - 339	
37	Western New York Veterans' Home Account	
38		
39	For services and expenses of the Western New	
40	York veterans' home .....	11,084,000
41		-----
42	Program account subtotal .....	11,084,000
43		-----
44		
45	Enterprise Funds / State Operations	
46	Miscellaneous Enterprise Fund - 331	
47	Oxford Arts and Crafts Fund Account	
48		
49	Maintenance undistributed	
50	For services and expenses of patient bene-	
51	fits and other activities and services as	
52	funded by receipts from the sale of arts	
53	and crafts .....	10,000
54		-----
55	Program account subtotal .....	10,000
56		-----
57		
58	OFFICE OF MANAGED CARE PROGRAM .....	14,901,000
59		-----
60		
61	General Fund / State Operations	
62	State Purposes Account - 003	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Personal service .....	10,510,000	
2	Nonpersonal service .....	4,331,000	
3			-----
4	Program account subtotal .....	14,841,000	
5			-----
6			
7	Special Revenue Funds - Other / State Operations		
8	Miscellaneous Special Revenue Fund - 339		
9	Continuing Care Retirement Community Account		
10			
11	For services and expenses related to the		
12	establishment of continuing care retire-		
13	ment communities including expenses of the		
14	life care community council .....	60,000	
15			-----
16	Program account subtotal .....	60,000	
17			-----
18			
19	MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM .....	169,758,000	
20			-----
21			
22	General Fund / State Operations		
23	State Purposes Account - 003		
24			
25	For services and expenses for payment of		
26	liabilities accrued heretofore and here-		
27	after to accrue:		
28			
29	Nonpersonal service .....	74,035,000	
30			-----
31	Program account subtotal .....	74,035,000	
32			-----
33			
34	Special Revenue Funds - Federal / State Operations		
35	Federal Health and Human Services Fund - 265		
36			
37	For services and expenses related to the		
38	operation of an electronic medicaid eligi-		
39	bility verification system and operation		
40	of a medicaid override application system,		
41	and operation of a medicaid management		
42	information system, and development and		
43	operation of a replacement medicaid		
44	system. The moneys hereby appropriated		
45	shall be available for payment of liabil-		
46	ities heretofore accrued and hereafter to		
47	accrue.		
48	Notwithstanding any inconsistent provision		
49	of law and subject to the approval of the		
50	director of the budget, the amount appro-		
51	priated herein may be increased or		
52	decreased by interchange with any other		
53	appropriation or with any other item or		
54	items within the amounts appropriated		
55	within the department of health special		
56	revenue funds - federal with the approval		
57	of the director of the budget who shall		
58	file such approval with the department of		
59	audit and control and copies thereof with		
60	the chairman of the senate finance commit-		
61	tee and the chairman of the assembly ways		
62	and means committee.		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period October 1, 2004 to		
2	September 30, 2005 .....	40,000,000	
3	For the grant period October 1, 2005 to		
4	September 30, 2006 .....	55,723,000	
5			-----
6	Program fund subtotal .....	95,723,000	
7			-----
8			
9	MAINTENANCE UNDISTRIBUTED .....		0
10			-----
11			
12	General Fund / State Operations		
13	State Purposes Account - 003		
14			
15	Less amounts appropriated as offsets from		
16	the special revenue funds - other, misce-		
17	laneous special revenue fund - 339, quali-		
18	ty of care account, hospital and nursing		
19	home management account, nurses aide		
20	registry account, recoveries and revenue		
21	account, third-party health insurance		
22	recoveries account and medicaid inquiry		
23	account. Notwithstanding any contrary		
24	provision of law, these offsets shall		
25	reduce general fund appropriations within		
26	the various programs of the department of		
27	health funded from the state purposes		
28	account .....	(108,962,000)	
29			-----
30	Program account subtotal .....	(108,962,000)	
31			-----
32			
33	Special Revenue Funds - Other / State Operations		
34	Miscellaneous Special Revenue Fund - 339		
35	Hospital and Nursing Home Management Account		
36			
37	Amount appropriated as an offset to the		
38	general fund - state purposes account with		
39	various department of health programs. The		
40	director of the budget is hereby author-		
41	ized to apportion funds to the various		
42	programs of this agency from this appro-		
43	priation by certificate of approval .....	11,800,000	
44			-----
45	Program account subtotal .....	11,800,000	
46			-----
47			
48	Special Revenue Funds - Other / State Operations		
49	Miscellaneous Special Revenue Fund - 339		
50	Medicaid Inquiry Account		
51			
52	Amount appropriated as an offset to the		
53	general fund - state purposes account with		
54	various department of health programs. The		
55	director of the budget is hereby author-		
56	ized to apportion funds to the various		
57	programs of this agency from this appro-		
58	priation by certificate of approval .....	500,000	
59			-----
60	Program account subtotal .....	500,000	
61			-----
62			

## DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Nurses Aide Registry Account	
4		
5	Amount appropriated as an offset to the	
6	general fund - state purposes account with	
7	various department of health programs. The	
8	director of the budget is hereby author-	
9	ized to apportion funds to the various	
10	programs of this agency from this appro-	
11	priation by certificate of approval .....	300,000
12		-----
13	Program account subtotal .....	300,000
14		-----
15		
16	Special Revenue Funds - Other / State Operations	
17	Miscellaneous Special Revenue Fund - 339	
18	Quality of Care Account	
19		
20	Amount appropriated as an offset to the	
21	general fund - state purposes account with	
22	various department of health programs. The	
23	director of the budget is hereby author-	
24	ized to apportion funds to the various	
25	programs of this agency from this appro-	
26	priation by certificate of approval .....	91,412,000
27		-----
28	Program account subtotal .....	91,412,000
29		-----
30		
31	Special Revenue Funds - Other / State Operations	
32	Miscellaneous Special Revenue Fund - 339	
33	Recoveries and Revenue Account	
34		
35	Amount appropriated as an offset to the	
36	general fund - state purposes account with	
37	various department of health programs. The	
38	director of the budget is hereby author-	
39	ized to apportion funds to the various	
40	programs of this agency from this appro-	
41	priation by certificate of approval .....	3,700,000
42		-----
43	Program account subtotal .....	3,700,000
44		-----
45		
46	Special Revenue Funds - Other / State Operations	
47	Miscellaneous Special Revenue Fund - 339	
48	Third-Party Health Insurance Recoveries Account	
49		
50	Amount appropriated as an offset to the	
51	general fund - state purposes account with	
52	various department of health programs. The	
53	director of the budget is hereby author-	
54	ized to apportion funds to the various	
55	programs of this agency from this appro-	
56	priation by certificate of approval .....	1,250,000
57		-----
58	Program account subtotal .....	1,250,000
59		-----
60		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	General Fund / Aid to Localities	
2	Local Assistance Account - 001	
3		
4	Less amounts appropriated as an offset from	
5	the special revenue funds - other, misce-	
6	laneous special revenue fund - 339, quali-	
7	ty of care account. Notwithstanding any	
8	contrary provision of law, this offset	
9	shall reduce general fund appropriations	
10	within the various programs of the depart-	
11	ment of health funded from the local	
12	assistance account .....	(7,288,000)
13		-----
14	Program account subtotal .....	(7,288,000)
15		-----
16		
17	Special Revenue Funds - Other / Aid to Localities	
18	Miscellaneous Special Revenue Fund - 339	
19	Quality of Care Account	
20		
21	Amount appropriated as an offset to the	
22	general fund - local assistance account	
23	with various department of health	
24	programs. The director of the budget is	
25	hereby authorized to apportion funds to	
26	the various programs of this agency from	
27	this appropriation by certificate of	
28	approval .....	7,288,000
29		-----
30	Program account subtotal .....	7,288,000
31		-----
32		
33	OFFICE OF MEDICAID MANAGEMENT PROGRAM .....	3,714,014,000
34		-----
35		
36	General Fund / State Operations	
37	State Purposes Account - 003	
38		
39	Personal service .....	22,305,000
40	Nonpersonal service .....	4,000,000
41	Maintenance undistributed	
42	For services and expenses of medical assist-	
43	ance related administrative activities ...	20,054,000
44		-----
45	Program account subtotal .....	46,359,000
46		-----
47		
48	General Fund / Aid to Localities	
49	Local Assistance Account - 001	
50		
51	For services and expenses related to trau-	
52	matic brain injury including but not	
53	limited to services rendered to individ-	
54	uals enrolled in the federally approved	
55	home and community based services (HCBS)	
56	waiver and including personal and nonper-	
57	sonal services spending originally author-	
58	ized by appropriations and reappropriations	
59	enacted prior to 1996. All or part of this	
60	appropriation may be transferred to state	
61	operations .....	8,458,000
62		-----



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Program account subtotal .....	8,458,000
2		-----
3		
4	Special Revenue Funds - Federal / State Operations	
5	Federal Health and Human Services Fund - 265	
6		
7	For services and expenses for the medical	
8	assistance program and administration of	
9	the medical assistance program and survey	
10	and certification program, provided pursu-	
11	ant to title XIX of the federal social	
12	security act.	
13	Notwithstanding any inconsistent provision	
14	of law and subject to the approval of the	
15	director of the budget, moneys hereby	
16	appropriated may be increased or decreased	
17	by transfer or suballocation between these	
18	appropriated amounts and appropriations of	
19	other state agencies and appropriations of	
20	the department of health. Notwithstanding	
21	any inconsistent provision of law and	
22	subject to approval of the director of the	
23	budget, moneys hereby appropriated may be	
24	transferred or suballocated to other state	
25	agencies for reimbursement to local	
26	government entities for services and	
27	expenses related to administration of the	
28	medical assistance program.	
29	For the grant period October 1, 2004 to	
30	September 30, 2005 .....	1,810,000,000
31	For the grant period October 1, 2005 to	
32	September 30, 2006 .....	1,836,697,000
33		-----
34	Program fund subtotal .....	3,646,697,000
35		-----
36		
37	Special Revenue Funds - Other / State Operations	
38	HCRA Resources Fund - F04	
39	Medicaid Fraud Hotline and Medicaid Administration	
40	Account	
41		
42	Maintenance undistributed	
43	For services and expenses related to the	
44	medicaid fraud hotline established pursu-	
45	ant to chapter 1 of the laws of 1999 and	
46	administrative expenses related to the	
47	family health plus program pursuant to	
48	section 369-ee of the social services law.	900,000
49		-----
50	Program account subtotal .....	900,000
51		-----
52		
53	Special Revenue Funds - Other / State Operations	
54	HCRA Resources Fund - F04	
55	Medical Assistance Account	
56		
57	Maintenance undistributed	
58	For services and expenses related to the	
59	administration and marketing of the family	
60	health plus program established pursuant	
61	to chapter 1 of the laws of 1999 .....	5,000,000
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Program account subtotal .....	5,000,000
2		-----
3		
4	Special Revenue Funds - Other / State Operations	
5	HCRA Resources Fund - F04	
6	Catastrophic Health Care Expense Program Account	
7		
8	Maintenance undistributed	
9	For services and expenses related to admin-	
10	istration of the catastrophic health care	
11	expenses demonstration projects as author-	
12	ized by chapter 703 of the laws of 1988,	
13	as amended, including departmental admin-	
14	istrative costs, contracts with local	
15	social services districts for their admin-	
16	istrative costs, and evaluation expenses	
17	related to the catastrophic health care	
18	expenses projects .....	500,000
19		-----
20	Program account subtotal .....	500,000
21		-----
22		
23	Special Revenue Funds - Other / State Operations	
24	Miscellaneous Special Revenue Fund - 339	
25	Disease Management Account	
26		
27	Maintenance undistributed	
28	For services and expenses related to disease	
29	management .....	5,000,000
30		-----
31	Program account subtotal .....	5,000,000
32		-----
33		
34	Special Revenue Funds - Other / State Operations	
35	Miscellaneous Special Revenue Fund - 339	
36	Medicaid Inquiry Account	
37		
38	Maintenance undistributed	
39	For services and expenses related to the	
40	cost of medicaid inquiry services .....	500,000
41		-----
42	Program account subtotal .....	500,000
43		-----
44		
45	Special Revenue Funds - Other / State Operations	
46	Miscellaneous Special Revenue Fund - 339	
47	Medicaid Research Projects Account	
48		
49	Maintenance undistributed	
50	For services and expenses related to improv-	
51	ing services to medical assistance recipi-	
52	ents and other medical assistance research	
53	activities .....	600,000
54		-----
55	Program account subtotal .....	600,000
56		-----
57		
58	MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM .....	90,665,000
59		-----
60		
61	General Fund / State Operations	
62	State Purposes Account - 003	

DEPARTMENT OF HEALTH

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1	Personal service .....	15,529,000	
2	Nonpersonal service .....	3,687,000	
3			
4	Maintenance undistributed		
5	For services and expenses related to the		
6	medicaid fraud and abuse program. All or a		
7	portion of this amount may be transferred		
8	to the department of law with the approval		
9	of the director of the budget, who shall		
10	file such approval with the department of		
11	audit and control and copies thereof with		
12	the chairman of the senate finance commit-		
13	tee and the chairman of the assembly ways		
14	and means committee .....	1,149,000	
15			-----
16	Program account subtotal .....	20,365,000	
17			-----
18			
19	Special Revenue Funds - Federal / State Operations		
20	Federal Health and Human Services Fund - 265		
21			
22	For services and expenses related to the		
23	medicaid fraud and abuse program:		
24			
25	For the grant period October 1, 2004 to		
26	September 30, 2005 .....	31,583,600	
27	For the grant period October 1, 2005 to		
28	September 30, 2006 .....	34,216,400	
29			-----
30	Program fund subtotal .....	65,800,000	
31			-----
32			
33	Special Revenue Funds - Other / State Operations		
34	Miscellaneous Special Revenue Fund - 339		
35	Quality Assurance and Audit Revenue Activities Account		
36			
37	For additional administrative expenses of		
38	medicaid audit and fraud prevention .....	4,500,000	
39			-----
40	Program account subtotal .....	4,500,000	
41			-----
42			
43	MEDICAL ASSISTANCE ADMINISTRATION PROGRAM .....	604,150,000	
44			-----
45			
46	General Fund / Aid to Localities		
47	Local Assistance Account - 001		
48			
49	For state reimbursement of local administra-		
50	tive expenses for medical assistance		
51	programs pursuant to section 153 of the		
52	social services law.		
53	The money hereby appropriated is available		
54	for payment of aid heretofore accrued or		
55	hereafter to accrue to municipalities, and		
56	to providers of medical services pursuant		
57	to section 367-b of the social services		
58	law, and shall be available to the depart-		
59	ment net of disallowances, refunds,		
60	reimbursements, and credits.		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Notwithstanding any other provision of law,  
 2 the money hereby appropriated may be  
 3 increased or decreased by interchange,  
 4 with any appropriation of the department  
 5 of health medical assistance adminis-  
 6 tration program and/or medical assistance  
 7 program, and may be increased or decreased  
 8 by transfer or suballocation between these  
 9 appropriated amounts and appropriations of  
 10 the department of family assistance office  
 11 of temporary and disability assistance and  
 12 office of children and family services  
 13 with the approval of the director of the  
 14 budget, who shall file such approval with  
 15 the department of audit and control and  
 16 copies thereof with the chairman of the  
 17 senate finance committee and the chairman  
 18 of the assembly ways and means committee.

19 Notwithstanding any inconsistent provision  
 20 of law, in lieu of payments authorized by  
 21 the social services law, or payments of  
 22 federal funds otherwise due to the local  
 23 social services districts for programs  
 24 provided under the federal social security  
 25 act or the federal food stamp act, funds  
 26 herein appropriated, in amounts certified  
 27 by the state commissioner of temporary and  
 28 disability assistance or the state commis-  
 29 sioner of health as due from local social  
 30 services districts each month as their  
 31 share of payments made pursuant to section  
 32 367-b of the social services law may be  
 33 set aside by the state comptroller in an  
 34 interest-bearing account with such inter-  
 35 est accruing to the credit of the locality  
 36 in order to ensure the orderly and prompt  
 37 payment of providers under section 367-b  
 38 of the social services law pursuant to an  
 39 estimate provided by the commissioner of  
 40 health of each local social services  
 41 district's share of payments made pursuant  
 42 to section 367-b of the social services  
 43 law.

44 Notwithstanding any other provision of law,  
 45 the amount appropriated herein, shall  
 46 constitute total state reimbursement for  
 47 all local administration programs in state  
 48 fiscal year 2005-06 .....

103,000,000

49 No moneys hereby appropriated shall be  
 50 available for additional state medical  
 51 assistance program or administrative ex-  
 52 penses resulting from the state partially  
 53 assuming county government medicaid shares  
 54 unless the medicaid cost containment ac-  
 55 tions proposed in the 2005-06 executive  
 56 budget are enacted, as certified by the  
 57 commissioner of health and the director of  
 58 the budget.

59 Notwithstanding any inconsistent provision  
 60 of law, the moneys hereby appropriated are  
 61 available for payment of aid heretofore  
 62 accrued or hereafter to accrue to municipi-

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 palities and to providers of medical  
2 services pursuant to section 367-b of the  
3 social services law, and for payments of  
4 state aid to municipalities where payment  
5 systems through the fiscal intermediary  
6 are not operational, and shall be avail-  
7 able to the department net of disallow-  
8 ances, refunds, reimbursements and cred-  
9 its.

10 Notwithstanding any other provision of law,  
11 the money hereby appropriated may be  
12 increased or decreased by interchange,  
13 with any appropriation of the department  
14 of health medical assistance adminis-  
15 tration program and/or medical assistance  
16 program, and may be increased or decreased  
17 by transfer or suballocation between these  
18 appropriated amounts and appropriations of  
19 the department of family assistance office  
20 of temporary and disability assistance and  
21 office of children and family services  
22 with the approval of the director of the  
23 budget, who shall file such approval with  
24 the department of audit and control and  
25 copies thereof with the chairman of the  
26 senate finance committee and the chairman  
27 of the assembly ways and means committee.  
28 The amount appropriated herein, together  
29 with any federal matching funds obtained,  
30 shall be made available to local social  
31 services districts for the purpose of  
32 providing grants for planning, development  
33 and implementation of managed care  
34 programs, and to the department, subject  
35 to the approval of the director of the  
36 budget, for contractual services related  
37 to the planning, development and implemen-  
38 tation of managed care programs ..... 4,100,000

39 The amount appropriated herein, together  
40 with any federal matching funds obtained,  
41 shall be made available as grants to local  
42 social services districts for services and  
43 expenses related to medicaid eligibility  
44 determinations for family health plus  
45 applicants. Grants shall be equitably  
46 distributed to counties based on each  
47 county's proportion of total statewide  
48 family health plus enrollment as of Decem-  
49 ber 2004 ..... 1,000,000

50 For contractual services related to medical  
51 necessity and quality of care reviews  
52 related to medicaid patients. Subject to  
53 the approval of the director of the budg-  
54 et, all or part of this appropriation may  
55 be transferred to the health care stand-  
56 ards and surveillance program, general  
57 fund - local assistance account ..... 3,700,000

58 Notwithstanding section 153 of the social  
59 services law or any inconsistent provision  
60 of law, the state shall recover the local  
61 share of any costs related to payments  
62 made by the department of health on behalf

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 of the districts for contractual services  
 2 related to a third party entity responsi-  
 3 ble for education of persons eligible for  
 4 medical assistance regarding their options  
 5 for enrollment in managed care plans  
 6 through the use of electronic funds trans-  
 7 fer pursuant to section 367-b of the  
 8 social services law.

9 The amount appropriated herein, together  
 10 with any federal matching funds obtained,  
 11 may be available to the department,  
 12 subject to the approval of the director of  
 13 the budget, for contractual services  
 14 related to a third party entity responsi-  
 15 ble for education of persons eligible for  
 16 medical assistance regarding their options  
 17 for enrollment in managed care plans.  
 18 Subject to the approval of the director of  
 19 the budget, all or a part of this appro-  
 20 priation may be transferred to the office  
 21 of managed care, general fund - state  
 22 purposes account .....

10,000,000

23 Notwithstanding any inconsistent provision  
 24 of law, pursuant to a memorandum of under-  
 25 standing between the department of health  
 26 and the department of law, of the amounts  
 27 appropriated herein, up to \$1,000,000  
 28 including federal reimbursements properly  
 29 received or to be received on account of  
 30 such expenditures, may be suballocated to  
 31 the department of law for services and  
 32 expenses, including outside experts,  
 33 incurred in litigation representing the  
 34 department of health. Reimbursements to  
 35 the department of law shall be made by the  
 36 department of health upon receipt of  
 37 vouchers showing the amount and purpose of  
 38 such expenditures, provided, however, that  
 39 the department of health may make advances  
 40 to the department of law to meet reason-  
 41 able cash flow requirements .....

550,000

42 -----  
 43 Program account subtotal ..... 122,350,000  
 44 -----

45  
 46 Special Revenue Funds - Federal / Aid to Localities  
 47 Federal Health and Human Services Fund - 265  
 48 Medicaid Administration Transfer Account  
 49

50 For reimbursement of local administrative  
 51 expenses of medical assistance programs  
 52 provided pursuant to title XIX of the  
 53 federal social security act or its succes-  
 54 sor program.

55 The moneys hereby appropriated are to be  
 56 available for payment of aid heretofore  
 57 accrued or hereafter to accrue to munici-  
 58 palities, and to providers of medical  
 59 services pursuant to section 367-b of the  
 60 social services law, shall be available to  
 61 the department net of disallowances,  
 62 refunds, reimbursements, and credits. The

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 amounts appropriated herein may be avail-  
 2 able for costs associated with a common  
 3 benefit identification card, and subject  
 4 to the approval of the director of the  
 5 budget, these funds may be transferred to  
 6 the credit of the state operations account  
 7 medicaid management information systems  
 8 program.

9 Notwithstanding any other provision of law,  
 10 the money hereby appropriated may be  
 11 increased or decreased by interchange,  
 12 with any appropriation of the department  
 13 of health medical assistance adminis-  
 14 tration program and/or medical assistance  
 15 program, and may be increased or decreased  
 16 by transfer or suballocation between these  
 17 appropriated amounts and appropriations of  
 18 the department of family assistance office  
 19 of temporary and disability assistance and  
 20 office of children and family services  
 21 with the approval of the director of the  
 22 budget, who shall file such approval with  
 23 the department of audit and control and  
 24 copies thereof with the chairman of the  
 25 senate finance committee and the chairman  
 26 of the assembly ways and means committee.

27 Notwithstanding any inconsistent provision  
 28 of law, in lieu of payments authorized by  
 29 the social services law, or payments of  
 30 federal funds otherwise due to the local  
 31 social services districts for programs  
 32 provided under the federal social security  
 33 act or the federal food stamp act, funds  
 34 herein appropriated, in amounts certified  
 35 by the state commissioner of temporary and  
 36 disability assistance or the state commis-  
 37 sioner of health as due from local social  
 38 services districts each month as their  
 39 share of payments made pursuant to section  
 40 367-b of the social services law may be  
 41 set aside by the state comptroller in an  
 42 interest-bearing account with such inter-  
 43 est accruing to the credit of the locality  
 44 in order to ensure the orderly and prompt  
 45 payment of providers under section 367-b  
 46 of the social services law pursuant to an  
 47 estimate provided by the commissioner of  
 48 health of each local social services  
 49 district's share of payments made pursuant  
 50 to section 367-b of the social services  
 51 law.

52		
53	For the grant period October 1, 2004 to	
54	September 30, 2005 .....	240,900,000
55	For the grant period October 1, 2005 to	
56	September 30, 2006 .....	240,900,000
57		-----
58	Program account subtotal .....	481,800,000
59		-----
60		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 MEDICAL ASSISTANCE PROGRAM .....34,577,927,000  
2 -----  
3

4 General Fund / Aid to Localities  
5 Local Assistance Account - 001  
6

7 For the medical assistance program, exclu-  
8 sive of expenses incurred by local social  
9 services districts for administration of  
10 the medical assistance program and for  
11 medical care rates for authorized child  
12 care agencies.

13 The money hereby appropriated is to be  
14 available for payment of aid heretofore  
15 accrued or hereafter to accrue to munici-  
16 palities, and to providers of medical  
17 services pursuant to section 367-b of the  
18 social services law, and for payment of  
19 state aid to municipalities and to provid-  
20 ers of family care where payment systems  
21 through the fiscal intermediaries are not  
22 operational, and shall be available to the  
23 department net of disallowances, refunds,  
24 reimbursements, and credits.

25 Notwithstanding any inconsistent provision  
26 of law to the contrary, up to \$3,000,000,  
27 together with any available federal match-  
28 ing funds, may be used by the department  
29 for outside legal assistance on issues  
30 involving the federal government, the  
31 conduct of preadmission screening and  
32 annual resident reviews required by the  
33 state's medicaid program, computer match-  
34 ing with insurance carriers to insure that  
35 medicaid is the payer of last resort and  
36 activities related to the management of  
37 the pharmacy benefit available under the  
38 medicaid program.

39 Notwithstanding any inconsistent provision  
40 of law, moneys hereby appropriated may be  
41 used for transfer to the federal revenue  
42 maximization contract fund, pursuant to  
43 the provisions of the state finance law.

44 Notwithstanding any inconsistent provision  
45 of law, in lieu of payments authorized by  
46 the social services law, or payments of  
47 federal funds otherwise due to the local  
48 social services districts for programs  
49 provided under the federal social security  
50 act or the federal food stamp act, funds  
51 herein appropriated, in amounts certified  
52 by the state commissioner of temporary and  
53 disability assistance or the state commis-  
54 sioner of health as due from local social  
55 services districts each month as their  
56 share of payments made pursuant to section  
57 367-b of the social services law may be  
58 set aside by the state comptroller in an  
59 interest-bearing account with such inter-  
60 est accruing to the credit of the locality  
61 in order to ensure the orderly and prompt  
62 payment of providers under section 367-b



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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 of the social services law pursuant to an  
2 estimate provided by the commissioner of  
3 health of each local social services  
4 district's share of payments made pursuant  
5 to section 367-b of the social services  
6 law.

7 Notwithstanding any inconsistent provision  
8 of law, the amount hereby appropriated  
9 shall be available for the designated  
10 purposes, less the amount, as certified by  
11 the director of the budget, of any trans-  
12 fers from the general fund to the HCRA re-  
13 sources fund, to reflect the state savings  
14 attributable to this program resulting  
15 from an increase in the federal medical  
16 assistance percentage or other increased  
17 federal medicaid funding available to the  
18 state pursuant to the applicable provi-  
19 sions of the federal social security act.

20 Notwithstanding any other provision of law,  
21 the money hereby appropriated may be  
22 increased or decreased by interchange,  
23 with any appropriation of the department  
24 of health medical assistance adminis-  
25 tration program and/or medical assistance  
26 program, and may be increased or decreased  
27 by transfer or suballocation between these  
28 appropriated amounts and appropriations of  
29 the office of alcoholism and substance  
30 abuse services, the department of family  
31 assistance office of temporary and disa-  
32 bility assistance and office of children  
33 and family services with the approval of  
34 the director of the budget, who shall file  
35 such approval with the department of audit  
36 and control and copies thereof with the  
37 chairman of the senate finance committee  
38 and the chairman of the assembly ways and  
39 means committee.

40 Notwithstanding any inconsistent provision  
41 of law to the contrary, the moneys hereby  
42 appropriated may be used for payments to  
43 the centers for medicaid and medicare  
44 services for obligations incurred related  
45 to the pharmaceutical costs of dually  
46 eligible medicare/medicaid beneficiaries  
47 participating in the medicare drug benefit  
48 authorized by P.L.108-173.

49 Notwithstanding any inconsistent provision  
50 of law, the moneys hereby appropriated  
51 shall not be used for any existing rates,  
52 fees, fee schedule, or procedures which  
53 may affect the cost of care and services  
54 provided by personal care providers, case  
55 managers, health maintenance organiza-  
56 tions, out of state medical facilities  
57 which provide care and services to resi-  
58 dents of the state, providers of transpor-  
59 tation services, that are altered,  
60 amended, adjusted or otherwise changed by

## DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 a local social services district unless  
2 previously approved by the department of  
3 health and the director of the budget.  
4 For the purpose of this appropriation, A)  
5 unless the context clearly requires other-  
6 wise: "administrator" means an entity with  
7 which the commissioner contracts for the  
8 purpose of administering elements of the  
9 preferred drug program, or the clinical  
10 drug review program; "clinical drug review  
11 program" means the clinical drug review  
12 program; "committee" or "pharmacy and  
13 therapeutics committee" means the pharmacy  
14 and therapeutics committee; "emergency  
15 condition" means a medical or behavioral  
16 condition as determined by the prescriber  
17 or pharmacist, the onset of which is  
18 sudden, that manifests itself by symptoms  
19 of sufficient severity, including severe  
20 pain, and for which delay in beginning  
21 treatment prescribed by the patient's  
22 health care practitioner would result in:  
23 (a) placing the health or safety of the  
24 person afflicted with such condition or  
25 other person or persons in serious  
26 jeopardy; (b) serious impairment to such  
27 person's bodily functions; (c) serious  
28 dysfunction of any bodily organ or part of  
29 such person; (d) serious disfigurement of  
30 such person; or (e) severe discomfort;  
31 "preferred drug program" means the pre-  
32 ferred drug program established pursuant  
33 to this appropriation; "prescription drug"  
34 or "drug" means a drug defined in subdi-  
35 vision seven of section sixty-eight hun-  
36 dred two of the education law, for which a  
37 prescription is required under the federal  
38 food, drug and cosmetic act. Any drug that  
39 does not require a prescription under such  
40 act, but which would otherwise meet the  
41 criteria for inclusion on the preferred  
42 drug list may be added to the preferred  
43 drug list; and, if so included, shall be  
44 considered to be a prescription drug;  
45 provided that it shall be eligible for  
46 reimbursement under a state public health  
47 plan when ordered by a prescriber  
48 authorized to prescribe under the state  
49 public health plan and the prescription is  
50 subject to the applicable provisions of  
51 this appropriation and paragraph (a) of  
52 subdivision four of section three hundred  
53 sixty-five-a of the social services law;  
54 "Prior authorization" means a process  
55 requiring the prescriber or the dispenser  
56 to verify with the applicable state public  
57 health plan or its authorized agent that  
58 the drug is appropriate for the needs of  
59 the specific patient; "state public health  
60 plan" means the medical assistance program  
61 established by title eleven of article  
62 five of the social services law;

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- 1 "therapeutic class" means a group of  
2 prescription drugs that produce a  
3 particular intended clinical outcome and  
4 are grouped together as a therapeutic  
5 class by the pharmacy and therapeutics  
6 committee.
- 7 (b) 1. There is hereby established in the  
8 department a pharmacy and therapeutics  
9 committee. The committee shall consist of  
10 thirteen members, who shall be appointed  
11 by the commissioner. No member of the  
12 committee shall be an employee of the  
13 state or any subdivision of the state,  
14 other than for his or her membership on  
15 the committee, except for employees of  
16 health care facilities or universities  
17 operated by the state, a public benefit  
18 corporation, the state university of New  
19 York or municipalities.
- 20 2. The membership shall be composed as  
21 follows:(a) five persons licensed and  
22 actively engaged in the practice of  
23 medicine in the state; (b) one person  
24 licensed and actively engaged in the  
25 practice of nursing as a nurse practi-  
26 tioner, or in the practice of midwifery  
27 in the state; (c) five persons licensed  
28 and actively engaged in the practice of  
29 pharmacy in the state; (d) one person  
30 with expertise in drug utilization re-  
31 view who is either a health care  
32 professional licensed under title eight  
33 of the education law, is a pharmacolo-  
34 gist or has a doctorate in pharmacology;  
35 and (e) one person who shall be a con-  
36 sumer or representative of an organiza-  
37 tion with a regional or statewide con-  
38 stituency and who has been involved in  
39 activities related to health care  
40 consumer advocacy, including issues af-  
41 fecting medicaid.
- 42 3. The committee shall, at the request of  
43 the commissioner, consider any matter  
44 relating to the preferred drug program,  
45 and may advise the commissioner thereon.  
46 The committee may, from time to time,  
47 submit to the commissioner recommen-  
48 dations relating to such preferred drug  
49 program. The committee may also evaluate  
50 and provide recommendations to the com-  
51 missioner on other issues relating to  
52 pharmacy services under medicaid, in-  
53 cluding, but not limited to: therapeutic  
54 comparisons; enhanced use of generic  
55 drug products; enhanced targeting of  
56 physician prescribing patterns; prior  
57 authorization of drugs subject to the  
58 clinical drug review program; fraud,  
59 waste and abuse prevention; negotiations  
60 for rebates; pharmacy benefit management  
61 activity by an administrator; and nego-  
62 tiation of lower initial drug pricing.

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

- 1 4. The committee shall elect a chairperson  
2 from among its members.
- 3 5. The members of the committee shall  
4 receive no compensation for their ser-  
5 vices but shall be reimbursed for ex-  
6 penses actually and necessarily incurred  
7 in the performance of their duties.
- 8 6. The committee shall be a public body  
9 under article seven of the public of-  
10 ficers law (the open meetings law) and  
11 subject to article six of the public  
12 officers law (the freedom of information  
13 law). In addition to the matters listed  
14 in section one hundred five of the  
15 public officers law, the committee may  
16 conduct an executive session for the  
17 purpose of receiving and evaluating drug  
18 pricing information related to supple-  
19 mental rebates, or receiving and evalu-  
20 ating trade secrets, marketing plans or  
21 other information which, if disclosed,  
22 would cause substantial injury to the  
23 competitive position of the manufac-  
24 turer.
- 25 7. Committee members shall be deemed to be  
26 employees of the department for the  
27 purposes of section seventeen of the  
28 public officers law, and shall not  
29 participate in any matter for which a  
30 conflict of interest exists.
- 31 (c) 1. There is established a preferred drug  
32 program to promote access to the most ef-  
33 fective prescription drugs while reducing  
34 the cost of prescription drugs for persons  
35 in state public health plans.
- 36 2. When a prescriber prescribes a non-  
37 preferred drug, state public health plan  
38 reimbursement shall be denied unless  
39 prior authorization is obtained, unless  
40 no prior authorization is required.
- 41 3. The commissioner shall establish per-  
42 formance standards for the program that,  
43 at a minimum, ensure that the preferred  
44 drug program and the clinical drug re-  
45 view program provide sufficient techni-  
46 cal support and timely responses to  
47 consumers, prescribers and pharmacists.
- 48 4. The pharmacy and therapeutics committee  
49 shall consider and make recommendations  
50 to the commissioner for the adoption of  
51 a preferred drug program. (a) In de-  
52 veloping the preferred drug program, the  
53 committee shall, without limitation: (i)  
54 identify therapeutic classes of drugs to  
55 be included in the preferred drug pro-  
56 gram; (ii) identify preferred drugs in  
57 each of the chosen therapeutic classes;  
58 (iii) evaluate the clinical effective-  
59 ness and safety of drugs considering the  
60 latest peer-reviewed research and may  
61 consider studies submitted to the fed-  
62 eral food and drug administration in

## DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 connection with its drug approval sys-  
2 tem; (iv) consider the potential impact  
3 on patient care and the potential fiscal  
4 impact that may result from making such  
5 a drug therapeutic class subject to  
6 prior authorization; and (v) consider  
7 the potential impact of the preferred  
8 drug program on the health of special  
9 populations such as children, the  
10 elderly, the chronically ill, persons  
11 with HIV/AIDS and persons with mental  
12 health conditions. (b) In developing the  
13 preferred drug program, the committee  
14 may consider preferred drug programs or  
15 evidence based research operated or  
16 conducted by or for other state gov-  
17 ernments, the federal government, or  
18 multi-state coalitions. Notwithstanding  
19 any inconsistent provision of section  
20 one hundred twelve or article eleven of  
21 the state finance law or section one  
22 hundred forty-two of the economic de-  
23 velopment law or any other law, the  
24 department may enter into contractual  
25 agreements with the Oregon health and  
26 science university drug effectiveness  
27 review project to provide technical and  
28 clinical support to the committee and  
29 the department in researching and rec-  
30 ommending drugs to be placed on the  
31 preferred drug list. (c) The committee  
32 shall from time to time review all  
33 therapeutic classes included in the pre-  
34 ferred drug program, and may recommend  
35 that the commissioner add or delete  
36 drugs or classes of drugs to or from the  
37 preferred drug program, subject to this  
38 subdivision. (d) The committee shall  
39 establish procedures to promptly review  
40 prescription drugs newly approved by the  
41 federal food and drug administration.

42 5. The committee shall recommend a  
43 procedure and criteria for the approval  
44 of non-preferred drugs as part of the  
45 prior authorization process. In devel-  
46 oping these criteria, the committee  
47 shall include consideration of the  
48 following: (a) the preferred drug has  
49 been tried by the patient and has failed  
50 to produce the desired health outcomes;  
51 (b) the patient has tried the preferred  
52 drug and has experienced unacceptable  
53 side effects; (c) the patient has been  
54 stabilized on a non-preferred drug and  
55 transition to the preferred drug would  
56 be medically contraindicated; and (d)  
57 other clinical indications for the use  
58 of the non-preferred drug, including the  
59 medical needs of special populations  
60 including children, the elderly, the

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- 1 chronically ill, persons with mental  
2 health conditions, and persons affected  
3 by HIV/AIDS.
- 4 6. The commissioner shall provide thirty  
5 days public notice on the department's  
6 website prior to any meeting of the  
7 committee to develop recommendations  
8 concerning the preferred drug program.  
9 Such notice regarding meetings of the  
10 committee shall include a description of  
11 the proposed therapeutic class to be  
12 reviewed, a listing of drug products in  
13 the therapeutic class, and the proposals  
14 to be considered by the committee. The  
15 committee shall allow interested parties  
16 a reasonable opportunity to make an oral  
17 presentation to the committee related to  
18 the prior authorization of the drug  
19 therapeutic class to be reviewed. The  
20 committee shall consider any information  
21 provided by any interested party,  
22 including, but not limited to, pre-  
23 scribers, dispensers, patients, con-  
24 sumers and manufacturers of the drug in  
25 developing their recommendations.
- 26 7. The commissioner shall provide notice  
27 of any recommendations developed by the  
28 committee regarding the preferred drug  
29 program, at least thirty days before any  
30 final determination by the commissioner,  
31 by making such information available on  
32 the department's website. Such public  
33 notice shall include: a summary of the  
34 deliberations of the committee; a sum-  
35 mary of the positions of those making  
36 public comments at meetings of the com-  
37 mittee; the response of the committee to  
38 those comments, if any; and the findings  
39 and recommendations of the committee.
- 40 8. Within ten days of a final deter-  
41 mination regarding the preferred drug  
42 program, the commissioner shall provide  
43 public notice on the department's  
44 website of such determinations, includ-  
45 ing: the nature of the determination; an  
46 analysis of the impact of the commis-  
47 sioner's determination on state public  
48 health plan populations and providers;  
49 and the projected fiscal impact to the  
50 state public health plan programs of the  
51 commissioner's determination.
- 52 9. The commissioner shall adopt a pre-  
53 ferred drug program and amendments after  
54 considering the recommendations from the  
55 committee and any comments received from  
56 prescribers, dispensers, patients, con-  
57 sumers and manufacturers of the drug.
- 58 (a) Any therapeutic class included in  
59 the preferred drug program shall be de-  
60 veloped based initially on an evaluation  
61 of the clinical effectiveness, safety  
62 and patient outcomes, followed by con-

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1 sideration of the cost-effectiveness of  
2 the drugs.(b) In each therapeutic class  
3 included in the preferred drug program,  
4 if the committee determines there is one  
5 drug which is significantly more clin-  
6 ically effective and safe, that drug  
7 shall be included on the preferred drug  
8 list without consideration of cost. If,  
9 among two or more drugs in a therapeutic  
10 class, the difference in clinical  
11 effectiveness and safety is not clin-  
12 ically significant, then cost effective-  
13 ness (including price and supplemental  
14 rebates) may also be considered in  
15 determining which drug or drugs shall be  
16 included on the preferred drug list.(c)  
17 In addition to drugs selected under  
18 paragraph (b), any prescription drug in  
19 the therapeutic class, whose cost to the  
20 state public health plans (including net  
21 price and supplemental rebates) is equal  
22 to or less than the cost of another drug  
23 in the therapeutic class that is on the  
24 preferred drug list under paragraph (b),  
25 may be selected to be on the preferred  
26 drug list, based on clinical effec-  
27 tiveness, safety and cost-effectiveness.

28 10. The commissioner shall provide an  
29 opportunity for pharmaceutical manufac-  
30 turers to provide supplemental rebates  
31 to the department; such supplemental  
32 rebates shall be taken into con-  
33 sideration by the committee and the  
34 commissioner in determining the cost-  
35 effectiveness of drugs within a  
36 therapeutic class under the state public  
37 health plans. Such supplemental rebates  
38 shall be in addition to those required  
39 by applicable federal law and  
40 subdivision seven of section three  
41 hundred sixty-seven-a of the social  
42 services law. In order to be considered  
43 in connection with the preferred drug  
44 program, such supplemental rebates shall  
45 apply to the drug products dispensed  
46 under the Medicaid program. The com-  
47 missioner is prohibited from approving  
48 alternative rebate demonstrations, value  
49 added programs or guaranteed savings  
50 from other program benefits as a sub-  
51 stitution for supplemental rebates.

52 11. No prior authorization shall be re-  
53 quired under the preferred drug program  
54 for: (a) atypical anti-psychotics; (b)  
55 anti-depressants; (c) anti-retrovirals  
56 used in the treatment of HIV/AIDS; and  
57 (d) anti-rejection drugs used for the  
58 treatment of organ and tissue trans-  
59 plants.

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- 1 12. The commissioner may implement all or  
2 a portion of the preferred drug program  
3 through contracts with administrators  
4 with expertise in management of pharmacy  
5 services, subject to applicable laws.
- 6 (d) 1. A prescription drug shall be con-  
7 sidered to be not on the preferred drug  
8 list if it is in a therapeutic class that  
9 is included on the preferred drug list and  
10 is not one of the drugs on the preferred  
11 list in that class.
- 12 2. The preferred drug program shall make  
13 available a twenty-four hour per day,  
14 seven days per week telephone call  
15 center that includes a toll-free tele-  
16 phone line and dedicated facsimile line  
17 to respond to requests for prior autho-  
18 rization. The call center shall include  
19 qualified health care professionals who  
20 shall be available to consult with  
21 prescribers concerning prescription  
22 drugs that are not on the preferred drug  
23 list. A prescriber seeking prior autho-  
24 rization shall consult with the program  
25 call line to reasonably present his or  
26 her justification for the prescription  
27 and give the program's qualified health  
28 care professional a reasonable oppor-  
29 tunity to respond.
- 30 3. (a) When a patient's health care  
31 provider prescribes a prescription drug  
32 that is not on the preferred drug list,  
33 the prescriber shall consult with the  
34 program to confirm that in his or her  
35 reasonable professional judgment, the  
36 patient's clinical condition is con-  
37 sistent with the criteria for approval  
38 of the non-preferred drug. Such criteria  
39 shall include: (i) the preferred drug  
40 has been tried by the patient and has  
41 failed to produce the desired health  
42 outcomes; (ii) the patient has tried the  
43 preferred drug and has experienced  
44 unacceptable side effects; (iii) the  
45 patient has been stabilized on a non-  
46 preferred drug and transition to the  
47 preferred drug would be medically con-  
48 traindicated; or (iv) other clinical  
49 indications identified by the committee  
50 for the patient's use of the non-pre-  
51 ferred drug, based on consideration of  
52 the medical needs of patients including  
53 those who are children, elderly, chron-  
54 ically ill, persons with mental health  
55 conditions, and persons affected by  
56 HIV/AIDS.
- 57 (b) In the event that the patient does not  
58 meet the criteria described in paragraph  
59 (a), the program shall provide a reason-  
60 able opportunity for a prescriber to  
61 present his or her justification for  
62 prior authorization. (c) If a patient is



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1 determined by the department to not meet  
2 the requirements of paragraphs (a) or  
3 (b), prior authorization shall be de-  
4 nied. (d) In the instance where a prior  
5 authorization determination cannot be  
6 completed within twenty-four hours of  
7 the original request, a seventy-two hour  
8 supply of the medication will be  
9 approved by the program and the  
10 prescriber shall be notified of this  
11 determination.

12 4. When, in the judgment of the prescriber  
13 or the pharmacist, an emergency  
14 condition exists, and the prescriber or  
15 pharmacist confirms with the program  
16 that an emergency condition exists, a  
17 seventy-two hour emergency supply of the  
18 drug prescribed shall be immediately  
19 authorized by the program.

20 5. In the event that a patient presents a  
21 prescription to a pharmacist for a  
22 prescription drug that is not on the  
23 preferred drug list and for which the  
24 prescriber has not obtained a prior  
25 authorization, the pharmacist shall,  
26 within a reasonable period based on  
27 professional judgment, notify the pre-  
28 scriber. The prescriber shall, within a  
29 reasonable period based on professional  
30 judgment, either seek prior authoriza-  
31 tion or shall contact the pharmacist and  
32 amend or cancel the prescription.

33 6. No prior authorization under the pro-  
34 gram shall be required when a prescriber  
35 prescribes a drug on the preferred drug  
36 list.

37 7. The department shall monitor the prior  
38 authorization process for prescribing  
39 patterns which are suspected of  
40 endangering the health and safety of the  
41 patient or which demonstrate a likeli-  
42 hood of fraud or abuse. The department  
43 shall take any and all actions otherwise  
44 permitted by law to investigate such  
45 prescribing patterns, to take remedial  
46 action and to enforce applicable federal  
47 and state laws.

48 (e) 1. In addition to the preferred drug  
49 program, the commissioner may establish a  
50 clinical drug review program. The commis-  
51 sioner may, from time to time, require  
52 prior authorization under such program for  
53 prescription drugs or patterns of utiliza-  
54 tion under state public health plans. When  
55 a prescriber prescribes a drug which re-  
56 quires prior authorization, state public  
57 health plan reimbursement shall be denied  
58 unless such prior authorization is ob-  
59 tained.

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- 1 2. The clinical drug review program shall  
2 make available a twenty-four hour per  
3 day, seven days per week response sys-  
4 tem.
- 5 3. In establishing a prior authorization  
6 requirement for a drug under the  
7 clinical drug review program, the com-  
8 missioner shall consider the following:  
9 (a) whether the drug requires monitoring  
10 of prescribing protocols to protect both  
11 the long-term efficacy of the drug and  
12 the public health; (b) the potential  
13 for, or a history of, overuse, abuse,  
14 drug diversion or illegal utilization;  
15 (c) the potential for, or a history of  
16 utilization inconsistent with approved  
17 indications; (d) whether similarly ef-  
18 fective alternatives are available for  
19 the same disease state; (e) the cost of  
20 the drug compared to other drug ther-  
21 apies for the same disease state; and  
22 (f) the availability of an over-the-  
23 counter version of a drug product with  
24 similar or equivalent clinical effec-  
25 tiveness.
- 26 4. The commissioner shall obtain an  
27 evaluation of the above factors and a  
28 recommendation as to the establishment  
29 of a prior authorization requirement for  
30 a drug under the clinical drug review  
31 program from the pharmacy and ther-  
32 apeutics committee. For this purpose,  
33 the commissioner and the committee, as  
34 applicable, shall comply with the open  
35 meetings law and freedom of information  
36 law.
- 37 5. The committee shall recommend a  
38 procedure and criteria for the approval  
39 of drugs subject to prior authorization  
40 under the clinical drug review program.  
41 Such criteria shall include the specific  
42 approved clinical indications for use of  
43 the drug.
- 44 6. The commissioner shall identify a drug  
45 for which prior authorization is re-  
46 quired, as well as the procedures and  
47 criteria for approval of use of the  
48 drug, under the clinical drug review  
49 program after considering the recom-  
50 mendations from the committee and any  
51 comments received from prescribers,  
52 dispensers, consumers and manufacturers  
53 of the drug. In no case shall the prior  
54 authorization criteria for approval  
55 result in denial of the prior authoriza-  
56 tion request based on the relative cost  
57 of the drug subject to prior authoriza-  
58 tion.
- 59 7. In the event that the patient does not  
60 meet the criteria for approval estab-  
61 lished by the commissioner, the clinical  
62 drug review program shall provide a

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- 1 reasonable opportunity for a prescriber  
2 to reasonably present his or her  
3 justification for prior authorization.  
4 If the patient is determined not to meet  
5 the criteria for approval, prior autho-  
6 rization shall be denied.
- 7 8. In the instance where a prior autho-  
8 rization determination cannot be com-  
9 pleted within twenty-four hours of the  
10 original request, a seventy-two hour  
11 supply of the medication will be ap-  
12 proved by the program and the prescriber  
13 shall be notified of the determination.
- 14 9. When, in the judgment of the prescriber  
15 or the pharmacist, an emergency condi-  
16 tion exists, and the prescriber or  
17 pharmacist consults with the program to  
18 confirm that such an emergency condition  
19 exists, a seventy-two hour emergency  
20 supply of the drug prescribed shall be  
21 immediately authorized by the program.
- 22 10. The department shall monitor the prior  
23 authorization process for prescribing  
24 patterns which are suspected of en-  
25 dangering the health and safety of the  
26 patient or which demonstrate a likeli-  
27 hood of fraud or abuse. The department  
28 shall take any and all actions otherwise  
29 permitted by law to investigate such  
30 prescribing patterns, to take remedial  
31 action and to enforce applicable federal  
32 and state laws.
- 33 11. The commissioner may implement all or  
34 a portion of the clinical drug review  
35 program through contracts with adminis-  
36 trators with expertise in management of  
37 pharmacy services, subject to applicable  
38 laws.
- 39 (f) The department may conduct education and  
40 outreach programs for consumers and health  
41 care providers relating to the safe,  
42 therapeutic and cost-effective use of  
43 prescription drugs and appropriate treat-  
44 ment practices for containing prescription  
45 drug costs. The department shall provide  
46 information as to how prescribers, pharm-  
47 acists, patients and other interested  
48 parties can obtain information regarding  
49 drugs included on the preferred drug list,  
50 whether any change has been made to the  
51 preferred drug list since it was last  
52 issued, and the process by which prior  
53 authorization may be obtained.
- 54 (g) The commissioner shall, beginning with  
55 the commencement of the preferred drug  
56 program and monthly thereafter through  
57 March 31, 2006, submit a report to the  
58 governor and the legislature concerning  
59 the amount of supplemental rebates re-  
60 ceived.

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1 Notwithstanding any inconsistent provision  
2 of the law, rule, or regulation to the  
3 contrary, the provisions of paragraph  
4 (a-1) of subdivision 4 of section 365-a of  
5 the social services law shall not apply to  
6 any drug that is in a therapeutic class  
7 included on the preferred drug list or is  
8 in the clinical drug review program.

9 Notwithstanding any inconsistent provision  
10 of law, rule, or regulation to the con-  
11 trary, the medical assistance program  
12 shall not provide reimbursement for drugs  
13 which may not be dispensed without a  
14 prescription as required by section sixty-  
15 eight hundred ten of the education law,  
16 and which are non-preferred drugs in a  
17 therapeutic class subject to the preferred  
18 drug program, or the clinical drug review  
19 program, unless prior authorization is  
20 granted or not required.

21 Notwithstanding any inconsistent provision  
22 of law, rule or regulation to the con-  
23 trary, and notwithstanding the provisions  
24 of the preferred drug program and the  
25 clinical drug review program, the commis-  
26 sioner may subject drugs that are covered  
27 under the medical assistance program to  
28 prior authorization.

29 Notwithstanding any inconsistent provision  
30 of law, rule or regulation to the con-  
31 trary, any pharmacy and therapeutics com-  
32 mittee appointed by the commissioner of  
33 health in existence on April 1, 2005 shall  
34 continue to function and shall be  
35 authorized to carry out the same duties  
36 and powers as prescribed in the preferred  
37 drug program and the clinical drug review  
38 program until such committee is duly  
39 appointed under such programs or until  
40 March 31, 2006, whichever is sooner.

41 Notwithstanding subparagraphs (i) and (ii)  
42 of paragraph (d) of subdivision 25 of  
43 section 2807-c of the public health law,  
44 medicaid payment rates for general  
45 hospitals for periods on and after April  
46 first, two thousand five through March  
47 thirty-first, two thousand six for public  
48 and non-public general hospitals for  
49 purposes of reimbursing graduate medical  
50 education costs shall be based on the  
51 following methodology:

52 (i) Rate adjustments for each general  
53 hospital shall be based on the difference  
54 between the graduate medical education  
55 component, direct and indirect, of the two  
56 thousand three medical assistance in-  
57 patient rates of payment, including exempt  
58 unit per diem rates, and an estimate of  
59 what the graduate medical education  
60 component, direct and indirect, of such

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1 medical assistance inpatient rates of  
2 payment, including exempt unit per diem  
3 rates would be, stated at two thousand  
4 three levels and calculated as follows:  
5 (A) Each general hospital's total direct  
6 medical education costs as reported in the  
7 two thousand one institutional cost report  
8 submitted as of December thirty-first, two  
9 thousand three, and  
10 (B) An estimate of the total indirect  
11 medical education costs for two thousand  
12 one calculated in accordance with the  
13 methodology applicable for purposes of  
14 determining an estimate of indirect  
15 medical education costs pursuant to  
16 subparagraph (ii) of paragraph (c) of  
17 subdivision seven of section 2807-c of the  
18 public health law . The indirect medical  
19 education costs shall equal the product of  
20 two thousand one hospital specific  
21 inpatient operating costs, including  
22 exempt unit costs, and the indirect  
23 teaching cost percentage determined by the  
24 following formula:  
25  $1 - (1 / (1 + 1.89((1+r)^{.405} - 1)))$   
26 where r equals the ratio of residents and  
27 fellows to beds for two thousand one  
28 adjusted to reflect the projected two  
29 thousand three resident counts.  
30 (C) Each hospital's rate adjustment shall be  
31 limited to seventy-five percent of the  
32 graduate medical education component  
33 included in its two thousand three medical  
34 assistance inpatient rates of payment,  
35 including exempt unit rates. For periods  
36 on and after April first, two thousand  
37 five, through March thirty-first, two  
38 thousand six, the seventy-five percent  
39 limit shall not apply to rate decreases  
40 calculated pursuant to this paragraph.  
41 (D) For periods on and after April first,  
42 two thousand five through March thirty-  
43 one, two thousand six no public general  
44 hospital shall receive a rate increase  
45 calculated pursuant to paragraph(d) of  
46 subdivision 25 of section 2807-c of the  
47 public health law.  
48 Notwithstanding any inconsistent provision  
49 of law, rule or regulation, for payments  
50 made by a state governmental agency to a  
51 general hospital for specialty inpatient  
52 hospital services provided to patients  
53 eligible for payments pursuant to title 11  
54 of article 5 of the social services law  
55 discharged or for visits made on or after  
56 April first, two thousand five, through  
57 March thirty first, two thousand six, the  
58 commissioner of health, subject to the  
59 approval of the director of the budget,  
60 may:

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- 1 (a) establish rates of payment or special  
2 payment rate methodologies for specialty  
3 inpatient hospital services selected in  
4 accordance with paragraph (c) of this  
5 subdivision provided to patients eligible  
6 for payments pursuant to title 11 of  
7 article 5 of the social services law  
8 through negotiations with hospitals in any  
9 area of the state, and, notwithstanding  
10 section 112 of the state finance law,  
11 award contracts to hospitals that  
12 participate in such negotiations and agree  
13 to receive the negotiated payment rates in  
14 lieu of rates of payment otherwise  
15 applicable pursuant to section 2807-c of  
16 the public health law without a  
17 competitive bid or request for proposal  
18 process; and/or
- 19 (b) select among hospitals in any area of  
20 the state those eligible for reimbursement  
21 for specialty inpatient hospital services  
22 selected in accordance with this appropri-  
23 ation and establish payments for such  
24 services based on a competitive bidding  
25 process.
- 26 (c) The commissioner shall select specialty  
27 inpatient hospital services for which  
28 reimbursement may be negotiated with  
29 hospitals based on the following criteria:  
30 (i) such services may be provided more  
31 efficiently and economically;  
32 (ii) such services are high volume  
33 services which may be appropriately  
34 reduced or have a great disparity in  
35 cost among hospitals in a region; and  
36 (iii) any other criteria determined by the  
37 commissioner to promote the cost effec-  
38 tive delivery of specialty inpatient  
39 hospital services.
- 40 (d) Inpatient hospital services not selected  
41 by the commissioner pursuant to this  
42 section provided to patients eligible for  
43 payments pursuant to title 11 of article 5  
44 of this social services law shall be  
45 reimbursed pursuant to section 2807-c of  
46 the public health law.
- 47 (e) No payments shall be made for specialty  
48 inpatient hospital services selected by  
49 the commissioner of health in accordance  
50 with paragraph (c) of subdivision 1 of  
51 this section for which there is a contract  
52 with a hospital pursuant to paragraphs (a)  
53 or (b) of subdivision 1 of this section  
54 when such services are provided to  
55 patients eligible for payments pursuant to  
56 title 11 of article 5 of the social  
57 services law by a hospital which has not  
58 contracted with the commissioner of health  
59 pursuant to paragraphs (a) or (b) of  
60 subdivision 1 of this section provided,  
61 however, payments may be made to such  
62 hospitals in accordance with section 2807-

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1 c of the public health law if the  
2 provision of such services has been prior  
3 approved by the commissioner of health or  
4 if the inpatient admission is the result  
5 of an emergency.

6 (f) Payment of rates established pursuant to  
7 this section shall be contingent upon  
8 federal approval of a waiver application  
9 submitted by the commissioner of health in  
10 order to receive federal financial par-  
11 ticipation for services provided under  
12 this section; provided, however, the  
13 commissioner of health may take any steps  
14 necessary to implement this section prior  
15 to receiving federal approval of such  
16 waiver application.

17 Notwithstanding subparagraph (i) of para-  
18 graph (g) of subdivision 2 of section 2807  
19 of the public health law and any other  
20 contrary provision of the law for the  
21 period April first, two thousand five  
22 through March thirty-first, two thousand  
23 six, specialized services shall not  
24 include services for which the rate of  
25 payment is established by the office of  
26 mental health pursuant to section 43.02 of  
27 the mental hygiene law.

28 Notwithstanding any law or regulation to the  
29 contrary, payments to general hospitals  
30 for inpatient services provided to pa-  
31 tients discharged on and after April  
32 first, two thousand five, and on or before  
33 March thirty-first two thousand six who  
34 are eligible for payments made by state  
35 governmental agencies and who are deter-  
36 mined to be in diagnosis-related groups  
37 numbered seven hundred forty-three, seven  
38 hundred forty-five, seven hundred forty-  
39 six, seven hundred forty-eight, seven  
40 hundred forty-nine, or seven hundred  
41 fifty-one as determined in accordance with  
42 section 2807-c of the public health law  
43 shall be made on a per diem basis in an  
44 amount equal to the fees paid in the same  
45 locality pursuant to section 43.02 of the  
46 mental hygiene law for community based  
47 detoxification services provided in facil-  
48 ities licensed pursuant to article thirty-  
49 two of the mental hygiene law.

50 Notwithstanding paragraph (c) of subdivision  
51 10 of section 2807-c of the public health  
52 law and section 21 of chapter 1 of the  
53 laws of 1999 and any other inconsistent  
54 provision of law or regulation to the  
55 contrary, in determining rates of payment  
56 by state governmental agencies effective  
57 for services provided on and after April  
58 first, two thousand five through March  
59 thirty-first, two thousand six and  
60 thereafter for inpatient and outpatient  
61 services provided by general hospitals and  
62 for inpatient services and outpatient

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1 adult day health care services provided by  
2 residential health care facilities pursu-  
3 ant to article 28 of the public health  
4 law, the commissioner of health shall  
5 apply no trend factor projections at-  
6 tributable to the period January first,  
7 two thousand five through December thirty-  
8 first, two thousand five. The commissioner  
9 of health shall adjust rates of payment to  
10 reflect the exclusion of such specified  
11 trend factor projections or adjustments.

12 Notwithstanding any inconsistent provision  
13 of law or regulation to the contrary: (a)  
14 (i) For services provided by residential  
15 health care facilities on and after April  
16 first, two thousand five, through March  
17 thirty-first two thousand six except for  
18 services identified in subparagraph (ii)  
19 set forth below and for facilities  
20 described in paragraph (d) set forth below  
21 for purposes of establishing the operating  
22 component of rates of payment by gov-  
23 ernmental agencies, the commissioner of  
24 health shall utilize the regional average  
25 of facility specific allowable costs as  
26 reported by residential health care  
27 facilities in the 2003 calendar year cost  
28 report, trended pursuant to law to the  
29 applicable rate period and adjusted for  
30 case mix. Such regional average shall also  
31 be adjusted by a corridor percentage to be  
32 determined by the commissioner of health  
33 to arrive at a final average operating  
34 component of rates of payment for each  
35 region. Region shall mean those regions as  
36 listed in paragraph (c) herein.

37 (ii) Nothing herein shall be deemed to apply  
38 to rates paid for residential health care  
39 facility services provided to: (A)  
40 residents residing in a residential health  
41 care facility designated as an AIDS  
42 residential health care facility or  
43 residing in a discrete AIDS unit approved  
44 by the commissioner; (B) residents resid-  
45 ing in discrete units for the care of  
46 patients under the long-term inpatient  
47 rehabilitation program for traumatic brain  
48 injured patients established pursuant to  
49 department regulations; (C) residents  
50 residing in discrete units approved by the  
51 department of health for the care of long-  
52 term ventilator dependent residents; (D)  
53 residents residing in discrete units  
54 approved by the department of health  
55 specifically designated for the purpose of  
56 providing specialized programs for resi-  
57 dents requiring behavioral interventions;  
58 or (E) residents in residential health  
59 care facilities or discrete units which



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- 1 provide extensive nursing, medical,  
2 psychological and counseling support ser-  
3 vices solely to children, as determined by  
4 the department of health.
- 5 (b) The operating component of the rate of  
6 payment shall mean all components of the  
7 rate except for the capital component.
- 8 (c) The regions are established as follows:  
9 (i) Albany: Albany, Columbia, Greene,  
10 Montgomery, Rensselaer, Saratoga, Sche-  
11 nectady, Schoharie, and Fulton counties;  
12 (ii) Binghamton: Broome, and Tioga coun-  
13 ties;  
14 (iii) Erie: Cattaraugus, Chautauqua, Erie,  
15 Niagara, and Orleans counties;  
16 (iv) Elmira: Chemung, Steuben, and Schuy-  
17 ler counties;  
18 (v) Glens Falls: Essex, Warren, and Wash-  
19 ington counties;  
20 (vi) Long Island: Nassau, and Suffolk  
21 counties;  
22 (vii) Orange: Chenango, Delaware, Orange,  
23 Otsego, Sullivan, and Ulster counties;  
24 (viii) New York City: Bronx, Kings,  
25 Queens, Richmond, and New York counties;  
26 (ix) Poughkeepsie: Dutchess, and Putnam  
27 counties;  
28 (x) Rochester: Livingston, Monroe, On-  
29 tario, and Wayne counties;  
30 (xi) Central Rural: Cayuga, Cortland,  
31 Seneca, Tompkins, and Yates counties;  
32 (xii) Syracuse: Madison, and Onondaga  
33 counties;  
34 (xiii) Utica: Herkimer, Jefferson, Lewis,  
35 Oneida, and Oswego counties;  
36 (xiv) Westchester: Rockland, and West-  
37 chester counties;  
38 (xv) Northern Rural: Clinton, Franklin,  
39 Hamilton, and St. Lawrence counties; and  
40 (xvi) Western Rural: Allegany, Genesee,  
41 and Wyoming counties.
- 42 (d) For any newly constructed residential  
43 health care facility which receives  
44 establishment approval by the public  
45 health council in accordance with section  
46 twenty eight hundred one-a of the public  
47 health law on or after April first, two  
48 thousand five through March thirty-first,  
49 two thousand six; any new operator of an  
50 ongoing residential health care facility  
51 established pursuant to section twenty  
52 eight hundred one-a of the public health  
53 law on or after April first, two thousand  
54 five through March thirty-first, two  
55 thousand six; or any facility in re-  
56 ceivership on and after April first, two  
57 thousand five through March thirty-first,  
58 two thousand six, the operating component  
59 of the rate of payment shall equal the  
60 regional average operating component of  
61 facilities within its region as determined

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1 herein provided however, such regional  
2 average operating component shall not be  
3 adjusted by a corridor percentage.

4 Notwithstanding any inconsistent provision  
5 of law, rule or regulation to the con-  
6 trary, the provisions of section 1 of  
7 chapter 41 of the laws of 1992, as  
8 amended, shall remain and be in full force  
9 and effect provided however, for periods  
10 beginning April first, two thousand five  
11 and thru March thirty-first, two thousand  
12 six, such adult day services maximum daily  
13 rate of payment shall not exceed sixty-  
14 five percent of the residential health  
15 care facility per diem rate.

16 Notwithstanding any inconsistent provision  
17 of law or regulation to the contrary,  
18 residential health care facility rates of  
19 payment determined pursuant to article 28  
20 of the public health law for services  
21 provided on and after April first, two  
22 thousand five through March thirty-first,  
23 two thousand six, except for the estab-  
24 lishment of any statewide or any peer  
25 group base, mean, or ceiling prices per  
26 day, shall be calculated utilizing only  
27 the number of residents properly assessed  
28 and reported in each patient classifica-  
29 tion group and eligible for medical as-  
30 sistance pursuant to title 11 of article 5  
31 of the social services law.

32 Notwithstanding paragraph (e) of subdivision  
33 1 of section 369-ee of the social services  
34 law for the purpose of calculating annual  
35 premiums for the period April first, two  
36 thousand five, through March thirty-first,  
37 two thousand six "health care services"  
38 means the following services and supplies  
39 as defined by the commissioner of health  
40 in consultation with the superintendent of  
41 insurance:

- 42 (i) the services of physicians, nurse  
43 practitioners, and other related personnel  
44 which are provided on an outpatient or  
45 inpatient basis;
- 46 (ii) inpatient hospital services provided by  
47 a general hospital;
- 48 (iii) laboratory tests;
- 49 (iv) diagnostic x-rays;
- 50 (v) prescription drugs and non-prescription  
51 smoking cessation products or devices;
- 52 (vi) radiation therapy, chemotherapy, and  
53 hemodialysis;
- 54 (vii) emergency room services;
- 55 (viii) diabetic supplies and equipment; and
- 56 (ix) services provided to meet the  
57 requirement of 42 U.S.C. 1396d(r).

58 Notwithstanding subdivision 2-a of section  
59 369-ee of the social services law, for the  
60 period April first, two thousand five  
61 through March thirty-first, two thousand  
62 six, subject to federal approval pursuant

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1 to subdivision six of section 369-ee of  
2 the social services law, persons receiving  
3 family health plus coverage under section  
4 369-ee of the social services law shall be  
5 responsible to make co-payments in accor-  
6 dance with the following schedule:  
7 (i) inpatient hospital services shall have a  
8 two hundred fifty dollar co-payment for  
9 each continuous hospital confinement;  
10 (ii) outpatient surgical services shall have  
11 a seventy-five dollar co-payment per  
12 occurrence;  
13 (iii) emergency room services shall have a  
14 fifty dollar co-payment which shall be  
15 waived if hospital admission results from  
16 the emergency room visit;  
17 (iv) generic prescription drugs shall have a  
18 ten dollar co-payment and brand name  
19 prescription drugs shall have a twenty  
20 dollar co-payment;  
21 (v) all other services shall have a twenty  
22 dollar co-payment;  
23 (b) The following services shall not be  
24 subject to co-payments  
25 (i) family planning services;  
26 (ii) prenatal care services provided to  
27 pregnant women, labor, delivery and  
28 services related to the sixty-day post-  
29 partum period.  
30 Notwithstanding paragraph (i) of subdivision  
31 1 of section 369-ee of the social services  
32 law, for the period April first, two  
33 thousand five, through March thirty-first,  
34 two thousand six, "resources" for purposes  
35 of section 369-ee of the social services  
36 law shall have the same meaning as  
37 determined in accordance with paragraph  
38 (a) of subdivision two of section three  
39 hundred sixty-six of the social service  
40 law except that the term savings referred  
41 to in subparagraph four of such paragraph  
42 shall mean household savings in an amount  
43 not to exceed ten thousand dollars.  
44 Notwithstanding subparagraph (iii) of  
45 paragraph (a) of subdivision 2 of section  
46 369-ee of the social services law for the  
47 period April first, two thousand five  
48 through March thirty-first, two thousand  
49 six, a person is eligible to receive  
50 health care services pursuant to title 11-  
51 D of the social services law if he or she  
52 does not have health care coverage under  
53 insurance or equivalent mechanisms, as  
54 defined by the commissioner of health in  
55 consultation with the superintendent of  
56 insurance and is not a federal, state,  
57 county, municipal, or school district  
58 employee, and is not employed by an  
59 employer with more than fifty employees.  
60 Notwithstanding subparagraph (iv) of  
61 paragraph (a) of subdivision 2 of section  
62 369-ee of the social services law for the

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1 period April first, two thousand five,  
2 through March thirty-first, two thousand  
3 six, a person is eligible to receive  
4 health care services pursuant to title 11-  
5 D of the social services law if he or she  
6 was not covered by a group health plan  
7 based upon his or her employment or a  
8 family member's employment, as defined by  
9 the commissioner of health in consultation  
10 with the superintendent of insurance,  
11 during the twelve-month period prior to  
12 the date of the application under title  
13 11-D of the social services law, except in  
14 the case of:

- 15 (I) loss of employment due to factors other  
16 than voluntary separation;
- 17 (II) death of a family member which results  
18 in termination of the applicant's coverage  
19 under the group health plan;
- 20 (III) change to a new employer that does not  
21 provide an option for comprehensive health  
22 benefits coverage;
- 23 (IV) change of residence so that no  
24 employer-based comprehensive health  
25 benefits coverage is available;
- 26 (V) expiration of the coverage periods  
27 established by COBRA or the provisions of  
28 subsection (m) of section three thousand  
29 two hundred twenty-one, subsection (k) of  
30 section four thousand three hundred four  
31 and subsection (e) of section four  
32 thousand three hundred five of the  
33 insurance law;
- 34 (VI) termination of comprehensive health  
35 benefits coverage due to long-term  
36 disability; or
- 37 (VII) loss of employment due to need to care  
38 for a child or disabled household member  
39 or relative.

40 Notwithstanding any inconsistent provisions  
41 of law, rule or regulation to the con-  
42 trary, medical assistance shall be  
43 furnished to applicants in cases where,  
44 although such applicant has a responsible  
45 relative with sufficient income and  
46 resources to provide medical assistance as  
47 determined by the regulations of the  
48 department, the income and resources of  
49 the responsible relative are not available  
50 to such applicant because of the absence  
51 of such relative and the refusal or  
52 failure of such absent relative to provide  
53 the necessary care and assistance. In such  
54 cases, however, the furnishing of such  
55 assistance shall create an implied  
56 contract with such relative, and the cost  
57 thereof may be recovered from such  
58 relative in accordance with title six of  
59 article three of the social services law  
60 and other applicable provisions of law.

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1 For the purpose of this appropriation and  
2 notwithstanding any inconsistent provi-  
3 sions of law, rule or regulation to the  
4 contrary, the office of the attorney  
5 general shall, at the request of the  
6 department of health, commence actions or  
7 proceedings in accordance with the  
8 provisions of sections one hundred one,  
9 one hundred four, and one hundred four-b,  
10 paragraph (a) of subdivision three of sec-  
11 tion three hundred sixty-six, subparagraph  
12 one of paragraph (h) of subdivision four  
13 of section three hundred sixty-six, para-  
14 graph (b) of subdivision two of section  
15 three hundred sixty-seven-a, and section  
16 three hundred sixty-nine of the social  
17 services law, to recover the cost of  
18 medical assistance furnished pursuant to  
19 titles eleven and eleven-d of article 5 of  
20 the social services law. Funds recovered  
21 net of collection fees authorized by law,  
22 shall be distributed to the department of  
23 health for deposit in the medical assis-  
24 tance restitution account and shall be  
25 allocated by the department pursuant to  
26 law.

27 Notwithstanding any inconsistent provisions  
28 of law, rule or regulation to the con-  
29 trary, for the purpose of evaluation of  
30 transfer of assets provision "look-back  
31 period" means the thirty-six month period,  
32 or, in the case of payments from a trust  
33 or portions of a trust which are treated  
34 as assets disposed of by the individual  
35 pursuant to department regulations, the  
36 sixty-month period, immediately preceding  
37 the date that an institutionalized  
38 individual is both institutionalized and  
39 has applied for medical assistance, or in  
40 the case of a non-institutionalized  
41 individual, the date that such non-  
42 institutionalized individual applies for  
43 medical assistance coverage of long term  
44 care services; provided, however, that the  
45 look-back period for all types of trans-  
46 fers shall be sixty months if the commis-  
47 sioner of health obtains all necessary  
48 approvals under federal law and regulation  
49 to implement such a look-back period;  
50 provided further that the use of a sixty-  
51 month look-back period for all types of  
52 transfers shall continue only if and for  
53 so long as the use of such a look-back  
54 period does not prevent the receipt of  
55 federal financial participation under the  
56 medical assistance program; provided fur-  
57 ther that the commissioner of health shall  
58 submit such waiver applications and/or  
59 state plan amendments as may be necessary

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1 to obtain approval to implement a sixty-  
2 month look-back period for all types of  
3 transfers and to ensure continued federal  
4 financial participation.

5 In determining the medical assistance  
6 eligibility of an institutionalized in-  
7 dividual, any transfer of an asset by the  
8 individual or the individual's spouse for  
9 less than fair market value made within or  
10 after the look-back period shall render  
11 the individual ineligible for nursing  
12 facility services for the period of time  
13 specified in law.

14 In determining the medical assistance  
15 eligibility of a non-institutionalized in-  
16 dividual, any transfer of an asset by the  
17 individual or the individual's spouse for  
18 less than fair market value made within or  
19 after the look-back period shall render  
20 the individual ineligible for long term  
21 care services for the period of time  
22 specified in law. An individual shall not  
23 be ineligible for services solely by  
24 reason of any such transfer to the extent  
25 that the asset transferred was a home and  
26 title to the home was transferred to: (A)  
27 the spouse of the individual; or (B) a  
28 child of the individual who is under the  
29 age of twenty-one years or blind or  
30 disabled; or (C) in the case of an  
31 institutionalized individual, a sibling of  
32 the individual who has an equity interest  
33 in such home and who resided in such home  
34 for a period of at least one year imme-  
35 diately before the date the individual  
36 became an institutionalized individual; or  
37 (D) in the case of an institutionalized  
38 individual, a child of the individual who  
39 was residing in such home for a period of  
40 at least two years immediately before the  
41 date the individual became an institu-  
42 tionalized individual, and who provided  
43 care to the individual which permitted the  
44 individual to reside at home rather than  
45 in an institution or facility.

46 (ii) Notwithstanding any inconsistent provi-  
47 sion of law, rule or regulation to the  
48 contrary, the period of ineligibility  
49 described in clause (i) of subparagraph 4  
50 of paragraph (d) of subdivision 5 of  
51 section 366 of the social services law  
52 shall begin on the first day the in-  
53 dividual is receiving services for which  
54 medical assistance coverage would be  
55 available but for the provisions of  
56 subparagraph 3 of paragraph (d) of subdivi-  
57 sion 5 of section 366 of the social  
58 services law, and which does not occur in  
59 any other periods of ineligibility, if the  
60 commissioner of health obtains all  
61 necessary approvals under federal law and  
62 regulation to implement such a period of

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1 ineligibility. The use of such a period of  
2 ineligibility shall continue only if and  
3 for so long as it does not prevent the  
4 receipt of federal financial participation  
5 under the medical assistance program. The  
6 commissioner of health shall submit such  
7 waiver applications and/or state plan  
8 amendments as may be necessary to obtain  
9 approval to implement the period of  
10 ineligibility described in this clause and  
11 to ensure continued federal financial  
12 participation.

13 Notwithstanding any inconsistent provision  
14 of law, rule or regulation to the con-  
15 trary, for the purpose of evaluation of  
16 transfer of assets provisions, "non-  
17 institutionalized individual" means an  
18 individual who is not an institutionalized  
19 individual, as defined in clause (vii) of  
20 subparagraph 1 of paragraph (d) of  
21 subdivision five of section 366 of the  
22 social services law, and "long term care  
23 services" means home health care services,  
24 personal care services, assisted living  
25 program services and such other services  
26 for which medical assistance is otherwise  
27 available under the social services law  
28 which are designated as long term care  
29 services in the regulations of the de-  
30 partment.

31 Notwithstanding any inconsistent provision  
32 of law, rule or regulation to the con-  
33 trary, in the case of a transfer by an  
34 individual which results in a period of  
35 ineligibility for such individual or his  
36 or her spouse, such period of ineligibil-  
37 ity will continue without regard to the  
38 individual's becoming an institutionalized  
39 individual if the transfer was made while  
40 the individual was a non-institutionalized  
41 individual and without regard to the  
42 individual's becoming a non-institutional-  
43 ized individual if the transfer was made  
44 while the individual was an institutional-  
45 ized individual. In no event shall the  
46 total period of ineligibility for long  
47 term care services and nursing facility  
48 services resulting from the same transfer  
49 of assets exceed the period calculated  
50 pursuant to subparagraph 4 of paragraph  
51 (d) of subdivision five of section 366 of  
52 the social services law.

53 Notwithstanding any inconsistent provision  
54 of law, rule or regulation to the con-  
55 trary, an institutionalized spouse shall  
56 not be ineligible for medical assistance  
57 by reason of excess resources determined  
58 under paragraph (a) of subdivision 5 of  
59 section 366-c of the social services law,  
60 if (i) the institutionalized spouse exe-  
61 cutes an assignment of support from the  
62 community spouse in favor of the social

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1 services district and the department, or  
2 the institutionalized spouse is unable to  
3 execute such assignment due to physical or  
4 mental impairment, and (ii) to deny as-  
5 sistance would create an undue hardship,  
6 as defined by the commissioner.  
7 Notwithstanding paragraph (1) of subdivision  
8 2 of section 365-a of the social services  
9 law for the period April first, two  
10 thousand five through March thirty-first,  
11 two thousand six, "medical assistance"  
12 shall mean payment of part or all of the  
13 cost of medically necessary care and  
14 services of podiatrists, clinical  
15 psychologists, nurses and audiologists,  
16 including such care and services provided  
17 in a hospital out-patient or clinic  
18 facility operated in compliance with  
19 applicable provisions of the article  
20 twenty-eight of the public health law, and  
21 dentists , which care and services shall  
22 only be provided upon referral by a  
23 physician, nurse practitioner or certified  
24 nurse midwife in accordance with the  
25 program of early and periodic screening  
26 and diagnosis established pursuant to  
27 subdivision three of section 365-a of the  
28 social service law or to persons eligible  
29 for benefits under title XVIII of the  
30 federal social security act as qualified  
31 medicare beneficiaries in accordance with  
32 federal requirements therefor; provided,  
33 however, that nothing herein shall be  
34 construed as limiting the care and  
35 services of clinical psychologists or  
36 audiologists provided in a federally  
37 qualified health center, in a clinic  
38 facility that is organized to provide as  
39 its principal mission ongoing and long-  
40 term rehabilitation therapy to individuals  
41 with developmental disabilities, or in an  
42 outpatient program licensed by the office  
43 of mental retardation and developmental  
44 disabilities under article sixteen, the  
45 office of mental health under article  
46 thirty-one, and the office of alcoholism  
47 and substance abuse services under article  
48 thirty-two of the mental hygiene law;  
49 Notwithstanding paragraphs (a) and (f) of  
50 subdivision 2 of section 365-a of the  
51 social services law for the period April  
52 first, two thousand five through March  
53 thirty-first, two thousand six, "medical  
54 assistance" shall not include payment of  
55 the cost of medically necessary services  
56 of qualified dentists, nurses, and private  
57 duty nursing services nor shall it include  
58 preventive, prophylactic and other routine  
59 dental care, services and supplies.  
60 No moneys hereby appropriated shall be  
61 available for additional state medical  
62 assistance program or administrative ex-



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1 penses resulting from the state partially  
2 assuming county government medicaid shares  
3 unless the medicaid cost containment ac-  
4 tions proposed in the 2005-06 executive  
5 budget are enacted, as certified by the  
6 commissioner of health and the director of  
7 the budget ..... 7,240,201,000

8 Notwithstanding any inconsistent provision  
9 of law, subject to the approval of the  
10 director of the budget, up to the amount  
11 appropriated herein, together with any  
12 available federal matching funds, may be  
13 transferred to the general fund - state  
14 purposes account for services and expenses  
15 related to improved medicaid service  
16 delivery and management including but not  
17 limited to medicaid fraud prevention, long  
18 term care restructuring and nursing home  
19 transition and diversion waiver activi-  
20 ties, pharmacy best practices initiatives,  
21 prior authorizations, prior approvals, and  
22 recipient and provider notification and up  
23 to \$6,300,000 for the supplemental nursing  
24 home quality improvement program. Subject  
25 to the approval of the director of the  
26 budget, a portion of this appropriation  
27 may be suballocated to other state agen-  
28 cies and may be made available to local  
29 social services districts ..... 21,000,000

30 For additional state expenses for the family  
31 health plus program resulting from the  
32 state assuming 100 percent of the pro-  
33 gram's costs for counties outside new york  
34 city, effective October 1, 2005; provided  
35 however, the moneys hereby appropriated  
36 shall not be available for expenditure  
37 unless the medicaid cost containment  
38 actions proposed in the 2005-06 executive  
39 budget are enacted, as certified by the  
40 director of the budget and the commis-  
41 sioner of health ..... 25,000,000

42 For services and expenses for state aid to  
43 counties outside of New York city for  
44 medicaid transitional funding assistance.  
45 Notwithstanding any inconsistent provision  
46 of law, rule or regulation and subject to  
47 the approval of the director of the  
48 division of the budget, \$15,000,000 of the  
49 amount hereby appropriated shall be  
50 distributed to such counties pursuant to a  
51 methodology which considers county need,  
52 as measured by its per capita full  
53 property valuation, and \$5,000,000 shall  
54 be distributed pursuant to a determination  
55 of county need by the commissioner of  
56 health; provided however, the moneys here-  
57 by appropriated shall not be available for  
58 expenditure unless the medicaid cost con-  
59 tainment actions proposed in the 2005-06

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1 executive budget are enacted, as certified  
 2 by the director of the budget and the  
 3 commissioner of health ..... 20,000,000  
 4 -----  
 5 Program account subtotal ..... 7,306,201,000  
 6 -----

7  
 8 Special Revenue Funds - Federal / Aid to Localities  
 9 Federal Health and Human Services Fund - 265  
 10 Medicaid Direct Account

11  
 12 For services and expenses for the medical  
 13 assistance program, excluding administra-  
 14 tive expenses, pursuant to title XIX of  
 15 the federal social security act or its  
 16 successor program.

17 The moneys hereby appropriated are to be  
 18 available for payment of aid heretofore  
 19 accrued or hereafter to accrue to munici-  
 20 palities, and to providers of medical  
 21 services pursuant to section 367-b of the  
 22 social services law, and for payment of  
 23 state aid to municipalities and to provid-  
 24 ers of family care where payment systems  
 25 through the fiscal intermediaries are not  
 26 operational, shall be available to the  
 27 department net of disallowances, refunds,  
 28 reimbursements, and credits.

29 Notwithstanding any other provision of law,  
 30 the money hereby appropriated may be  
 31 increased or decreased by interchange,  
 32 with any appropriation of the department  
 33 of health medical assistance adminis-  
 34 tration program and/or medical assistance  
 35 program, and may be increased or decreased  
 36 by transfer or suballocation between these  
 37 appropriated amounts and appropriations of  
 38 the department of family assistance office  
 39 of temporary and disability assistance and  
 40 office of children and family services  
 41 with the approval of the director of the  
 42 budget, who shall file such approval with  
 43 the department of audit and control and  
 44 copies thereof with the chairman of the  
 45 senate finance committee and the chairman  
 46 of the assembly ways and means committee.

47 Notwithstanding any inconsistent provision  
 48 of law, in lieu of payments authorized by  
 49 the social services law, or payments of  
 50 federal funds otherwise due to the local  
 51 social services districts for programs  
 52 provided under the federal social security  
 53 act or the federal food stamp act, funds  
 54 herein appropriated, in amounts certified  
 55 by the state commissioner or the state  
 56 commissioner of health as due from local  
 57 social services districts each month as  
 58 their share of payments made pursuant to  
 59 section 367-b of the social services law  
 60 may be set aside by the state comptroller  
 61 in an interest-bearing account with such  
 62 interest accruing to the credit of the

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1 locality in order to ensure the orderly  
2 and prompt payment of providers under  
3 section 367-b of the social services law  
4 pursuant to an estimate provided by the  
5 commissioner of health of each local  
6 social services district's share of  
7 payments made pursuant to section 367-b of  
8 the social services law.

9 For the purpose of this appropriation, A)  
10 unless the context clearly requires other-  
11 wise: "administrator" means an entity with  
12 which the commissioner contracts for the  
13 purpose of administering elements of the  
14 preferred drug program, or the clinical  
15 drug review program; "clinical drug review  
16 program" means the clinical drug review  
17 program; "committee" or "pharmacy and  
18 therapeutics committee" means the pharmacy  
19 and therapeutics committee; "emergency  
20 condition" means a medical or behavioral  
21 condition as determined by the prescriber  
22 or pharmacist, the onset of which is  
23 sudden, that manifests itself by symptoms  
24 of sufficient severity, including severe  
25 pain, and for which delay in beginning  
26 treatment prescribed by the patient's  
27 health care practitioner would result in:  
28 (a) placing the health or safety of the  
29 person afflicted with such condition or  
30 other person or persons in serious  
31 jeopardy; (b) serious impairment to such  
32 person's bodily functions; (c) serious  
33 dysfunction of any bodily organ or part of  
34 such person; (d) serious disfigurement of  
35 such person; or (e) severe discomfort;  
36 "preferred drug program" means the pre-  
37 ferred drug program established pursuant  
38 to this appropriation; "prescription drug"  
39 or "drug" means a drug defined in subdivi-  
40 sion seven of section sixty-eight hun-  
41 dred two of the education law, for which a  
42 prescription is required under the federal  
43 food, drug and cosmetic act. Any drug that  
44 does not require a prescription under such  
45 act, but which would otherwise meet the  
46 criteria for inclusion on the preferred  
47 drug list may be added to the preferred  
48 drug list; and, if so included, shall be  
49 considered to be a prescription drug;  
50 provided that it shall be eligible for  
51 reimbursement under a state public health  
52 plan when ordered by a prescriber  
53 authorized to prescribe under the state  
54 public health plan and the prescription is  
55 subject to the applicable provisions of  
56 this appropriation and paragraph (a) of  
57 subdivision four of section three hundred  
58 sixty-five-a of the social services law;  
59 "Prior authorization" means a process  
60 requiring the prescriber or the dispenser  
61 to verify with the applicable state public  
62 health plan or its authorized agent that

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1 the drug is appropriate for the needs of  
2 the specific patient; "state public health  
3 plan" means the medical assistance program  
4 established by title eleven of article  
5 five of the social services law;  
6 "therapeutic class" means a group of  
7 prescription drugs that produce a  
8 particular intended clinical outcome and  
9 are grouped together as a therapeutic  
10 class by the pharmacy and therapeutics  
11 committee.

12 (b) 1. There is hereby established in the  
13 department a pharmacy and therapeutics  
14 committee. The committee shall consist of  
15 thirteen members, who shall be appointed  
16 by the commissioner. No member of the  
17 committee shall be an employee of the  
18 state or any subdivision of the state,  
19 other than for his or her membership on  
20 the committee, except for employees of  
21 health care facilities or universities  
22 operated by the state, a public benefit  
23 corporation, the state university of New  
24 York or municipalities.

25 2. The membership shall be composed as  
26 follows:(a) five persons licensed and  
27 actively engaged in the practice of  
28 medicine in the state; (b) one person  
29 licensed and actively engaged in the  
30 practice of nursing as a nurse practi-  
31 tioner, or in the practice of midwifery  
32 in the state; (c) five persons licensed  
33 and actively engaged in the practice of  
34 pharmacy in the state; (d) one person  
35 with expertise in drug utilization re-  
36 view who is either a health care  
37 professional licensed under title eight  
38 of the education law, is a pharmacolo-  
39 gist or has a doctorate in pharmacology;  
40 and (e) one person who shall be a con-  
41 sumer or representative of an organiza-  
42 tion with a regional or statewide con-  
43 stituency and who has been involved in  
44 activities related to health care  
45 consumer advocacy, including issues af-  
46 fecting medicaid.

47 3. The committee shall, at the request of  
48 the commissioner, consider any matter  
49 relating to the preferred drug program,  
50 and may advise the commissioner thereon.  
51 The committee may, from time to time,  
52 submit to the commissioner recommen-  
53 dations relating to such preferred drug  
54 program. The committee may also evaluate  
55 and provide recommendations to the com-  
56 missioner on other issues relating to  
57 pharmacy services under medicaid, in-  
58 cluding, but not limited to: therapeutic  
59 comparisons; enhanced use of generic  
60 drug products; enhanced targeting of  
61 physician prescribing patterns; prior  
62 authorization of drugs subject to the

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- 1 clinical drug review program; fraud,  
2 waste and abuse prevention; negotiations  
3 for rebates; pharmacy benefit management  
4 activity by an administrator; and nego-  
5 tiation of lower initial drug pricing.
- 6 4. The committee shall elect a chairperson  
7 from among its members.
- 8 5. The members of the committee shall  
9 receive no compensation for their ser-  
10 vices but shall be reimbursed for ex-  
11 penses actually and necessarily incurred  
12 in the performance of their duties.
- 13 6. The committee shall be a public body  
14 under article seven of the public of-  
15 ficers law (the open meetings law) and  
16 subject to article six of the public  
17 officers law (the freedom of information  
18 law). In addition to the matters listed  
19 in section one hundred five of the  
20 public officers law, the committee may  
21 conduct an executive session for the  
22 purpose of receiving and evaluating drug  
23 pricing information related to supple-  
24 mental rebates, or receiving and evalu-  
25 ating trade secrets, marketing plans or  
26 other information which, if disclosed,  
27 would cause substantial injury to the  
28 competitive position of the manufac-  
29 turer.
- 30 7. Committee members shall be deemed to be  
31 employees of the department for the  
32 purposes of section seventeen of the  
33 public officers law, and shall not  
34 participate in any matter for which a  
35 conflict of interest exists.
- 36 (c) 1. There is established a preferred drug  
37 program to promote access to the most ef-  
38 fective prescription drugs while reducing  
39 the cost of prescription drugs for persons  
40 in state public health plans.
- 41 2. When a prescriber prescribes a non-  
42 preferred drug, state public health plan  
43 reimbursement shall be denied unless  
44 prior authorization is obtained, unless  
45 no prior authorization is required.
- 46 3. The commissioner shall establish per-  
47 formance standards for the program that,  
48 at a minimum, ensure that the preferred  
49 drug program and the clinical drug re-  
50 view program provide sufficient techni-  
51 cal support and timely responses to  
52 consumers, prescribers and pharmacists.
- 53 4. The pharmacy and therapeutics committee  
54 shall consider and make recommendations  
55 to the commissioner for the adoption of  
56 a preferred drug program. (a) In de-  
57 veloping the preferred drug program, the  
58 committee shall, without limitation: (i)  
59 identify therapeutic classes of drugs to  
60 be included in the preferred drug pro-  
61 gram; (ii) identify preferred drugs in  
62 each of the chosen therapeutic classes;

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1 (iii) evaluate the clinical effective-  
2 ness and safety of drugs considering the  
3 latest peer-reviewed research and may  
4 consider studies submitted to the fed-  
5 eral food and drug administration in  
6 connection with its drug approval sys-  
7 tem; (iv) consider the potential impact  
8 on patient care and the potential fiscal  
9 impact that may result from making such  
10 a drug therapeutic class subject to  
11 prior authorization; and (v) consider  
12 the potential impact of the preferred  
13 drug program on the health of special  
14 populations such as children, the  
15 elderly, the chronically ill, persons  
16 with HIV/AIDS and persons with mental  
17 health conditions. (b) In developing the  
18 preferred drug program, the committee  
19 may consider preferred drug programs or  
20 evidence based research operated or  
21 conducted by or for other state gov-  
22 ernments, the federal government, or  
23 multi-state coalitions. Notwithstanding  
24 any inconsistent provision of section  
25 one hundred twelve or article eleven of  
26 the state finance law or section one  
27 hundred forty-two of the economic de-  
28 velopment law or any other law, the  
29 department may enter into contractual  
30 agreements with the Oregon health and  
31 science university drug effectiveness  
32 review project to provide technical and  
33 clinical support to the committee and  
34 the department in researching and rec-  
35 ommending drugs to be placed on the  
36 preferred drug list. (c) The committee  
37 shall from time to time review all  
38 therapeutic classes included in the pre-  
39 ferred drug program, and may recommend  
40 that the commissioner add or delete  
41 drugs or classes of drugs to or from the  
42 preferred drug program, subject to this  
43 subdivision. (d) The committee shall  
44 establish procedures to promptly review  
45 prescription drugs newly approved by the  
46 federal food and drug administration.

47 5. The committee shall recommend a  
48 procedure and criteria for the approval  
49 of non-preferred drugs as part of the  
50 prior authorization process. In devel-  
51 oping these criteria, the committee  
52 shall include consideration of the  
53 following: (a) the preferred drug has  
54 been tried by the patient and has failed  
55 to produce the desired health outcomes;  
56 (b) the patient has tried the preferred  
57 drug and has experienced unacceptable  
58 side effects; (c) the patient has been  
59 stabilized on a non-preferred drug and  
60 transition to the preferred drug would  
61 be medically contraindicated; and (d)  
62 other clinical indications for the use

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- 1 of the non-preferred drug, including the  
2 medical needs of special populations  
3 including children, the elderly, the  
4 chronically ill, persons with mental  
5 health conditions, and persons affected  
6 by HIV/AIDS.
- 7 6. The commissioner shall provide thirty  
8 days public notice on the department's  
9 website prior to any meeting of the  
10 committee to develop recommendations  
11 concerning the preferred drug program.  
12 Such notice regarding meetings of the  
13 committee shall include a description of  
14 the proposed therapeutic class to be  
15 reviewed, a listing of drug products in  
16 the therapeutic class, and the proposals  
17 to be considered by the committee. The  
18 committee shall allow interested parties  
19 a reasonable opportunity to make an oral  
20 presentation to the committee related to  
21 the prior authorization of the drug  
22 therapeutic class to be reviewed. The  
23 committee shall consider any information  
24 provided by any interested party,  
25 including, but not limited to, pre-  
26 scribers, dispensers, patients, con-  
27 sumers and manufacturers of the drug in  
28 developing their recommendations.
- 29 7. The commissioner shall provide notice  
30 of any recommendations developed by the  
31 committee regarding the preferred drug  
32 program, at least thirty days before any  
33 final determination by the commissioner,  
34 by making such information available on  
35 the department's website. Such public  
36 notice shall include: a summary of the  
37 deliberations of the committee; a sum-  
38 mary of the positions of those making  
39 public comments at meetings of the com-  
40 mittee; the response of the committee to  
41 those comments, if any; and the findings  
42 and recommendations of the committee.
- 43 8. Within ten days of a final deter-  
44 mination regarding the preferred drug  
45 program, the commissioner shall provide  
46 public notice on the department's  
47 website of such determinations, includ-  
48 ing: the nature of the determination; an  
49 analysis of the impact of the commis-  
50 sioner's determination on state public  
51 health plan populations and providers;  
52 and the projected fiscal impact to the  
53 state public health plan programs of the  
54 commissioner's determination.
- 55 9. The commissioner shall adopt a pre-  
56 ferred drug program and amendments after  
57 considering the recommendations from the  
58 committee and any comments received from  
59 prescribers, dispensers, patients, con-  
60 sumers and manufacturers of the drug.  
61 (a) Any therapeutic class included in  
62 the preferred drug program shall be de-

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1 developed based initially on an evaluation  
2 of the clinical effectiveness, safety  
3 and patient outcomes, followed by con-  
4 sideration of the cost-effectiveness of  
5 the drugs.(b) In each therapeutic class  
6 included in the preferred drug program,  
7 if the committee determines there is one  
8 drug which is significantly more clin-  
9 ically effective and safe, that drug  
10 shall be included on the preferred drug  
11 list without consideration of cost. If,  
12 among two or more drugs in a therapeutic  
13 class, the difference in clinical  
14 effectiveness and safety is not clin-  
15 ically significant, then cost effective-  
16 ness (including price and supplemental  
17 rebates) may also be considered in  
18 determining which drug or drugs shall be  
19 included on the preferred drug list.(c)  
20 In addition to drugs selected under  
21 paragraph (b), any prescription drug in  
22 the therapeutic class, whose cost to the  
23 state public health plans (including net  
24 price and supplemental rebates) is equal  
25 to or less than the cost of another drug  
26 in the therapeutic class that is on the  
27 preferred drug list under paragraph (b),  
28 may be selected to be on the preferred  
29 drug list, based on clinical effec-  
30 tiveness, safety and cost-effectiveness.

31 10. The commissioner shall provide an  
32 opportunity for pharmaceutical manufac-  
33 turers to provide supplemental rebates  
34 to the department; such supplemental  
35 rebates shall be taken into con-  
36 sideration by the committee and the  
37 commissioner in determining the cost-  
38 effectiveness of drugs within a  
39 therapeutic class under the state public  
40 health plans. Such supplemental rebates  
41 shall be in addition to those required  
42 by applicable federal law and  
43 subdivision seven of section three  
44 hundred sixty-seven-a of the social  
45 services law. In order to be considered  
46 in connection with the preferred drug  
47 program, such supplemental rebates shall  
48 apply to the drug products dispensed  
49 under the Medicaid program. The com-  
50 missioner is prohibited from approving  
51 alternative rebate demonstrations, value  
52 added programs or guaranteed savings  
53 from other program benefits as a sub-  
54 stitution for supplemental rebates.

55 11. No prior authorization shall be re-  
56 quired under the preferred drug program  
57 for: (a) atypical anti-psychotics; (b)  
58 anti depressants; (c) anti-retrovirals  
59 used in the treatment of HIV/AIDS; and  
60 (d) anti-rejection drugs used for the  
61 treatment of organ and tissue trans-  
62 plants.



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- 1 12. The commissioner may implement all or  
2 a portion of the preferred drug program  
3 through contracts with administrators  
4 with expertise in management of pharmacy  
5 services, subject to applicable laws.
- 6 (d) 1. A prescription drug shall be con-  
7 sidered to be not on the preferred drug  
8 list if it is in a therapeutic class that  
9 is included on the preferred drug list and  
10 is not one of the drugs on the preferred  
11 list in that class.
- 12 2. The preferred drug program shall make  
13 available a twenty-four hour per day,  
14 seven days per week telephone call  
15 center that includes a toll-free tele-  
16 phone line and dedicated facsimile line  
17 to respond to requests for prior autho-  
18 rization. The call center shall include  
19 qualified health care professionals who  
20 shall be available to consult with  
21 prescribers concerning prescription  
22 drugs that are not on the preferred drug  
23 list. A prescriber seeking prior autho-  
24 rization shall consult with the program  
25 call line to reasonably present his or  
26 her justification for the prescription  
27 and give the program's qualified health  
28 care professional a reasonable oppor-  
29 tunity to respond.
- 30 3. (a) When a patient's health care  
31 provider prescribes a prescription drug  
32 that is not on the preferred drug list,  
33 the prescriber shall consult with the  
34 program to confirm that in his or her  
35 reasonable professional judgment, the  
36 patient's clinical condition is con-  
37 sistent with the criteria for approval  
38 of the non-preferred drug. Such criteria  
39 shall include: (i) the preferred drug  
40 has been tried by the patient and has  
41 failed to produce the desired health  
42 outcomes; (ii) the patient has tried the  
43 preferred drug and has experienced  
44 unacceptable side effects; (iii) the  
45 patient has been stabilized on a non-  
46 preferred drug and transition to the  
47 preferred drug would be medically con-  
48 traindicated; or (iv) other clinical  
49 indications identified by the committee  
50 for the patient's use of the non-pre-  
51 ferred drug, based on consideration of  
52 the medical needs of patients including  
53 those who are children, elderly, chron-  
54 ically ill, persons with mental health  
55 conditions, and persons affected by  
56 HIV/AIDS.
- 57 (b) In the event that the patient does not  
58 meet the criteria described in paragraph  
59 (a), the program shall provide a reason-  
60 able opportunity for a prescriber to  
61 present his or her justification for  
62 prior authorization. (c) If a patient is

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1 determined by the department to not meet  
2 the requirements of paragraphs (a) or  
3 (b), prior authorization shall be de-  
4 nied. (d) In the instance where a prior  
5 authorization determination cannot be  
6 completed within twenty-four hours of  
7 the original request, a seventy-two hour  
8 supply of the medication will be  
9 approved by the program and the  
10 prescriber shall be notified of this  
11 determination.

12 4. When, in the judgment of the prescriber  
13 or the pharmacist, an emergency  
14 condition exists, and the prescriber or  
15 pharmacist confirms with the program  
16 that an emergency condition exists, a  
17 seventy-two hour emergency supply of the  
18 drug prescribed shall be immediately  
19 authorized by the program.

20 5. In the event that a patient presents a  
21 prescription to a pharmacist for a  
22 prescription drug that is not on the  
23 preferred drug list and for which the  
24 prescriber has not obtained a prior  
25 authorization, the pharmacist shall,  
26 within a reasonable period based on  
27 professional judgment, notify the pre-  
28 scriber. The prescriber shall, within a  
29 reasonable period based on professional  
30 judgment, either seek prior authoriza-  
31 tion or shall contact the pharmacist and  
32 amend or cancel the prescription.

33 6. No prior authorization under the pro-  
34 gram shall be required when a prescriber  
35 prescribes a drug on the preferred drug  
36 list.

37 7. The department shall monitor the prior  
38 authorization process for prescribing  
39 patterns which are suspected of  
40 endangering the health and safety of the  
41 patient or which demonstrate a likeli-  
42 hood of fraud or abuse. The department  
43 shall take any and all actions otherwise  
44 permitted by law to investigate such  
45 prescribing patterns, to take remedial  
46 action and to enforce applicable federal  
47 and state laws.

48 (e) 1. In addition to the preferred drug  
49 program, the commissioner may establish a  
50 clinical drug review program. The commis-  
51 sioner may, from time to time, require  
52 prior authorization under such program for  
53 prescription drugs or patterns of utiliza-  
54 tion under state public health plans. When  
55 a prescriber prescribes a drug which re-  
56 quires prior authorization, state public  
57 health plan reimbursement shall be denied  
58 unless such prior authorization is ob-  
59 tained.

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- 1 2. The clinical drug review program shall  
2 make available a twenty-four hour per  
3 day, seven days per week response sys-  
4 tem.
- 5 3. In establishing a prior authorization  
6 requirement for a drug under the  
7 clinical drug review program, the com-  
8 missioner shall consider the following:  
9 (a) whether the drug requires monitoring  
10 of prescribing protocols to protect both  
11 the long-term efficacy of the drug and  
12 the public health; (b) the potential  
13 for, or a history of, overuse, abuse,  
14 drug diversion or illegal utilization;  
15 (c) the potential for, or a history of  
16 utilization inconsistent with approved  
17 indications; (d) whether similarly ef-  
18 fective alternatives are available for  
19 the same disease state; (e) the cost of  
20 the drug compared to other drug ther-  
21 apies for the same disease state; and  
22 (f) the availability of an over-the-  
23 counter version of a drug product with  
24 similar or equivalent clinical effec-  
25 tiveness.
- 26 4. The commissioner shall obtain an  
27 evaluation of the above factors and a  
28 recommendation as to the establishment  
29 of a prior authorization requirement for  
30 a drug under the clinical drug review  
31 program from the pharmacy and ther-  
32 apeutics committee. For this purpose,  
33 the commissioner and the committee, as  
34 applicable, shall comply with the open  
35 meetings law and freedom of information  
36 law.
- 37 5. The committee shall recommend a  
38 procedure and criteria for the approval  
39 of drugs subject to prior authorization  
40 under the clinical drug review program.  
41 Such criteria shall include the specific  
42 approved clinical indications for use of  
43 the drug.
- 44 6. The commissioner shall identify a drug  
45 for which prior authorization is re-  
46 quired, as well as the procedures and  
47 criteria for approval of use of the  
48 drug, under the clinical drug review  
49 program after considering the recom-  
50 mendations from the committee and any  
51 comments received from prescribers,  
52 dispensers, consumers and manufacturers  
53 of the drug. In no case shall the prior  
54 authorization criteria for approval  
55 result in denial of the prior authoriza-  
56 tion request based on the relative cost  
57 of the drug subject to prior authoriza-  
58 tion.
- 59 7. In the event that the patient does not  
60 meet the criteria for approval estab-  
61 lished by the commissioner, the clinical  
62 drug review program shall provide a

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- 1 reasonable opportunity for a prescriber  
2 to reasonably present his or her  
3 justification for prior authorization.  
4 If the patient is determined not to meet  
5 the criteria for approval, prior autho-  
6 rization shall be denied.
- 7 8. In the instance where a prior autho-  
8 rization determination cannot be com-  
9 pleted within twenty-four hours of the  
10 original request, a seventy-two hour  
11 supply of the medication will be ap-  
12 proved by the program and the prescriber  
13 shall be notified of the determination.
- 14 9. When, in the judgment of the prescriber  
15 or the pharmacist, an emergency condi-  
16 tion exists, and the prescriber or  
17 pharmacist consults with the program to  
18 confirm that such an emergency condition  
19 exists, a seventy-two hour emergency  
20 supply of the drug prescribed shall be  
21 immediately authorized by the program.
- 22 10. The department shall monitor the prior  
23 authorization process for prescribing  
24 patterns which are suspected of en-  
25 dangering the health and safety of the  
26 patient or which demonstrate a likeli-  
27 hood of fraud or abuse. The department  
28 shall take any and all actions otherwise  
29 permitted by law to investigate such  
30 prescribing patterns, to take remedial  
31 action and to enforce applicable federal  
32 and state laws.
- 33 11. The commissioner may implement all or  
34 a portion of the clinical drug review  
35 program through contracts with adminis-  
36 trators with expertise in management of  
37 pharmacy services, subject to applicable  
38 laws.
- 39 (f) The department may conduct education and  
40 outreach programs for consumers and health  
41 care providers relating to the safe,  
42 therapeutic and cost-effective use of  
43 prescription drugs and appropriate treat-  
44 ment practices for containing prescription  
45 drug costs. The department shall provide  
46 information as to how prescribers, pharm-  
47 acists, patients and other interested  
48 parties can obtain information regarding  
49 drugs included on the preferred drug list,  
50 whether any change has been made to the  
51 preferred drug list since it was last  
52 issued, and the process by which prior  
53 authorization may be obtained.
- 54 (g) The commissioner shall, beginning with  
55 the commencement of the preferred drug  
56 program and monthly thereafter through  
57 March 31, 2006, submit a report to the  
58 governor and the legislature concerning  
59 the amount of supplemental rebates re-  
60 ceived.

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1 Notwithstanding any inconsistent provision  
2 of the law, rule, or regulation to the  
3 contrary, the provisions of paragraph  
4 (a-1) of subdivision 4 of section 365-a of  
5 the social services law shall not apply to  
6 any drug that is in a therapeutic class  
7 included on the preferred drug list or is  
8 in the clinical drug review program.

9 Notwithstanding any inconsistent provision  
10 of law, rule, or regulation to the con-  
11 trary, the medical assistance program  
12 shall not provide reimbursement for drugs  
13 which may not be dispensed without a  
14 prescription as required by section sixty-  
15 eight hundred ten of the education law,  
16 and which are non-preferred drugs in a  
17 therapeutic class subject to the preferred  
18 drug program, or the clinical drug review  
19 program, unless prior authorization is  
20 granted or not required.

21 Notwithstanding any inconsistent provision  
22 of law, rule or regulation to the con-  
23 trary, and notwithstanding the provisions  
24 of the preferred drug program and the  
25 clinical drug review program, the commis-  
26 sioner may subject drugs that are covered  
27 under the medical assistance program to  
28 prior authorization.

29 Notwithstanding any inconsistent provision  
30 of law, rule or regulation to the con-  
31 trary, any pharmacy and therapeutics com-  
32 mittee appointed by the commissioner of  
33 health in existence on April 1, 2005 shall  
34 continue to function and shall be  
35 authorized to carry out the same duties  
36 and powers as prescribed in the preferred  
37 drug program and the clinical drug review  
38 program until such committee is duly  
39 appointed under such programs or until  
40 March 31, 2006, whichever is sooner.

41 Notwithstanding subparagraphs (i) and (ii)  
42 of paragraph (d) of subdivision 25 of  
43 section 2807-c of the public health law,  
44 medicaid payment rates for general  
45 hospitals for periods on and after April  
46 first, two thousand five through March  
47 thirty-first, two thousand six for public  
48 and non-public general hospitals for  
49 purposes of reimbursing graduate medical  
50 education costs shall be based on the  
51 following methodology:

52 (i) Rate adjustments for each general  
53 hospital shall be based on the difference  
54 between the graduate medical education  
55 component, direct and indirect, of the two  
56 thousand three medical assistance in-  
57 patient rates of payment, including exempt  
58 unit per diem rates, and an estimate of  
59 what the graduate medical education  
60 component, direct and indirect, of such

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1 medical assistance inpatient rates of  
2 payment, including exempt unit per diem  
3 rates would be, stated at two thousand  
4 three levels and calculated as follows:  
5 (A) Each general hospital's total direct  
6 medical education costs as reported in the  
7 two thousand one institutional cost report  
8 submitted as of December thirty-first, two  
9 thousand three, and  
10 (B) An estimate of the total indirect  
11 medical education costs for two thousand  
12 one calculated in accordance with the  
13 methodology applicable for purposes of  
14 determining an estimate of indirect  
15 medical education costs pursuant to  
16 subparagraph (ii) of paragraph (c) of  
17 subdivision seven of section 2807-c of the  
18 public health law . The indirect medical  
19 education costs shall equal the product of  
20 two thousand one hospital specific  
21 inpatient operating costs, including  
22 exempt unit costs, and the indirect  
23 teaching cost percentage determined by the  
24 following formula:  
25  $1 - (1 / (1 + 1.89((1+r)^{.405} - 1)))$   
26 where r equals the ratio of residents and  
27 fellows to beds for two thousand one  
28 adjusted to reflect the projected two  
29 thousand three resident counts.  
30 (C) Each hospital's rate adjustment shall be  
31 limited to seventy-five percent of the  
32 graduate medical education component  
33 included in its two thousand three medical  
34 assistance inpatient rates of payment,  
35 including exempt unit rates. For periods  
36 on and after April first, two thousand  
37 five, through March thirty-first, two  
38 thousand six, the seventy-five percent  
39 limit shall not apply to rate decreases  
40 calculated pursuant to this paragraph.  
41 (D) For periods on and after April first,  
42 two thousand five through March thirty-  
43 one, two thousand six no public general  
44 hospital shall receive a rate increase  
45 calculated pursuant to paragraph(d) of  
46 subdivision 25 of section 2807-c of the  
47 public health law.  
48 Notwithstanding any inconsistent provision  
49 of law, rule or regulation, for payments  
50 made by a state governmental agency to a  
51 general hospital for specialty inpatient  
52 hospital services provided to patients  
53 eligible for payments pursuant to title 11  
54 of article 5 of the social services law  
55 discharged or for visits made on or after  
56 April first, two thousand five, through  
57 March thirty first, two thousand six, the  
58 commissioner of health, subject to the  
59 approval of the director of the budget,  
60 may:

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- 1 (a) establish rates of payment or special  
2 payment rate methodologies for specialty  
3 inpatient hospital services selected in  
4 accordance with paragraph (c) of this  
5 subdivision provided to patients eligible  
6 for payments pursuant to title 11 of  
7 article 5 of the social services law  
8 through negotiations with hospitals in any  
9 area of the state, and, notwithstanding  
10 section 112 of the state finance law,  
11 award contracts to hospitals that  
12 participate in such negotiations and agree  
13 to receive the negotiated payment rates in  
14 lieu of rates of payment otherwise  
15 applicable pursuant to section 2807-c of  
16 the public health law without a  
17 competitive bid or request for proposal  
18 process; and/or
- 19 (b) select among hospitals in any area of  
20 the state those eligible for reimbursement  
21 for specialty inpatient hospital services  
22 selected in accordance with this appropri-  
23 ation and establish payments for such  
24 services based on a competitive bidding  
25 process.
- 26 (c) The commissioner shall select specialty  
27 inpatient hospital services for which  
28 reimbursement may be negotiated with  
29 hospitals based on the following criteria:  
30 (i) such services may be provided more  
31 efficiently and economically;  
32 (ii) such services are high volume  
33 services which may be appropriately  
34 reduced or have a great disparity in  
35 cost among hospitals in a region; and  
36 (iii) any other criteria determined by the  
37 commissioner to promote the cost effec-  
38 tive delivery of specialty inpatient  
39 hospital services.
- 40 (d) Inpatient hospital services not selected  
41 by the commissioner pursuant to this  
42 section provided to patients eligible for  
43 payments pursuant to title 11 of article 5  
44 of this social services law shall be  
45 reimbursed pursuant to section 2807-c of  
46 the public health law.
- 47 (e) No payments shall be made for specialty  
48 inpatient hospital services selected by  
49 the commissioner of health in accordance  
50 with paragraph (c) of subdivision 1 of  
51 this section for which there is a contract  
52 with a hospital pursuant to paragraphs (a)  
53 or (b) of subdivision 1 of this section  
54 when such services are provided to  
55 patients eligible for payments pursuant to  
56 title 11 of article 5 of the social  
57 services law by a hospital which has not  
58 contracted with the commissioner of health  
59 pursuant to paragraphs (a) or (b) of  
60 subdivision 1 of this section provided,  
61 however, payments may be made to such  
62 hospitals in accordance with section 2807-

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1 c of the public health law if the  
2 provision of such services has been prior  
3 approved by the commissioner of health or  
4 if inpatient admission is the result of an  
5 emergency.

6 (f) Payment of rates established pursuant to  
7 this section shall be contingent upon  
8 federal approval of a waiver application  
9 submitted by the commissioner of health in  
10 order to receive federal financial par-  
11 ticipation for services provided under  
12 this section; provided, however, the  
13 commissioner of health may take any steps  
14 necessary to implement this section prior  
15 to receiving federal approval of such  
16 waiver application.

17 Notwithstanding subparagraph (i) of para-  
18 graph (g) of subdivision 2 of section 2807  
19 of the public health law and any other  
20 contrary provision of the law for the  
21 period April first, two thousand five  
22 through March thirty-first, two thousand  
23 six, specialized services shall not  
24 include services for which the rate of  
25 payment is established by the office of  
26 mental health pursuant to section 43.02 of  
27 the mental hygiene law.

28 Notwithstanding any law or regulation to the  
29 contrary, payments to general hospitals  
30 for inpatient services provided to pa-  
31 tients discharged on and after April  
32 first, two thousand five, and on or before  
33 March thirty-first, two thousand six who  
34 are eligible for payments made by state  
35 governmental agencies and who are deter-  
36 mined to be in diagnosis-related groups  
37 numbered seven hundred forty-three, seven  
38 hundred forty-five, seven hundred forty-  
39 six, seven hundred forty-eight, seven  
40 hundred forty-nine, or seven hundred  
41 fifty-one as determined in accordance with  
42 section 2807-c of the public health law  
43 shall be made on a per diem basis in an  
44 amount equal to the fees paid in the same  
45 locality pursuant to section 43.02 of the  
46 mental hygiene law for community based  
47 detoxification services provided in facil-  
48 ities licensed pursuant to article thirty-  
49 two of the mental hygiene law.

50 Notwithstanding paragraph (c) of subdivision  
51 10 of section 2807-c of the public health  
52 law and section 21 of chapter 1 of the  
53 laws of 1999 and any other inconsistent  
54 provision of law or regulation to the  
55 contrary, in determining rates of payment  
56 by state governmental agencies effective  
57 for services provided on and after April  
58 first, two thousand five through March  
59 thirty-first, two thousand six and  
60 thereafter for inpatient and outpatient  
61 services provided by general hospitals and  
62 for inpatient services and outpatient



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1 adult day health care services provided by  
2 residential health care facilities pursu-  
3 ant to article 28 of the public health  
4 law, the commissioner of health shall  
5 apply no trend factor projections at-  
6 tributable to the period January first,  
7 two thousand five through December thirty-  
8 first, two thousand five. The commissioner  
9 of health shall adjust rates of payment to  
10 reflect the exclusion of such specified  
11 trend factor projections or adjustments.

12 Notwithstanding any inconsistent provision  
13 of law or regulation to the contrary: (a)  
14 (i) For services provided by residential  
15 health care facilities on and after April  
16 first, two thousand five, through March  
17 thirty-first two thousand six except for  
18 services identified in subparagraph (ii)  
19 set forth below and for facilities  
20 described in paragraph (d) set forth below  
21 for purposes of establishing the operating  
22 component of rates of payment by gov-  
23 ernmental agencies, the commissioner of  
24 health shall utilize the regional average  
25 of facility specific allowable costs as  
26 reported by residential health care  
27 facilities in the 2003 calendar year cost  
28 report, trended pursuant to law to the  
29 applicable rate period and adjusted for  
30 case mix. Such regional average shall also  
31 be adjusted by a corridor percentage to be  
32 determined by the commissioner of health  
33 to arrive at a final average operating  
34 component of rates of payment for each  
35 region. Region shall mean those regions as  
36 listed in paragraph (c) herein.

37 (ii) Nothing herein shall be deemed to apply  
38 to rates paid for residential health care  
39 facility services provided to: (A)  
40 residents residing in a residential health  
41 care facility designated as an AIDS  
42 residential health care facility or  
43 residing in a discrete AIDS unit approved  
44 by the commissioner; (B) residents resid-  
45 ing in discrete units for the care of  
46 patients under the long-term inpatient  
47 rehabilitation program for traumatic brain  
48 injured patients established pursuant to  
49 department regulations; (C) residents  
50 residing in discrete units approved by the  
51 department of health for the care of long-  
52 term ventilator dependent residents; (D)  
53 residents residing in discrete units  
54 approved by the department of health  
55 specifically designated for the purpose of  
56 providing specialized programs for resi-  
57 dents requiring behavioral interventions;  
58 or (E) residents in residential health  
59 care facilities or discrete units which

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- 1 provide extensive nursing, medical,  
2 psychological and counseling support ser-  
3 vices solely to children, as determined by  
4 the department of health.
- 5 (b) The operating component of the rate of  
6 payment shall mean all components of the  
7 rate except for the capital component.
- 8 (c) The regions are established as follows:  
9 (i) Albany: Albany, Columbia, Greene,  
10 Montgomery, Rensselaer, Saratoga, Sche-  
11 nectady, Schoharie, and Fulton counties;  
12 (ii) Binghamton: Broome, and Tioga coun-  
13 ties;  
14 (iii) Erie: Cattaraugus, Chautauqua, Erie,  
15 Niagara, and Orleans counties;  
16 (iv) Elmira: Chemung, Steuben, and Schuy-  
17 ler counties;  
18 (v) Glens Falls: Essex, Warren, and Wash-  
19 ington counties;  
20 (vi) Long Island: Nassau, and Suffolk  
21 counties;  
22 (vii) Orange: Chenango, Delaware, Orange,  
23 Otsego, Sullivan, and Ulster counties;  
24 (viii) New York City: Bronx, Kings,  
25 Queens, Richmond, and New York counties;  
26 (ix) Poughkeepsie: Dutchess, and Putnam  
27 counties;  
28 (x) Rochester: Livingston, Monroe, On-  
29 tario, and Wayne counties;  
30 (xi) Central Rural: Cayuga, Cortland,  
31 Seneca, Tompkins, and Yates counties;  
32 (xii) Syracuse: Madison, and Onondaga  
33 counties;  
34 (xiii) Utica: Herkimer, Jefferson, Lewis,  
35 Oneida, and Oswego counties;  
36 (xiv) Westchester: Rockland, and West-  
37 chester counties;  
38 (xv) Northern Rural: Clinton, Franklin,  
39 Hamilton, and St. Lawrence counties; and  
40 (xvi) Western Rural: Allegany, Genesee,  
41 and Wyoming counties.
- 42 (d) For any newly constructed residential  
43 health care facility which receives  
44 establishment approval by the public  
45 health council in accordance with section  
46 twenty eight hundred one-a of the public  
47 health law on or after April first, two  
48 thousand five through March thirty-first,  
49 two thousand six; any new operator of an  
50 ongoing residential health care facility  
51 established pursuant to section twenty  
52 eight hundred one-a of the public health  
53 law on or after April first, two thousand  
54 five through March thirty-first, two  
55 thousand six; or any facility in re-  
56 ceivership on and after April first, two  
57 thousand five through March thirty-first,  
58 two thousand six, the operating component  
59 of the rate of payment shall equal the  
60 regional average operating component of  
61 facilities within its region as determined

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1 herein provided however, such regional  
2 average operating component shall not be  
3 adjusted by a corridor percentage.

4 Notwithstanding any inconsistent provision  
5 of law, rule or regulation to the con-  
6 trary, the provisions of section 1 of  
7 chapter 41 of the laws of 1992, as  
8 amended, shall remain and be in full force  
9 and effect provided however, for periods  
10 beginning April first, two thousand five  
11 and thru March thirty-first, two thousand  
12 six, such adult day services maximum daily  
13 rate of payment shall not exceed sixty-  
14 five percent of the residential health  
15 care facility per diem rate.

16 Notwithstanding any inconsistent provision  
17 of law or regulation to the contrary,  
18 residential health care facility rates of  
19 payment determined pursuant to article 28  
20 of the public health law for services  
21 provided on and after April first, two  
22 thousand five through March thirty-first,  
23 two thousand six, except for the estab-  
24 lishment of any statewide or any peer  
25 group base, mean, or ceiling prices per  
26 day, shall be calculated utilizing only  
27 the number of residents properly assessed  
28 and reported in each patient classifica-  
29 tion group and eligible for medical as-  
30 sistance pursuant to title 11 of article 5  
31 of the social services law.

32 Notwithstanding paragraph (e) of subdivision  
33 1 of section 369-ee of the social services  
34 law for the purpose of calculating annual  
35 premiums for the period April first, two  
36 thousand five, through March thirty-first,  
37 two thousand six "health care services"  
38 means the following services and supplies  
39 as defined by the commissioner of health  
40 in consultation with the superintendent of  
41 insurance:

- 42 (i) the services of physicians, nurse  
43 practitioners, and other related personnel  
44 which are provided on an outpatient or  
45 inpatient basis;
- 46 (ii) inpatient hospital services provided by  
47 a general hospital;
- 48 (iii) laboratory tests;
- 49 (iv) diagnostic x-rays;
- 50 (v) prescription drugs and non-prescription  
51 smoking cessation products or devices;
- 52 (vi) radiation therapy, chemotherapy, and  
53 hemodialysis;
- 54 (vii) emergency room services;
- 55 (viii) diabetic supplies and equipment; and
- 56 (ix) services provided to meet the  
57 requirement of 42 U.S.C. 1396d(r).

58 Notwithstanding subdivision 2-a of section  
59 369-ee of the social services law, for the  
60 period April first, two thousand five  
61 through March thirty-first, two thousand  
62 six, subject to federal approval pursuant

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1 to subdivision six of section 369-ee of  
2 the social services law, persons receiving  
3 family health plus coverage under section  
4 369-ee of the social services law shall be  
5 responsible to make co-payments in accor-  
6 dance with the following schedule:  
7 (i) inpatient hospital services shall have a  
8 two hundred fifty dollar co-payment for  
9 each continuous hospital confinement;  
10 (ii) outpatient surgical services shall have  
11 a seventy-five dollar co-payment per  
12 occurrence;  
13 (iii) emergency room services shall have a  
14 fifty dollar co-payment which shall be  
15 waived if hospital admission results from  
16 the emergency room visit;  
17 (iv) generic prescription drugs shall have a  
18 ten dollar co-payment and brand name  
19 prescription drugs shall have a twenty  
20 dollar co-payment;  
21 (v) all other services shall have a twenty  
22 dollar co-payment;  
23 (b) The following services shall not be  
24 subject to co-payments  
25 (i) family planning services;  
26 (ii) prenatal care services provided to  
27 pregnant women, labor, delivery and  
28 services related to the sixty-day post-  
29 partum period.  
30 Notwithstanding paragraph (i) of subdivision  
31 1 of section 369-ee of the social services  
32 law, for the period April first, two  
33 thousand five, through March thirty-first,  
34 two thousand six, "resources" for purposes  
35 of section 369-ee of the social services  
36 law shall have the same meaning as  
37 determined in accordance with paragraph  
38 (a) of subdivision two of section three  
39 hundred sixty-six of the social service  
40 law except that the term savings referred  
41 to in subparagraph four of such paragraph  
42 shall mean household savings in an amount  
43 not to exceed ten thousand dollars.  
44 Notwithstanding subparagraph (iii) of  
45 paragraph (a) of subdivision 2 of section  
46 369-ee of the social services law for the  
47 period April first, two thousand five  
48 through March thirty-first, two thousand  
49 six, a person is eligible to receive  
50 health care services pursuant to title 11-  
51 D of the social services law if he or she  
52 does not have health care coverage under  
53 insurance or equivalent mechanisms, as  
54 defined by the commissioner of health in  
55 consultation with the superintendent of  
56 insurance and is not a federal, state,  
57 county, municipal, or school district  
58 employee, and is not employed by an  
59 employer with more than fifty employees.  
60 Notwithstanding subparagraph (iv) of  
61 paragraph (a) of subdivision 2 of section  
62 369-ee of the social services law for the

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1 period April first, two thousand five,  
2 through March thirty-first, two thousand  
3 six, a person is eligible to receive  
4 health care services pursuant to title 11-  
5 D of the social services law if he or she  
6 was not covered by a group health plan  
7 based upon his or her employment or a  
8 family member's employment, as defined by  
9 the commissioner of health in consultation  
10 with the superintendent of insurance,  
11 during the twelve-month period prior to  
12 the date of the application under title  
13 11-D of the social services law, except in  
14 the case of:

- 15 (I) loss of employment due to factors other  
16 than voluntary separation;
- 17 (II) death of a family member which results  
18 in termination of the applicant's coverage  
19 under the group health plan;
- 20 (III) change to a new employer that does not  
21 provide an option for comprehensive health  
22 benefits coverage;
- 23 (IV) change of residence so that no  
24 employer-based comprehensive health  
25 benefits coverage is available;
- 26 (V) expiration of the coverage periods  
27 established by COBRA or the provisions of  
28 subsection (m) of section three thousand  
29 two hundred twenty-one, subsection (k) of  
30 section four thousand three hundred four  
31 and subsection (e) of section four  
32 thousand three hundred five of the  
33 insurance law;
- 34 (VI) termination of comprehensive health  
35 benefits coverage due to long-term  
36 disability; or
- 37 (VII) loss of employment due to need to care  
38 for a child or disabled household member  
39 or relative.

40 Notwithstanding any inconsistent provisions  
41 of law, rule or regulation to the con-  
42 trary, medical assistance shall be  
43 furnished to applicants in cases where,  
44 although such applicant has a responsible  
45 relative with sufficient income and  
46 resources to provide medical assistance as  
47 determined by the regulations of the  
48 department, the income and resources of  
49 the responsible relative are not available  
50 to such applicant because of the absence  
51 of such relative and the refusal or  
52 failure of such absent relative to provide  
53 the necessary care and assistance. In such  
54 cases, however, the furnishing of such  
55 assistance shall create an implied  
56 contract with such relative, and the cost  
57 thereof may be recovered from such  
58 relative in accordance with title six of  
59 article three of the social services law  
60 and other applicable provisions of law.

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1 For the purpose of this appropriation and  
2 notwithstanding any inconsistent provi-  
3 sions of law, rule or regulation to the  
4 contrary, the office of the attorney  
5 general shall, at the request of the  
6 department of health, commence actions or  
7 proceedings in accordance with the  
8 provisions of sections one hundred one,  
9 one hundred four, and one hundred four-b,  
10 paragraph (a) of subdivision three of sec-  
11 tion three hundred sixty-six, subparagraph  
12 one of paragraph (h) of subdivision four  
13 of section three hundred sixty-six, para-  
14 graph (b) of subdivision two of section  
15 three hundred sixty-seven-a, and section  
16 three hundred sixty-nine of the social  
17 services law, to recover the cost of  
18 medical assistance furnished pursuant to  
19 titles eleven and eleven-d of article 5 of  
20 the social services law. Funds recovered  
21 net of collection fees authorized by law,  
22 shall be distributed to the department of  
23 health for deposit in the medical assis-  
24 tance restitution account and shall be  
25 allocated by the department pursuant to  
26 law.

27 Notwithstanding any inconsistent provisions  
28 of law, rule or regulation to the con-  
29 trary, for the purpose of evaluation of  
30 transfer of assets provision "look-back  
31 period" means the thirty-six month period,  
32 or, in the case of payments from a trust  
33 or portions of a trust which are treated  
34 as assets disposed of by the individual  
35 pursuant to department regulations, the  
36 sixty-month period, immediately preceding  
37 the date that an institutionalized  
38 individual is both institutionalized and  
39 has applied for medical assistance, or in  
40 the case of a non-institutionalized  
41 individual, the date that such non-  
42 institutionalized individual applies for  
43 medical assistance coverage of long term  
44 care services; provided, however, that the  
45 look-back period for all types of trans-  
46 fers shall be sixty months if the commis-  
47 sioner of health obtains all necessary  
48 approvals under federal law and regulation  
49 to implement such a look-back period;  
50 provided further that the use of a sixty-  
51 month look-back period for all types of  
52 transfers shall continue only if and for  
53 so long as the use of such a look-back  
54 period does not prevent the receipt of  
55 federal financial participation under the  
56 medical assistance program; provided fur-  
57 ther that the commissioner of health shall  
58 submit such waiver applications and/or  
59 state plan amendments as may be necessary

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1 to obtain approval to implement a sixty-  
2 month look-back period for all types of  
3 transfers and to ensure continued federal  
4 financial participation.

5 In determining the medical assistance  
6 eligibility of an institutionalized in-  
7 dividual, any transfer of an asset by the  
8 individual or the individual's spouse for  
9 less than fair market value made within or  
10 after the look-back period shall render  
11 the individual ineligible for nursing  
12 facility services for the period of time  
13 specified in law.

14 In determining the medical assistance  
15 eligibility of a non-institutionalized in-  
16 dividual, any transfer of an asset by the  
17 individual or the individual's spouse for  
18 less than fair market value made within or  
19 after the look-back period shall render  
20 the individual ineligible for long term  
21 care services for the period of time  
22 specified in law. An individual shall not  
23 be ineligible for services solely by  
24 reason of any such transfer to the extent  
25 that the asset transferred was a home and  
26 title to the home was transferred to: (A)  
27 the spouse of the individual; or (B) a  
28 child of the individual who is under the  
29 age of twenty-one years or blind or  
30 disabled; or (C) in the case of an  
31 institutionalized individual, a sibling of  
32 the individual who has an equity interest  
33 in such home and who resided in such home  
34 for a period of at least one year imme-  
35 diately before the date the individual  
36 became an institutionalized individual; or  
37 (D) in the case of an institutionalized  
38 individual, a child of the individual who  
39 was residing in such home for a period of  
40 at least two years immediately before the  
41 date the individual became an institu-  
42 tionalized individual, and who provided  
43 care to the individual which permitted the  
44 individual to reside at home rather than  
45 in an institution or facility.

46 (ii) Notwithstanding any inconsistent provi-  
47 sion of law, rule or regulation to the  
48 contrary, the period of ineligibility  
49 described in clause (i) of subparagraph 4  
50 of paragraph (d) of subdivision 5 of  
51 section 366 of the social services law  
52 shall begin on the first day the in-  
53 dividual is receiving services for which  
54 medical assistance coverage would be  
55 available but for the provisions of  
56 subparagraph 3 of paragraph (d) of subdivi-  
57 sion 5 of section 366 of the social  
58 services law, and which does not occur in  
59 any other periods of ineligibility, if the  
60 commissioner of health obtains all  
61 necessary approvals under federal law and  
62 regulation to implement such a period of

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1 ineligibility. The use of such a period of  
2 ineligibility shall continue only if and  
3 for so long as it does not prevent the  
4 receipt of federal financial participation  
5 under the medical assistance program. The  
6 commissioner of health shall submit such  
7 waiver applications and/or state plan  
8 amendments as may be necessary to obtain  
9 approval to implement the period of  
10 ineligibility described in this clause and  
11 to ensure continued federal financial  
12 participation.

13 Notwithstanding any inconsistent provision  
14 of law, rule or regulation to the con-  
15 trary, for the purpose of evaluation of  
16 transfer of assets provisions, "non-  
17 institutionalized individual" means an  
18 individual who is not an institutionalized  
19 individual, as defined in clause (vii) of  
20 subparagraph 1 of paragraph (d) of  
21 subdivision five of section 366 of the  
22 social services law, and "long term care  
23 services" means home health care services,  
24 personal care services, assisted living  
25 program services and such other services  
26 for which medical assistance is otherwise  
27 available under the social services law  
28 which are designated as long term care  
29 services in the regulations of the de-  
30 partment.

31 Notwithstanding any inconsistent provision  
32 of law, rule or regulation to the con-  
33 trary, in the case of a transfer by an  
34 individual which results in a period of  
35 ineligibility for such individual or his  
36 or her spouse, such period of ineligibil-  
37 ity will continue without regard to the  
38 individual's becoming an institutionalized  
39 individual if the transfer was made while  
40 the individual was a non-institutionalized  
41 individual and without regard to the  
42 individual's becoming a non-institutional-  
43 ized individual if the transfer was made  
44 while the individual was an institutional-  
45 ized individual. In no event shall the  
46 total period of ineligibility for long  
47 term care services and nursing facility  
48 services resulting from the same transfer  
49 of assets exceed the period calculated  
50 pursuant to subparagraph 4 of paragraph  
51 (d) of subdivision five of section 366 of  
52 the social services law.

53 Notwithstanding any inconsistent provision  
54 of law, rule or regulation to the con-  
55 trary, an institutionalized spouse shall  
56 not be ineligible for medical assistance  
57 by reason of excess resources determined  
58 under paragraph (a) of subdivision 5 of  
59 section 366-c of the social services law,  
60 if (i) the institutionalized spouse exe-  
61 cutes an assignment of support from the  
62 community spouse in favor of the social



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1 services district and the department, or  
2 the institutionalized spouse is unable to  
3 execute such assignment due to physical or  
4 mental impairment, and (ii) to deny as-  
5 sistance would create an undue hardship,  
6 as defined by the commissioner.  
7 Notwithstanding paragraph (1) of subdivision  
8 2 of section 365-a of the social services  
9 law for the period April first, two  
10 thousand five through March thirty-first,  
11 two thousand six, "medical assistance"  
12 shall mean payment of part or all of the  
13 cost of medically necessary care and  
14 services of podiatrists, clinical  
15 psychologists, nurses and audiologists,  
16 including such care and services provided  
17 in a hospital out-patient or clinic  
18 facility operated in compliance with  
19 applicable provisions of the article  
20 twenty-eight of the public health law, and  
21 dentists, which care and services shall  
22 only be provided upon referral by a  
23 physician, nurse practitioner or certified  
24 nurse midwife in accordance with the  
25 program of early and periodic screening  
26 and diagnosis established pursuant to  
27 subdivision three of section 365-a of the  
28 social service law or to persons eligible  
29 for benefits under title XVIII of the  
30 federal social security act as qualified  
31 medicare beneficiaries in accordance with  
32 federal requirements therefor; provided,  
33 however, that nothing herein shall be  
34 construed as limiting the care and  
35 services of clinical psychologists or  
36 audiologists provided in a federally  
37 qualified health center, in a clinic  
38 facility that is organized to provide as  
39 its principal mission ongoing and long-  
40 term rehabilitation therapy to individuals  
41 with developmental disabilities, or in an  
42 outpatient program licensed by the office  
43 of mental retardation and developmental  
44 disabilities under article sixteen, the  
45 office of mental health under article  
46 thirty-one, and the office of alcoholism  
47 and substance abuse services under article  
48 thirty-two of the mental hygiene law;  
49 Notwithstanding paragraphs (a) and (f) of  
50 subdivision 2 of section 365-a of the  
51 social services law for the period April  
52 first, two thousand five through March  
53 thirty-first, two thousand six, "medical  
54 assistance" shall not include payment of  
55 the cost of medically necessary services  
56 of qualified dentists, nurses, and private  
57 duty nursing services nor shall it include  
58 preventive, prophylactic and other routine  
59 dental care, services and supplies.  
60 No moneys hereby appropriated shall be  
61 available for additional state medical  
62 assistance program or administrative ex-

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1 penses resulting from the state partially  
2 assuming county government medicaid shares  
3 unless the medicaid cost containment ac-  
4 tions proposed in the 2005-06 executive  
5 budget are enacted, as certified by the  
6 commissioner of health and the director of  
7 the budget.

8  
9 For the grant period October 1, 2004 to  
10 September 30, 2005 .....11,187,036,000  
11 For the grant period October 1, 2005 to  
12 September 30, 2006 .....12,119,290,000  
13 -----  
14 Program account subtotal .....23,306,326,000  
15 -----

16  
17 Special Revenue Funds - Other / Aid to Localities  
18 HCRA Resources Fund - F04  
19 Medical Assistance Account  
20

21 For the purpose of making payments, the  
22 money hereby appropriated is available for  
23 payment of aid heretofore accrued or here-  
24 after accrued, to providers of medical  
25 care pursuant to section 367-b of the  
26 social services law, including but not  
27 limited to disaster relief medicaid and  
28 for payment of state aid to municipalities  
29 and the federal government where payment  
30 systems through fiscal intermediaries are  
31 not operational, to reimburse such provid-  
32 ers for costs attributable to the  
33 provision of care to patients eligible for  
34 medical assistance ..... 2,447,900,000  
35 -----  
36 Program account subtotal ..... 2,447,900,000  
37 -----

38  
39 Special Revenue Funds - Other / Aid to Localities  
40 HCRA Resources Fund - F04  
41 Indigent Care Account  
42

43 For the purpose of making payments to  
44 providers of medical care pursuant to  
45 section 367-b of the social services law,  
46 and for payment of state aid to munici-  
47 palities where payment systems through  
48 fiscal intermediaries are not operational,  
49 to reimburse such providers for costs  
50 attributable to the provision of care to  
51 patients eligible for medical assistance.  
52 Payments from this appropriation to gener-  
53 al hospitals related to bad debt and char-  
54 ity care pursuant to article 28 of the  
55 public health law respectively, when  
56 combined with federal funds for services  
57 and expenses for the medical assistance  
58 program pursuant to title XIX of the  
59 federal social security act or its succes-  
60 sor program, shall equal the amount of the  
61 funds received related to bad debt and  
62 charity care allowances and surcharges

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 pursuant to article 28 of the public  
2 health law and deposited to this account  
3 less any such amounts withheld pursuant to  
4 subdivision 21 of section 2807-c of the  
5 public health law ..... 860,000,000  
6 -----  
7 Program fund subtotal ..... 860,000,000  
8 -----  
9  
10 Special Revenue Funds - Other / Aid to Localities  
11 Miscellaneous Special Revenue Fund - 339  
12 Medical Assistance Account  
13  
14 For the purpose of making payments to  
15 providers of medical care pursuant to  
16 section 367-b of the social services law,  
17 and for payment of state aid to munici-  
18 palities and the federal government where  
19 payment systems through fiscal interme-  
20 diaries are not operational, to reimburse  
21 such providers for costs attributable to  
22 the provision of care to patients eligible  
23 for medical assistance ..... 657,500,000  
24 -----  
25 Program account subtotal ..... 657,500,000  
26 -----  
27  
28 WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM ... 92,485,000  
29 -----  
30  
31 General Fund / State Operations  
32 State Purposes Account - 003  
33  
34 Personal service ..... 23,000,000  
35 Nonpersonal service ..... 9,726,000  
36 -----  
37 Program account subtotal ..... 32,726,000  
38 -----  
39  
40 General Fund / Aid to Localities  
41 Local Assistance Account - 001  
42  
43 For services and expenses of a genetic  
44 disease screening program ..... 700,000  
45 For services and expenses of a sickle cell  
46 screening program ..... 231,000  
47 -----  
48 Program account subtotal ..... 931,000  
49 -----  
50  
51 Special Revenue Funds - Federal / State Operations  
52 Federal Health and Human Services Fund - 265  
53  
54 For health prevention, diagnostic, detection  
55 and treatment services:  
56  
57 For the grant period October 1, 2004 to  
58 September 30, 2005 ..... 778,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period October 1, 2005 to	
2	September 30, 2006 .....	778,000
3		-----
4	Program fund subtotal .....	1,556,000
5		-----
6		
7	Special Revenue Funds - Federal / State Operations	
8	Federal Block Grant Fund - 269	
9		
10	For health prevention, diagnostic, detection	
11	and treatment services:	
12		
13	For the grant period October 1, 2004 to	
14	September 30, 2005 .....	4,601,000
15	For the grant period October 1, 2005 to	
16	September 30, 2006 .....	5,291,000
17		-----
18	Program fund subtotal .....	9,892,000
19		-----
20		
21	Special Revenue Funds - Federal / Aid to Localities	
22	Federal Block Grant Fund - 269	
23		
24	For services and expenses of the various	
25	health prevention, diagnostic, detection	
26	and treatment services:	
27		
28	For the grant period October 1, 2004 to	
29	September 30, 2005 .....	1,489,000
30	For the grant period October 1, 2005 to	
31	September 30, 2006 .....	1,712,000
32		-----
33	Program fund subtotal .....	3,201,000
34		-----
35		
36	Special Revenue Funds - Other / State Operations	
37	Combined Gifts, Grants and Bequests Fund - 020	
38	Breast Cancer Research and Education Account	
39		
40	For breast cancer research and education	
41	pursuant to section 97-yy of the state	
42	finance law as amended by chapter 550 of	
43	the laws of 2000 .....	2,600,000
44		-----
45	Program account subtotal .....	2,600,000
46		-----
47		
48	Special Revenue Funds - Other / State Operations	
49	HCRA Resources Fund - F04	
50	Health Care Services Account	
51		
52	For services and expenses related to the en-	
53	hanced newborn screening program .....	10,200,000
54		-----
55	Program account subtotal .....	10,200,000
56		-----
57		
58	Special Revenue Funds - Other / State Operations	
59	Miscellaneous Special Revenue Fund - 339	
60	Clinical Laboratory Reference System Assessment Account	
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses of the clinical	
2	laboratory reference and accreditation	
3	program:	
4		
5	Personal service .....	7,700,000
6	Nonpersonal service .....	7,855,000
7	Fringe benefits .....	3,500,000
8		-----
9	Program account subtotal .....	19,055,000
10		-----
11		
12	Special Revenue Funds - Other / State Operations	
13	Miscellaneous Special Revenue Fund - 339	
14	Environmental Laboratory Fee Account	
15		
16	For services and expenses hereafter to	
17	accrue for the environmental laboratory	
18	reference and accreditation program:	
19		
20	Personal service .....	1,720,000
21	Nonpersonal service .....	1,325,000
22	Fringe benefits .....	779,000
23		-----
24	Program account subtotal .....	3,824,000
25		-----
26		
27	Special Revenue Funds - Other / State Operations	
28	Miscellaneous Special Revenue Fund - 339	
29	Spinal Cord Injury Research Fund Account	
30		
31	For expenses related to spinal cord injury	
32	research pursuant to chapter 338 of the	
33	laws of 1998 .....	8,500,000
34		-----
35	Program account subtotal .....	8,500,000
36		-----
37		
38	Total new appropriations for state operations and aid to	
39	localities .....	44,823,629,600
40		=====

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM  
2  
3 General Fund / State Operations  
4 State Purposes Account - 003  
5  
6 By chapter 70, section 26, of the laws of 2004:  
7 The sum of five million four hundred thousand dollars (\$5,400,000), or  
8 so much thereof as shall be sufficient to accomplish the purpose  
9 designated, is hereby appropriated to the department of health out  
10 of any moneys in the general fund to the credit of the state  
11 purposes account not otherwise appropriated. The comptroller is  
12 hereby authorized and directed to use this appropriation for the  
13 purpose of payment of judgment costs related to Bello vs Roswell  
14 Park Cancer Institute ... 5,400,000 ..... (re. \$5,400,000)  
15  
16 By chapter 54, section 1, of the laws of 2002:  
17 Maintenance undistributed  
18 For services and expenses related to a time and activity system .....  
19 3,000,000 ..... (re. \$2,000,000)  
20  
21 Special Revenue Funds - Federal / State Operations  
22 Federal USDA-Food and Nutrition Services Fund- 261  
23 Child and Adult Care Food Account  
24  
25 By chapter 54, section 1, of the laws of 2004:  
26 For the grant period October 1, 2003 to September 30, 2004 .....  
27 315,000 ..... (re. \$142,000)  
28 For the grant period October 1, 2004 to September 30, 2005 .....  
29 401,000 ..... (re. \$201,000)  
30  
31 By chapter 54, section 1, of the laws of 2003:  
32 For the grant period October 1, 2002 to September 30, 2003 .....  
33 315,000 ..... (re. \$142,000)  
34 For the grant period October 1, 2003 to September 30, 2004 .....  
35 402,000 ..... (re. \$201,000)  
36  
37 By chapter 54, section 1, of the laws of 2002:  
38 For the grant period October 1, 2001 to September 30, 2002 .....  
39 390,000 ..... (re. \$98,000)  
40 For the grant period October 1, 2002 to September 30, 2003 .....  
41 519,000 ..... (re. \$129,800)  
42  
43 Special Revenue Funds - Federal / State Operations  
44 Federal USDA-Food and Nutrition Services Fund - 261  
45 Federal Food and Nutrition Services Account  
46  
47 For various food and nutritional services:  
48  
49 By chapter 54, section 1, of the laws of 2004:  
50 For the grant period October 1, 2003 to September 30, 2004 .....  
51 1,271,000 ..... (re. \$508,000)  
52 For the grant period October 1, 2004 to September 30, 2005 .....  
53 1,621,000 ..... (re. \$811,000)  
54  
55 By chapter 54, section 1, of the laws of 2003:  
56 For the grant period October 1, 2002 to September 30, 2003 .....  
57 880,000 ..... (re. \$352,000)  
58 For the grant period October 1, 2003 to September 30, 2004 .....  
59 1,123,000 ..... (re. \$562,000)  
60

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2002:  
2 For the grant period October 1, 2001 to September 30, 2002 .....  
3 2,724,000 ..... (re. \$272,000)  
4 For the grant period October 1, 2002 to September 30, 2003 .....  
5 829,000 ..... (re. \$207,000)  
6  
7 Special Revenue Funds - Federal / State Operations  
8 Federal Health and Human Services Fund - 265  
9

10 By chapter 54, section 1, of the laws of 2004:  
11 For administration of the national health services corps. Notwith-  
12 standing any inconsistent provision of law, and subject to the  
13 approval of the director of the budget, moneys hereby appropriated  
14 may be suballocated to the higher education services corporation:  
15 For grants beginning prior to April 1, 2004 .....  
16 750,000 ..... (re. \$750,000)  
17 For grants beginning on or after April 1, 2004 .....  
18 1,095,000 ..... (re. \$1,095,000)  
19

20 By chapter 54, section 1, of the laws of 2003:  
21 For administration of the national health services corps. Notwith-  
22 standing any inconsistent provision of law, and subject to the  
23 approval of the director of the budget, moneys hereby appropriated  
24 may be suballocated to the higher education services corporation:  
25 For grants beginning prior to April 1, 2003 .....  
26 863,000 ..... (re. \$863,000)  
27 For grants beginning on or after April 1, 2003 .....  
28 1,208,000 ..... (re. \$1,208,000)  
29

30 By chapter 54, section 1, of the laws of 2002:  
31 For administration of the national health services corps. Notwith-  
32 standing any in consistent provision of law, and subject to the  
33 approval of the director of the budget, moneys hereby appropriated  
34 may be suballocated to the higher education services corporation:  
35 For grants beginning prior to April 1, 2002 .....  
36 949,000 ..... (re. \$949,000)  
37 For grants beginning on or after April 1, 2002 .....  
38 1,328,000 ..... (re. \$1,328,000)  
39

40 By chapter 54, section 1, of the laws of 2001:  
41 For administration of the national health services corps. Notwith-  
42 standing any in consistent provision of law, and subject to the  
43 approval of the director of the budget, moneys hereby appropriated  
44 may be suballocated to the higher education services corporation:  
45 For grants beginning prior to April 1, 2001 .....  
46 825,000 ..... (re. \$825,000)  
47 For grants beginning on or after April 1, 2001 .....  
48 1,155,000 ..... (re. \$1,155,000)  
49

50 By chapter 54, section 1, of the laws of 2000:  
51 For administration of the national health services corps. Notwith-  
52 standing any in consistent provision of law, and subject to the  
53 approval of the director of the budget, moneys hereby appropriated  
54 may be suballocated to the higher education services corporation:  
55 For grants beginning prior to April 1, 2000 .....  
56 412,500 ..... (re. \$412,500)  
57 For grants beginning on or after April 1, 2000 .....  
58 1,430,000 ..... (re. \$1,430,000)  
59

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 1999:  
 2 For administration of the national health services corps:  
 3 For grants beginning prior to April 1, 1999 .....  
 4 841,100 ..... (re. \$841,100)  
 5 For grants beginning on or after April 1, 1999 .....  
 6 1,541,100 ..... (re. \$1,541,100)  
 7  
 8 Special Revenue Funds - Federal / State Operations  
 9 Federal Block Grant Fund - 269  
 10  
 11 For various health prevention, diagnostic, detection and treatment  
 12 services:  
 13  
 14 By chapter 54, section 1, of the laws of 2004:  
 15 For the grant period October 1, 2003 to September 30, 2004 .....  
 16 2,287,000 ..... (re. \$2,287,000)  
 17 For the grant period October 1, 2004 to September 30, 2005 .....  
 18 2,630,000 ..... (re. \$2,630,000)  
 19  
 20 By chapter 54, section 1, of the laws of 2003:  
 21 For the grant period October 1, 2002 to September 30, 2003 .....  
 22 1,988,000 ..... (re. \$1,977,000)  
 23 For the grant period October 1, 2003 to September 30, 2004 .....  
 24 2,287,000 ..... (re. \$2,287,000)  
 25  
 26 By chapter 54, section 1, of the laws of 2002:  
 27 For the grant period October 1, 2002 to September 30, 2003 .....  
 28 1,988,000 ..... (re. \$1,988,000)  
 29  
 30 Special Revenue Funds - Other / State Operations  
 31 Miscellaneous Special Revenue Fund - 339  
 32 Health-SPARCS Account  
 33  
 34 By chapter 54, section 1, of the laws of 2004:  
 35 Maintenance undistributed  
 36 For services and expenses for compliance with federal data security  
 37 standards ... 1,300,000 ..... (re. \$1,300,000)  
 38  
 39 By chapter 54, section 1, of the laws of 2003:  
 40 Maintenance undistributed  
 41 For services and expenses for compliance with federal data security  
 42 standards ... 1,300,000 ..... (re. \$1,300,000)  
 43  
 44 AIDS INSTITUTE PROGRAM  
 45  
 46 Special Revenue Funds - Other / Aid to Localities  
 47 HCRA [Transfer] Resources Fund - [061] F04  
 48 Health Care Services Account  
 49  
 50 By chapter 54, section 1, of the laws of 2004:  
 51 For grants to community service programs including but not limited to  
 52 community based organizations and other organizations providing  
 53 specialized AIDS - related services targeted to minority and other  
 54 high risk populations. Up to \$125,000 may be transferred to the  
 55 general fund - state purposes account for the administration of this  
 56 program ... 20,603,000 ..... (re. \$3,500,000)  
 57 For grants to community based organizations for the provision of ser-  
 58 vices to parolees and their families. Up to \$730,000 of this appro-  
 59 priation may be transferred to the general fund - state purposes  
 60 account for administration of this program .....  
 61 1,130,000 ..... (re. \$200,000)



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For HIV counseling and testing services in facilities operated by the  
 2 New York state department of corrections. All or part of this appro-  
 3 priation may be transferred to the general fund - state purposes  
 4 account for administration of this program .....  
 5 925,000 ..... (re. \$100,000)  
 6 For grants for the provision of comprehensive HIV prevention and  
 7 health care services to high-risk adolescents and young adults. Up  
 8 to 5 percent of this appropriation may be transferred to the general  
 9 fund - state purposes account for the administration of this program  
 10 ... 2,321,000 ..... (re. \$500,000)  
 11 For grants for housing, supported housing and referral services for  
 12 homeless persons with HIV/AIDS and their families, including those  
 13 with tuberculosis or if warranted those with tuberculosis only, in  
 14 areas as determined by data collected by the department of health ..  
 15 2,500,000 ..... (re. \$400,000)  
 16 For transfer to the office of temporary and disability assistance for  
 17 operational support to projects which have received capital grant  
 18 awards through the homeless housing assistance program .....  
 19 1,000,000 ..... (re. \$500,000)  
 20 For services and expenses related to the special program for HIV ser-  
 21 vices for infants and pregnant women established pursuant to section  
 22 71 of chapter 731 of the laws of 1993 .. 1,500,000 .. (re. \$500,000)  
 23

24 CENTER FOR COMMUNITY HEALTH PROGRAM

25  
 26 General Fund / Aid to Localities  
 27 Local Assistance Account - 001  
 28

29 By chapter 54, section 1, of the laws of 2004:

30 For grants to community based organizations, in accordance with chap-  
 31 ter 820 of the laws of 1987, for nutrition outreach in areas where a  
 32 significant percentage or number of those potentially eligible for  
 33 food assistance programs are not participating in such programs. A  
 34 portion of this appropriation, not to exceed \$600,000 shall be  
 35 suballocated to the office of temporary and disability assistance.  
 36 Up to 15 percent of the funds appropriated may be allocated to fund  
 37 a program of nutrition outreach as established pursuant to section  
 38 2597 of the public health law if such a program is administered  
 39 through a contract arrangement ... 1,000,000 ..... (re. \$500,000)  
 40 For services and expenses related to providing nutritional services  
 41 and to provide nutritional education to pregnant women, infants, and  
 42 children, including suballocations to the department of agriculture  
 43 and markets for the farmer's market nutrition program and migrant  
 44 worker services and the office of temporary and disability assis-  
 45 tance for prenatal care assistance program activities. Up to 5 per-  
 46 cent of this amount may be transferred to the general fund - state  
 47 purposes account for the administration of this program by the de-  
 48 partment of health ... 17,004,000 ..... (re. \$12,000,000)  
 49 For services and expenses, including operating expenses related to  
 50 providing nutritional services and nutrition education for hunger  
 51 prevention and nutrition assistance. Up to 5 percent of this amount  
 52 may be transferred to the general fund - state purposes account for  
 53 the administration of this program by the department of health .....  
 54 10,840,000 ..... (re. \$3,000,000)  
 55 For services and expenses of the health and social services sexuality-  
 56 related programs ... 1,000,000 ..... (re. \$1,000,000)  
 57

58 By chapter 54, section 1, of the laws of 2003:

59 For services and expenses of the health and social services sexuali-  
 60 ty-related programs ... 1,000,000 ..... (re. \$500,000)  
 61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2001, as amended by chapter 15,  
2 section 4, of the laws of 2002:  
3 For state aid to municipalities for services and expenses related to  
4 the West Nile encephalitis outbreak. The moneys hereby appropriated  
5 shall be available for payment of financial assistance heretofore  
6 accrued or hereafter to accrue. Notwithstanding any other provision  
7 of law, these funds shall be available for reimbursement for emer-  
8 gency response to the West Nile virus pursuant to section 611 of  
9 article 6 of the public health law .....  
10 21,900,000 ..... (re. \$16,200,000)  
11  
12 Special Revenue Funds - Federal / State Operations  
13 Federal USDA-Food and Nutrition Services Fund - 261  
14 Child and Adult Care Food Account  
15  
16 By chapter 54, section 1, of the laws of 2004:  
17 For the grant period October 1, 2003 to September 30, 2004 .....  
18 3,251,000 ..... (re. \$488,000)  
19 For the grant period October 1, 2004 to September 30, 2005 .....  
20 4,336,000 ..... (re. \$1,084,000)  
21  
22 By chapter 54, section 1, of the laws of 2003:  
23 For the grant period October 1, 2002 to September 30, 2003 .....  
24 3,168,000 ..... (re. \$494,000)  
25 For the grant period October 1, 2003 to September 30, 2004 .....  
26 4,225,000 ..... (re. \$1,097,000)  
27  
28 By chapter 54, section 1, of the laws of 2002:  
29 For the grant period October 1, 2001 to September 30, 2002 .....  
30 3,290,000 ..... (re. \$329,000)  
31 For the grant period October 1, 2002 to September 30, 2003 .....  
32 4,388,000 ..... (re. \$439,000)  
33  
34 Special Revenue Funds - Federal / Aid to Localities  
35 Federal USDA-Food and Nutrition Services Fund - 261  
36 Child and Adult Care Food Account  
37  
38 By chapter 54, section 1, of the laws of 2004:  
39 For various federal food and nutritional services. The moneys hereby  
40 appropriated shall be available for payment of financial assistance  
41 heretofore accrued:  
42 For the grant period October 1, 2003 to September 30, 2004 .....  
43 90,000,000 ..... (re. \$5,400,000)  
44 For the grant period October 1, 2004 to September 30, 2005 .....  
45 109,600,000 ..... (re. \$8,768,000)  
46  
47 By chapter 54, section 1, of the laws of 2003:  
48 For the grant period October 1, 2002 to September 30, 2003 .....  
49 81,751,000 ..... (re. \$3,270,000)  
50 For the grant period October 1, 2003 to September 30, 2004 .....  
51 113,797,000 ..... (re. \$4,552,000)  
52  
53 By chapter 54, section 1, of the laws of 2002:  
54 For the grant period October 1, 2001 to September 30, 2002 .....  
55 78,284,000 ..... (re. \$2,349,000)  
56 For the grant period October 1, 2002 to September 30, 2003 .....  
57 108,972,000 ..... (re. \$3,269,000)  
58  
59 By chapter 54, section 1, of the laws of 2001:  
60 For the grant period October 1, 2000 to September 30, 2001 .....  
61 87,900,000 ..... (re. \$1,758,000)  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Federal / State Operations  
 2 Federal USDA-Food and Nutrition Services Fund - 261  
 3 Federal Food and Nutrition Services Account  
 4  
 5 For various food and nutritional services:  
 6  
 7 By chapter 54, section 1, of the laws of 2004:  
 8 For the grant period October 1, 2003 to September 30, 2004 .....  
 9 21,612,000 ..... (re. \$3,242,000)  
 10 For the grant period October 1, 2004 to September 30, 2005 .....  
 11 27,036,000 ..... (re. \$6,759,000)  
 12  
 13 By chapter 54, section 1, of the laws of 2003:  
 14 For the grant period October 1, 2002 to September 30, 2003 .....  
 15 18,937,000 ..... (re. \$2,841,000)  
 16 For the grant period October 1, 2003 to September 30, 2004 .....  
 17 23,690,000 ..... (re. \$5,923,000)  
 18  
 19 By chapter 54, section 1, of the laws of 2002:  
 20 For the grant period October 1, 2001 to September 30, 2002 .....  
 21 16,981,000 ..... (re. \$1,698,000)  
 22 For the grant period October 1, 2002 to September 30, 2003 .....  
 23 21,244,000 ..... (re. \$2,124,000)  
 24  
 25 Special Revenue Funds - Federal / Aid to Localities  
 26 Federal USDA-Food and Nutrition Services Fund - 261  
 27 Federal Food and Nutrition Services Account  
 28  
 29 By chapter 54, section 1, of the laws of 2004:  
 30 For various federal food and nutritional services. The moneys hereby  
 31 appropriated shall be available for payment of financial assistance  
 32 heretofore accrued:  
 33 For the grant period October 1, 2003 to September 30, 2004 .....  
 34 145,800,000 ..... (re. \$11,664,000)  
 35 For the grant period October 1, 2004 to September 30, 2005 .....  
 36 177,500,000 ..... (re. \$14,200,000)  
 37  
 38 By chapter 54, section 1, of the laws of 2003:  
 39 For various federal food and nutritional services. The moneys hereby  
 40 appropriated shall be available for payment of financial assistance  
 41 heretofore accrued:  
 42 For the grant period October 1, 2002 to September 30, 2003 .....  
 43 137,555,000 ..... (re. \$6,878,000)  
 44 For the grant period October 1, 2003 to September 30, 2004 .....  
 45 175,520,000 ..... (re. \$8,776,000)  
 46  
 47 By chapter 54, section 1, of the laws of 2002:  
 48 For various federal food and nutritional services. The moneys hereby  
 49 appropriated shall be available for payment of financial assistance  
 50 heretofore accrued:  
 51 For the grant period October 1, 2001 to September 30, 2002 .....  
 52 141,868,000 ..... (re. \$4,256,000)  
 53 For the grant period October 1, 2002 to September 30, 2003 .....  
 54 189,251,000 ..... (re. \$5,678,000)  
 55  
 56 Special Revenue Funds - Federal / State Operations  
 57 Federal Health and Human Services Fund - 265  
 58  
 59 For various health prevention, diagnostic, detection and treatment  
 60 services:  
 61

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2004:  
2 For grants beginning prior to April 1, 2004 .....  
3 16,058,000 ..... (re. \$16,058,000)  
4 For grants beginning on or after April 1, 2004 .....  
5 7,611,000 ..... (re. \$7,611,000)  
6  
7 By chapter 54, section 1, of the laws of 2003:  
8 For grants beginning prior to April 1, 2003 .....  
9 16,057,000 ..... (re. \$16,057,000)  
10 For grants beginning on or after April 1, 2003 .....  
11 7,633,000 ..... (re. \$7,633,000)  
12  
13 By chapter 54, section 1, of the laws of 2002:  
14 For grants beginning prior to April 1, 2002 .....  
15 15,654,000 ..... (re. \$15,654,000)  
16 For grants beginning on or after April 1, 2002 .....  
17 6,666,000 ..... (re. \$6,666,000)  
18  
19 By chapter 54, section 1, of the laws of 2001:  
20 For grants beginning prior to April 1, 2001 .....  
21 25,158,000 ..... (re. \$25,158,000)  
22 For grants beginning on or after April 1, 2001 .....  
23 2,942,000 ..... (re. \$2,942,000)  
24  
25 By chapter 54, section 1, of the laws of 2000:  
26 For grants beginning prior to April 1, 2000 .....  
27 7,761,200 ..... (re. \$7,761,200)  
28 For grants beginning on or after April 1, 2000 .....  
29 9,848,200 ..... (re. \$9,848,200)  
30  
31 Special Revenue Funds - Federal / Aid to Localities  
32 Federal Health and Human Services Fund - 265  
33  
34 For various health prevention, diagnostic, detection and treatment  
35 services:  
36  
37 By chapter 54, section 1, of the laws of 2004:  
38 For grants beginning prior to April 1, 2004 .....  
39 75,000 ..... (re. \$75,000)  
40 For grants beginning on or after April 1, 2004 .....  
41 34,485,000 ..... (re. \$34,485,000)  
42  
43 By chapter 54, section 1, of the laws of 2003:  
44 For grants beginning prior to April 1, 2003 .....  
45 16,861,000 ..... (re. \$16,861,000)  
46 For grants beginning on or after April 1, 2003 .....  
47 30,372,000 ..... (re. \$30,372,000)  
48  
49 By chapter 54, section 1, of the laws of 2002:  
50 For grants beginning prior to April 1, 2002 .....  
51 13,614,000 ..... (re. \$13,614,000)  
52 For grants beginning on or after April 1, 2002 .....  
53 11,940,000 ..... (re. \$11,940,000)  
54  
55 By chapter 54, section 1, of the laws of 2001:  
56 For grants beginning prior to April 1, 2001 .....  
57 14,091,000 ..... (re. \$14,091,000)  
58 For grants beginning on or after April 1, 2001 .....  
59 6,895,000 ..... (re. \$6,895,000)  
60

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2000:  
2 For grants beginning prior to April 1, 2000 .....  
3 10,115,100 ..... (re. \$10,115,100)  
4 For grants beginning on or after April 1, 2000 .....  
5 6,687,800 ..... (re. \$6,687,800)  
6  
7 By chapter 54, section 1, of the laws of 1999:  
8 For grants beginning prior to April 1, 1999 .....  
9 7,486,100 ..... (re. \$2,500,000)  
10 For grants beginning on or after April 1, 1999 .....  
11 7,685,000 ..... (re. \$1,000,000)  
12  
13 By chapter 54, section 1, of the laws of 1998:  
14 For grants beginning prior to April 1, 1998 .....  
15 6,942,800 ..... (re. \$2,100,000)  
16 For grants beginning on or after April 1, 1998 .....  
17 7,522,500 ..... (re. \$7,359,700)  
18  
19 Special Revenue Funds - Federal / State Operations  
20 Federal Block Grant Fund - 269  
21  
22 For various health prevention, diagnostic, detection and treatment  
23 services:  
24  
25 By chapter 54, section 1, of the laws of 2004:  
26 For the grant period October 1, 2003 to September 30, 2004 .....  
27 9,018,000 ..... (re. \$9,018,000)  
28 For the grant period October 1, 2004 to September 30, 2005 .....  
29 10,370,000 ..... (re. \$10,370,000)  
30  
31 By chapter 54, section 1, of the laws of 2003:  
32 For the grant period October 1, 2002 to September 30, 2003 .....  
33 7,842,000 ..... (re. \$7,842,000)  
34 For the grant period October 1, 2003 to September 30, 2004 .....  
35 9,018,000 ..... (re. \$9,018,000)  
36  
37 By chapter 54, section 1, of the laws of 2002:  
38 For the grant period October 1, 2002 to September 30, 2003 .....  
39 7,842,000 ..... (re. \$7,842,000)  
40  
41 Special Revenue Funds - Federal / Aid to Localities  
42 Federal Block Grant Fund - 269  
43  
44 For various health prevention, diagnostic, detection and treatment  
45 services:  
46  
47 By chapter 54, section 1, of the laws of 2004:  
48 For the grant period October 1, 2003 to September 30, 2004 .....  
49 23,245,000 ..... (re. \$23,245,000)  
50 For the grant period October 1, 2004 to September 30, 2005 .....  
51 26,732,000 ..... (re. \$26,732,000)  
52  
53 By chapter 54, section 1, of the laws of 2003:  
54 For the grant period October 1, 2002 to September 30, 2003 .....  
55 20,213,000 ..... (re. \$20,213,000)  
56 For the grant period October 1, 2003 to September 30, 2004 .....  
57 23,245,000 ..... (re. \$23,245,000)  
58  
59 By chapter 54, section 1, of the laws of 2002:  
60 For the grant period October 1, 2002 to September 30, 2003 .....  
61 20,213,000 ..... (re. \$20,213,000)  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Federal / State Operations  
2 Federal Block Grant Fund - 269  
3 Abstinence Education Account  
4  
5 By chapter 54, section 1, of the laws of 2004:  
6 For the grant period October 1, 2003 to September 30, 2004 .....  
7 451,000 ..... (re. \$451,000)  
8 For the grant period October 1, 2004 to September 30, 2005 .....  
9 451,000 ..... (re. \$451,000)  
10  
11 By chapter 54, section 1, of the laws of 2003:  
12 For the grant period October 1, 2002 to September 30, 2003 .....  
13 575,000 ..... (re. \$575,000)  
14 For the grant period October 1, 2003 to September 30, 2004 .....  
15 575,000 ..... (re. \$575,000)  
16  
17 By chapter 54, section 1, of the laws of 2002:  
18 For the grant period October 1, 2001 to September 30, 2002 .....  
19 256,000 ..... (re. \$256,000)  
20 For the grant period October 1, 2002 to September 30, 2003 .....  
21 273,000 ..... (re. \$273,000)  
22  
23 Special Revenue Funds - Federal / Aid to Localities  
24 Federal Block Grant Fund - 269  
25 Abstinence Education Account  
26  
27 By chapter 54, section 1, of the laws of 2004:  
28 For the grant period October 1, 2004 to September 30, 2005 .....  
29 4,982,000 ..... (re. \$4,982,000)  
30  
31 By chapter 54, section 1, of the laws of 2003:  
32 For the grant period October 1, 2002 to September 30, 2003 .....  
33 1,730,000 ..... (re. \$1,730,000)  
34 For the grant period October 1, 2003 to September 30, 2004 .....  
35 3,460,000 ..... (re. \$3,460,000)  
36  
37 By chapter 54, section 1, of the laws of 2002:  
38 For the grant period October 1, 2001 to September 30, 2002 .....  
39 1,881,000 ..... (re. \$1,881,000)  
40 For the grant period October 1, 2002 to September 30, 2003 .....  
41 1,898,000 ..... (re. \$1,898,000)  
42  
43 By chapter 54, section 1, of the laws of 2001:  
44 For the grant period October 1, 2001 to September 30, 2002 .....  
45 1,650,000 ..... (re. \$1,650,000)  
46  
47 Special Revenue Funds - Federal / State Operations  
48 Federal Block Grant Fund - 269  
49 Individuals with Disabilities-Part C Account  
50  
51 For activities related to a handicapped infants and toddlers program:  
52  
53 By chapter 54, section 1, of the laws of 2004:  
54 For the grant period October 1, 2003 to September 30, 2004 .....  
55 8,150,000 ..... (re. \$8,150,000)  
56 For the grant period October 1, 2004 to September 30, 2005 .....  
57 9,780,000 ..... (re. \$9,780,000)  
58  
59 By chapter 54, section 1, of the laws of 2003:  
60 For the grant period October 1, 2002 to September 30, 2003 .....  
61 7,863,000 ..... (re. \$7,863,000)

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period October 1, 2003 to September 30, 2004 .....

2 8,150,000 ..... (re. \$8,150,000)

3

4 By chapter 54, section 1, of the laws of 2002:

5 For the grant period October 1, 2001 to September 30, 2002 .....

6 9,121,000 ..... (re. \$9,121,000)

7 For the grant period October 1, 2002 to September 30, 2003 .....

8 10,033,000 ..... (re. \$10,033,000)

9

10 Special Revenue Funds - Federal / Aid to Localities

11 Federal Block Grant Fund - 269

12 Individuals with Disabilities-Part C Account

13

14 For activities related to a handicapped infants and toddlers program:

15

16 By chapter 54, section 1, of the laws of 2004:

17 For the grant period October 1, 2004 to September 30, 2005 .....

18 29,220,000 ..... (re. \$29,220,000)

19

20 By chapter 54, section 1, of the laws of 2003:

21 For the grant period October 1, 2002 to September 30, 2003 .....

22 11,600,000 ..... (re. \$11,600,000)

23 For the grant period October 1, 2003 to September 30, 2004 .....

24 24,350,000 ..... (re. \$24,350,000)

25

26 By chapter 54, section 1, of the laws of 2002:

27 For the grant period October 1, 2001 to September 30, 2002 .....

28 9,721,000 ..... (re. \$9,721,000)

29 For the grant period October 1, 2002 to September 30, 2003 .....

30 11,179,000 ..... (re. \$11,179,000)

31

32 By chapter 54, section 1, of the laws of 2001:

33 For the grant period October 1, 2001 to September 30, 2002 .....

34 7,987,000 ..... (re. \$7,987,000)

35

36 Special Revenue Funds - Other / Aid to Localities

37 Miscellaneous Special Revenue Fund - 339

38 Comprehensive Care Center for Eating Disorders Development

39 Grant [Fund] Account

40

41 By chapter 54, section 1, of the laws of 2004:

42 For services and expenses of providing development grants to compre-

43 hensive care centers for eating disorders provided pursuant to

44 chapter 114 of the laws of 2004 ... 1,000,000 ..... (re. \$1,000,000)

45

46 Special Revenue Funds - Other / State Operations

47 Miscellaneous Special Revenue Fund - 339

48 Cable Television Account

49

50 By chapter 54, section 1, of the laws of 2004:

51 Maintenance undistributed

52 For services and expenses related to public service education, with

53 specific emphasis on public health issues .....

54 454,000 ..... (re. \$454,000)

55

56 Special Revenue Funds - Other / Aid to Localities

57 [Miscellaneous Special Revenue Fund - 339]

58 HCRA Resources Fund - F04

59 Hospital Based Grants Program Account

60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2004:  
2 For services and expenses related to providing nutritional services to  
3 pregnant women, infants, and children. Notwithstanding any other  
4 provision of law to the contrary, up to 5 percent of the amount  
5 appropriated may be transferred to the general fund - state purposes  
6 account for the administration of this program by the department of  
7 health ... 9,303,000 ..... (re. \$2,121,000)  
8  
9 CENTER FOR ENVIRONMENTAL HEALTH PROGRAM  
10  
11 Special Revenue Funds - Federal / State Operations  
12 Federal Health and Human Services Fund - 265  
13  
14 For various health prevention, diagnostic, detection and treatment  
15 services:  
16  
17 By chapter 54, section 1, of the laws of 2004:  
18 For grants beginning prior to April 1, 2004 .....  
19 520,000 ..... (re. \$520,000)  
20 For grants beginning on or after April 1, 2004 .....  
21 747,000 ..... (re. \$747,000)  
22  
23 By chapter 54, section 1, of the laws of 2003:  
24 For grants beginning prior to April 1, 2003 .....  
25 492,000 ..... (re. \$492,000)  
26 For grants beginning on or after April 1, 2003 .....  
27 806,000 ..... (re. \$806,000)  
28  
29 By chapter 54, section 1, of the laws of 2002:  
30 For grants beginning prior to April 1, 2002 .....  
31 792,000 ..... (re. \$792,000)  
32 For grants beginning on or after April 1, 2002 .....  
33 950,000 ..... (re. \$950,000)  
34  
35 By chapter 54, section 1, of the laws of 2001:  
36 For grants beginning prior to April 1, 2001 .....  
37 689,000 ..... (re. \$689,000)  
38 For grants beginning on or after April 1, 2001 .....  
39 812,000 ..... (re. \$812,000)  
40  
41 By chapter 54, section 1, of the laws of 2000:  
42 For grants beginning prior to April 1, 2000 .....  
43 1,057,500 ..... (re. \$288,600)  
44 For grants beginning on or after April 1, 2000 .....  
45 1,361,400 ..... (re. \$1,361,400)  
46  
47 Special Revenue Funds - Federal / State Operations  
48 Federal Block Grant Fund - 269  
49  
50 For various health prevention, diagnostic, detection and treatment  
51 services:  
52  
53 By chapter 54, section 1, of the laws of 2004:  
54 For the grant period October 1, 2003 to September 30, 2004 .....  
55 2,754,000 ..... (re. \$2,754,000)  
56 For the grant period October 1, 2004 to September 30, 2005 .....  
57 3,166,000 ..... (re. \$3,166,000)  
58  
59 By chapter 54, section 1, of the laws of 2003:  
60 For the grant period October 1, 2002 to September 30, 2003 .....  
61 2,394,000 ..... (re. \$2,394,000)



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## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period October 1, 2003 to September 30, 2004 .....

2 2,754,000 ..... (re. \$2,754,000)

3

4 By chapter 54, section 1, of the laws of 2002:

5 For the grant period October 1, 2002 to September 30, 2003 .....

6 2,394,000 ..... (re. \$2,394,000)

7

8 Special Revenue Funds - Federal / Aid to Localities

9 Federal Block Grant Fund - 269

10

11 For services and expenses of various health prevention, diagnostic,

12 detection and treatment services:

13

14 By chapter 54, section 1, of the laws of 2004:

15 For the grant period October 1, 2003 to September 30, 2004 .....

16 1,491,000 ..... (re. \$1,491,000)

17 For the grant period October 1, 2004 to September 30, 2005 .....

18 1,715,000 ..... (re. \$1,715,000)

19

20 By chapter 54, section 1, of the laws of 2003:

21 For the grant period October 1, 2002 to September 30, 2003 .....

22 1,297,000 ..... (re. \$1,297,000)

23 For the grant period October 1, 2003 to September 30, 2004 .....

24 1,491,000 ..... (re. \$1,491,000)

25

26 By chapter 54, section 1, of the laws of 2002:

27 For the grant period October 1, 2002 to September 30, 2003 .....

28 1,297,000 ..... (re. \$1,297,000)

29

30 Special Revenue Funds - Federal / State Operations

31 Federal Operating Grants Fund - 290

32 Federal Environmental Protection Agency Grants Account

33

34 By chapter 54, section 1, of the laws of 2004:

35 For various environmental projects including suballocation for the

36 department of environmental conservation:

37 For the grant period October 1, 2003 to September 30, 2004 .....

38 11,408,000 ..... (re. \$11,408,000)

39 For the grant period October 1, 2004 to September 30, 2005 .....

40 8,494,000 ..... (re. \$8,494,000)

41

42 By chapter 54, section 1, of the laws of 2003:

43 For various environmental projects including suballocation for the

44 department of environmental conservation:

45 For the grant period October 1, 2002 to September 30, 2003 .....

46 10,905,000 ..... (re. \$10,905,000)

47 For the grant period October 1, 2003 to September 30, 2004 .....

48 8,217,000 ..... (re. \$8,217,000)

49

50 By chapter 54, section 1, of the laws of 2002:

51 For various environmental projects including suballocation for the

52 department of environmental conservation:

53 For the grant period October 1, 2001 to September 30, 2002 .....

54 2,946,000 ..... (re. \$2,946,000)

55 For the grant period October 1, 2002 to September 30, 2003 .....

56 2,942,000 ..... (re. \$2,942,000)

57

58 By chapter 54, section 1, of the laws of 2001:

59 For various environmental projects:

60 For the grant period October 1, 2000 to September 30, 2001 .....

61 2,579,000 ..... (re. \$2,579,000)

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period October 1, 2001 to September 30, 2002 .....

2 2,642,000 ..... (re. \$2,642,000)

3

4 By chapter 54, section 1, of the laws of 2000:

5 For various environmental projects:

6 For the grant period October 1, 1999 to September 30, 2000 .....

7 3,041,200 ..... (re. \$1,705,000)

8 For the grant period October 1, 2000 to September 30, 2001 .....

9 2,387,500 ..... (re. \$2,387,500)

10

11 Special Revenue Funds - Other / Aid to Localities

12 Training and Education Program on Occupational Safety

13 and Health Fund - 305

14 OSH Training and Education Account

15

16 By chapter 54, section 1, of the laws of 2004:

17 These funds shall be available to the department of health occupa-

18 tional safety and health training education account to conduct occu-

19 pational and environmental lead study ... 200,000 ... (re. \$200,000)

20

21 Special Revenue Funds - Other / State Operations

22 Miscellaneous Special Revenue Fund - 339

23 Occupational Health Clinics Account

24

25 By chapter 54, section 1, of the laws of 2004:

26 For services and expenses of implementing and operating a statewide

27 network of occupational health clinics for diagnostic, screening,

28 treatment, referral, and education services:

29 Nonpersonal service ... 5,613,000 ..... (re. \$4,500,000)

30

31 CHILD HEALTH INSURANCE PROGRAM

32

33 Special Revenue Funds - Federal / State Operations

34 Federal Health and Human Services Fund - 265

35 Children's Health Insurance Account

36

37 By chapter 54, section 1, of the laws of 2004:

38 The money hereby appropriated is available for payment of aid hereto-

39 fore accrued or hereafter accrued.

40 For services and expenses related to the children's health insurance

41 program provided pursuant to title XXI of the federal social secur-

42 ity act.

43 The money hereby appropriated is available for payment of aid hereto-

44 fore accrued or hereafter accrued to municipalities.

45 Notwithstanding any inconsistent provision of law and subject to a

46 plan developed by the commissioner of health and approved by the

47 director of the budget, local social services districts shall be

48 reimbursed for additional administrative costs incurred for recipi-

49 ent and applicant eligibility and other administrative costs related

50 to the expansion of, or changes to, the medical assistance program

51 for children under the age of 19 pursuant to P.L. 105-33 or chapter

52 2 of the laws of 1998. Such reimbursement shall be made without any

53 local share of costs. Such reimbursement shall not be subject to any

54 aggregate statewide reimbursement limit which may otherwise limit

55 reimbursement for the administrative costs of the local social ser-

56 vices districts, provided, however, such reimbursement shall be sub-

57 ject to the limitation on certain payments for certain expenditures

58 set forth in subsection (c) of section 2105 of the federal social

59 security act.

60 For grants beginning on or after April 1, 2004 .....

61 29,250,000 ..... (re. \$29,250,000)

62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Federal / Aid to Localities  
2 Federal Health and Human Services Fund - 265  
3 Children's Health Insurance Account  
4

5 By chapter 54, section 1, of the laws of 2004:

6 The money hereby appropriated is available for payment of aid hereto-  
7 fore accrued or hereafter accrued.

8 For services and expenses related to the children's health insurance  
9 program, pursuant to title XXI of the federal social security act.  
10 Notwithstanding any inconsistent provision of law and subject to the  
11 approval of the director of the budget, moneys hereby appropriated  
12 may be transferred to the medical assistance program, medicaid di-  
13 rect account, for expansions of or changes to the medical assistance  
14 program related to children under the age of 19 pursuant to P.L.  
15 105-33.

16 The money hereby appropriated is available for payment of aid hereto-  
17 fore accrued or hereafter accrued to municipalities.

18 Notwithstanding any inconsistent provision of law and subject to the  
19 approval of the director of the budget, moneys hereby appropriated  
20 may be transferred to the office of temporary and disability assis-  
21 tance for payment of local administrative costs related to the  
22 expansion of, or changes to, the medical assistance program related  
23 to children under the age of 19 pursuant to P.L. 105-33 or chapter 2  
24 of the laws of 1998.

25 Notwithstanding any inconsistent provision of law and subject to a  
26 plan developed by the commissioner of health and approved by the  
27 director of the budget, local social services districts shall be re-  
28 imburged for additional administrative costs incurred for recipient  
29 and applicant eligibility and other administrative costs related to  
30 the expansion of, or changes to, the medical assistance program for  
31 children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of  
32 the laws of 1998. Such reimbursement shall be made without any local  
33 share of costs. Such reimbursement shall not be subject to any  
34 aggregate statewide reimbursement limit which may otherwise limit  
35 reimbursement for the administrative costs of the local social  
36 services districts, provided, however, such reimbursement shall be  
37 subject to the limitation on certain payments for certain expendi-  
38 tures set forth in subsection (c) of section 2105 of the federal  
39 social security act.

40 For grants beginning prior to April 1, 2004 .....  
41 773,000,000 ..... (re. \$773,000,000)  
42 For grants beginning on or after April 1, 2004 .....  
43 227,000,000 ..... (re. \$227,000,000)  
44

45 Special Revenue Funds - Other / State Operations  
46 [Miscellaneous Special Revenue Fund - 339]  
47 HCRA Resources Fund - F04  
48 Children's Health Insurance Account  
49

50 By chapter 54, section 1, of the laws of 2004:

51 The money hereby appropriated is available for payment of aid hereto-  
52 fore accrued or hereafter accrued.

53 For services and expenses related to the children's health insurance  
54 program authorized pursuant to title 1-A of article 25 of the public  
55 health law.

56 The money hereby appropriated is available for payment of aid hereto-  
57 fore accrued or hereafter accrued to municipalities.

58 Notwithstanding any inconsistent provision of law and subject to a  
59 plan developed by the commissioner of health and approved by the  
60 director of the budget, local social services districts shall be  
61 reimbursed for additional administrative costs incurred for recipi-  
62 ent and applicant eligibility and other administrative costs related

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 to the expansion of, or changes to, the medical assistance program  
 2 for children under the age of 19 pursuant to P.L. 105-33 or chapter  
 3 2 of the laws of 1998. Such reimbursement shall be made without any  
 4 local share of costs. Such reimbursement shall not be subject to any  
 5 aggregate statewide reimbursement limit which may otherwise limit  
 6 reimbursement for the administrative costs of the local social  
 7 services districts, provided, however, such reimbursement shall be  
 8 subject to the limitation on certain payments for certain expendi-  
 9 tures set forth in subsection (c) of section 2105 of the federal  
 10 social security act ... .. 11,126,000 ..... (re. \$8,000,000)

11  
 12 Special Revenue Funds - Other / Aid to Localities  
 13 [Miscellaneous Special Revenue Fund - 339]  
 14 HCRA Resources Fund - F04  
 15 Children's Health Insurance Account

16  
 17 By chapter 54, section 1, of the laws of 2004:  
 18 The money hereby appropriated is available for payment of aid hereto-  
 19 fore accrued or hereafter accrued.  
 20 For services and expenses related to the children's health insurance  
 21 program authorized pursuant to title 1-A of article 25 of the public  
 22 health law.  
 23 The money hereby appropriated is available for payment of aid hereto-  
 24 fore accrued or hereafter accrued to municipalities.  
 25 Notwithstanding any inconsistent provision of law and subject to the  
 26 approval of the director of the budget, moneys hereby appropriated  
 27 may be transferred to the office of temporary and disability assis-  
 28 tance for payment of local administrative costs related to the ex-  
 29 pansion of, or changes to, the medical assistance program related to  
 30 children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of  
 31 the laws of 1998.  
 32 Notwithstanding any inconsistent provision of law and subject to a  
 33 plan developed by the commissioner of health and approved by the  
 34 director of the budget, local social services districts shall be re-  
 35 imburged for additional administrative costs incurred for recipient  
 36 and applicant eligibility and other administrative costs related to  
 37 the expansion of, or changes to, the medical assistance program for  
 38 children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of  
 39 the laws of 1998. Such reimbursement shall be made without any local  
 40 share of costs. Such reimbursement shall not be subject to any  
 41 aggregate statewide reimbursement limit which may otherwise limit  
 42 reimbursement for the administrative costs of the local social  
 43 services districts, provided, however, such reimbursement shall be  
 44 subject to the limitation on certain payments for certain expen-  
 45 ditures set forth in subsection (c) of section 2105 of the federal  
 46 social security act ... 435,000,000 ..... (re. \$435,000,000)

47  
48 HEALTH CARE FINANCING PROGRAM

49  
 50 General Fund / State Operations  
 51 State Purposes Account - 003

52  
 53 By chapter 54, section 1, of the laws of 2004:  
 54 Nonpersonal service ... 782,000 ..... (re. \$300,000)

55  
 56 Special Revenue Funds - Other / State Operations  
 57 Miscellaneous Special Revenue Fund - 339  
 58 1200 - Nursing Home Receivership Account

59  
 60 By chapter 50, section 1, of the laws of 1986:  
 61 For purposes of making payments pursuant to subdivision 3 of section  
 62 2810 of the public health law ... 2,000,000 ..... (re. \$2,000,000)

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 HEALTH CARE STANDARDS AND SURVEILLANCE PROGRAM

2

3 General Fund / Aid to Localities

4 Local Assistance Account - 001

5

6 By chapter 54, section 1, of the laws of 2004:

7 For contractual services related to medical necessity and quality of  
8 care reviews related to medicaid patients and to monitor health care  
9 services provided to persons with AIDS .....

10 9,185,000 ..... (re. \$9,185,000)

11 For services and expenses related to adult home initiatives including  
12 but not limited to assessments; case management, medication assis-  
13 tance, social and recreational services; and advocacy and legal sup-  
14 port. Notwithstanding any inconsistent provision of law and subject  
15 to the approval of the director of the budget, moneys hereby ap-  
16 propriated may be transferred to the office of mental health, the  
17 office for the aging, and the commission on quality of care for the  
18 mentally disabled ... 1,000,000 ..... (re. \$1,000,000)

19

20 By chapter 54, section 1, of the laws of 2003 as transferred by chapter  
21 54, section 1, of the laws of 2004:

22 For services and expenses of an adult care facility quality incentive  
23 payment program ... 4,000,000 ..... (re. \$4,000,000)

24

25 By chapter 54, section 1, of the laws of 2002 as transferred by chapter  
26 54, section 1, of the laws of 2004:

27 For additional services and expenses of an adult care facility quality  
28 incentive payment program pursuant to chapter 462 of the laws of  
29 1996 ... 4,000,000 ..... (re. \$200,000)

30

31 Special Revenue Funds - Federal / Aid to Localities

32 Federal Operating Grants Fund - 290

33 United States Department of Justice Account

34

35 By chapter 54, section 1, of the laws of 2004:

36 For expenses incurred in the administration of Harold Rogers prescrip-  
37 tion drug monitoring program relating to the prescribing and dis-  
38 pensing of controlled substances:

39 For the grant period October 1, 2003 to September 30, 2004 .....  
40 300,000 ..... (re. \$300,000)

41 For the grant period May 1, 2004 to April 30, 2005 .....  
42 350,000 ..... (re. \$350,000)

43

44 Special Revenue Fund - Other / Aid to Localities

45 HCRA [Transfer] Resources Fund - [061] F04

46 Health Services Account

47

48 By chapter 54, section 1, of the laws of 2004:

49 For services and expenses related to adult home initiatives including  
50 but not limited to assessments; case management, medication assis-  
51 tance, social and recreational services; and advocacy and legal sup-  
52 port. Notwithstanding any inconsistent provision of law and subject  
53 to the approval of the director of the budget, moneys hereby ap-  
54 propriated may be transferred to the office of mental health, the  
55 office for the aging, and the commission on quality of care for the  
56 mentally disabled. Up to \$2,000,000 of the amount herein appropri-  
57 ated may be used for the purpose of awarding grants to operators of  
58 adult homes, enriched housing programs and residences for adults to  
59 enhance the quality of life for residents. Use of program funds may  
60 include, but shall not be limited to, payment for resident clothing,  
61 telephones in resident rooms, air conditioning in resident rooms or  
62 common areas, computers for resident use, costs of resident partici-

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 pation in vocational and educational programs, and enhancement of  
 2 services to provide independent living skills. Such grants shall be  
 3 made pursuant to criteria established by the department of health. A  
 4 preference in funding shall be granted to applicants for use of  
 5 program funds which would serve residents receiving supplemental  
 6 security income and/or safety net benefits. No grants shall be made  
 7 unless the department of health receives satisfactory documentation  
 8 that the resident council of any facility for which funds are re-  
 9 quested has endorsed the proposed use of funds as set forth in the  
 10 grant application ... 6,000,000 ..... (re. \$6,000,000)

11  
 12 By chapter 54, section 1, of the laws of 2003 as transferred by chapter  
 13 54, section 1, of the laws of 2004:  
 14 For services and expenses to support an adult care facility quality  
 15 service and advocacy initiative to be accomplished through a compet-  
 16 itive bid request-for-proposal process .....  
 17 2,000,000 ..... (re. \$2,000,000)  
 18 For additional services and expenses of an adult care facility quality  
 19 incentive payment program ... 2,000,000 ..... (re. \$2,000,000)

20  
 21 Special Revenue Funds - Other / State Operations  
 22 [Miscellaneous Special Revenue Fund - 339]  
 23 HCRA Resources Fund - F04  
 24 Emergency Medical Services Account

25  
 26 By chapter 54, section 1, of the laws of 2004:  
 27 For services and expenses related to emergency medical services admin-  
 28 istration:  
 29 For expenses related to training courses and instructor development ..  
 30 10,350,000 ..... (re. \$2,000,000)

31  
32 INSTITUTIONAL MANAGEMENT PROGRAM

33  
 34 Special Revenue Funds - Other / State Operations  
 35 Miscellaneous Special Revenue Fund - 339  
 36 Helen Hayes Hospital Account

37  
 38 By chapter 54, section 1, of the laws of 2000:  
 39 For services and expenses related to special projects of the Helen  
 40 Hayes hospital pursuant to a plan developed by the department of  
 41 health and approved by the director of the budget .....  
 42 9,000,000 ..... (re. \$9,000,000)

43  
44 MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM

45  
 46 General Fund / State Operations  
 47 State Purposes Account - 003

48  
 49 By chapter 54, section 1, of the laws of 2004:  
 50 For services and expenses for payment of liabilities accrued hereto-  
 51 fore and hereafter to accrue:  
 52 Nonpersonal service ... 74,035,000 ..... (re. \$40,000,000)

53  
 54 Special Revenue Funds - Federal / State Operations  
 55 Federal Health and Human Services Fund - 265

56  
 57 By chapter 54, section 1, of the laws of 2004:  
 58 For services and expenses related to the operation of an electronic  
 59 medicaid eligibility verification system and operation of a medicaid  
 60 override application system, and operation of a medicaid management

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 information system, and development and operation of a replacement  
2 medicaid system. The moneys hereby appropriated shall be available  
3 for payment of liabilities heretofore accrued and hereafter to  
4 accrue.

5 Notwithstanding any inconsistent provision of law and subject to the  
6 approval of the director of the budget, the amount appropriated  
7 herein may be increased or decreased by interchange with any other  
8 appropriation or with any other item or items within the amounts  
9 appropriated within the department of health special revenue funds -  
10 federal with the approval of the director of the budget who shall  
11 file such approval with the department of audit and control and  
12 copies thereof with the chairman of the senate finance committee and  
13 the chairman of the assembly ways and means committee.

14 For the grant period October 1, 2004 to September 30, 2005 .....  
15 55,223,000 ..... (re. \$55,223,000)

16  
17 OFFICE OF MEDICAID MANAGEMENT PROGRAM

18  
19 General Fund / State Operations  
20 State Purposes Account - 003

21  
22 By chapter 54, section 1, of the laws of 1999:  
23 For services and expenses related to the cost of medical assistance  
24 administrative activities associated with welfare reform pursuant to  
25 the personal responsibility and work opportunities reconciliation  
26 act (P.L. 104-193) and chapter 436 of the laws of 1997 .....  
27 15,865,000 ..... (re. \$6,700,000)

28  
29 Special Revenue Funds - Federal / State Operations  
30 Federal Health and Human Services Fund - 265

31  
32 By chapter 54, section 1, of the laws of 2004:  
33 For services and expenses for the medical assistance program and  
34 administration of the medical assistance program and survey and  
35 certification program, provided pursuant to title XIX of the federal  
36 social security act.

37 Notwithstanding any inconsistent provision of law and subject to the  
38 approval of the director of the budget, moneys hereby appropriated  
39 may be increased or decreased by transfer or suballocation between  
40 these appropriated amounts and appropriations of other state  
41 agencies and appropriations of the department of health.  
42 Notwithstanding any inconsistent provision of law and subject to  
43 approval of the director of the budget, moneys hereby appropriated  
44 may be transferred or suballocated to other state agencies for  
45 reimbursement to local government entities for services and expenses  
46 related to administration of the medical assistance program.

47 For the grant period October 1, 2003 to September 30, 2004 .....  
48 1,810,000,000 ..... (re. \$1,810,000,000)

49 For the grant period October 1, 2004 to September 30, 2005 .....  
50 1,863,395,000 ..... (re. \$1,863,395,000)

51  
52 By chapter 54, section 1, of the laws of 2003, as amended by chapter 54,  
53 section 1, of the laws of 2004:

54 For services and expenses for the medical assistance program and  
55 administration of the medical assistance program and survey and  
56 certification program, provided pursuant to title XIX of the federal  
57 social security act.

58 Notwithstanding any inconsistent provision of law and subject to the  
59 approval of the director of the budget, moneys hereby appropriated  
60 may be increased or decreased by transfer or suballocation between  
61 these appropriated amounts and appropriations of other state agen-  
62 cies and appropriations of the department of health. Notwithstand-

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1 ing any inconsistent provision of law and subject to approval of the  
2 director of the budget, moneys hereby appropriated may be trans-  
3 ferred or suballocated to other state agencies for reimbursement to  
4 local government entities for services and expenses related to  
5 administration of the medical assistance program.  
6 For the grant period October 1, 2002 to September 30, 2003 .....  
7 1,810,000,000 ..... (re. \$1,810,000,000)  
8 For the grant period October 1, 2003 to September 30, 2004 .....  
9 1,810,000,000 ..... (re. \$1,810,000,000)  
10  
11 By chapter 54, section 1, of the laws of 2002, as amended by chapter 54,  
12 section 1, of the laws of 2004:  
13 For services and expenses for the medical assistance program and  
14 administration of the medical assistance program and survey and  
15 certification program, provided pursuant to title XIX of the federal  
16 social security act.  
17 Notwithstanding any inconsistent provision of law and subject to the  
18 approval of the director of the budget, moneys hereby appropriated  
19 may be increased or decreased by transfer or suballocation between  
20 these appropriated amounts and appropriations of other state agen-  
21 cies and appropriations of the department of health. Notwithstand-  
22 ing any inconsistent provision of law and subject to approval of the  
23 director of the budget, moneys hereby appropriated may be trans-  
24 ferred or suballocated to other state agencies for reimbursement to  
25 local government entities for services and expenses related to  
26 administration of the medical assistance program.  
27 For the grant period October 1, 2001 to September 30, 2002 .....  
28 1,810,000,000 ..... (re. \$1,500,000,000)  
29  
30 By chapter 54, section 1, of the laws of 2001, as amended by chapter 54,  
31 section 1, of the laws of 2002:  
32 For services and expenses for the medical assistance program and  
33 administration of the medical assistance program and survey and  
34 certification program, provided pursuant to title XIX of the federal  
35 social security act.  
36 Notwithstanding any inconsistent provision of law and subject to the  
37 approval of the director of budget, moneys hereby appropriated may  
38 be increased or decreased by transfer or suballocation between these  
39 appropriated amounts and appropriations of the office of mental  
40 retardation and developmental disabilities, the office of mental  
41 health, and the office of alcoholism and substance abuse services  
42 and appropriations of the department of health.  
43 For the grant period October 1, 2000 to September 30, 2001 .....  
44 1,563,750,000 ..... (re. \$800,000,000)  
45  
46 By chapter 54, section 1, of the laws of 2000:  
47 For services and expenses for the medical assistance program and  
48 administration of the medical assistance program and survey and  
49 certificaition program, provided pursuant to title XIX of the federal  
50 social security act.  
51 Notwithstanding any inconsistent provision of law and subject to the  
52 approval of the director of the budget, moneys hereby appropriated  
53 may be increased or decreased by transfer or suballocation between  
54 these appropriated amounts and appropriations of other state agen-  
55 cies and appropriations of the department of health.  
56 For the grant period October 1, 2000 to September 30, 2001 .....  
57 1,618,592,700 ..... (re. \$500,000,000)  
58  
59 By chapter 54, section 1, of the laws of 1999, as amended by chapter 54,  
60 section 1, of the laws of 2002:  
61 For services and expenses for the medical assistance program, provided  
62 pursuant to title XIX of the federal social security act.



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1 Notwithstanding any inconsistent provision of law and subject to the  
 2 approval of the director of budget, moneys hereby appropriated may  
 3 be increased or decreased by transfer or suballocation between these  
 4 appropriated amounts and appropriations of the office of mental  
 5 retardation and developmental disabilities, the office of mental  
 6 health, and the office of alcoholism and substance abuse services  
 7 and appropriations of the department of health.  
 8 For the grant period October 1, 1999 to September 30, 2000 .....  
 9 1,388,758,000 ..... (re. \$1,000,000,000)

10  
 11 Special Revenue Funds - Other / State Operations  
 12 HCRA [Transfer] Resources Fund - [061] F04  
 13 Medicaid Fraud Hotline and Medicaid Administration Account  
 14

15 By chapter 54, section 1, of the laws of 2004:  
 16 Maintenance undistributed  
 17 For services and expenses related to the medicaid fraud hotline estab-  
 18 lished pursuant to chapter 1 of the laws of 1999 and administrative  
 19 expenses related to the family health plus program pursuant to sec-  
 20 tion 369-ee of the social services law ... 900,000 .. (re. \$900,000)  
 21

22 Special Revenue Funds - Other / State Operations  
 23 HCRA [Transfer] Resources Fund - [061] F04  
 24 Medical Assistance Account  
 25

26 By chapter 54, section 1, of the laws of 2004:  
 27 Maintenance undistributed  
 28 For services and expenses related to the administration and marketing  
 29 of the family health plus program established pursuant to chapter 1  
 30 of the laws of 1999 ... 5,000,000 ..... (re. \$5,000,000)  
 31

32 MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM

33  
 34 General Fund / State Operations  
 35 State Purposes Account - 003  
 36

37 By chapter 54, section 1, of the laws of 2003:  
 38  
 39 Nonpersonal service ... 3,256,800 ..... (re. \$1,400,000)  
 40

41 Special Revenue Funds - Federal / State Operations  
 42 Federal Health and Human Services Fund - 265  
 43

44 By chapter 54, section 1, of the laws of 2004:  
 45 For services and expenses related to the medicaid fraud and abuse  
 46 program:  
 47 For the grant period October 1, 2004 to September 30, 2005 .....  
 48 29,941,500 ..... (re. \$29,941,500)  
 49

50 MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

51  
 52 General Fund / Aid to Localities  
 53 Local Assistance Account - 001  
 54

55 By chapter 54, section 1, of the laws of 2004:  
 56 Notwithstanding any inconsistent provision of law, the moneys hereby  
 57 appropriated are available for payment of aid heretofore accrued or  
 58 hereafter to accrue to municipalities and to providers of medical  
 59 services pursuant to section 367-b of the social services law, and

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 for payments of state aid to municipalities where payment systems  
2 through the fiscal intermediary are not operational, and shall be  
3 available to the department net of disallowances, refunds, reim-  
4 bursements and credits.

5 Notwithstanding any other provision of law, the money hereby appro-  
6 priated may be increased or decreased by interchange, with any  
7 appropriation of the department of health medical assistance admin-  
8 istration program and/or medical assistance program, and may be  
9 increased or decreased by transfer or suballocation between these  
10 appropriated amounts and appropriations of the department of family  
11 assistance office of temporary and disability assistance and office  
12 of children and family services with the approval of the director of  
13 the budget, who shall file such approval with the department of  
14 audit and control and copies thereof with the chairman of the senate  
15 finance committee and the chairman of the assembly ways and means  
16 committee. The amount appropriated herein, together with any federal  
17 matching funds obtained, shall be made available to local social  
18 services districts for the purpose of providing grants for planning,  
19 development and implementation of managed care programs, and to the  
20 department, subject to the approval of the director of the budget,  
21 for contractual services related to the planning, development and  
22 implementation of managed care programs .....

23 4,100,000 ..... (re. \$4,100,000)

24 The amount appropriated herein, together with any federal matching  
25 funds obtained, shall be made available as grants to local social  
26 services districts for services and expenses related to medicaid  
27 eligibility determinations for family health plus applicants. Grants  
28 shall be equitably distributed to counties based on each county's  
29 proportion of total statewide family health plus enrollment as of  
30 December 2003 ... 1,000,000 .....

31 Notwithstanding section 153 of the social services law or any incon-  
32 sistent provision of law, the state shall recover the local share of  
33 any costs related to payments made by the department of health on  
34 behalf of the districts for contractual services related to a third  
35 party entity responsible for education of persons eligible for  
36 medical assistance regarding their options for enrollment in managed  
37 care plans through the use of electronic funds transfer pursuant to  
38 section 367-b of the social services law.

39 The amount appropriated herein, together with any federal matching  
40 funds obtained, may be available to the department, subject to the  
41 approval of the director of the budget, for contractual services  
42 related to a third party entity responsible for education of persons  
43 eligible for medical assistance regarding their options for enroll-  
44 ment in managed care plans. Subject to the approval of the director  
45 of the budget, all or a part of this appropriation may be trans-  
46 ferred to the office of managed care, general fund - state purposes  
47 account ... 10,000,000 .....

48 (re. \$5,000,000)

49 By chapter 54, section 1, of the laws of 1998, as amended by chapter  
50 295, part A, section 1, of the laws of 2001:

51 The amount appropriated herein may be used in all or in part for  
52 grants to those entities seeking certification to operate comprehen-  
53 sive HIV special needs plans to aid in the development of the  
54 systems, organizational structures and networks necessary to operate  
55 a managed care program and for contractual services related to  
56 medical necessity and quality of care reviews for medicaid recipi-  
57 ents with HIV or who have AIDS enrolled in special needs plans.  
58 Subject to the approval of the director of budget, all or part of  
59 this appropriation may be transferred to the office of managed care,  
60 general fund - state purposes account .....

61 30,000,000 ..... (re. \$16,650,000)

62

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Federal / Aid to Localities  
2 Federal Health and Human Services Fund - 265  
3 Medicaid Administration Transfer Account  
4

5 By chapter 54, section 1, of the laws of 2004:

6 For reimbursement of local administrative expenses of medical assist-  
7 tance programs provided pursuant to title XIX of the federal social  
8 security act or its successor program.

9 The moneys hereby appropriated are to be available for payment of aid  
10 heretofore accrued or hereafter to accrue to municipalities, and to  
11 providers of medical services pursuant to section 367-b of the  
12 social services law, shall be available to the department net of  
13 disallowances, refunds, reimbursements, and credits. The amounts  
14 appropriated herein may be available for costs associated with a  
15 common benefit identification card, and subject to the approval of  
16 the director of the budget, these funds may be transferred to the  
17 credit of the state operations account medicaid management informa-  
18 tion systems program.

19 Notwithstanding any other provision of law, the money hereby appro-  
20 priated may be increased or decreased by interchange, with any  
21 appropriation of the department of health medical assistance admin-  
22 istration program and/or medical assistance program, and may be  
23 increased or decreased by transfer or suballocation between these  
24 appropriated amounts and appropriations of the department of family  
25 assistance office of temporary and disability assistance and office  
26 of children and family services with the approval of the director of  
27 the budget, who shall file such approval with the department of  
28 audit and control and copies thereof with the chairman of the senate  
29 finance committee and the chairman of the assembly ways and means  
30 committee.

31 Notwithstanding any inconsistent provision of law, in lieu of payments  
32 authorized by the social services law, or payments of federal funds  
33 otherwise due to the local social services districts for programs  
34 provided under the federal social security act or the federal food  
35 stamp act, funds herein appropriated, in amounts certified by the  
36 state commissioner of temporary and disability assistance or the  
37 state commissioner of health as due from local social services  
38 districts each month as their share of payments made pursuant to  
39 section 367-b of the social services law may be set aside by the  
40 state comptroller in an interest-bearing account with such interest  
41 accruing to the credit of the locality in order to ensure the  
42 orderly and prompt payment of providers under section 367-b of the  
43 social services law pursuant to an estimate provided by the com-  
44 missioner of health of each local social services district's share  
45 of payments made pursuant to section 367-b of the social services  
46 law.

47 For the grant period October 1, 2004 to September 30, 2005 .....  
48 264,990,000 ..... (re. \$264,990,000)  
49

50 By chapter 54, section 1, of the laws of 2003:

51 For reimbursement of local administrative expenses of medical assist-  
52 ance programs provided pursuant to title XIX of the federal social  
53 security act or its successor program.

54 The moneys hereby appropriated are to be available for payment of aid  
55 heretofore accrued or hereafter to accrue to municipalities, and to  
56 providers of medical services pursuant to section 367-b of the  
57 social services law, shall be available to the department net of  
58 disallowances, refunds, reimbursements, and credits. The amounts  
59 appropriated herein may be available for costs associated with a  
60 common benefit identification card, and subject to the approval of

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 the director of the budget, these funds may be transferred to the  
2 credit of the state operations account medicaid management informa-  
3 tion systems program.

4 Notwithstanding any other provision of law, the money hereby appropri-  
5 ated may be increased or decreased by interchange, with any appro-  
6 priation of the department of health medical assistance adminis-  
7 tration program and/or medical assistance program, and may be  
8 increased or decreased by transfer or suballocation between these  
9 appropriated amounts and appropriations of the department of family  
10 assistance office of temporary and disability assistance and office  
11 of children and family services with the approval of the director of  
12 the budget, who shall file such approval with the department of  
13 audit and control and copies thereof with the chairman of the senate  
14 finance committee and the chairman of the assembly ways and means  
15 committee.

16 Notwithstanding any inconsistent provision of law, in lieu of payments  
17 authorized by the social services law, or payments of federal funds  
18 otherwise due to the local social services districts for programs  
19 provided under the federal social security act or the federal food  
20 stamp act, funds herein appropriated, in amounts certified by the  
21 state commissioner of temporary and disability assistance or the  
22 state commissioner of health as due from local social services  
23 districts each month as their share of payments made pursuant to  
24 section 367-b of the social services law may be set aside by the  
25 state comptroller in an interest-bearing account with such interest  
26 accruing to the credit of the locality in order to ensure the order-  
27 ly and prompt payment of providers under section 367-b of the social  
28 services law pursuant to an estimate provided by the commissioner of  
29 health of each local social services district's share of payments  
30 made pursuant to section 367-b of the social services law.

31 For the grant period October 1, 2003 to September 30, 2004 .....  
32 250,536,000 ..... (re. \$250,536,000)  
33

34 By chapter 54, section 1, of the laws of 2002:

35 For reimbursement of local administrative expenses of medical assist-  
36 ance programs provided pursuant to title XIX of the federal social  
37 security act or its successor program.

38 The moneys hereby appropriated are to be available for payment of aid  
39 heretofore accrued or hereafter to accrue to municipalities, and to  
40 providers of medical services pursuant to section 367-b of the  
41 social services law, shall be available to the department net of  
42 disallowances, refunds, reimbursements, and credits. The amounts  
43 appropriated herein may be available for costs associated with a  
44 common benefit identification card, and subject to the approval of  
45 the director of the budget, these funds may be transferred to the  
46 credit of the state operations account medicaid management informa-  
47 tion systems program.

48 Notwithstanding any other provision of law, the money hereby appropri-  
49 ated may be increased or decreased by interchange, with any appro-  
50 priation of the department of health medical assistance adminis-  
51 tration program and/or medical assistance program, and may be  
52 increased or decreased by transfer or suballocation between these  
53 appropriated amounts and appropriations of the department of family  
54 assistance office of temporary and disability assistance and office  
55 of children and family services with the approval of the director of  
56 the budget, who shall file such approval with the department of  
57 audit and control and copies thereof with the chairman of the senate  
58 finance committee and the chairman of the assembly ways and means  
59 committee.

60 Notwithstanding any inconsistent provision of law, in lieu of payments  
61 authorized by the social services law, or payments of federal funds  
62 otherwise due to the local social services districts for programs

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1 provided under the federal social security act or the federal food  
 2 stamp act, funds herein appropriated, in amounts certified by the  
 3 state commissioner of temporary and disability assistance or the  
 4 state commissioner of health as due from local social services  
 5 districts each month as their share of payments made pursuant to  
 6 section 367-b of the social services law may be set aside by the  
 7 state comptroller in an interest-bearing account with such interest  
 8 accruing to the credit of the locality in order to ensure the order-  
 9 ly and prompt payment of providers under section 367-b of the social  
 10 services law pursuant to an estimate provided by the commissioner of  
 11 health of each local social services district's share of payments  
 12 made pursuant to section 367-b of the social services law.

13 For the grant period October 1, 2001 to September 30, 2002 .....  
 14 231,264,000 ..... (re. \$5,000,000)  
 15 For the grant period October 1, 2002 to September 30, 2003 .....  
 16 250,536,000 ..... (re. \$60,000,000)

17  
 18 By chapter 54, section 1, of the laws of 2001, as amended by chapter 54,  
 19 section 1, of the laws of 2002:

20 For reimbursement of local administrative expenses of medical assist-  
 21 ance programs provided pursuant to title XIX of the federal social  
 22 security act or its successor program.

23 The moneys hereby appropriated are to be available for payment of aid  
 24 heretofore accrued or hereafter to accrue to municipalities, and to  
 25 providers of medical services pursuant to section 367-b of the  
 26 social services law, shall be available to the department net of  
 27 disallowances, refunds, reimbursements, and credits. The amounts  
 28 appropriated herein may be available for costs associated with a  
 29 common benefit identification card, and subject to the approval of  
 30 the director of the budget, these funds may be transferred to the  
 31 credit of the state operations account medicaid management informa-  
 32 tion systems program.

33 Notwithstanding any inconsistent provision of law, in lieu of payments  
 34 authorized by the social services law, or payments of federal funds  
 35 otherwise due to the local social services districts for programs  
 36 provided under the federal social security act or the federal food  
 37 stamp act, funds herein appropriated, in amounts certified by the  
 38 state commissioner or the state commissioner of health as due from  
 39 local social services districts each month as their share of  
 40 payments made pursuant to section 367-b of the social services law  
 41 may be set aside by the state comptroller in an interest-bearing  
 42 account with such interest accruing to the credit of the locality in  
 43 order to ensure the orderly and prompt payment of providers under  
 44 section 367-b of the social services law pursuant to an estimate  
 45 provided by the commissioner of health of each local social services  
 46 district's share of payments made pursuant to section 367-b of the  
 47 social services law.

48 Notwithstanding any inconsistent provision of law and subject to the  
 49 approval of the director of budget, moneys hereby appropriated may  
 50 be increased or decreased by transfer or suballocation between these  
 51 appropriated amounts and appropriations of the office of temporary  
 52 and disability assistance and appropriations of the department of  
 53 health.

54 For the grant period October 1, 2000 to September 30, 2001 .....  
 55 213,813,000 ..... (re. \$32,000,000)

56  
 57 By chapter 54, section 1, of the laws of 2000:

58 For reimbursement of local administrative expenses of medical assist-  
 59 ance programs provided pursuant to title XIX of the federal social  
 60 security act or its successor program.

61 The moneys hereby appropriated are to be available for payment of aid  
 62 heretofore accrued or hereafter to accrue to municipalities, and to

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1 providers of medical services pursuant to section 367-b of the  
 2 social services law, shall be available to the department net of  
 3 disallowances, refunds, reimbursements, and credits. The amounts  
 4 appropriated herein may be available for costs associated with a  
 5 common benefit identification card, and subject to the approval of  
 6 the director of the budget, these funds may be transferred to the  
 7 credit of the state operations account medicaid management informa-  
 8 tion systems program.

9 Notwithstanding any inconsistent provision of law, in lieu of payments  
 10 authorized by the social services law, or payments of federal funds  
 11 otherwise due to the local social services districts for programs  
 12 provided under the federal social security act or the federal food  
 13 stamp act, funds herein appropriated, in amounts certified by the  
 14 state commissioner or the state commissioner of health as due from  
 15 local social services districts each month as their share of  
 16 payments made pursuant to section 367-b of the social services law  
 17 may be set aside by the state comptroller in an interest-bearing  
 18 account with such interest accruing to the credit of the locality in  
 19 order to ensure the orderly and prompt payment of providers under  
 20 section 367-b of the social services law pursuant to an estimate  
 21 provided by the commissioner of health of each local services  
 22 district's share of payments made pursuant to section 367-b of the  
 23 social services law.

24 Notwithstanding any inconsistent provision of law, the money hereby  
 25 appropriated may be increased or decreased by interchange with any  
 26 appropriation of the department of health medical assistance, admin-  
 27 istration program and/or medical assistance program, and may be  
 28 increased or decreased by transfer or suballocation between these  
 29 appropriated amounts and appropriations of the department of family  
 30 assistance office of temporary and disability assistance and office  
 31 of children and family services with the approval of the director of  
 32 the budget, who shall file such approval with the department of  
 33 audit and control and copies thereof with the chairman of the senate  
 34 finance committee and the chairman of the assembly ways and means  
 35 committee.

36 For the grant period October 1, 2000 to September 30, 2001 .....  
 37 196,898,000 ..... (re. \$12,000,000)

39 MEDICAL ASSISTANCE PROGRAM

40  
 41 Special Revenue Funds - Federal / Aid to Localities  
 42 Federal Health and Human Services Fund - 265  
 43 Medicaid Direct Account  
 44

45 By chapter 54, section 1, of the laws of 2004:

46 For services and expenses for the medical assistance program, exclud-  
 47 ing administrative expenses, pursuant to title XIX of the federal  
 48 social security act or its successor program.

49 The moneys hereby appropriated are to be available for payment of aid  
 50 heretofore accrued or hereafter to accrue to municipalities, and to  
 51 providers of medical services pursuant to section 367-b of the  
 52 social services law, and for payment of state aid to municipalities  
 53 and to providers of family care where payment systems through the  
 54 fiscal intermediaries are not operational, shall be available to the  
 55 department net of disallowances, refunds, reimbursements, and cred-  
 56 its.

57 Notwithstanding any other provision of law, the money hereby appro-  
 58 priated may be increased or decreased by interchange, with any  
 59 appropriation of the department of health medical assistance admin-  
 60 istration program and/or medical assistance program, and may be  
 61 increased or decreased by transfer or suballocation between these  
 62 appropriated amounts and appropriations of the department of family

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 assistance office of temporary and disability assistance and office  
2 of children and family services with the approval of the director of  
3 the budget, who shall file such approval with the department of  
4 audit and control and copies thereof with the chairman of the senate  
5 finance committee and the chairman of the assembly ways and means  
6 committee.

7 Notwithstanding any inconsistent provision of law, in lieu of payments  
8 authorized by the social services law, or payments of federal funds  
9 otherwise due to the local social services districts for programs  
10 provided under the federal social security act or the federal food  
11 stamp act, funds herein appropriated, in amounts certified by the  
12 state commissioner or the state commissioner of health as due from  
13 local social services districts each month as their share of pay-  
14 ments made pursuant to section 367-b of the social services law may  
15 be set aside by the state comptroller in an interest-bearing account  
16 with such interest accruing to the credit of the locality in order  
17 to ensure the orderly and prompt payment of providers under section  
18 367-b of the social services law pursuant to an estimate provided by  
19 the commissioner of health of each local social services district's  
20 share of payments made pursuant to section 367-b of the social  
21 services law.

22 For the grant period October 1, 2004 to September 30, 2005 .....  
23 10,435,451,000 ..... (re. \$10,435,451,000)  
24 For additional services and expenses for the medical assistance pro-  
25 gram ... 430,100,000 ..... (re. \$430,100,000)  
26

27 By chapter 54, section 1, of the laws of 2003:  
28 For services and expenses for the medical assistance program, exclud-  
29 ing administrative expenses, pursuant to title XIX of the federal  
30 social security act or its successor program.

31 The moneys hereby appropriated are to be available for payment of aid  
32 heretofore accrued or hereafter to accrue to municipalities, and to  
33 providers of medical services pursuant to section 367-b of the  
34 social services law, and for payment of state aid to municipalities  
35 and to providers of family care where payment systems through the  
36 fiscal intermediaries are not operational, shall be available to the  
37 department net of disallowances, refunds, reimbursements, and cred-  
38 its.

39 Notwithstanding any other provision of law, the money hereby appropri-  
40 ated may be increased or decreased by interchange, with any appropri-  
41 ation of the department of health medical assistance adminis-  
42 tration program and/or medical assistance program, and may be  
43 increased or decreased by transfer or suballocation between these  
44 appropriated amounts and appropriations of the department of family  
45 assistance office of temporary and disability assistance and office  
46 of children and family services with the approval of the director of  
47 the budget, who shall file such approval with the department of  
48 audit and control and copies thereof with the chairman of the senate  
49 finance committee and the chairman of the assembly ways and means  
50 committee.

51 Notwithstanding any inconsistent provision of law, in lieu of payments  
52 authorized by the social services law, or payments of federal funds  
53 otherwise due to the local social services districts for programs  
54 provided under the federal social security act or the federal food  
55 stamp act, funds herein appropriated, in amounts certified by the  
56 state commissioner or the state commissioner of health as due from  
57 local social services districts each month as their share of  
58 payments made pursuant to section 367-b of the social services law  
59 may be set aside by the state comptroller in an interest-bearing  
60 account with such interest accruing to the credit of the locality in  
61 order to ensure the orderly and prompt payment of providers under  
62 section 367-b of the social services law pursuant to an estimate

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 provided by the commissioner of health of each local social services  
 2 district's share of payments made pursuant to section 367-b of the  
 3 social services law.  
 4 For the grant period October 1, 2003 to September 30, 2004 .....  
 5 10,845,488,000 ..... (re. \$5,000,000,000)  
 6 Notwithstanding any inconsistent provision of law, up to \$350,000,000  
 7 of the amount appropriated herein may be transferred to the miscel-  
 8 laneous special revenue funds - 339 CHCCDP transfer account .....  
 9 350,000,000 ..... (re. \$100,000,000)

10  
 11 By chapter 54, section 1, of the laws of 2002:  
 12 For services and expenses for the medical assistance program, exclud-  
 13 ing administrative expenses, pursuant to title XIX of the federal  
 14 social security act or its successor program.  
 15 The moneys hereby appropriated are to be available for payment of aid  
 16 heretofore accrued or hereafter to accrue to municipalities, and to  
 17 providers of medical services pursuant to section 367-b of the  
 18 social services law, and for payment of state aid to municipalities  
 19 and to providers of family care where payment systems through the  
 20 fiscal intermediaries are not operational, shall be available to the  
 21 department net of disallowances, refunds, reimbursements, and cred-  
 22 its.  
 23 Notwithstanding any other provision of law, the money hereby appropri-  
 24 ated may be increased or decreased by interchange, with any appropri-  
 25 ation of the department of health medical assistance adminis-  
 26 tration program and/or medical assistance program, and may be  
 27 increased or decreased by transfer or suballocation between these  
 28 appropriated amounts and appropriations of the department of family  
 29 assistance office of temporary and disability assistance and office  
 30 of children and family services with the approval of the director of  
 31 the budget, who shall file such approval with the department of  
 32 audit and control and copies thereof with the chairman of the senate  
 33 finance committee and the chairman of the assembly ways and means  
 34 committee.

35 Notwithstanding any inconsistent provision of law, in lieu of payments  
 36 authorized by the social services law, or payments of federal funds  
 37 otherwise due to the local social services districts for programs  
 38 provided under the federal social security act or the federal food  
 39 stamp act, funds herein appropriated, in amounts certified by the  
 40 state commissioner or the state commissioner of health as due from  
 41 local social services districts each month as their share of  
 42 payments made pursuant to section 367-b of the social services law  
 43 may be set aside by the state comptroller in an interest-bearing  
 44 account with such interest accruing to the credit of the locality in  
 45 order to ensure the orderly and prompt payment of providers under  
 46 section 367-b of the social services law pursuant to an estimate  
 47 provided by the commissioner of health of each local social services  
 48 district's share of payments made pursuant to section 367-b of the  
 49 social services law.  
 50 For the grant period October 1, 2001 to September 30, 2002 .....  
 51 8,185,872,000 ..... (re. \$622,000,000)  
 52 For the grant period October 1, 2002 to September 30, 2003 .....  
 53 8,868,128,000 ..... (re. \$2,075,000,000)  
 54

55 By chapter 54, section 1, of the laws of 2001, as amended by chapter 54,  
 56 section 1, of the laws of 2002:  
 57 For services and expenses for the medical assistance program, exclud-  
 58 ing administrative expenses, pursuant to title XIX of the federal  
 59 social security act or its successor program.  
 60 The moneys hereby appropriated are to be available for payment of aid  
 61 heretofore accrued or hereafter to accrue to municipalities, and to  
 62 providers of medical services pursuant to section 367-b of the



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 social services law, and for payment of state aid to municipalities  
2 and to providers of family care where payment systems through the  
3 fiscal intermediaries are not operational, shall be available to the  
4 department net of disallowances, refunds, reimbursements, and cred-  
5 its.

6 Notwithstanding any inconsistent provision of law, in lieu of payments  
7 authorized by the social services law, or payments of federal funds  
8 otherwise due to the local social services districts for programs  
9 provided under the federal social security act or the federal food  
10 stamp act, funds herein appropriated, in amounts certified by the  
11 state commissioner or the state commissioner of health as due from  
12 local social services districts each month as their share of  
13 payments made pursuant to section 367-b of the social services law  
14 may be set aside by the state comptroller in an interest-bearing  
15 account with such interest accruing to the credit of the locality in  
16 order to ensure the orderly and prompt payment of providers under  
17 section 367-b of the social services law pursuant to an estimate  
18 provided by the commissioner of health of each local social services  
19 district's share of payments made pursuant to section 367-b of the  
20 social services law.

21 Notwithstanding any inconsistent provision of law and subject to the  
22 approval of the director of budget, moneys hereby appropriated may  
23 be increased or decreased by transfer or suballocation between these  
24 appropriated amounts and appropriations of the office of temporary  
25 and disability assistance and appropriations of the department of  
26 health.

27 For the grant period October 1, 2000 to September 30, 2001 .....  
28 8,212,000,000 ..... (re. \$6,418,000,000)

29  
30 By chapter 54, section 1, of the laws of 2000:  
31 For services and expenses for the medical assistance program, exclud-  
32 ing administrative expenses, pursuant to title XIX of the federal  
33 social security act or its successor program.

34 The moneys hereby appropriated are to be available for payment of aid  
35 heretofore accrued or hereafter to accrue to municipalities, and to  
36 providers of medical services pursuant to section 367-b of the  
37 social services law, and for payment of state aid to municipalities  
38 and to providers of family care where payment systems through the  
39 fiscal intermediaries are not operational, shall be available to the  
40 department net of disallowances, refunds, reimbursements, and cred-  
41 its.

42 Notwithstanding any inconsistent provision of law, in lieu of payments  
43 authorized by the social services law, or payments of federal funds  
44 otherwise due to the local social services districts for programs  
45 provided under the federal social security act or the federal food  
46 stamp act, funds herein appropriated, in amounts certified by the  
47 state commissioner or the state commissioner of health as due from  
48 local social services districts each month as their share of  
49 payments made pursuant to section 367-b of the social services law  
50 may be set aside by the state comptroller in an interest-bearing  
51 account with such interest accruing to the credit of the locality in  
52 order to ensure the orderly and prompt payment of providers under  
53 section 367-b of the social services law pursuant to an estimate  
54 provided by the commissioner of health of each local social services  
55 district's share of payments made pursuant to section 367-b of the  
56 social services law.

57 Notwithstanding any inconsistent provision of law, the moneys hereby  
58 appropriated may be increased or decreased by interchange with any  
59 appropriation of the department of health medical assistance admin-  
60 istration program and/or medical assistance program, and may be  
61 increased or decreased by transfer or suballocation between these  
62 appropriated amounts and appropriations of the department of family

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 assistance office of temporary and disability assistance and office  
2 of children and family services with the approval of the director of  
3 the budget, who shall file such approval with the department of  
4 audit and control and copies thereof with the chairman of the senate  
5 finance committee and the chairman of the assembly ways and means  
6 committee.

7 Notwithstanding any provision of law to the contrary, for the period  
8 October 1, 2000, through March 31, 2001, fee-for-service rates of  
9 payment for medical assistance services provided pursuant to title  
10 11 of article 5 of the social services law to patients eligible for  
11 federal financial participation under title XIX of the federal  
12 social security act by diagnostic and treatment centers licensed  
13 under article 28 of the public health law that provide services to  
14 individuals with developmental disabilities as their principal  
15 mission, shall be increased in the amount of up to \$500,000. Each  
16 such diagnostic and treatment center shall receive a proportionate  
17 share of funds allocated pursuant to this section based upon the  
18 ratio of its medical assistance units of service to the total  
19 medical assistance units of service of all such facilities during  
20 the base year. The base year shall be 1999, and the commissioner of  
21 health shall utilize data as reported on the 1999 AHCF-1 cost report  
22 initially submitted by each such facility to the department of  
23 health on or about June 15, 2000 or prior to such date. There shall  
24 be no local share in payments made pursuant to this section.

25 Notwithstanding the provisions of subdivision 1 of section 368-a of  
26 the social services law, there shall be paid to each social services  
27 district the full amount expended on behalf of the department of  
28 health for medical assistance furnished pursuant to the provision of  
29 this section, after first deducting therefrom any federal funds  
30 properly received or to be received on account thereof.

31 For the grant period October 1, 2000 to September 30, 2001 .....  
32 7,650,250,000 ..... (re. \$1,000,000)  
33

34 The appropriation made by chapter 54, section 1, of the laws of 1997, is  
35 hereby amended and reappropriated to read:

36 Notwithstanding any inconsistent provision of law, the moneys hereby  
37 appropriated may only be used for grants related to the community  
38 health care conversion demonstration project and may be transferred  
39 to the miscellaneous special revenue fund - 339, CHCCDP transfer  
40 account, provided, however, that the section 1115 waiver demonstra-  
41 tion, which is entitled the partnership plan, is in effect in accor-  
42 dance with the terms and conditions approved by the secretary of the  
43 federal department of health and human services and accepted by the  
44 state, and further provided that funds appropriated for the com-  
45 munity health care conversion demonstration project are disbursed  
46 only in accordance with those terms and conditions. Subject to the  
47 availability of federal matching funds for programs specified in the  
48 partnership plan terms and conditions relating to the community  
49 health care conversion demonstration project, no more than \$250  
50 million (\$250,000,000) of these funds may be obligated during any  
51 one federal fiscal year unless less than \$250 million (\$250,000,000)  
52 has been obligated in any prior federal fiscal year during which  
53 project obligations have been made, in which case the total amount  
54 that may be obligated during any one federal fiscal year shall not  
55 exceed an amount which, when aggregated with project obligations  
56 made in each prior federal fiscal year, results in an average of  
57 \$250 million (\$250,000,000) being obligated for each federal fiscal  
58 year during which project obligations are made .....  
59 1,250,000,000 ..... (re. \$518,800,000)  
60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Other / Aid to Localities  
2 Miscellaneous Special Revenue Fund - 339  
3 CHCCDP Transfer Account  
4  
5 By chapter 54, section 1, of the laws of 2003:  
6 Notwithstanding any inconsistent provision of law, the commissioner of  
7 health shall transfer, upon the approval of the director of the  
8 budget, moneys hereby appropriated to the health care reform act  
9 pool administrator for payment of a portion of costs related to  
10 graduate medical education, health facility restructuring, or health  
11 workforce retraining, recruitment and retention .....  
12 350,000,000 ..... (re. \$100,000,000)  
13  
14 WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM  
15  
16 Special Revenue Funds - Federal / State Operations  
17 Federal Health and Human Services Fund - 265  
18  
19 For health prevention, diagnostic, detection and treatment services:  
20  
21 By chapter 54, section 1, of the laws of 2004:  
22 For the grant period October 1, 2003 to September 30, 2004 .....  
23 778,000 ..... (re. \$778,000)  
24 For the grant period October 1, 2004 to September 30, 2005 .....  
25 778,000 ..... (re. \$778,000)  
26  
27 By chapter 54, section 1, of the laws of 2003:  
28 For the grant period October 1, 2002 to September 30, 2003 .....  
29 778,000 ..... (re. \$778,000)  
30 For the grant period October 1, 2003 to September 30, 2004 .....  
31 778,000 ..... (re. \$778,000)  
32  
33 Special Revenue Funds - Federal / State Operations  
34 Federal Block Grant Fund - 269  
35  
36 For health prevention, diagnostic, detection and treatment services:  
37  
38 By chapter 54, section 1, of the laws of 2004:  
39 For the grant period October 1, 2003 to September 30, 2004 .....  
40 4,601,000 ..... (re. \$4,601,000)  
41 For the grant period October 1, 2004 to September 30, 2005 .....  
42 5,291,000 ..... (re. \$5,291,000)  
43  
44 By chapter 54, section 1, of the laws of 2003:  
45 For the grant period October 1, 2002 to September 30, 2003 .....  
46 4,001,000 ..... (re. \$4,001,000)  
47 For the grant period October 1, 2003 to September 30, 2004 .....  
48 4,601,000 ..... (re. \$4,601,000)  
49  
50 By chapter 54, section 1, of the laws of 2002:  
51 For the grant period October 1, 2002 to September 30, 2003 .....  
52 4,001,000 ..... (re. \$4,001,000)  
53  
54 Special Revenue Funds - Federal / Aid to Localities  
55 Federal Block Grant Fund - 269  
56  
57 For services and expenses of the various health prevention, diagnos-  
58 tic, detection and treatment services:  
59  
60 By chapter 54, section 1, of the laws of 2004:  
61 For the grant period October 1, 2003 to September 30, 2004 .....  
62 1,489,000 ..... (re. \$1,489,000)

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period October 1, 2004 to September 30, 2005 .....  
 2 1,712,000 ..... (re. \$1,712,000)  
 3  
 4 Special Revenue Funds - Other / State Operations  
 5 Combined Gifts, Grants and Bequests Fund - 020  
 6 Breast Cancer Research and Education Account  
 7  
 8 By chapter 54, section 1, of the laws of 2004:  
 9 For breast cancer research and education pursuant to section 97-yy of  
 10 the state finance law as amended by chapter 550 of the laws of 2000  
 11 ... 2,600,000 ..... (re. \$2,571,000)  
 12  
 13 Special Revenue Funds - Other / State Operations  
 14 Miscellaneous Special Revenue Fund - 339  
 15 Spinal Cord Injury Research Fund Account  
 16  
 17 By chapter 54, section 1, of the laws of 2004:  
 18 For expenses related to spinal cord injury research pursuant to chap-  
 19 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$8,500,000)  
 20  
 21 By chapter 54, section 1, of the laws of 2003:  
 22 For expenses related to spinal cord injury research pursuant to chap-  
 23 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$8,150,000)  
 24  
 25 By chapter 54, section 1, of the laws of 2002:  
 26 For expenses related to spinal cord injury research pursuant to chap-  
 27 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$7,300,000)  
 28  
 29 By chapter 54, section 1, of the laws of 2001:  
 30 For expenses related to spinal cord injury research pursuant to chap-  
 31 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$4,400,000)  
 32  
 33 By chapter 54, section 1, of the laws of 2000:  
 34 For expenses related to spinal cord injury research pursuant to chap-  
 35 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$3,100,000)  
 36  
 37 Total reappropriations for state operations and aid to  
 38 localities .....40,028,298,500  
 39 =====  
 40  
 41 General Fund  
 42 Community Projects Fund - 007  
 43 Account GG  
 44  
 45 By chapter 54, section 1, of the laws of 2000, as added by chapter 53,  
 46 section 6, of the laws of 2000:  
 47 For services and expenses of cancer permanency planning - legal and  
 48 family counseling services ... 500,000 ..... (re. \$500,000)  
 49

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2005-06

1 For the comprehensive construction programs, purposes and  
2 projects as herein specified in accordance with the  
3 following:

4  
5 Capital Projects Fund ..... 76,600,000  
6 Federal Capital Projects Fund ..... 65,000,000  
7 -----  
8 All Funds ..... 141,600,000  
9 =====

10  
11 HEALTH CARE SYSTEM IMPROVEMENT CAPITAL GRANT PROGRAM (CCP) .. 65,000,000  
12 -----

13  
14 Capital Projects Fund

15  
16 Health Care System Improvement Purpose

17  
18 For payments and grants in accordance with  
19 section 2818 of the public health law  
20 establishing the health care system  
21 improvement capital grant program,  
22 provided, however, that no expenditures  
23 may be made from this appropriation  
24 until a comprehensive plan of projects  
25 has been approved by the director of the  
26 budget (12HE05HE) ..... 65,000,000  
27

28 LABORATORIES AND RESEARCH (CCP) ..... 4,000,000  
29 -----

30  
31 Capital Projects Fund

32  
33 Preservation of Facilities Purpose

34  
35 To maintain and improve existing facili-  
36 ties including preparation of plans and  
37 for payment to the design and  
38 construction management account of the  
39 centralized services fund of the New  
40 York state office of general services  
41 (12590503) ..... 4,000,000  
42

43 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP) .... 7,600,000  
44 -----

45  
46 Capital Projects Fund

47  
48 Preservation of Facilities Purpose

49  
50 For minor alterations, improvements and  
51 preventive maintenance of St. Albans  
52 Nursing Home, Helen Hayes Hospital,  
53 Oxford Nursing Home and Batavia Nursing  
54 Home including preparation of plans and  
55 for payment to the design and  
56 construction management account of the  
57 centralized services fund of the New  
58 York state office of general services  
59 (12600503) ..... 7,600,000  
60

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2005-06

1	WATER RESOURCES (CCP) .....	65,000,000
2		-----
3		
4	Federal Capital Projects Fund	
5		
6	Water Resources Purpose	
7		
8	For federal grants for the safe drinking	
9	water revolving fund (12020557) .....	65,000,000
10		

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2005-06

(APPROPRIATED TO THE DORMITORY AUTHORITY)

For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

Capital Projects Fund - Advances .....	185,000,000
	-----
All Funds .....	185,000,000
	=====

Capital Projects Fund

HEALTH CARE SYSTEM IMPROVEMENT CAPITAL GRANT PROGRAM (CCP) .	185,000,000
	-----

Health Care System Improvement Purpose

An advance for payments in accordance with section 2817 of the public health law establishing the community health care centers capital program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (12BD05CH) ..... 10,000,000

An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (12BD05HE) ..... 175,000,000

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 All or a portion of the disbursements made pursuant to the reappropriations made hereinafter from the capital projects fund may be eligible for reimbursement from proceeds of bonds issued by the dormitory authority. The dormitory authority and the department of health shall report quarterly to the director of the budget the amounts expended from appropriations which are eligible for reimbursement from the proceeds of the bonds. The director of the budget shall review these reports and then certify to the comptroller amounts expended from these appropriations which are reimbursable from bond proceeds. Until such time as the dormitory authority determines that amounts expended from these appropriations are not reimbursable from bond proceeds, all such expenditures shall be considered to be reimbursable from bond proceeds.

14 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

16 Capital Projects Fund

18 Preparation of Plans Purpose

20 By chapter 54, section 1, of the laws of 1996:

21 For payment to the design and construction management account of the centralized services fund of the New York state office of general services for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements - new projects, and for the costs of consultant design services (12529630) ... 656,000 ... (re. \$257,000)

29 By chapter 54, section 1, of the laws of 1995:

30 For payment to the design and construction management account of the centralized services fund of the New York state office of general services for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements - new projects, and for the costs of consultant design services (12529530) ... 402,000 ... (re. \$195,000)

39 LABORATORIES AND RESEARCH (CCP)

41 Capital Projects Fund

43 Health and Safety Purpose

45 By chapter 54, section 1, of the laws of 1998:

46 To maintain and improve the health and safety of existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services (12049801) ... 750,000 ... (re. \$694,000)

52 Accreditation Purpose

54 By chapter 54, section 1, of the laws of 1995, for:

55 Alterations and improvements for the upgrade and improvement of animal facilities (12099502) ... 750,000 ... (re. \$43,000)

58



DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 Preservation of Facilities Purpose

2

3 By chapter 54, section 1, of the laws of 2004:

4 To maintain and improve existing facilities including preparation of  
5 plans and for payment to the design and construction management  
6 account of the centralized services fund of the New York state  
7 office of general services (12590403) .....  
8 4,000,000 ..... (re. \$3,656,000)

9

10 By chapter 54, section 1, of the laws of 2003:

11 To maintain and improve existing facilities including preparation of  
12 plans and for payment to the design and construction management  
13 account of the centralized services fund of the New York state  
14 office of general services (12590303) .....  
15 4,000,000 ..... (re. \$2,172,000)

16

17 By chapter 54, section 1, of the laws of 2002:

18 To maintain and improve existing facilities including preparation of  
19 plans and for payment to the design and construction management  
20 account of the centralized services fund of the New York state  
21 office of general services (12580203) .....  
22 4,000,000 ..... (re. \$3,226,000)

23

24 By chapter 54, section 1, of the laws of 2001:

25 To maintain and improve existing facilities including preparation of  
26 plans and for payment to the design and construction management  
27 account of the centralized services fund of the New York state  
28 office of general services (12570103) .....  
29 4,000,000 ..... (re. \$2,623,000)

30

31 By chapter 54, section 1, of the laws of 2000:

32 To maintain and improve the health and safety of existing facilities  
33 including preparation of plans and for payment to the design and  
34 construction management account of the centralized services fund of  
35 the New York state office of general services (12550003) .....  
36 4,000,000 ..... (re. \$220,000)

37

38 By chapter 54, section 1, of the laws of 1998, for:

39 Alterations and improvements for the preservation of facilities  
40 including preparation of plans and for payment to the design and  
41 construction management account of the centralized services fund of  
42 the New York state office of general services (12039803) .....  
43 500,000 ..... (re. \$54,000)

44

45 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)

46

47 Capital Projects Fund

48

49 Preservation of Facilities Purpose

50

51 By chapter 54, section 1, of the laws of 2004:

52 For minor alterations, improvements and preventive maintenance of St.  
53 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and  
54 Batavia Nursing Home including preparation of plans and for payment  
55 to the design and construction management account of the centralized  
56 services fund of the New York state office of general services  
57 (12600403) ... 7,600,000 ..... (re. \$7,580,000)

58

59 By chapter 54, section 1, of the laws of 2003:

60 For minor alterations, improvements and preventive maintenance of St.  
61 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and  
62 Batavia Nursing Home including preparation of plans and for payment

## DEPARTMENT OF HEALTH

## CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 to the design and construction management account of the centralized  
2 services fund of the New York state office of general services  
3 (12600303) ... 7,600,000 ..... (re. \$5,923,000)  
4

5 By chapter 54, section 1, of the laws of 2002:  
6 For minor alterations, improvements and preventive maintenance of St.  
7 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and  
8 Batavia Nursing Home including preparation of plans and for payment  
9 to the design and construction management account of the centralized  
10 services fund of the New York state office of general services  
11 (12590203) ... 7,600,000 ..... (re. \$6,911,000)  
12

13 By chapter 54, section 1, of the laws of 2001:  
14 For minor alterations, improvements and preventive maintenance of St.  
15 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and  
16 Batavia Nursing Home including preparation of plans and for payment  
17 to the design and construction management account of the centralized  
18 services fund of the New York state office of general services  
19 (12560103) ... 7,600,000 ..... (re. \$4,414,000)  
20

21 By chapter 54, section 1, of the laws of 2000:  
22 For minor alterations, improvements and preventive maintenance of St.  
23 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and  
24 Batavia Nursing Home including preparation of plans and for payment  
25 to the design and construction management account of the centralized  
26 services fund of the New York state office of general services  
27 (12560003) ... 7,600,000 ..... (re. \$4,697,000)  
28

29 By chapter 54, section 1, of the laws of 1997:  
30 Alterations and improvements to existing facilities including prepara-  
31 tion of plans and for payment to the design and construction manage-  
32 ment account of the centralized services fund of the New York state  
33 office of general services (12059703) ... .....  
34 1,996,000 ..... (re. \$208,000)  
35

36 Environmental Protection or Improvements Purpose  
37

38 By chapter 54, section 1, of the laws of 1995, for:  
39 Alterations and improvements to test, remove, recondition, replace,  
40 permanently close or install new storage tanks to consolidate and  
41 replace existing storage tanks, including environmental improvements  
42 and other related work (12029506) ... .....  
43 360,000 ..... (re. \$322,000)  
44

45 Program Improvement or Program Change Purpose  
46

47 By chapter 54, section 1, of the laws of 1990, as amended by chapter 54,  
48 section 1, of the laws of 1998, for:  
49 Alterations and improvements for program improvement or program change  
50 (12459008) ... ..... 6,229,986 ..... (re. \$170,000)  
51

52 Preventive Maintenance Purpose  
53

54 By chapter 54, section 1, of the laws of 1998:  
55 For preventive maintenance on existing facilities including prepara-  
56 tion of plans and for payment to the design and construction manage-  
57 ment account of the centralized services fund of the New York state  
58 office of general services (120198PM) ... 750,000 ... (re. \$376,000)  
59

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

HELEN HAYES

1  
2  
3 Health and Safety Purpose  
4  
5 By chapter 54, section 1, of the laws of 1995, as amended by chapter 54,  
6 section 1, of the laws of 1999 and as supplemented by certificate of  
7 transfer issued pursuant to the provisions of section 93 of the  
8 state finance law as amended:  
9 Alterations and improvements for health and safety (12629501)  
10 ... .. 790,000 ..... (re. \$111,000)  
11  
12 Preservation of Facilities Purpose  
13  
14 By chapter 54, section 1, of the laws of 1996, for:  
15 Alterations and improvements for the preservation of facilities  
16 (12579603) ... .. 3,000,000 ..... (re. \$981,000)  
17  
18 REHABILITATION AND IMPROVEMENTS (CCP)  
19  
20 Capital Projects Fund  
21  
22 Health and Safety Purpose  
23  
24 By chapter 54, section 1, of the laws of 1998:  
25 To maintain and improve the health and safety of existing facilities  
26 including preparation of plans and for payment to the design and  
27 construction management account of the centralized services fund of  
28 the New York state office of general services (12019801) .....  
29 2,250,000 ..... (re. \$7,000)  
30  
31 Preservation of Facilities Purpose  
32  
33 By chapter 54, section 1, of the laws of 1997, for:  
34 Minor alterations and improvements to various facilities including  
35 preparation of plans and for payment to the design and construction  
36 management account of the centralized services fund of the New York  
37 state office of general services (12049703) .....  
38 600,000 ..... (re. \$458,000)  
39  
40 WATER RESOURCES (CCP)  
41  
42 Federal Capital Projects Fund  
43  
44 Water Resources Purpose  
45  
46 By chapter 54, section 1, of the laws of 2004:  
47 For federal grants for the safe drinking water revolving fund  
48 (12020457) ... 65,000,000 ..... (re. \$65,000,000)  
49  
50 By chapter 54, section 1, of the laws of 2003:  
51 For federal grants for the safe drinking water revolving fund  
52 (12020357) ... 65,000,000 ..... (re. \$65,000,000)  
53  
54 By chapter 54, section 1, of the laws of 2002:  
55 For federal grants for the safe drinking water revolving fund  
56 (12010257) ... 75,200,000 ..... (re. \$7,589,000)  
57  
58 By chapter 54, section 1, of the laws of 2001:  
59 For federal grants for the safe drinking water revolving fund  
60 (12010157) ... 53,659,000 ..... (re. \$204,000)  
61

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

(APPROPRIATED TO DORMITORY AUTHORITY)

NEW INSTITUTION CONSTRUCTION (CCP)

Capital Projects Fund

New Facilities Purpose

By chapter 54, section 1, of the laws of 2004:

The sum of twenty-one million dollars (\$21,000,000), or so much thereof as may be necessary, is hereby appropriated as an advance to the dormitory authority out of any moneys in the state treasury in the general fund to the credit of the capital projects fund, not otherwise appropriated, for the state's share to match the Federal grant anticipated from the Federal Veterans Administration for the project costs for the construction of the new New York state home for veterans and their dependents at Oxford. The department of health is hereby authorized to develop plans and to choose a site, and through the dormitory authority of the state of New York, to finance, acquire, design, and construct the New York state home for veterans and their dependents at Oxford. The dormitory authority of the state of New York is hereby authorized to issue its obligation for the purpose of financing the acquisition, design, construction, reconstruction, rehabilitation and improvement of the New York state home for veterans and their dependents at Oxford as continued by section 403 of the public health law, in accordance with the terms of any lease, sublease or other agreements between the dormitory authority of the state of New York and the department of health. Moneys from this appropriation shall be available only upon certification to the director of the division of the budget by the grant recipient that federal funds for the New York state home for veterans and their dependents at Oxford are receivable and available from the Federal Veterans' Administration to support the federal share of the total project costs (12VH0407) ... 21,000,000 ..... (re. \$21,000,000)

By chapter 264, section 5, of the laws of 1995:

The sum of twenty million dollars (\$20,000,000), or so much thereof as may be necessary, is hereby appropriated as an advance to the dormitory authority out of any moneys in the state treasury in the general fund to the credit of the capital projects fund, not otherwise appropriated, for the state's share to match the Federal grant anticipated from the Federal Veterans Administration for the project costs for the construction of the New York state home for veterans in lower-Hudson Valley. The department of health is hereby authorized to develop plans and to choose a site, and through the dormitory authority of the state of New York, to finance, acquire, design, and construct the New York state home for veterans in the lower-Hudson Valley. The dormitory authority of the state of New York is hereby authorized to issue its obligation for the purpose of financing the acquisition, design, construction, reconstruction, rehabilitation and improvement of the New York state home for veterans in the lower-Hudson Valley as established by section 403-d of the public health law, in accordance with the terms of any lease, sublease or other agreements between the dormitory authority of the state of New York and the department of health. Moneys from this appropriation shall be available only upon certification to the director of the division of the budget by the grant recipient that federal funds for the New York state home for veterans in the lower-Hudson Valley are receivable and available from the Federal Veterans' Administration to support the federal share of the total project costs (12019507) ... 20,000,000 ..... (re. \$20,000,000)

DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local .....	(150,000,000)	0
6	Special Revenue Funds - Other .....	150,000,000	0
7		-----	-----
8	All Funds .....	0	0
9		=====	=====

10

11 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

12

13		State	Aid to	Capital	
14	Fund Type	Operations	Localities	Projects	Total
15		-----	-----	-----	-----
16	GF-St/Local	(150,000,000)	0	0	(150,000,000)
17	SR-Other	150,000,000	0	0	150,000,000
18		-----	-----	-----	-----
19	All Funds	0	0	0	0
20		=====	=====	=====	=====

21

22 SCHEDULE

23

24 General Fund / State Operations  
 25 State Purposes Account - 003

26

27 Less amount appropriated as an offset in  
 28 special revenue funds - other, miscella-  
 29 neous special revenue fund - 339, mental  
 30 hygiene patient income account. The direc-  
 31 tor of the budget is hereby authorized to  
 32 apportion funds to the office of mental  
 33 health, office of mental retardation and  
 34 developmental disabilities, and office of  
 35 alcoholism and substance abuse services of  
 36 the department from this appropriation by  
 37 certificate of approval. Notwithstanding  
 38 any contrary provision of law, this offset  
 39 shall reduce general fund appropriations  
 40 within the various programs of the office  
 41 of mental health, the office of mental  
 42 retardation and developmental disabili-  
 43 ties, and the office of alcoholism and  
 44 substance abuse services funded from the  
 45 state purposes account or local assistance  
 46 account, or both ..... (150,000,000)

47

48 Program account subtotal ..... (150,000,000)

49

50

51 Special Revenue Funds - Other / State Operations  
 52 Miscellaneous Special Revenue Fund - 339  
 53 Mental Hygiene Patient Income Account

54

55 Amount appropriated as an offset to the  
 56 general fund - state purposes account or  
 57 general fund - local assistance account,  
 58 or both, within the various offices of the  
 59 department of mental hygiene. The director  
 60 of the budget is hereby authorized to  
 61 apportion funds to the office of mental  
 62 health, office of mental retardation and

## DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	developmental disabilities, and office of		
2	alcoholism and substance abuse services of		
3	the department from this appropriation by		
4	certificate of approval .....	150,000,000	
5		-----	
6	Program account subtotal .....	150,000,000	
7		-----	
8			
9	Total new appropriations for state operations and aid to		
10	localities .....		0
11		=====	

DEPARTMENT OF MENTAL HYGIENE  
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
 STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	302,981,000	0
6 Special Revenue Funds - Federal ....	151,532,000	147,551,000
7 Special Revenue Funds - Other .....	31,372,000	0
8 Capital Projects Funds .....	38,650,000	147,069,000
9	-----	-----
10 All Funds .....	524,535,000	294,620,000
11	=====	=====

12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
18 GF-St/Local	46,681,000	256,300,000	0	302,981,000
19 SR-Federal	6,221,000	145,311,000	0	151,532,000
20 SR-Other	24,832,000	6,540,000	0	31,372,000
21 Cap Proj	0	0	38,650,000	38,650,000
22	-----	-----	-----	-----
23 All Funds	77,734,000	408,151,000	38,650,000	524,535,000
24	=====	=====	=====	=====

25 SCHEDULE

26  
 27  
 28 COMMUNITY TREATMENT SERVICES PROGRAM ..... 311,985,000  
 29 -----

30  
 31 General Fund / Aid to Localities  
 32 Local Assistance Account - 001  
 33

34 For payment, net of disallowances, of state  
 35 financial assistance in accordance with  
 36 the mental hygiene law related to treat-  
 37 ment services.

38 Notwithstanding any other provisions of law,  
 39 no payment shall be made from this appro-  
 40 priation until the recipient agency has  
 41 demonstrated that it has applied for and  
 42 received, or received formal notification  
 43 of refusal of, all forms of third-party  
 44 reimbursement, including federal aid and  
 45 patient fees. The moneys hereby appropri-  
 46 ated are available to reimburse or advance  
 47 to localities and voluntary nonprofit  
 48 agencies for expenditures heretofore  
 49 accrued or hereafter to accrue during  
 50 local fiscal periods commencing January 1,  
 51 2005 or July 1, 2005 and for advances for  
 52 the 3 month period beginning January 1,  
 53 2006; provided that funding for the  
 54 purpose of administration and monitoring  
 55 of these programs shall not exceed 5  
 56 percent of the approved program level,  
 57 unless waived by the commissioner of the  
 58 office of alcoholism and substance abuse  
 59 services and approved by the director of  
 60 the budget.

DEPARTMENT OF MENTAL HYGIENE  
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Notwithstanding the mental hygiene law or  
2 any other provision of law, rule or regu-  
3 lation to the contrary, the commissioner,  
4 with the approval of the director of the  
5 budget, may contract with voluntary agen-  
6 cies that are receiving, or are eligible  
7 to receive, state aid from this appropri-  
8 ation, directly or through written agree-  
9 ments with local governments. The commis-  
10 sioner, pursuant to such contract, may pay  
11 from this appropriation all or a portion  
12 of the expenses incurred by such voluntary  
13 agencies arising out of loans obtained  
14 from the proceeds of bonds and notes  
15 issued by the dormitory authority of the  
16 state of New York or another authorized  
17 entity approved by the division of the  
18 budget. Such expenses may include, but  
19 shall not be limited to, amounts relating  
20 to principal and interest and any other  
21 fees and charges arising from such loans.  
22 Notwithstanding any other provision of  
23 law, subject to the approval of the direc-  
24 tor of the budget, a portion of the money  
25 herein appropriated may be made available  
26 for obligations and payments heretofore or  
27 hereafter accrued by the department of  
28 health for community alcoholism, chemical  
29 dependence, and substance abuse treatment  
30 services, including the state share of  
31 medical assistance payments.  
32 Notwithstanding any inconsistent provision  
33 of law, a portion of the money herein  
34 appropriated may be made available for  
35 transfer to the department of health for  
36 the state share of disproportionate share  
37 payments to voluntary nonprofit general  
38 hospitals pursuant to chapter 119 of the  
39 laws of 1997, as amended.  
40 Notwithstanding any inconsistent provision  
41 of law, the amount hereby appropriated  
42 shall be available for the designated  
43 purposes, less the amount, as certified by  
44 the director of the budget, of any trans-  
45 fers from the general fund to the tobacco  
46 control and insurance initiatives pool  
47 established pursuant to section 2807-v of  
48 the public health law, to reflect the  
49 state savings attributable to this program  
50 resulting from an increase in the federal  
51 medical assistance percentage available to  
52 the state pursuant to the applicable  
53 provisions of the federal social security  
54 act.  
55 Notwithstanding any provision of law, rule  
56 or regulation to the contrary and subject  
57 to the approval of the director of the  
58 budget, a portion of this appropriation  
59 may be made available for transfer to the



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 department of health for the state share  
 2 of medical assistance payments to provid-  
 3 ers of chemical dependence services.  
 4 No expenditure shall be made for such  
 5 program until a certificate of allocation  
 6 has been approved by the director of the  
 7 budget and copies thereof filed with the  
 8 state comptroller and chairs of the senate  
 9 finance committee and the assembly ways  
 10 and means committee.  
 11 The state comptroller is hereby authorized  
 12 to receive funds from the office of alco-  
 13 holism and substance abuse services and is  
 14 authorized to refund such moneys to the  
 15 credit of the local assistance account of  
 16 the general fund for the purpose of reim-  
 17 bursing the 2005-06 appropriation ..... 209,800,000  
 18 -----  
 19 Program account subtotal ..... 209,800,000  
 20 -----

21  
 22 Special Revenue Funds - Federal / Aid to Localities  
 23 Federal Block Grant Fund - 269  
 24

25 For services and expenses of prevention,  
 26 intervention, and treatment programs  
 27 provided by the SAPT block grants.

28 Notwithstanding any inconsistent provision  
 29 of law, up to \$4,600,000 of this appropri-  
 30 ation may be transferred, pursuant to  
 31 memoranda of understanding between the  
 32 office of alcoholism and substance abuse  
 33 services and the department of health and  
 34 the department of correctional services,  
 35 respectively, which addresses how such  
 36 funds contribute to required set-asides of  
 37 the block grant, to the following agen-  
 38 cies: up to \$1,400,000 to the AIDS insti-  
 39 tute of the department of health for the  
 40 provision of primary health care services  
 41 for persons enrolled in drug treatment  
 42 programs; and up to \$3,200,000 to the  
 43 department of correctional services for  
 44 treatment and counseling costs.

45 Notwithstanding any inconsistent provision  
 46 of law, a portion of the funds hereby  
 47 appropriated may, subject to the approval  
 48 of the director of the budget, be trans-  
 49 ferred to state operations in the office  
 50 of alcoholism and substance abuse services  
 51 consistent with the terms and conditions  
 52 of the SAPT block grant award for adminis-  
 53 trative and support services, including  
 54 fringe benefits, associated with the  
 55 federal block grant.

56 Notwithstanding any inconsistent provision  
 57 of law, moneys hereby appropriated may be  
 58 transferred to prevention and program  
 59 support of the office of alcoholism and  
 60 substance abuse services.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For the grant period October 1, 2004 to  
2 September 30, 2006 ..... 62,325,000  
3 For the grant period October 1, 2005 to  
4 September 30, 2007 ..... 23,500,000  
5  
6 For services and expenses associated with  
7 federal block grant awards yet to be allo-  
8 cated by the federal department of health  
9 and human services. Notwithstanding any  
10 inconsistent provision of law, the direc-  
11 tor of the budget is hereby authorized to  
12 transfer appropriation authority contained  
13 herein to any other federal fund or  
14 program within the office of alcoholism  
15 and substance abuse services for aid to  
16 localities, administrative and support  
17 services, including fringe benefits, asso-  
18 ciated with the federal block grant.  
19  
20 For the grant period October 1, 2004 to  
21 September 30, 2006 ..... 5,000,000  
22 -----  
23 Program fund subtotal ..... 90,825,000  
24 -----  
25  
26 Special Revenue Funds - Federal / Aid to Localities  
27 Federal Operating Grants Fund - 290  
28  
29 For services and expenses related to home-  
30 less grants. Subject to a plan approved by  
31 the director of the budget, the amount  
32 appropriated herein may be made available  
33 to other state agencies for services and  
34 expenses related to federal homeless  
35 grants. The director of the budget is  
36 hereby authorized to transfer appropri-  
37 ation authority contained herein to any  
38 other federal fund in which federal home-  
39 less grants are actually received.  
40  
41 For the grant period October 1, 2004 to  
42 September 30, 2009 ..... 11,000,000  
43  
44 For services and expenses related to enforc-  
45 ing the underage drinking laws program  
46 grant.  
47 Notwithstanding any inconsistent provision  
48 of law, a portion of the funds hereby  
49 appropriated may, subject to the approval  
50 of the director of the budget, be trans-  
51 ferred to state operations in the office  
52 of alcoholism and substance abuse services  
53 consistent with the terms of the federal  
54 award for administrative and support  
55 services, including fringe benefits, asso-  
56 ciated with this grant.  
57

DEPARTMENT OF MENTAL HYGIENE  
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
 STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For the grant period June 1, 2005 to May 31,	
2	2007 .....	360,000
3		-----
4	Program fund subtotal .....	11,360,000
5		-----
6		
7	EXECUTIVE DIRECTION PROGRAM .....	36,309,000
8		-----
9		
10	General Fund / State Operations	
11	State Purposes Account - 003	
12		
13	Personal service .....	22,114,000
14	Nonpersonal service .....	7,842,000
15		-----
16	Total amount available .....	29,956,000
17		-----
18	Less amount appropriated as an offset in the	
19	special revenue funds - other, miscella-	
20	neous special revenue fund - 339, federal	
21	salary sharing account .....	(7,900,000)
22		-----
23	Program account subtotal .....	22,056,000
24		-----
25		
26	Special Revenue Funds - Federal / State Operations	
27	Federal Department of Education Fund - 267	
28		
29	For services and expenses associated with	
30	the administration of the federal safe and	
31	drug free schools and communities act,	
32	including fringe benefits, consistent with	
33	the terms and conditions of the federal	
34	award .....	202,000
35		-----
36	Program fund subtotal .....	202,000
37		-----
38		
39	Special Revenue Funds - Federal / State Operations	
40	Federal Block Grant Fund - 269	
41		
42	For services and expenses associated with	
43	administering the substance abuse	
44	prevention and treatment (SAPT) block	
45	grant:	
46		
47	For the grant period October 1, 2004 to	
48	September 30, 2006:	
49		
50	Personal service .....	3,365,000
51	Nonpersonal service .....	1,261,000
52		-----
53	Program fund subtotal .....	4,626,000
54		-----
55		
56	Special Revenue Funds - Federal / State Operations	
57	Federal Operating Grants Fund - 290	
58	Statewide Data Collection Account	
59		

DEPARTMENT OF MENTAL HYGIENE  
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
 STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses related to the	
2	statewide data collection program as	
3	mandated in the 1988 federal anti-drug	
4	abuse act:	
5		
6	For the grant period August 1, 2004 to July	
7	31, 2006 .....	193,000
8		-----
9	Program account subtotal .....	193,000
10		-----
11		
12	Special Revenue Funds - Other / State Operations	
13	Miscellaneous Special Revenue Fund - 339	
14	Credentialing Services Account	
15		
16	Maintenance undistributed	
17	For services and expenses related to the	
18	credentialing of prevention, and alcohol	
19	and substance abuse counselors .....	962,000
20		-----
21	Program account subtotal .....	962,000
22		-----
23		
24	Special Revenue Funds - Other / State Operations	
25	Miscellaneous Special Revenue Fund - 339	
26	Federal Salary Sharing Account	
27		
28	Amount appropriated as an offset to the	
29	general fund - state purposes account ....	7,900,000
30		-----
31	Program account subtotal .....	7,900,000
32		-----
33		
34	Special Revenue Funds - Other / State Operations	
35	Miscellaneous Special Revenue Fund - 339	
36	Methadone Registry Services Account	
37		
38	For services and expenses related to the	
39	operation of methadone services and a	
40	patient registry for the prevention of	
41	simultaneous enrollment in multiple metha-	
42	done treatment programs .....	300,000
43		-----
44	Program account subtotal .....	300,000
45		-----
46		
47	Special Revenue Funds - Other / State Operations	
48	Miscellaneous Special Revenue Fund - 339	
49	Special Projects Account	
50		
51	Maintenance undistributed	
52	For services and expenses related to special	
53	projects .....	70,000
54		-----
55	Program account subtotal .....	70,000
56		-----
57		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	INSTITUTIONAL SERVICES .....	41,425,000
2		-----
3		
4	General Fund / State Operations	
5	State Purposes Account - 003	
6		
7	Personal service .....	30,648,000
8	Nonpersonal service .....	9,577,000
9		-----
10	Total amount available .....	40,225,000
11		-----
12	Less amount appropriated as an offset in	
13	special revenue funds - other, miscella-	
14	neous special revenue fund - 339, mental	
15	hygiene patient income account .....	(15,600,000)
16		-----
17	Program account subtotal .....	24,625,000
18		-----
19		
20	Special Revenue Funds - Federal / State Operations	
21	Federal Block Grant Fund - 269	
22		
23	For services and expenses associated with	
24	administering the substance abuse	
25	prevention and treatment (SAPT) block	
26	grant:	
27		
28	For the grant period October 1, 2004 to	
29	September 30, 2006:	
30		
31	Personal service .....	865,000
32	Nonpersonal service .....	335,000
33		-----
34	Program fund subtotal .....	1,200,000
35		-----
36		
37	Special Revenue Funds - Other / State Operations	
38	Miscellaneous Special Revenue Fund - 339	
39	Mental Hygiene Patient Income Account	
40		
41	Amount appropriated as an offset to the	
42	general fund - state purposes account ....	15,600,000
43		-----
44	Program account subtotal .....	15,600,000
45		-----
46		
47	PREVENTION AND PROGRAM SUPPORT .....	96,166,000
48		-----
49		
50	General Fund / Aid to Localities	
51	Local Assistance Account - 001	
52		
53	For payment, net of disallowances, of state	
54	financial assistance in accordance with	
55	the mental hygiene law related to school	
56	and community-based prevention and educa-	
57	tion programs, and program support.	
58	Notwithstanding any other provisions of law,	
59	no payment shall be made from this appro-	
60	priation until the recipient agency has	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 demonstrated it has applied for and  
 2 received, or received formal notification  
 3 of refusal of, all forms of third-party  
 4 reimbursement, including federal aid and  
 5 patient fees. The moneys hereby appropri-  
 6 ated are available to reimburse or advance  
 7 to localities and voluntary nonprofit  
 8 agencies for expenditures heretofore  
 9 accrued or hereafter to accrue during  
 10 local fiscal periods commencing January 1,  
 11 2005 or July 1, 2005 and for advances for  
 12 the 3 month period beginning January 1,  
 13 2006; provided that funding for the  
 14 purpose of administration and monitoring  
 15 of these programs shall not exceed 5  
 16 percent of the approved program level,  
 17 unless waived by the commissioner of the  
 18 office of alcoholism and substance abuse  
 19 services and approved by the director of  
 20 the budget. No expenditure shall be made  
 21 for such program until a certificate of  
 22 allocation has been approved by the direc-  
 23 tor of the budget and copies thereof filed  
 24 with the state comptroller and chairs of  
 25 the senate finance committee and the  
 26 assembly ways and means committee ..... 44,500,000  
 27 For services and expenses related to the  
 28 compulsive gambling treatment and  
 29 prevention program. Notwithstanding any  
 30 inconsistent provision of law, the direc-  
 31 tor of the budget is hereby authorized to  
 32 transfer funds appropriated herein to any  
 33 other general fund appropriation within  
 34 the office of alcoholism and substance  
 35 abuse services to accomplish the intent of  
 36 this appropriation ..... 2,000,000  
 37 -----  
 38 Program account subtotal ..... 46,500,000  
 39 -----

40  
 41 Special Revenue Funds - Federal / Aid to Localities  
 42 Federal Health and Human Services Fund - 265  
 43  
 44 For services and expenses related to the  
 45 state incentive program for New York state  
 46 grant.  
 47 Notwithstanding any inconsistent provision  
 48 of law, a portion of the funds hereby  
 49 appropriated may, subject to approval of  
 50 the director of the budget, be transferred  
 51 to state operations in the office of alco-  
 52 holism and substance abuse services  
 53 consistent with the terms of the federal  
 54 award for administrative and support  
 55 services, including fringe benefits, asso-  
 56 ciated with this grant:  
 57  
 58 For the grant period July 15, 2004 to  
 59 September 30, 2006 ..... 750,000  
 60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For services and expenses associated with  
 2 federal grant awards yet to be allocated  
 3 by the U.S. department of education and/or  
 4 the federal department of health and human  
 5 services. Notwithstanding any inconsistent  
 6 provision of law, the director of the  
 7 budget is hereby authorized to transfer  
 8 appropriation authority contained herein  
 9 to any other federal fund or program with-  
 10 in the office of alcoholism and substance  
 11 abuse services for aid to localities,  
 12 administrative and support services,  
 13 including fringe benefits, associated with  
 14 the awarded grant:

15

16 For the grant period July 1, 2004 to Septem-	
17 ber 30, 2006 .....	5,000,000
18	-----
19 Program fund subtotal .....	5,750,000
20	-----

21  
 22 Special Revenue Funds - Federal / Aid to Localities  
 23 Federal Department of Education Fund - 267  
 24

25 For services and expenses related to  
 26 prevention from the federal safe and drug-  
 27 free schools and communities act consist-  
 28 ent with the terms and conditions of the  
 29 federal award:

30

31 For the grant period from July 1, 2005 to	
32 September 30, 2007 .....	6,515,000
33	-----
34 Program fund subtotal .....	6,515,000
35	-----

36  
 37 Special Revenue Funds - Federal / Aid to Localities  
 38 Federal Block Grant Fund - 269  
 39

40 For services and expenses related to  
 41 prevention, intervention and treatment  
 42 programs provided by the substance abuse  
 43 prevention and treatment (SAPT) block  
 44 grant. Notwithstanding any inconsistent  
 45 provision of law, moneys hereby appropri-  
 46 ated may, subject to the approval of the  
 47 director of the budget, be transferred to  
 48 the community treatment services program  
 49 of the office of alcoholism and substance  
 50 abuse services:

51

52 For the grant period October 1, 2004 to	
53 September 30, 2006 .....	28,661,000
54 For the grant period October 1, 2005 to	
55 September 30, 2007 .....	2,200,000
56	-----
57 Program fund subtotal .....	30,861,000
58	-----

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Special Revenue Fund - Other / Aid to Localities	
2	Miscellaneous Special Revenue Fund - 339	
3	License Plate Account	
4		
5	For services and expenses related to	
6	prevention efforts targeted at youth .....	40,000
7		-----
8	Program account subtotal .....	40,000
9		-----
10		
11	Special Revenue Funds - Other / Aid to Localities	
12	Chemical Dependence Service Fund - 346	
13		
14	For services and expenses of community chem-	
15	ical dependence treatment and prevention	
16	services programs including services and	
17	expenses related to staff training and	
18	workforce development activities for pre-	
19	vention, intervention and treatment pro-	
20	grams. Notwithstanding any other provision	
21	of law, up to \$1,000,000 of the appro-	
22	priation may be made available upon the	
23	approval of the director of the budget for	
24	services and expenses related to continu-	
25	ing evaluation activities of the alcohol-	
26	ism and substance abuse service delivery	
27	systems .....	6,500,000
28		-----
29	Program fund subtotal .....	6,500,000
30		-----
31		
32	Total new appropriations for state operations and aid to	
33	localities .....	485,885,000
34		=====



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 COMMUNITY TREATMENT SERVICES PROGRAM

2  
3  
4  
5

Special Revenue Funds - Federal / Aid to Localities  
Federal Block Grant Fund - 269

6 By chapter 54, section 1, of the laws of 2004:

7 For services and expenses of prevention, intervention, and treatment  
8 programs provided by the SAPT block grants.

9 Notwithstanding any inconsistent provision of law, up to \$4,600,000 of  
10 this appropriation may be transferred, pursuant to memoranda of  
11 understanding between the office of alcoholism and substance abuse  
12 services and the department of health and the department of correc-  
13 tional services, respectively, which addresses how such funds con-  
14 tribute to required set-asides of the block grant, to the following  
15 agencies: up to \$1,400,000 to the AIDS institute of the department  
16 of health for the provision of primary health care services for  
17 persons enrolled in drug treatment programs; and up to \$3,200,000 to  
18 the department of correctional services for treatment and counseling  
19 costs.

20 Notwithstanding any inconsistent provision of law, a portion of the  
21 funds hereby appropriated may, subject to the approval of the direc-  
22 tor of the budget, be transferred to state operations in the office  
23 of alcoholism and substance abuse services consistent with the terms  
24 and conditions of the SAPT block grant award for administrative and  
25 support services, including fringe benefits, associated with the  
26 federal block grant.

27 Notwithstanding any inconsistent provision of law, moneys hereby  
28 appropriated may be transferred to prevention and program support of  
29 the office of alcoholism and substance abuse services.

30 For the grant period October 1, 2003 to September 30, 2005 .....  
31 67,690,000 ..... (re. \$48,440,000)

32 For the grant period October 1, 2004 to September 30, 2006 .....  
33 18,700,000 ..... (re. \$18,700,000)

34 For services and expenses associated with federal block grant awards  
35 yet to be allocated by the federal department of health and human  
36 services. Notwithstanding any inconsistent provision of law, the  
37 director of the budget is hereby authorized to transfer appropria-  
38 tion authority contained herein to any other federal fund or program  
39 within the office of alcoholism and substance abuse services for aid  
40 to localities, administrative and support services, including fringe  
41 benefits, associated with the federal block grant.

42 For the grant period October 1, 2003 to September 30, 2005 .....  
43 5,000,000 ..... (re. \$5,000,000)

44  
45  
46  
47

Special Revenue Funds - Federal / Aid to Localities  
Federal Operating Grants Fund - 290

48 By chapter 54, section 1, of the laws of 2004:

49 For services and expenses related to homeless grants. Subject to a  
50 plan approved by the director of the budget, the amount appropriated  
51 herein may be made available to other state agencies for services  
52 and expenses related to federal homeless grants. The director of the  
53 budget is hereby authorized to transfer appropriation authority  
54 contained herein to any other federal fund in which federal homeless  
55 grants are actually received.

56 For the grant period October 1, 2003 to September 30, 2008 .....  
57 11,000,000 ..... (re. \$10,258,000)

58 For services and expenses related to enforcing the underage drinking  
59 laws program grant.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Notwithstanding any inconsistent provision of law, a portion of the  
 2 funds hereby appropriated may, subject to the approval of the  
 3 director of the budget, be transferred to state operations in the  
 4 office of alcoholism and substance abuse services consistent with  
 5 the terms of the federal award for administrative and support  
 6 services, including fringe benefits, associated with this grant.  
 7 For the grant period June 1, 2004 to May 31, 2006 .....  
 8 360,000 ..... (re. \$360,000)  
 9

10 By chapter 54, section 1, of the laws of 2003:  
 11 For services and expenses related to homeless grants ... ..  
 12 For the grant period October 1, 1998 to September 30, 2007 .....  
 13 11,000,000 ..... (re. \$8,974,000)  
 14 For services and expenses related to enforcing the underage drinking  
 15 laws program grant ... ..  
 16 For the grant period June 1, 2003 to May 31, 2005 .....  
 17 360,000 ..... (re. \$248,000)  
 18

19 By chapter 54, section 1, of the laws of 2002:  
 20 For services and expenses related to homeless grants ... ..  
 21 For the grant period October 1, 1992 to September 30, 2004 .....  
 22 2,000,000 ..... (re. \$1,272,000)  
 23 For the grant period October 1, 2000 to September 30, 2006 .....  
 24 9,000,000 ..... (re. \$4,067,000)  
 25

26 EXECUTIVE DIRECTION PROGRAM

27  
 28 Special Revenue Funds - Federal / State Operations  
 29 Federal Department of Education Fund - 267  
 30

31 By chapter 54, section 1, of the laws of 2004:  
 32 For services and expenses associated with the administration of the  
 33 federal safe and drug free schools and communities act, including  
 34 fringe benefits, consistent with the terms and conditions of the  
 35 federal award ... 194,000 ..... (re. \$194,000)  
 36

37 Special Revenue Funds - Federal / State Operations  
 38 Federal Block Grant Fund - 269  
 39

40 By chapter 54, section 1, of the laws of 2004:  
 41 For services and expenses associated with administering the substance  
 42 abuse prevention and treatment (SAPT) block grant:  
 43 For the grant period October 1, 2003 to September 30, 2005: ... ..  
 44 4,780,000 ..... (re. \$2,946,000)  
 45

46 Special Revenue Funds - Federal / State Operations  
 47 Federal Operating Grants Fund - 290  
 48 Statewide Data Collection Account  
 49

50 By chapter 54, section 1, of the laws of 2004:  
 51 For services and expenses related to the statewide data collection  
 52 program as mandated in the 1988 federal anti-drug abuse act:  
 53 For the grant period August 1, 2003 to July 31, 2005 .....  
 54 193,000 ..... (re. \$193,000)  
 55

56 INSTITUTIONAL SERVICES

57  
 58 Special Revenue Funds - Federal / State Operations  
 59 Federal Block Grant Fund - 269  
 60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2004:  
 2 For services and expenses associated with administering the substance  
 3 abuse prevention and treatment (SAPT) block grant:  
 4 For the grant period October 1, 2003 to September 30, 2005: ... ..  
 5 1,200,000 ..... (re. \$900,000)

6  
7 PREVENTION AND PROGRAM SUPPORT

8  
9 Special Revenue Funds - Federal / Aid to Localities  
 10 Federal Health and Human Services Fund - 265

11  
12 By chapter 54, section 1, of the laws of 2004:  
 13 For services and expenses related to the state incentive program for  
 14 New York state grant.  
 15 Notwithstanding any inconsistent provision of law, a portion of the  
 16 funds hereby appropriated may, subject to approval of the director  
 17 of the budget, be transferred to state operations in the office of  
 18 alcoholism and substance abuse services consistent with the terms of  
 19 the federal award for administrative and support services, including  
 20 fringe benefits, associated with this grant:  
 21 For the grant period July 15, 2003 to September 30, 2005 .....  
 22 750,000 ..... (re. \$750,000)  
 23 For services and expenses associated with federal grant awards yet to  
 24 be allocated by the U.S. department of education and/or the federal  
 25 department of health and human services. Notwithstanding any incon-  
 26 sistent provision of law, the director of the budget is hereby  
 27 authorized to transfer appropriation authority contained herein to  
 28 any other federal fund or program within the office of alcoholism  
 29 and substance abuse services for aid to localities, administrative  
 30 and support services, including fringe benefits, associated with the  
 31 awarded grant:  
 32 For the grant period July 1, 2003 to September 30, 2005 .....  
 33 5,000,000 ..... (re. \$5,000,000)

34  
35 By chapter 54, section 1, of the laws of 2003:  
 36 For services and expenses related to the state incentive program for  
 37 New York state grant ... ..  
 38 For the grant period July 15, 2002 to September 30, 2004 .....  
 39 750,000 ..... (re. \$750,000)  
 40 For services and expenses associated with federal grant awards yet to  
 41 be allocated by the U.S. department of education and/or the federal  
 42 department of health and human services ... ..  
 43 For the grant period July 1, 2002 to September 30, 2004 .....  
 44 5,000,000 ..... (re. \$4,794,000)

45  
46 Special Revenue Funds - Federal / Aid to Localities  
 47 Federal Department of Education Fund - 267

48  
49 By chapter 54, section 1, of the laws of 2004:  
 50 For services and expenses related to prevention from the federal safe  
 51 and drug-free schools and communities act consistent with the terms  
 52 and conditions of the federal award:  
 53 For the grant period from July 1, 2004 to September 30, 2006 .....  
 54 6,620,000 ..... (re. \$6,620,000)

55  
56 By chapter 54, section 1, of the laws of 2003:  
 57 For services and expenses related to prevention from the federal safe  
 58 and drug-free schools and communities act consistent with the terms  
 59 and conditions of the federal award.

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period from July 1, 2003 to September 30, 2004 .....

2 7,353,000 ..... (re. \$5,128,000)

3

4 Special Revenue Funds - Federal / Aid to Localities

5 Federal Block Grant Fund - 269

6

7 By chapter 54, section 1, of the laws of 2004:

8 For services and expenses related to prevention, intervention and

9 treatment programs provided by the substance abuse prevention and

10 treatment (SAPT) block grant. Notwithstanding any inconsistent pro-

11 vision of law, moneys hereby appropriated may, subject to the

12 approval of the director of the budget, be transferred to the

13 community treatment services program of the office of alcoholism and

14 substance abuse services:

15 For the grant period October 1, 2003 to September 30, 2005 .....

16 31,091,000 ..... (re. \$21,957,000)

17 For the grant period October 1, 2004 to September 30, 2006 .....

18 1,000,000 ..... (re. \$1,000,000)

19

20 Total reappropriations for state operations and aid to

21 localities ..... 147,551,000

22 =====

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2005-06

1 For the comprehensive construction programs, purposes and  
2 projects as herein specified in accordance with the  
3 following:  
4  
5 Capital Projects Fund ..... 9,200,000  
6 Mental Hygiene Capital Improvement Fund - 389 ..... 29,450,000  
7 -----  
8 All Funds ..... 38,650,000  
9 =====

10  
11 ADMINISTRATION PROGRAM (CCP) ..... 1,140,000  
12 -----  
13  
14 Capital Projects Fund  
15 Administration Purpose  
16  
17 For payment of personal service and  
18 nonpersonal service including fringe  
19 benefits related to the administration  
20 of capital projects provided by the  
21 office of alcoholism and substance abuse  
22 services from new and reappropriated  
23 funds (53A10550) ..... 1,140,000  
24  
25  
26 COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP) ... 31,560,000  
27 -----  
28  
29 Capital Projects Fund  
30 Minor Rehabilitation Purpose  
31  
32 For minor alterations and improvements to  
33 various facilities, including the  
34 payment of liabilities incurred prior to  
35 April 1, 2005, provided, however, that  
36 no expenditures may be made from this  
37 appropriation until a comprehensive plan  
38 of projects has been approved by the  
39 director of the budget (53030589) ..... 5,310,000  
40  
41  
42 Mental Hygiene Capital Improvement Fund - 389  
43  
44 Preservation of Facilities Purpose  
45  
46 For alterations and improvements for pres-  
47 ervation of various facilities including  
48 rehabilitation projects and the acqui-  
49 sition of property, provided, however,  
50 that no expenditures may be made from  
51 this appropriation until a comprehensive  
52 plan of projects has been approved by  
53 the director of the budget (53030503) ..... 13,125,000  
54  
55 New Facilities Purpose  
56  
57 For the acquisition of property, design,  
58 construction and extensive rehabili-  
59 tation of facilities for the purpose of  
60 delivering chemical dependence services,

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2005-06

1 pursuant to the mental hygiene law. No  
2 expenditure shall be made from this  
3 appropriation until a spending plan for  
4 proposed projects has been submitted by  
5 the commissioner of the office of alco-  
6 holism and substance abuse services and  
7 approved by the director of the budget  
8 (53AA0507) ..... 13,125,000  
9  
10 DESIGN AND CONSTRUCTION SUPERVISION (CCP) ..... 2,000,000  
11 -----  
12  
13 Capital Projects Fund  
14  
15 Preparation of Plans Purpose  
16  
17 For payment to the design and construction  
18 management account of the centralized  
19 services fund of the New York state  
20 office of general services or to the  
21 dormitory authority of the state of New  
22 York for the purpose of preparation and  
23 review of plans, specifications, esti-  
24 mates, services, construction management  
25 and supervision, inspection, studies,  
26 appraisals, surveys, testing and envi-  
27 ronmental impact statements for new  
28 projects (53A60530) ..... 1,500,000  
29  
30 Mental Hygiene Capital Improvement Fund - 389  
31  
32 Preparation of Plans Purpose  
33  
34 For payment to the design and construction  
35 management account of the centralized  
36 services fund of the New York state  
37 office of general services or to the  
38 dormitory authority of the state of New  
39 York for the purpose of preparation and  
40 review of plans, specifications, esti-  
41 mates, services, construction management  
42 and supervision, inspection, studies,  
43 appraisals, surveys, testing and envi-  
44 ronmental impact statements for new  
45 projects (53060530) ..... 500,000  
46  
47 INSTITUTIONAL SERVICES PROGRAM (CCP) ..... 3,200,000  
48 -----  
49 Capital Projects Fund  
50  
51 Minor Rehabilitation Purpose  
52  
53 For minor alterations and improvements to  
54 various facilities, including the  
55 payment of liabilities incurred prior to  
56 April 1, 2005, provided, however, that  
57 no expenditures may be made from this  
58 appropriation until a comprehensive plan  
59 of projects has been approved by the  
60 director of the budget (53HD0589) ..... 500,000

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CAPITAL PROJECTS 2005-06

1 Mental Hygiene Capital Improvement Fund - 389  
2  
3 Preservation of Facilities Purpose  
4  
5 For alterations and improvements for pres-  
6 ervation of various facilities including  
7 rehabilitation projects, provided, how-  
8 ever, that no expenditures may be made  
9 from this appropriation until a compre-  
10 hensive plan of projects has been  
11 approved by the director of the budget.  
12 This appropriation may be used for the  
13 cost of potential claims against con-  
14 tracts awarded by the dormitory author-  
15 ity of the state of New York. Upon  
16 request of the commissioner of the  
17 office of alcoholism and substance abuse  
18 services and approval by the director of  
19 the budget, this appropriation may be  
20 transferred to the dormitory authority  
21 of the state of New York (53A20503) ..... 2,700,000  
22  
23 NON-BONDABLE PROJECTS (CCP) ..... 750,000  
24 -----  
25  
26 Capital Projects Fund  
27  
28 Non-Bondable Purpose  
29  
30 For transfer to the Mental Hygiene Capital  
31 Improvement Fund for reimbursement of  
32 the non-bondable cost of community  
33 facilities authorized by appropriations  
34 or reappropriations funded from the  
35 Mental Hygiene Capital Improvement Fund  
36 including liabilities incurred prior to  
37 April 1, 2005 or for payment to the  
38 dormitory authority of the state of New  
39 York for defeasance of bonds. Upon  
40 request of the commissioner of the  
41 office of alcoholism and substance abuse  
42 services and approval by the director of  
43 the budget, this appropriation may be  
44 transferred to the dormitory authority  
45 of the state of New York (53NB05NB) ..... 750,000

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CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)  
2  
3 Capital Projects Fund  
4  
5 Minor Rehabilitation Purpose  
6  
7 By chapter 54, section 1, of the laws of 2004:  
8 For minor alterations and improvements to various facilities, includ-  
9 ing the payment of liabilities incurred prior to April 1, 2004,  
10 provided, however, that no expenditures may be made from this appro-  
11 priation until a comprehensive plan of projects has been approved by  
12 the director of the budget (53030489) .....  
13 5,310,000 ..... (re. \$5,310,000)  
14  
15 By chapter 54, section 1, of the laws of 2003:  
16 For minor alterations and improvements to various facilities, includ-  
17 ing the payment of liabilities incurred prior to April 1, 2003,  
18 provided, however, that no expenditures may be made from this appro-  
19 priation until a comprehensive plan of projects has been approved by  
20 the director of the budget (53030389) .....  
21 5,310,000 ..... (re. \$5,310,000)  
22  
23 By chapter 54, section 1, of the laws of 2002:  
24 For minor alterations and improvements to various facilities, includ-  
25 ing the payment of liabilities incurred prior to April 1, 2002,  
26 provided, however, that no expenditures may be made from this appro-  
27 priation until a comprehensive plan of projects has been approved by  
28 the director of the budget (53030289) .....  
29 3,288,000 ..... (re. \$3,288,000)  
30  
31 By chapter 54, section 1, of the laws of 2001:  
32 For minor alterations and improvements to various facilities, includ-  
33 ing the payment of liabilities incurred prior to April 1, 2001,  
34 provided, however, that no expenditures may be made from this appro-  
35 priation until a comprehensive plan of projects has been approved by  
36 the director of the budget (53030189) .....  
37 3,288,000 ..... (re. \$3,188,000)  
38  
39 By chapter 54, section 1, of the laws of 2000:  
40 For minor alterations and improvements to various facilities, includ-  
41 ing the payment of liabilities incurred prior to April 1, 2000,  
42 provided, however, that no expenditures may be made from this appro-  
43 priation until a comprehensive plan of projects has been approved by  
44 the director of the budget (53030089) .....  
45 2,750,000 ..... (re. \$1,657,000)  
46  
47 Mental Hygiene Capital Improvement Fund - 389  
48  
49 Preservation of Facilities Purpose  
50  
51 By chapter 54, section 1, of the laws of 2004:  
52 For alterations and improvements for preservation of various facili-  
53 ties including rehabilitation projects and the acquisition of prop-  
54 erty, provided, however, that no expenditures may be made from this  
55 appropriation until a comprehensive plan of projects has been  
56 approved by the director of the budget (53030403) .....  
57 13,280,000 ..... (re. \$13,280,000)  
58



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CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2003:  
 2 For alterations and improvements for preservation of various facili-  
 3 ties including rehabilitation projects and the acquisition of prop-  
 4 erty, provided, however, that no expenditures may be made from this  
 5 appropriation until a comprehensive plan of projects has been  
 6 approved by the director of the budget (53030303) .....  
 7 13,280,000 ..... (re. \$13,280,000)

8  
 9 By chapter 54, section 1, of the laws of 2002:  
 10 For alterations and improvements for preservation of various facili-  
 11 ties including rehabilitation projects and the acquisition of prop-  
 12 erty, provided, however, that no expenditures may be made from this  
 13 appropriation until a comprehensive plan of projects has been  
 14 approved by the director of the budget (53030203) .....  
 15 10,000,000 ..... (re. \$9,662,000)

16  
 17 By chapter 54, section 1, of the laws of 2001:  
 18 For alterations and improvements for preservation of various facili-  
 19 ties including rehabilitation projects and the acquisition of prop-  
 20 erty, provided, however, that no expenditures may be made from this  
 21 appropriation until a comprehensive plan of projects has been  
 22 approved by the director of the budget (53030103) .....  
 23 10,000,000 ..... (re. \$7,000,000)

24  
 25 By chapter 54, section 1, of the laws of 2000:  
 26 For alterations and improvements for preservation of various facili-  
 27 ties including rehabilitation projects and the acquisition of prop-  
 28 erty, provided, however, that no expenditures may be made from this  
 29 appropriation until a comprehensive plan of projects has been  
 30 approved by the director of the budget. Upon request of the commis-  
 31 sioner of the office of alcoholism and substance abuse services and  
 32 approval by the director of the budget, this appropriation may be  
 33 transferred to the dormitory authority of the state of New York  
 34 (53030003) ... 19,100,000 ..... (re. \$15,128,000)

35  
 36 By chapter 54, section 1, of the laws of 1999:  
 37 For alterations and improvements for preservation of various facili-  
 38 ties including rehabilitation projects and the acquisition of prop-  
 39 erty. Upon request of the commissioner of the office of alcoholism  
 40 and substance abuse services and approval by the director of the  
 41 budget, this appropriation may be transferred to the dormitory  
 42 authority of the state of New York (53039903) .....  
 43 15,000,000 ..... (re. \$4,519,000)

44  
 45 New Facilities Purpose

46  
 47 By chapter 54, section 1, of the laws of 2004:  
 48 For the acquisition of property, design, construction and extensive  
 49 rehabilitation of facilities for the purpose of delivering chemical  
 50 dependence services, pursuant to the mental hygiene law. No expendi-  
 51 ture shall be made from this appropriation until a spending plan for  
 52 proposed projects has been submitted by the commissioner of the  
 53 office of alcoholism and substance abuse services and approved by  
 54 the director of the budget (53AA0407) .....  
 55 12,970,000 ..... (re. \$12,970,000)

56  
 57 By chapter 54, section 1, of the laws of 2003:  
 58 For the acquisition of property, design, construction and extensive  
 59 rehabilitation of facilities for the purpose of delivering chemical  
 60 dependence services, pursuant to the mental hygiene law. No expendi-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 ture shall be made from this appropriation until a spending plan for  
 2 proposed projects has been submitted by the commissioner of the  
 3 office of alcoholism and substance abuse services and approved by  
 4 the director of the budget (53AA0307) .....  
 5 12,970,000 ..... (re. \$10,983,000)

6  
7 By chapter 54, section 1, of the laws of 2002:

8 For the acquisition of property, design, construction and extensive  
 9 rehabilitation of facilities for the purpose of delivering chemical  
 10 dependence services, pursuant to the mental hygiene law. No expendi-  
 11 ture shall be made from this appropriation until a spending plan for  
 12 proposed projects has been submitted by the commissioner of the  
 13 office of alcoholism and substance abuse services and approved by  
 14 the director of the budget (53AA0207) .....  
 15 10,000,000 ..... (re. \$9,118,000)

16  
17 By chapter 54, section 1, of the laws of 2001:

18 For the acquisition of property, design, construction and extensive  
 19 rehabilitation of facilities for the purpose of delivering chemical  
 20 dependence services, pursuant to the mental hygiene law. No expendi-  
 21 ture shall be made from this appropriation until a spending plan for  
 22 proposed projects has been submitted by the commissioner of the  
 23 office of alcoholism and substance abuse services and approved by  
 24 the director of the budget (53AA0107) .....  
 25 10,000,000 ..... (re. \$5,007,000)

26  
27 By chapter 54, section 1, of the laws of 2000:

28 For the acquisition of property, design, construction and rehabili-  
 29 tation of not more than 100 beds for adolescents and/or women and  
 30 their children, to be developed for operation by voluntary-operated  
 31 or local government operated community alcohol, substance abuse  
 32 and/or chemical dependency treatment providers. Notwithstanding any  
 33 other inconsistent provision of law, the moneys hereby appropriated  
 34 may support up to 100 percent of approved capital costs of such  
 35 alcohol, substance abuse and/or chemical dependency facilities.  
 36 Notwithstanding any other inconsistent provision of law, and subject  
 37 to the approval of the director of the budget, funds from this  
 38 appropriation may be paid to the dormitory authority of the state of  
 39 New York to the design and construction management account pursuant  
 40 to one or more certificates approved by the director of the budget  
 41 for purposes of carrying out the project or projects provided for  
 42 herein. No expenditures may be made from this appropriation until a  
 43 comprehensive plan of projects has been approved by the director of  
 44 the budget (53010007) ... 5,000,000 ..... (re. \$3,516,000)

45  
46 By chapter 54, section 1, of the laws of 1990, as amended by chapter  
47 295, part A, section 1, of the laws of 2001:

48 For the state funding of 100 percent of the cost of acquisition,  
 49 design, construction and rehabilitation of facilities for approved  
 50 family support communities. Facilities for family support communi-  
 51 ties shall consist of all facilities necessary to support a contin-  
 52 uum of services for substance abusers and their children, including,  
 53 but not limited to outpatient services, detoxification and residen-  
 54 tial treatment, supervised and supported housing, child care, and  
 55 transitional housing. At least one facility with not more than 125  
 56 treatment beds shall be constructed in New York City and at least an  
 57 additional four facilities with not more than 75 treatment beds per  
 58 facility shall be located statewide.

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1 State aid to municipalities and other public and not-for-profit  
2 private agencies for acquisition of property, construction and reha-  
3 bilitation of community substance abuse treatment facilities, pursu-  
4 ant to article 25 of the mental hygiene law. Notwithstanding any  
5 other inconsistent provision of law, the moneys hereby appropriated  
6 may be available for payment of state aid heretofore accrued or  
7 hereafter to accrue, and with the approval of the director of the  
8 budget, may support up to 100 percentum of approved capital and  
9 pre-operational costs of such substance abuse treatment facilities.  
10 Such substance abuse residential treatment facilities shall be oper-  
11 ated by either public or not-for-profit providers and shall have a  
12 maximum treatment capacity of no more than 300 beds at any one  
13 location. This bed limit may be waived by the director of the budget  
14 only for facilities funded under a federal request for applications  
15 that specifically requires larger facilities, up to a maximum of 600  
16 beds, for commitment of federal funds. In any such application, the  
17 federal minimum bed limit shall be the state's maximum, and the  
18 chairmen of the senate finance and assembly ways and means commit-  
19 tees shall be notified within thirty days of such application, and  
20 any subsequent commitment of funds. Prior to the allocation of the  
21 appropriation for new treatment services, the commissioner shall  
22 issue, subject to the approval of the director of the budget, a  
23 request for proposals (RFP). The criteria of the RFP shall include  
24 but not be limited to: (1) cost per bed ranges based on program  
25 type, geographic considerations and a provider's proven ability to  
26 attract other sources of funding; (2) development of innovative  
27 program models encouraging shorter lengths of stay; (3) assessment  
28 of the full range of site options considered and the estimated costs  
29 of each option; (4) estimated operating costs of proposed beds; and  
30 (5) development of treatment facilities proposing to utilize person-  
31 nel affected by state workforce reductions within the department of  
32 mental hygiene. No later than thirty days after the issuance of such  
33 RFP, and quarterly thereafter, the commissioner of the office of  
34 alcoholism and substance abuse services shall report to the director  
35 of the budget and to the chairmen of the legislative fiscal commit-  
36 tees on the status of the RFP process and of any proposed capital  
37 projects. No expenditure shall be made from this appropriation until  
38 a spending plan for proposed projects has been submitted by the  
39 commissioner of the office of alcoholism and substance abuse  
40 services and approved by the director of the budget with copies to  
41 the chairmen of the senate finance and assembly ways and means  
42 committees (53AA9007) ... 81,700,000 ..... (re. \$6,723,000)

43  
44 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

45  
46 Capital Projects Fund

47  
48 Preparation of Plans Purpose

49  
50 By chapter 54, section 1, of the laws of 2004:

51 For payment to the design and construction management account of the  
52 centralized services fund of the New York state office of general  
53 services or to the dormitory authority of the state of New York for  
54 the purpose of preparation and review of plans, specifications,  
55 estimates, services, construction management and supervision,  
56 inspection, studies, appraisals, surveys, testing and environmental  
57 impact statements for new projects (53A60430) .....  
58 1,500,000 ..... (re. \$1,500,000)

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1 INSTITUTIONAL SERVICES PROGRAM (CCP)  
2  
3 Capital Projects Fund  
4  
5 Minor Rehabilitation Purpose  
6  
7 By chapter 54, section 1, of the laws of 2004:  
8 For minor alterations and improvements to various facilities, includ-  
9 ing the payment of liabilities incurred prior to April 1, 2004,  
10 provided, however, that no expenditures may be made from this appro-  
11 priation until a comprehensive plan of projects has been approved by  
12 the director of the budget (53HD0489) .....  
13 500,000 ..... (re. \$500,000)  
14  
15 By chapter 54, section 1, of the laws of 2003:  
16 For minor alterations and improvements to various facilities, includ-  
17 ing the payment of liabilities incurred prior to April 1, 2003,  
18 provided, however, that no expenditures may be made from this appro-  
19 priation until a comprehensive plan of projects has been approved by  
20 the director of the budget (53HD0389) .....  
21 500,000 ..... (re. \$500,000)  
22  
23 By chapter 54, section 1, of the laws of 2002:  
24 For minor alterations and improvements to various facilities, includ-  
25 ing the payment of liabilities incurred prior to April 1, 2002,  
26 provided, however, that no expenditures may be made from this appro-  
27 priation until a comprehensive plan of projects has been approved by  
28 the director of the budget (53HD0289) .....  
29 500,000 ..... (re. \$500,000)  
30  
31 By chapter 54, section 1, of the laws of 2001:  
32 For minor alterations and improvements to various facilities, includ-  
33 ing the payment of liabilities incurred prior to April 1, 2001,  
34 provided, however, that no expenditures may be made from this appro-  
35 priation until a comprehensive plan of projects has been approved by  
36 the director of the budget (53HD0189) .....  
37 500,000 ..... (re. \$328,000)  
38  
39 By chapter 54, section 1, of the laws of 1999:  
40 For minor alterations and improvements to various facilities, includ-  
41 ing the payment of liabilities incurred prior to April 1, 1999,  
42 provided, however, that no expenditures may be made from this appro-  
43 priation until a comprehensive plan of projects has been approved by  
44 the director of the budget (53HD9989) .....  
45 1,000,000 ..... (re. \$632,000)  
46  
47 Mental Hygiene Capital Improvement Fund - 389  
48  
49 Health and Safety Purpose  
50  
51 By chapter 54, section 1, of the laws of 1997:  
52 For payment of the cost of construction, reconstruction and improve-  
53 ments, including the preparation of designs, plans, specifications  
54 and estimates, for health and safety improvements to existing facil-  
55 ities and programs, provided, however, that no expenditures may be  
56 made from this appropriation until a comprehensive plan of projects  
57 has been approved by the director of the budget (3/00)(53019701) ...  
58 1,200,000 ..... (re. \$1,200,000)  
59

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1 By chapter 54, section 1, of the laws of 1995:  
 2 For alterations and improvements to the Margaret A. Stutzman Alcohol-  
 3 ism Treatment Center under the jurisdiction of the office of alco-  
 4 holism and substance abuse services including liabilities incurred  
 5 prior to April 1, 1995. Upon request of the commissioner of the  
 6 office of alcoholism and substance abuse services and approval by  
 7 the director of the budget, this appropriation may be transferred to  
 8 the facilities development corporation or its successor agency  
 9 (53019501) ... 704,000 ..... (re. \$204,000)

10  
 11 By chapter 54, section 1, of the laws of 1993:  
 12 For alterations and improvements relating to tuberculosis (TB) control  
 13 in various alcoholism treatment facilities under the jurisdiction of  
 14 the office of alcoholism and substance abuse services. Notwith-  
 15 standing any inconsistent provision of law, no moneys hereby appro-  
 16 priated shall be expended until a spending plan detailing the TB  
 17 controls needed and estimated cost by facility is submitted by the  
 18 commissioner and approved by the director of the budget (6/97)  
 19 (53HT9301) ... 662,000 ..... (re. \$238,000)

20  
 21 By chapter 54, section 1, of the laws of 1992, as amended by chapter 54,  
 22 section 3, of the laws of 1993:  
 23 For alterations and improvements to various alcohol treatment facili-  
 24 ties under the jurisdiction of the office of alcoholism and  
 25 substance abuse services including liabilities incurred prior to  
 26 April 1, 1992 (3/97) (53H19201) ... 840,000 ..... (re. \$342,000)

27 Accreditation Purpose

28  
 29  
 30 By chapter 54, section 1, of the laws of 1989, as amended by chapter 54,  
 31 section 3, of the laws of 1991:  
 32 For alterations and improvements for accreditation projects at various  
 33 facilities including payments of liabilities incurred prior to April  
 34 1, 1989 according to the following schedule (11/95) (53028902)  
 35 ... ..... 2,015,000 ..... (re. \$185,000)

36 Preservation of Facilities Purpose

37  
 38  
 39 By chapter 54, section 1, of the laws of 2004:  
 40 For alterations and improvements for preservation of various facili-  
 41 ties including rehabilitation projects, provided, however, that no  
 42 expenditures may be made from this appropriation until a comprehen-  
 43 sive plan of projects has been approved by the director of the  
 44 budget. This appropriation may be used for the cost of potential  
 45 claims against contracts awarded by the dormitory authority of the  
 46 state of New York or the facilities development corporation. Upon  
 47 request of the commissioner of the office of alcoholism and  
 48 substance abuse services and approval by the director of the budget,  
 49 this appropriation may be transferred to the dormitory authority of  
 50 the state of New York (53A20403) ... 1,000,000 .... (re. \$1,000,000)

51  
 52 By chapter 54, section 1, of the laws of 2003:  
 53 For alterations and improvements for preservation of various facili-  
 54 ties including rehabilitation projects, provided, however, that no  
 55 expenditures may be made from this appropriation until a comprehen-  
 56 sive plan of projects has been approved by the director of the budg-  
 57 et. This appropriation may be used for the cost of potential claims  
 58 against contracts awarded by the dormitory authority of the state of  
 59 New York or the facilities development corporation. Upon request of

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1 the commissioner of the office of alcoholism and substance abuse  
2 services and approval by the director of the budget, this appropri-  
3 ation may be transferred to the dormitory authority of the state of  
4 New York (53PR0303) ... 1,000,000 ..... (re. \$1,000,000)  
5

6 By chapter 54, section 1, of the laws of 2002:

7 For alterations and improvements for preservation of various facili-  
8 ties including rehabilitation projects, provided, however, that no  
9 expenditures may be made from this appropriation until a comprehen-  
10 sive plan of projects has been approved by the director of the budg-  
11 et. This appropriation may be used for the cost of potential claims  
12 against contracts awarded by the dormitory authority of the state of  
13 New York or the facilities development corporation. Upon request of  
14 the commissioner of the office of alcoholism and substance abuse  
15 services and approval by the director of the budget, this appropri-  
16 ation may be transferred to the dormitory authority of the state of  
17 New York (53PR0203) ... 2,000,000 ..... (re. \$2,000,000)  
18

19 By chapter 54, section 1, of the laws of 2001:

20 For alterations and improvements for preservation of various facili-  
21 ties including rehabilitation projects, provided, however, that no  
22 expenditures may be made from this appropriation until a comprehen-  
23 sive plan of projects has been approved by the director of the budg-  
24 et. This appropriation may be used for the cost of potential claims  
25 against contracts awarded by the dormitory authority of the state of  
26 New York or the facilities development corporation. Upon request of  
27 the commissioner of the office of alcoholism and substance abuse  
28 services and approval by the director of the budget, this appropri-  
29 ation may be transferred to the dormitory authority of the state of  
30 New York (53PR0103) ... 2,000,000 ..... (re. \$1,867,000)  
31

32 By chapter 54, section 1, of the laws of 2000:

33 For alterations and improvements for preservation of various facili-  
34 ties including rehabilitation projects, provided, however, that no  
35 expenditures may be made from this appropriation until a comprehen-  
36 sive plan of projects has been approved by the director of the budg-  
37 et. This appropriation may be used for the cost of potential claims  
38 against contracts awarded by the dormitory authority of the state of  
39 New York or the facilities development corporation. Upon request of  
40 the commissioner of the office of alcoholism and substance abuse  
41 services and approval by the director of the budget, this appropri-  
42 ation may be transferred to the dormitory authority of the state of  
43 New York (53PR0003) ... 1,937,000 ..... (re. \$786,000)  
44

45 By chapter 54, section 1, of the laws of 1999:

46 For the cost of potential claims. Upon request of the commissioner of  
47 the office of alcoholism and substance abuse services and approval  
48 by the director of the budget, this appropriation may be transferred  
49 to the dormitory authority of the state of New York (53LL9903) .....  
50 1,600,000 ..... (re. \$1,100,000)  
51

52 By chapter 54, section 1, of the laws of 1987, as amended by chapter 54,  
53 section 3, of the laws of 1993, and as supplemented by certificate  
54 of transfer issued pursuant to the provisions of section 93 of the  
55 state finance law, as amended:

56 For payment of the cost of construction, reconstruction and improve-  
57 ments, for various facilities and programs under the jurisdiction of  
58 the office of alcoholism and substance abuse services, including but

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1 not limited to the following schedule of major and minor rehabili-  
 2 tation projects and for liabilities incurred for major and minor  
 3 rehabilitation prior to April 1, 1987 (4/95) (53A28703) ... ..  
 4 1,919,000 ..... (re. \$197,000)

5  
 6 New Facilities Purpose

7  
 8 By chapter 54, section 1, of the laws of 1998:  
 9 For costs related to the major rehabilitation and/or relocation of  
 10 various state-owned facilities including state-owned facilities  
 11 operated by non-state entities under the jurisdiction of the office  
 12 of alcoholism and substance abuse services including liabilities  
 13 incurred prior to April 1, 1998. Upon request of the commissioner of  
 14 alcoholism and substance abuse services and approval by the director  
 15 of the budget, this appropriation may be transferred to the dormito-  
 16 ry authority of the state of New York (53019807) .....  
 17 3,051,000 ..... (re. \$3,051,000)

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1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
2		
3		
4		
5	General Fund - State and Local .....	1,361,134,000
6	Special Revenue Funds - Federal ....	41,856,000
7	Special Revenue Funds - Other .....	684,481,000
8	Capital Projects Funds .....	263,814,000
9	Enterprise Funds .....	8,349,000
10	Internal Service Funds .....	2,509,000
11		-----
12	All Funds .....	2,362,143,000
13		=====

14

15 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

16	17 Fund Type	State Operations	Aid to Localities	Capital Projects	Total
18					
19					
20	GF-St/Local	587,210,000	773,924,000	0	1,361,134,000
21	SR-Federal	1,272,000	40,584,000	0	41,856,000
22	SR-Other	604,196,000	80,285,000	0	684,481,000
23	Cap Proj	0	0	263,814,000	263,814,000
24	Enterprise	8,349,000	0	0	8,349,000
25	Internal Srv	2,509,000	0	0	2,509,000
26					
27	All Funds	1,203,536,000	894,793,000	263,814,000	2,362,143,000
28		=====	=====	=====	=====

29

30 SCHEDULE

31		
32	ADMINISTRATION AND FINANCE PROGRAM .....	72,382,000
33		-----
34		
35	General Fund / State Operations	
36	State Purposes Account - 003	
37		
38	Personal service .....	39,189,000
39	Nonpersonal service .....	19,193,000
40		-----
41	Program account subtotal .....	58,382,000
42		-----
43		
44	Special Revenue Funds - Federal / State Operations	
45	Federal Block Grant Fund - 269	
46		
47	For the grant period October 1, 2004 to	
48	September 30, 2005:	
49		
50	Personal service .....	395,000
51	Nonpersonal service .....	82,000
52	Fringe benefits .....	159,000
53		-----
54	Grant period total .....	636,000
55		-----
56		
57	For the grant period October 1, 2005 to	
58	September 30, 2006:	
59		
60	Personal service .....	395,000



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1	Nonpersonal service .....	82,000
2	Fringe benefits .....	159,000
3		-----
4	Grant period total .....	636,000
5		-----
6	Program fund subtotal .....	1,272,000
7		-----
8		
9	Special Revenue Funds - Other / State Operations	
10	Mental Hygiene Gifts and Donations Fund - 019	
11	Office of Mental Health Gifts and Donations Account	
12		
13	For nonpersonal service expenditures to	
14	benefit patients or for other purposes	
15	from investment income, private donations	
16	and other contributions .....	500,000
17		-----
18	Program account subtotal .....	500,000
19		-----
20		
21	Special Revenue Funds - Other / State Operations	
22	Combined Gifts, Grants and Bequests Fund - 020	
23	Office of Mental Health Grants and Bequests Account	
24		
25	For nonpersonal service expenditures to	
26	benefit patients from bequests from	
27	patients' families .....	70,000
28		-----
29	Program account subtotal .....	70,000
30		-----
31		
32	Special Revenue Fund - Other / State Operations	
33	Miscellaneous Special Revenue Fund - 339	
34	Cook/Chill Account	
35		
36	For services and expenses related to the	
37	operation of the cook/chill production	
38	center at the Rockland psychiatric center.	1,300,000
39		-----
40	Program account subtotal .....	1,300,000
41		-----
42		
43	Enterprise Funds / State Operations	
44	Mental Health Sheltered Workshop Account - 351	
45		
46	Personal service .....	2,045,000
47	Nonpersonal service .....	3,708,000
48		-----
49	Program account subtotal .....	5,753,000
50		-----
51		
52	Enterprise Funds / State Operations	
53	Mental Hygiene Community Stores Account - 353	
54		
55	Personal service .....	551,000
56	Nonpersonal service .....	1,793,000
57	Fringe benefits .....	252,000
58		-----
59	Program account subtotal .....	2,596,000
60		-----

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1	Internal Service Funds / State Operations	
2	Mental Hygiene Revolving Account - 343	
3		
4	Personal service .....	993,000
5	Nonpersonal service .....	1,068,000
6	Fringe benefits .....	448,000
7		-----
8	Program account subtotal .....	2,509,000
9		-----
10		
11	ADULT SERVICES PROGRAM .....	1,455,330,000
12		-----
13		
14	General Fund / State Operations	
15	State Purposes Account - 003	
16		
17	Personal service	
18	Notwithstanding any inconsistent provision	
19	of law, the amount hereby appropriated	
20	shall be available for the designated	
21	purpose, less the amount, as certified by	
22	the director of the budget, of any trans-	
23	fers from the general fund to the tobacco	
24	control and insurance initiatives pool	
25	established pursuant to section 2807-v of	
26	the public health law, to reflect the	
27	state savings attributable to this program	
28	resulting from an increase in the federal	
29	medical assistance percentage available to	
30	the state pursuant to the applicable	
31	provisions of the federal social security	
32	act .....	654,409,000
33	Nonpersonal service .....	147,804,000
34		
35	Maintenance undistributed	
36	For transfer to the department of health	
37	medical assistance local assistance	
38	program for payments for outside hospital	
39	care .....	3,165,000
40		-----
41	Program account subtotal .....	805,378,000
42		-----
43		
44	General Fund / Aid to Localities	
45	Local Assistance Account - 001	
46		
47	For services and expenses of various adult	
48	community mental health services, includ-	
49	ing transfer to the department of health	
50	to reimburse the department for the state	
51	share of medical assistance for various	
52	community mental health services.	
53	Notwithstanding any inconsistent provision	
54	of law, the amount hereby appropriated	
55	shall be available for the designated	
56	purpose, less the amount, as certified by	
57	the director of the budget, of any trans-	
58	fers from the general fund to the tobacco	
59	control and insurance initiatives pool	
60	established pursuant to section 2807-v of	

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1 the public health law, to reflect the  
2 state savings attributable to this program  
3 resulting from an increase in the federal  
4 medical assistance percentage available to  
5 the state pursuant to the applicable  
6 provisions of the federal social security  
7 act. Notwithstanding any inconsistent  
8 provision of law, a portion of the money  
9 herein appropriated may be made available  
10 for transfer to the department of health  
11 for the state share of disproportionate  
12 share payments to voluntary nonprofit  
13 general hospitals pursuant to chapter 119  
14 of the laws of 1997 as amended.

15 For payment of state financial assistance,  
16 net of disallowances, for community mental  
17 health programs pursuant to article 41 and  
18 other provisions of the mental hygiene  
19 law. The moneys hereby appropriated for  
20 allocation to local governments and volun-  
21 tary agencies for services are available  
22 to reimburse or advance funds to local  
23 governments and voluntary agencies for  
24 expenditures made or to be made during  
25 local program years commencing January 1,  
26 2005 or July 1, 2005 and for advances for  
27 the period beginning January 1, 2006 for  
28 local governments and voluntary agencies  
29 with program years beginning January 1.

30 Notwithstanding the provisions of section  
31 31.03 of the mental hygiene law and any  
32 other inconsistent provision of law,  
33 moneys appropriated for family care shall  
34 be available for, but not limited to, the  
35 purchase of substitute caretakers up to a  
36 maximum of 14 days and payments limited to  
37 \$632 per year based upon financial need  
38 for the personal needs of each client  
39 residing in the family care home.

40 Notwithstanding any other provision of law,  
41 and except for transfers to the department  
42 of health to reimburse the department for  
43 the state share of medical assistance  
44 payments and as modified below, this  
45 appropriation shall be available for obli-  
46 gations for the period commencing July 1,  
47 2005 and ending June 30, 2006 and shall be  
48 available for expenditure from July 1,  
49 2005 through September 15, 2006.

50 An amount from this appropriation when  
51 combined with the appropriation for the  
52 miscellaneous special revenue fund - 339  
53 medication reimbursement account shall  
54 provide up to \$15,000,000 for grants to  
55 the counties and city of New York to  
56 provide medication, and other services  
57 necessary to prescribe and administer  
58 medication pursuant to a plan approved by

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1 the commissioner of mental health, as  
2 authorized under chapter 408 of the laws  
3 of 1999.

4 Notwithstanding any provision of law to the  
5 contrary, the commissioner of mental  
6 health shall be authorized to continue  
7 contracts with entities providing  
8 supported housing for persons with mental  
9 illness, for all such contracts which were  
10 executed on or before March 31, 2004,  
11 without any additional requirements that  
12 such contracts be subject to competitive  
13 bidding or a request for proposals proc-  
14 ess.

15 No expenditures shall be made for such  
16 program prior to the approval of a method-  
17 ology for allocation in accordance with a  
18 plan approved by the commissioner and the  
19 director of the budget with copies to be  
20 filed with the chairpersons of the senate  
21 finance committee and assembly ways and  
22 means committee. Furthermore, no expendi-  
23 ture shall be made until a certificate of  
24 allocation has been approved by the direc-  
25 tor of the budget with copies to be filed  
26 with the chairpersons of the senate  
27 finance committee and the assembly ways  
28 and means committee. The state comptroller  
29 is hereby authorized to receive funds from  
30 the office of mental health and is author-  
31 ized to refund such moneys to the credit  
32 of the local assistance account of the  
33 general fund for the purpose of reimburs-  
34 ing the 2005-06 appropriation.

35 The amounts appropriated pursuant to such  
36 appropriation may be transferred to other  
37 state agencies, authorities, or accounts  
38 for expenditures incurred in the operation  
39 of programs funded by such appropriation.. 609,468,000

40 -----  
41 Program account subtotal ..... 609,468,000  
42 -----

43  
44 Special Revenue Funds - Federal / Aid to Localities  
45 Federal Health and Human Services Fund - 265  
46

47 For programs to assist and transition from  
48 homelessness (PATH) grants. Notwithstand-  
49 ing any inconsistent provision of law, a  
50 portion of this appropriation, consistent  
51 with the terms and conditions of the PATH  
52 grant, may be transferred to other  
53 programs within the office of mental  
54 health for aid to localities, administra-  
55 tive and support services, including  
56 fringe benefits, associated with the  
57 grant:

58  
59 For the grant period September 1, 2004 to  
60 August 31, 2005 ..... 176,000

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1 For the grant period September 1, 2005 to  
 2 August 31, 2006 ..... 3,489,000  
 3 -----  
 4 Program fund subtotal ..... 3,665,000  
 5 -----

6  
 7 Special Revenue Funds - Federal / Aid to Localities  
 8 Federal Block Grant Fund - 269  
 9

10 For services and expenses related to adult  
 11 mental health services funded by the  
 12 community mental health services block  
 13 grant. Notwithstanding any inconsistent  
 14 provision of law, a portion of this appro-  
 15 priation, consistent with the terms and  
 16 conditions of the block grant, may be  
 17 transferred to other programs within the  
 18 office of mental health for aid to locali-  
 19 ties, administrative and support services,  
 20 including fringe benefits, associated with  
 21 the federal block grant:  
 22

23 For the grant period October 1, 2004 to  
 24 September 30, 2005 ..... 12,477,000  
 25 For the grant period October 1, 2005 to  
 26 September 30, 2006 ..... 7,407,000  
 27 -----  
 28 Subtotal ..... 19,884,000  
 29 -----

30  
 31 For services and expenses associated with  
 32 federal grant awards yet to be allocated  
 33 by the federal department of health and  
 34 human services. Notwithstanding any incon-  
 35 sistent provision of law, the director of  
 36 the budget is hereby authorized to trans-  
 37 fer appropriation authority contained  
 38 herein to any other federal fund or  
 39 program within the office of mental health  
 40 services for aid to localities, adminis-  
 41 trative and support services, including  
 42 fringe benefits, associated with the  
 43 awarded grant:  
 44

45 For the grant period October 1, 2004 to  
 46 September 30, 2005 ..... 600,000  
 47 For the grant period October 1, 2005 to  
 48 September 30, 2006 ..... 600,000  
 49 -----  
 50 Subtotal ..... 1,200,000  
 51 -----  
 52 Program fund subtotal ..... 21,084,000  
 53 -----

54  
 55 Special Revenue Funds - Federal / Aid to Localities  
 56 Federal Operating Grants Fund - 290  
 57

58 For services and expenses related to home-  
 59 less and shelter plus care grants. Subject  
 60 to a plan approved by the director of the

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 budget, the amount appropriated herein may  
 2 be made available to other state agencies  
 3 for services and expenses related to  
 4 federal homeless and shelter plus care  
 5 grants:  
 6  
 7 For grant periods occurring between October  
 8 1, 1999 and September 30, 2006 ..... 8,000,000  
 9 -----  
 10 Program fund subtotal ..... 8,000,000  
 11 -----  
 12  
 13 Special Revenue Funds - Other / Aid to Localities  
 14 Miscellaneous Special Revenue Fund - 339  
 15 Medication Reimbursement Account  
 16  
 17 For services and expenses related to adult  
 18 mental health services, including assisted  
 19 outpatient treatment pursuant to article 9  
 20 and other provisions of the mental hygiene  
 21 law. Notwithstanding any other provision  
 22 of law, this appropriation may be made  
 23 available upon the approval of the direc-  
 24 tor of the budget ..... 7,735,000  
 25 -----  
 26 Program account subtotal ..... 7,735,000  
 27 -----  
 28  
 29 CHILDREN AND YOUTH SERVICES PROGRAM ..... 289,856,000  
 30 -----  
 31  
 32 General Fund / State Operations  
 33 State Purposes Account - 003  
 34  
 35 Personal service ..... 113,870,000  
 36 Nonpersonal service ..... 13,295,000  
 37 -----  
 38 Program account subtotal ..... 127,165,000  
 39 -----  
 40  
 41 General Fund / Aid to Localities  
 42 Local Assistance Account - 001  
 43  
 44 For services and expenses of various chil-  
 45 dren and families community mental health  
 46 services, including transfer to the  
 47 department of health to reimburse the  
 48 department for the state share of medical  
 49 assistance for various community mental  
 50 health services. Notwithstanding any  
 51 inconsistent provision of law, the amount  
 52 hereby appropriated shall be available for  
 53 the designated purpose, less the amount,  
 54 as certified by the director of the budg-  
 55 et, of any transfers from the general fund  
 56 to the tobacco control and insurance  
 57 initiatives pool established pursuant to  
 58 section 2807-v of the public health law,  
 59 to reflect the state savings attributable  
 60 to this program resulting from an increase

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## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 in the federal medical assistance percent-  
2 age available to the state pursuant to the  
3 applicable provisions of the federal  
4 social security act. Notwithstanding any  
5 inconsistent provision of law, a portion  
6 of the money herein appropriated may be  
7 made available for transfer to the depart-  
8 ment of health for the state share of  
9 disproportionate share payments to volun-  
10 tary nonprofit general hospitals pursuant  
11 to chapter 119 of the laws of 1997 as  
12 amended. This appropriation anticipates  
13 the transfer of funds from the state  
14 education department to the office of  
15 mental health of tuition funds advanced in  
16 previous years and reimbursed by the  
17 child's school district of origin to the  
18 state of New York pursuant to chapter 810  
19 of the laws of 1986 and applicable  
20 provisions of the education law.

21 For payment of state financial assistance,  
22 net of disallowances, for community mental  
23 health programs pursuant to article 41 and  
24 other provisions of the mental hygiene  
25 law. The moneys hereby appropriated for  
26 allocation to local governments and volun-  
27 tary agencies for services are available  
28 to reimburse or advance funds to local  
29 governments and voluntary agencies for  
30 expenditures made or to be made during  
31 local program years commencing January 1,  
32 2005 or July 1, 2005 and for advances for  
33 the period beginning January 1, 2006 for  
34 local governments and voluntary agencies  
35 with program years beginning January 1.

36 Notwithstanding any other provision of law,  
37 and except for transfers to the department  
38 of health to reimburse the department for  
39 the state share of medical assistance  
40 payments and as modified below, this  
41 appropriation shall be available for obli-  
42 gations for the period commencing July 1,  
43 2005 and ending June 30, 2006 and shall be  
44 available for expenditure from July 1,  
45 2005 through September 15, 2006.

46 No expenditures shall be made for such  
47 program prior to the approval of a method-  
48 ology for allocation in accordance with a  
49 plan approved by the commissioner and the  
50 director of the budget with copies to be  
51 filed with the chairpersons of the senate  
52 finance committee and assembly ways and  
53 means committee. Furthermore, no expendi-  
54 ture shall be made until a certificate of  
55 allocation has been approved by the direc-  
56 tor of the budget with copies to be filed  
57 with the chairpersons of the senate  
58 finance committee and the assembly ways  
59 and means committee. The state comptroller  
60 is hereby authorized to receive funds from

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 the office of mental health and is author-  
 2 ized to refund such moneys to the credit  
 3 of the local assistance account of the  
 4 general fund for the purpose of reimburs-  
 5 ing the 2005-06 appropriation.  
 6 The amounts appropriated pursuant to such  
 7 appropriation may be transferred to other  
 8 state agencies, authorities, or accounts  
 9 for expenditures incurred in the operation  
 10 of programs funded by such appropriation.. 154,856,000  
 11 -----  
 12 Program account subtotal ..... 154,856,000  
 13 -----

14  
 15 Special Revenue Funds - Federal / Aid to Localities  
 16 Federal Block Grant Fund - 269

17  
 18 For services and expenses related to chil-  
 19 dren's mental health services funded by  
 20 the community mental health services block  
 21 grant. Notwithstanding any inconsistent  
 22 provision of law, a portion of this appro-  
 23 priation, consistent with the terms and  
 24 conditions of the block grant, may be  
 25 transferred to other programs within the  
 26 office of mental health for aid to locali-  
 27 ties, administrative and support services,  
 28 including fringe benefits, associated with  
 29 the federal block grant:  
 30  
 31 For the grant period October 1, 2004 to  
 32 September 30, 2005 ..... 7,835,000  
 33 -----  
 34 Program fund subtotal ..... 7,835,000  
 35 -----

36  
 37 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT  
 38 PROGRAM ..... 9,600,000  
 39 -----

40  
 41 General Fund / Aid to Localities  
 42 Local Assistance Account - 001

43  
 44 For services and expenses of community  
 45 mental health support and workforce rein-  
 46 vestment services pursuant to chapter 62  
 47 of the laws of 2003, including transfer to  
 48 the department of health to reimburse the  
 49 department for the state share of medical  
 50 assistance for various community mental  
 51 health services. Notwithstanding any  
 52 inconsistent provision of law, the amount  
 53 hereby appropriated shall be available for  
 54 the designated purpose, less the amount,  
 55 as certified by the director of the budg-  
 56 et, of any transfers from the general fund  
 57 to the tobacco control and insurance  
 58 initiatives pool established pursuant to  
 59 section 2807-v of the public health law,  
 60 to reflect the state savings attributable



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1 to this program resulting from and  
2 increase in the federal medical assistance  
3 percentage available to the state pursuant  
4 to the applicable provisions of the feder-  
5 al social security act.  
6 Notwithstanding chapter 62 of the laws of  
7 2003 or any provision of law to the  
8 contrary, this appropriation shall repre-  
9 sent the full and complete obligation of  
10 the state and the office of mental health  
11 community mental health support workforce  
12 reinvestment program in fiscal year 2005-  
13 06.  
14 For payment of state financial assistance,  
15 net of disallowances, for community mental  
16 health programs pursuant to article 41 and  
17 other provisions of the mental hygiene  
18 law. The moneys hereby appropriated for  
19 allocation to local governments and volun-  
20 tary agencies for services are available  
21 to reimburse or advance funds to local  
22 governments and voluntary agencies for  
23 expenditures made or to be made during  
24 local program years commencing January 1,  
25 2005 or July 1, 2005 and for advances for  
26 the period beginning January 1, 2006 for  
27 local governments and voluntary agencies  
28 with program years beginning January 1.  
29 Notwithstanding any other provision of law,  
30 and except for transfers to the department  
31 of health to reimburse the department for  
32 the state share of medical assistance  
33 payments and as modified below, this  
34 appropriation shall be available for obli-  
35 gations for the period commencing July 1,  
36 2005 and ending June 30, 2006 and shall be  
37 available for expenditure from July 1,  
38 2005 through September 15, 2006.  
39 No expenditures shall be made for such  
40 program prior to the approval of a method-  
41 ology for allocation in accordance with a  
42 plan approved by the commissioner and the  
43 director of the budget with copies to be  
44 filed with the chairpersons of the senate  
45 finance committee and assembly ways and  
46 means committee. Furthermore, no expendi-  
47 ture shall be made until a certificate of  
48 allocation has been approved by the direc-  
49 tor of the budget with copies to be filed  
50 with the chairperson of the senate finance  
51 committee and the assembly ways and means  
52 committee. The state comptroller is hereby  
53 authorized to receive funds from the  
54 office of mental health and is authorized  
55 to refund such moneys to the credit of the  
56 local assistance account of the general  
57 fund for the purpose of reimbursing the  
58 2005-06 appropriation.

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 The amounts appropriated pursuant to such  
 2 appropriation may be transferred to other  
 3 state agencies, authorities, or accounts  
 4 for expenditures incurred in the operation  
 5 of programs funded by such appropriation.  
 6 This appropriation shall be distributed  
 7 according to the following:  
 8 For services and expenses related to commu-  
 9 nity mental health support and workforce  
 10 reinvestment for adults ..... 7,000,000  
 11 For services and expenses related to commu-  
 12 nity mental health support and workforce  
 13 reinvestment for children ..... 2,600,000  
 14 -----  
 15 Program account subtotal ..... 9,600,000  
 16 -----  
 17  
 18 ENHANCED COMMUNITY SERVICES PROGRAM ..... 92,150,000  
 19 -----  
 20  
 21 General Fund / State Operations  
 22 State Purposes Account - 003  
 23  
 24 Maintenance undistributed  
 25 For services and expenses related to mental  
 26 health initiatives including, but not  
 27 limited to, adult transitional residences  
 28 located on the grounds of state psychiat-  
 29 ric centers, children's mobile mental  
 30 health teams at office of children and  
 31 family services facilities, and monitoring  
 32 and oversight of community mental health  
 33 programs ..... 19,600,000  
 34 -----  
 35 Program account subtotal ..... 19,600,000  
 36 -----  
 37  
 38 Special Revenue Funds - Other / Aid to Localities  
 39 HCRA Resources Fund - F04  
 40 Enhanced Community Services Account  
 41  
 42 For services and expenses of various adult  
 43 and children's community mental health  
 44 services, including transfer to the  
 45 department of health to reimburse the  
 46 department for the state share of medical  
 47 assistance for various community mental  
 48 health services.  
 49 For payment of state financial assistance,  
 50 net of disallowances, for community mental  
 51 health programs pursuant to article 41 and  
 52 other provisions of the mental hygiene  
 53 law. The moneys hereby appropriated for  
 54 allocation to local governments and volun-  
 55 tary agencies for services are available  
 56 to reimburse or advance funds to local  
 57 governments and voluntary agencies for  
 58 expenditures made or to be made during  
 59 local program years commencing January 1,

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 2005 or July 1, 2005 and for advances for  
2 the period beginning January 1, 2006 for  
3 local governments and voluntary agencies  
4 with program years beginning January 1.  
5 Notwithstanding any other provision of law,  
6 and except for transfers to the department  
7 of health to reimburse the department for  
8 the state share of medical assistance  
9 payments and as modified below, this  
10 appropriation shall be available for obli-  
11 gations for the period commencing July 1,  
12 2005 and ending June 30, 2006 and shall be  
13 available for expenditure from July 1,  
14 2005 through September 15, 2006.  
15 Notwithstanding any provision of law to the  
16 contrary, the commissioner of mental  
17 health shall be authorized to continue  
18 contracts with entities providing  
19 supported housing for persons with mental  
20 illness, for all such contracts which were  
21 executed on or before March 31, 2004,  
22 without any additional requirements that  
23 such contracts be subject to competitive  
24 bidding or a request for proposals proc-  
25 ess.

26 No expenditures shall be made for such  
27 program prior to the approval of a method-  
28 ology for allocation in accordance with a  
29 plan approved by the commissioner and the  
30 director of the budget with copies to be  
31 filed with the chairpersons of the senate  
32 finance committee and assembly ways and  
33 means committee. Furthermore, no expendi-  
34 ture shall be made until a certificate of  
35 allocation has been approved by the direc-  
36 tor of the budget with copies to be filed  
37 with the chairpersons of the senate  
38 finance committee and the assembly ways  
39 and means committee. The state comptroller  
40 is hereby authorized to receive funds from  
41 the office of mental health and is author-  
42 ized to refund such moneys to the credit  
43 of the enhanced community services account  
44 of the special revenue funds - other HCRA  
45 resources fund - F04 for the purpose of  
46 reimbursing the 2005-06 appropriation.

47 The amounts appropriated pursuant to such  
48 appropriation may be transferred to other  
49 state agencies, authorities, or accounts  
50 for expenditures incurred in the operation  
51 of programs funded by such appropriation.. 66,800,000

52 For transfer to the department of health  
53 comprehensive care center for eating dis-  
54 orders development fund ..... 500,000

55 For services and expenses related to care  
56 coordination and office of mental health  
57 case management in adult homes. Notwith-  
58 standing any inconsistent provision of law  
59 and subject to the approval of the direc-  
60 tor of the budget, moneys hereby appro-

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 priated may be transferred to other state  
 2 agencies, authorities, or accounts for ex-  
 3 penditures incurred in the operation of  
 4 programs funded by such appropriation .... 5,250,000  
 5 -----  
 6 Program account subtotal ..... 72,550,000  
 7 -----  
 8  
 9 FORENSIC SERVICES PROGRAM ..... 129,975,000  
 10 -----  
 11  
 12 General Fund / State Operations  
 13 State Purposes Account - 003  
 14  
 15 Personal service ..... 119,132,000  
 16 Nonpersonal service ..... 10,843,000  
 17 -----  
 18  
 19 MAINTENANCE UNDISTRIBUTED ..... 0  
 20 -----  
 21  
 22 General Fund / State Operations  
 23 State Purposes Account - 003  
 24  
 25 Less an amount appropriated as an offset  
 26 from the special revenue funds - other  
 27 miscellaneous special revenue fund - 339,  
 28 mental hygiene patient income account.  
 29 Notwithstanding any contrary provision of  
 30 law, this offset shall reduce general fund  
 31 appropriations within the various programs  
 32 of the office of mental health funded from  
 33 the state purposes account ..... (575,601,000)  
 34 Less an amount appropriated as an offset  
 35 from the special revenue funds - other  
 36 HCRA resources fund - F04, enhanced commu-  
 37 nity services account. Notwithstanding any  
 38 contrary provision of law, this offset  
 39 shall reduce general fund appropriations  
 40 within the enhanced community services  
 41 program of the office of mental health  
 42 funded from the state purposes account ... (19,600,000)  
 43 -----  
 44 Program account subtotal ..... (595,201,000)  
 45 -----  
 46  
 47 Special Revenue Funds - Other / State Operations  
 48 HCRA Resources Fund - F04  
 49 Enhanced Community Services Account  
 50  
 51 Amount appropriated as an offset to the  
 52 general fund - state purposes account  
 53 within the enhanced community services  
 54 program of the office of mental health.  
 55 For services and expenses related to mental  
 56 health initiatives including, but not  
 57 limited to, adult transitional residences  
 58 located on the grounds of state psychiat-  
 59 ric centers, children's mobile mental  
 60 health teams at office of children and

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 family services facilities, and monitoring  
2 and oversight of community mental health  
3 programs. The director of the budget is  
4 hereby authorized to apportion funds to  
5 the enhanced community services program of  
6 this agency from this appropriation by  
7 certificate of approval ..... 19,600,000  
8 -----  
9 Program account subtotal ..... 19,600,000  
10 -----  
11  
12 Special Revenue Funds - Other / State Operations  
13 Miscellaneous Special Revenue Fund - 339  
14 Mental Hygiene Patient Income Account  
15  
16 Amount appropriated as an offset to the  
17 general fund - state purposes account  
18 within various office of mental health  
19 programs. The director of the budget is  
20 hereby authorized to apportion funds to  
21 the various programs of this agency from  
22 this appropriation by certificate of  
23 approval ..... 575,601,000  
24 -----  
25 Program account subtotal ..... 575,601,000  
26 -----  
27  
28 RESEARCH IN MENTAL ILLNESS PROGRAM ..... 49,036,000  
29 -----  
30  
31 General Fund / State Operations  
32 State Purposes Account - 003  
33  
34 Personal service ..... 37,568,000  
35 Nonpersonal service ..... 4,343,000  
36 -----  
37 Program account subtotal ..... 41,911,000  
38 -----  
39  
40 Special Revenue Funds - Other / State Operations  
41 Miscellaneous Special Revenue Fund - 339  
42 OMH-Research Recovery Account  
43  
44 For services and expenses to support central  
45 administration, research associates,  
46 equipment provided through external  
47 grants, travel, conference expenses,  
48 including the annual research conference,  
49 contractual services, grant writers to  
50 increase income from non-state sources, 27  
51 research scientists formerly supported by  
52 the general fund, and other research  
53 initiatives, including up to \$200,000 for  
54 services and expenses of a research  
55 institute study. Funding will be provided  
56 through research foundation for mental  
57 hygiene, inc. resources, including, but  
58 not limited to, indirect costs recoveries,  
59 direct grant reimbursement, interest earn-  
60 ings and operating balances:

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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Personal service .....	1,915,000	
2	Nonpersonal service .....	4,560,000	
3	Fringe benefits .....	650,000	
4		-----	
5	Program account subtotal .....	7,125,000	
6		-----	
7			
8	Total new appropriations for state operations and aid to		
9	localities .....	2,098,329,000	
10			=====

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 ADMINISTRATION AND FINANCE PROGRAM

2

3 Special Revenue Funds - Federal / State Operations

4 Federal Block Grant Fund - 269

5

6 By chapter 54, section 1, of the laws of 2004:

7 For the grant period October 1, 2003 to September 30, 2004: ... ..

8 636,000 ..... (re. \$636,000)

9 For the grant period October 1, 2004 to September 30, 2005: ... ..

10 636,000 ..... (re. \$636,000)

11

12 ADULT SERVICES PROGRAM

13

14 Special Revenue Funds - Federal / Aid to Localities

15 Federal Health and Human Services Fund - 265

16

17 By chapter 54, section 1, of the laws of 2004:

18 For programs to assist and transition from homelessness (PATH) grants.

19 Notwithstanding any inconsistent provision of law, a portion of this  
20 appropriation, consistent with the terms and conditions of the PATH  
21 grant, may be transferred to other programs within the office of  
22 mental health for aid to localities, administrative and support  
23 services, including fringe benefits, associated with the grant:

24 For the grant period September 1, 2004 to August 31, 2005 .....

25 3,313,000 ..... (re. \$3,313,000)

26

27 By chapter 54, section 1, of the laws of 2003:

28 For programs to assist and transition from homelessness (PATH) grants.

29 Notwithstanding any inconsistent provision of law, a portion of this  
30 appropriation, consistent with the terms and conditions of the PATH  
31 grant, may be transferred to other programs within the office of  
32 mental health for aid to localities, administrative and support  
33 services, including fringe benefits, associated with the grant.

34 For the grant period September 1, 2003 to August 31, 2004 .....

35 3,030,000 ..... (re. \$1,747,000)

36

37 Special Revenue Funds - Federal / Aid to Localities

38 Federal Block Grant Fund - 269

39

40 By chapter 54, section 1, of the laws of 2004:

41 For services and expenses related to adult mental health services  
42 funded by the community mental health services block grant. Not-  
43 withstanding any inconsistent provision of law, a portion of this  
44 appropriation, consistent with the terms and conditions of the block  
45 grant, may be transferred to other programs within the office of  
46 mental health for aid to localities, administrative and support ser-  
47 vices, including fringe benefits, associated with the federal block  
48 grant:

49 For the grant period October 1, 2003 to September 30, 2004 .....

50 12,754,000 ..... (re. \$9,694,000)

51 For the grant period October 1, 2004 to September 30, 2005 .....

52 7,407,000 ..... (re. \$7,407,000)

53 For services and expenses associated with federal grant awards yet to  
54 be allocated by the federal department of health and human services.  
55 Notwithstanding any inconsistent provision of law, the director of  
56 the budget is hereby authorized to transfer appropriation authority  
57 contained herein to any other federal fund or program within the of-  
58 fice of mental health services for aid to localities, administrative  
59 and support services, including fringe benefits, associated with the  
60 awarded grant:

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period October 1, 2003 to September 30, 2004 .....  
 2 600,000 ..... (re. \$600,000)  
 3 For the grant period October 1, 2004 to September 30, 2005 .....  
 4 600,000 ..... (re. \$600,000)

5  
 6 Special Revenue Funds - Federal / Aid to Localities  
 7 Federal Operating Grants Fund - 290

8  
 9 By chapter 54, section 1, of the laws of 2004:  
 10 For services and expenses related to homeless and shelter plus care  
 11 grants. Subject to a plan approved by the director of the budget,  
 12 the amount appropriated herein may be made available to other state  
 13 agencies for services and expenses related to federal homeless and  
 14 shelter plus care grants:  
 15 For grant periods occurring between October 1, 1999 and September 30,  
 16 2005 ... 8,000,000 ..... (re. \$5,400,000)

17  
18 CHILDREN AND YOUTH SERVICES PROGRAM

19  
 20 Special Revenue Funds - Federal / Aid to Localities  
 21 Federal Block Grant Fund - 269

22  
 23 By chapter 54, section 1, of the laws of 2004:  
 24 For services and expenses related to children's mental health services  
 25 funded by the community mental health services block grant. Not-  
 26 withstanding any inconsistent provision of law, a portion of this  
 27 appropriation, consistent with the terms and conditions of the block  
 28 grant, may be transferred to other programs within the office of  
 29 mental health for aid to localities, administrative and support ser-  
 30 vices, including fringe benefits, associated with the federal block  
 31 grant:

32 For the grant period October 1, 2003 to September 30, 2004 .....  
 33 7,835,000 ..... (re. \$7,785,000)

34  
 35 Total reappropriations for state operations and aid to  
 36 localities ..... 37,818,000  
 37 =====

38



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CAPITAL PROJECTS 2005-06

1 For the comprehensive construction programs, purposes and  
2 projects as herein specified in accordance with the  
3 following:

4	Capital Projects Fund .....	43,010,000
5	Mental Hygiene Capital Improvement Fund .....	220,804,000
6		-----
7	All Funds .....	263,814,000
8		=====

9  
10  
11 COMMUNITY MENTAL HEALTH FACILITIES (CCP) ..... 86,513,000  
12 -----  
13

14 Capital Projects Fund

15  
16 Minor Rehabilitation Purpose

17  
18 State aid to municipalities and other  
19 public and not-for-profit agencies for  
20 acquisition, rehabilitation, and/or  
21 improvements to existing community  
22 mental health facilities as required to  
23 address code violations, health and  
24 safety issues, and/or structural/  
25 mechanical deficiencies. Notwithstand-  
26 ing any inconsistent provision of law,  
27 within the amounts hereby appropriated,  
28 the commissioner of the office of mental  
29 health may provide state aid grants of  
30 up to 100 per centum of reasonable capi-  
31 tal costs associated with the acquisi-  
32 tion, rehabilitation, and/or improve-  
33 ments (50100589) ..... 6,000,000  
34

35 Mental Hygiene Capital Improvement Fund - 389

36  
37 Administration Purpose

38  
39 For payment of personal service and  
40 nonpersonal service, including fringe  
41 benefits related to the administration  
42 of the community capital program  
43 provided by the office of mental health  
44 for new and reappropriated community  
45 capital projects. Upon request of the  
46 commissioner of mental health and  
47 approval by the director of the budget,  
48 this appropriation may be transferred to  
49 the dormitory authority of the state of  
50 New York (50120550) ..... 513,000  
51

52 Preservation of Facilities Purpose

53  
54 For the acquisition of property, constru-  
55 tion and rehabilitation of new facili-  
56 ties and/or relocation of existing  
57 community mental health facilities under  
58 the auspice of municipalities and other  
59 public and not-for-profit agencies,

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1 approved by the commissioner of the  
 2 office of mental health, pursuant to  
 3 article 41 of the mental hygiene law  
 4 (50230503) ..... 5,000,000

5  
6 New Facilities Purpose

7  
 8 For payment to municipalities and not-for-  
 9 profit community providers for the  
 10 acquisition of property, design, con-  
 11 struction and rehabilitation of housing  
 12 for mentally ill persons. Of such appro-  
 13 priations, up to eighty percent shall be  
 14 matched on a 50/50 basis (50VY0507) ..... 75,000,000

15  
 16 DESIGN AND CONSTRUCTION SUPERVISION (CCP) ..... 10,000,000

17 -----

18  
19 Capital Projects Fund

20  
21 Preparation of Plans Purpose

22  
 23 For payment to the design and construction  
 24 management account of the centralized  
 25 services fund of the New York state  
 26 office of general services or to the  
 27 dormitory authority of the state of New  
 28 York for the purpose of preparation and  
 29 review of plans, specifications, esti-  
 30 mates, services, construction management  
 31 and supervision, inspection, studies,  
 32 appraisals, surveys, testing and envi-  
 33 ronmental impact statements for new and  
 34 existing projects. Upon approval of the  
 35 director of the budget, funds from this  
 36 appropriation may be transferred to the  
 37 office of mental retardation and devel-  
 38 opmental disabilities and the office of  
 39 alcoholism and substance abuse services  
 40 for payment to the dormitory authority  
 41 of the state of New York for preparation  
 42 of plans purpose (50DC0530) ..... 2,000,000

43  
44 Mental Hygiene Capital Improvement Fund - 389

45  
46 Preparation of Plans Purpose

47  
 48 For payment to the design and construction  
 49 management account of the centralized  
 50 services fund of the New York state  
 51 office of general services or to the  
 52 dormitory authority of the state of New  
 53 York for the purpose of preparation and  
 54 review of plans, specifications, esti-  
 55 mates, services, construction management  
 56 and supervision, inspection, studies,  
 57 appraisals, surveys, testing and envi-  
 58 ronmental impact statements for new and  
 59 existing projects. Upon request of the  
 60 commissioner of mental health and

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1 approval by the director of the budget,  
2 this appropriation may be transferred to  
3 the dormitory authority of the state of  
4 New York. Upon approval of the director  
5 of the budget, funds from this appropri-  
6 ation may be transferred to the office  
7 of mental retardation and developmental  
8 disabilities and the office of alcohol-  
9 ism and substance abuse services for  
10 payment to the dormitory authority of  
11 the state of New York for preparation of  
12 plans purpose (50310530) ..... 8,000,000  
13  
14 EXECUTIVE DIRECTION (CCP) ..... 3,591,000  
15 -----  
16  
17 Mental Hygiene Capital Improvement Fund - 389  
18  
19 Administration Purpose  
20  
21 For payment of personal service and  
22 nonpersonal service, including fringe  
23 benefits, related to the administration  
24 of the capital programs provided by the  
25 office of mental health for new and  
26 reappropriated state operated institu-  
27 tional capital projects. Upon request of  
28 the commissioner of mental health and  
29 approval by the director of the budget,  
30 this appropriation may be transferred to  
31 the dormitory authority of the state of  
32 New York (50990550) ..... 3,591,000  
33  
34 MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) ... 162,710,000  
35 -----  
36  
37 Capital Projects Fund  
38  
39 Health and Safety  
40  
41 For payment of the cost of construction,  
42 reconstruction and improvements, includ-  
43 ing the preparation of designs, plans,  
44 specifications and estimates, for health  
45 and safety improvements to existing  
46 facilities and programs, provided,  
47 however, that no expenditures may be  
48 made from this appropriation until a  
49 comprehensive plan of projects has been  
50 approved by the director of the budget.  
51 Upon request of the commissioner of  
52 mental health and approval by the direc-  
53 tor of the budget, this appropriation  
54 may be transferred to the dormitory  
55 authority of the state of New York  
56 (50HS0501) ..... 4,000,000  
57

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1 Preservation of Facilities Purpose  
2  
3 For payment of the cost of construction,  
4 reconstruction and improvements, includ-  
5 ing the preparation of designs, plans,  
6 specifications and estimates to existing  
7 facilities and programs, provided,  
8 however, that no expenditures may be  
9 made from this appropriation until a  
10 comprehensive plan of projects has been  
11 approved by the director of the budget  
12 (50PF0503) ..... 12,960,000  
13

14 Energy Conservation Purpose  
15  
16 For payment of the cost of construction,  
17 reconstruction and improvements, includ-  
18 ing the preparation of designs, plans,  
19 specifications and estimates for energy  
20 conservation improvements to existing  
21 facilities and programs. Upon request of  
22 the commissioner of mental health and  
23 approval by the director of the budget,  
24 this appropriation may be transferred to  
25 the dormitory authority of the state of  
26 New York (50050505) ..... 4,600,000  
27

28 Environmental Protection or Improvements Purpose  
29  
30 For payment of the cost of construction,  
31 reconstruction and improvements, includ-  
32 ing the preparation of designs, plans,  
33 specifications and estimates for envi-  
34 ronmental protection (50EP0506) ..... 7,450,000  
35

36 Minor Rehabilitation Purpose  
37  
38 For minor alterations and improvements to  
39 various facilities, including the  
40 payment of liabilities incurred prior to  
41 April 1, 2005, provided, however, that  
42 no expenditures may be made from this  
43 appropriation until a comprehensive plan  
44 of projects has been approved by the  
45 director of the budget (50380589) ..... 5,000,000  
46

47 Mental Hygiene Capital Improvement Fund - 389  
48

49 Health and Safety Purpose  
50  
51 For payment of the cost of construction,  
52 reconstruction and improvements, includ-  
53 ing the preparation of designs, plans,  
54 specifications and estimates, for health  
55 and safety improvements to existing  
56 facilities and programs, provided,  
57 however, that no expenditures may be  
58 made from this appropriation until a  
59 comprehensive plan of projects has been  
60 approved by the director of the budget.

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1 Upon request of the commissioner of  
2 mental health and approval by the direc-  
3 tor of the budget, this appropriation  
4 may be transferred to the dormitory  
5 authority of the state of New York  
6 (50010501) ..... 43,797,000  
7  
8 Accreditation Purpose  
9  
10 For payment of the cost of land acquisi-  
11 tion, construction, reconstruction and  
12 improvements, including the preparation  
13 of designs, plans, specifications and  
14 estimates related to accreditation  
15 improvements to existing facilities and  
16 programs. Upon request of the commis-  
17 sioner of mental health and approval by  
18 the director of the budget, this appro-  
19 priation may be transferred to the  
20 dormitory authority of the state of New  
21 York (50060502) ..... 45,212,000  
22  
23 Preservation of Facilities Purpose  
24  
25 For payment of the cost of construction,  
26 reconstruction and improvements, includ-  
27 ing the preparation of designs, plans,  
28 specifications and estimates, and minor  
29 rehabilitation and improvements for the  
30 preservation of existing facilities and  
31 programs, provided, however, that no  
32 expenditures may be made from this  
33 appropriation until a comprehensive plan  
34 of projects has been approved by the  
35 director of the budget. Upon request of  
36 the commissioner of mental health and  
37 approval by the director of the budget,  
38 this appropriation may be transferred to  
39 the dormitory authority of the state of  
40 New York (50030503) ..... 25,045,000  
41  
42 Environmental Protection or Improvements Purpose  
43  
44 For payment of the cost of construction,  
45 reconstruction and improvements, includ-  
46 ing the preparations of designs, plans,  
47 specifications and estimates for envi-  
48 ronmental protection. Upon request of  
49 the commissioner of mental health and  
50 approval by the director of the budget,  
51 this appropriation may be transferred to  
52 the dormitory authority of the state of  
53 New York (50060506) ..... 500,000  
54  
55 Program Improvement or Program Change Purpose  
56  
57 For payment of the cost of construction,  
58 reconstruction and improvements, includ-  
59 ing the preparation of designs, plans,  
60 specifications and estimates related to

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1 improvements or changes to existing  
2 facilities and programs, provided,  
3 however, that no expenditures may be  
4 made from this appropriation until a  
5 comprehensive plan of projects has been  
6 approved by the director of the budget.  
7 Upon request of the commissioner of  
8 mental health and approval by the direc-  
9 tor of the budget, this appropriation  
10 may be transferred to the dormitory  
11 authority of the state of New York  
12 (50080508) ..... 14,146,000  
13  
14 NON-BONDABLE PROJECTS (CCP) ..... 1,000,000  
15 -----  
16  
17 Capital Projects Fund  
18  
19 Non-Bondable Purpose  
20  
21 For transfer to the Mental Hygiene Capital  
22 Improvement Fund for reimbursement of  
23 the non-bondable cost of projects for  
24 community facilities authorized by  
25 appropriations or reappropriations fund-  
26 ed from the Mental Hygiene Capital  
27 Improvement Fund including liabilities  
28 incurred prior to April 1, 2005 or for  
29 payment to the dormitory authority of  
30 the state of New York for defeasance of  
31 bonds. Upon request of the commissioner  
32 of mental health and approval by the  
33 director of the budget, this appropri-  
34 ation may be transferred to the dormito-  
35 ry authority of the state of New York  
36 (502905NB) ..... 1,000,000

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1 COMMUNITY MENTAL HEALTH FACILITIES (CCP)

2

3 Capital Projects Fund

4

5 Facilities for the Physically Disabled Purpose

6

7 By chapter 54, section 1, of the laws of 1998:

8 State aid to municipalities and other public and not-for-profit  
9 private agencies for improvements to existing community health  
10 facilities. Notwithstanding any inconsistent provision of law, with-  
11 in the amounts hereby appropriated, the commissioner of the office  
12 of mental health may provide state aid grants of up to 100 per  
13 centum of reasonable capital costs associated with making improve-  
14 ments to existing community mental health facilities in order to  
15 satisfy handicapped accessibility requirements (3/99) (50219804) ...  
16 500,000 ..... (re. \$157,000)

17

18 New Facilities Purpose

19

20 By chapter 54, section 1, of the laws of 2000:

21 State aid for the construction and rehabilitation of article 28 hospi-  
22 tals for the provision of psychiatric services, including the  
23 construction of not less than 3 comprehensive psychiatric emergency  
24 programs pursuant to section 31.23 and article 41 of the Mental  
25 Hygiene Law and section 18 of chapter 723 of the laws of 1989.  
26 Notwithstanding the provisions of section 41.27 of such law and any  
27 other inconsistent provision of law, moneys hereby appropriated  
28 shall be available for state aid grants. Provided, however, that no  
29 funds shall be granted pursuant to this section, unless a certifi-  
30 cate of need has been issued by the office of mental health. This  
31 appropriation represents the total estimated state share of the  
32 capital costs (50100007) ... 1,000,000 ..... (re. \$932,000)

33

34 By chapter 54, section 1, of the laws of 1998:

35 State aid to not-for-profit agencies for acquisition of property,  
36 construction and rehabilitation of 200 supported/SRO beds, approved  
37 by the commissioner of the office of mental health, pursuant to  
38 Article 41 of the mental hygiene law. The moneys hereby appropriated  
39 shall be available for payment of state aid grants for up to 50 per  
40 centum of the reasonable capital costs of those premises acquired,  
41 constructed or rehabilitated for the purpose of housing mentally ill  
42 persons (3/99) (50139807) ... 8,000,000 ..... (re. \$5,708,000)

43

44 By chapter 54, section 1, of the laws of 1994, for:

45 State aid to municipalities and other public and not-for-profit  
46 private agencies for acquisition of property, design, construction  
47 and rehabilitation of community mental health facilities and associ-  
48 ated programs including, but not limited to, article 28 or article  
49 31 community mental health facilities or supported housing beds, and  
50 for state aid grants for facilities intended to serve mentally ill  
51 persons (50239407) ... 16,070,000 ..... (re. \$2,587,000)

52

53 Minor Rehabilitation Purpose

54

55 By chapter 54, section 1, of the laws of 2004:

56 State aid to municipalities and other public and not-for-profit agen-  
57 cies for acquisition, rehabilitation, and/or improvements to exist-  
58 ing community mental health facilities as required to address code  
59 violations, health and safety issues, and/or structural/mechanical  
60 deficiencies. Notwithstanding any inconsistent provision of law,

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1 within the amounts hereby appropriated, the commissioner of the  
 2 office of mental health may provide state aid grants of up to 100  
 3 per centum of reasonable capital costs associated with the acquisi-  
 4 tion, rehabilitation, and/or improvements (50100489) .....  
 5 6,000,000 ..... (re. \$6,000,000)  
 6

7 By chapter 54, section 1, of the laws of 2003:  
 8 State aid to municipalities and other public and not-for-profit agen-  
 9 cies for acquisition, rehabilitation, and/or improvements to exist-  
 10 ing community mental health facilities as required to address code  
 11 violations, health and safety issues, and/or structural/mechanical  
 12 deficiencies. Notwithstanding any inconsistent provision of law,  
 13 within the amounts hereby appropriated, the commissioner of the  
 14 office of mental health may provide state aid grants of up to 100  
 15 per centum of reasonable capital costs associated with the acquisi-  
 16 tion, rehabilitation, and/or improvements (50100389) .....  
 17 7,000,000 ..... (re. \$7,000,000)  
 18

19 By chapter 54, section 1, of the laws of 2002:  
 20 State aid to municipalities and other public and not-for-profit agen-  
 21 cies for acquisition, rehabilitation, and/or improvements to exist-  
 22 ing community mental health facilities as required to address code  
 23 violations, health and safety issues, and/or structural/mechanical  
 24 deficiencies. Notwithstanding any inconsistent provision of law,  
 25 within the amounts hereby appropriated, the commissioner of the  
 26 office of mental health may provide state aid grants of up to 100  
 27 per centum of reasonable capital costs associated with the acquisi-  
 28 tion, rehabilitation, and/or improvements (50100289) .....  
 29 6,000,000 ..... (re. \$6,000,000)  
 30

31 By chapter 54, section 1, of the laws of 2001:  
 32 State aid to municipalities and other public and not-for-profit agen-  
 33 cies for acquisition, rehabilitation, and/or improvements to exist-  
 34 ing community mental health facilities as required to address code  
 35 violations, health and safety issues, and/or structural/mechanical  
 36 deficiencies. Notwithstanding any inconsistent provision of law,  
 37 within the amounts hereby appropriated, the commissioner of the  
 38 office of mental health may provide state aid grants of up to 100  
 39 per centum of reasonable capital costs associated with the acquisi-  
 40 tion, rehabilitation, and/or improvements (50100189) .....  
 41 5,000,000 ..... (re. \$2,112,000)  
 42

43 Mental Hygiene Capital Improvement Fund - 389

44 Preservation of Facilities Purpose

45  
 46  
 47 By chapter 54, section 1, of the laws of 2004:  
 48 For the acquisition of property, construction and rehabilitation of  
 49 new facilities and/or relocation of existing community mental health  
 50 facilities under the auspice of municipalities and other public and  
 51 not-for-profit agencies, approved by the commissioner of the office  
 52 of mental health, pursuant to article 41 of the mental hygiene law  
 53 (50230403) ... 5,000,000 ..... (re. \$5,000,000)  
 54

55 By chapter 54, section 1, of the laws of 2003:  
 56 For the acquisition of property, construction and rehabilitation of  
 57 new facilities and/or relocation of existing community mental health  
 58 facilities under the auspice of municipalities and other public and



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1 not-for-profit agencies, approved by the commissioner of the office  
2 of mental health, pursuant to article 41 of the mental hygiene law  
3 (50230303) ... 5,000,000 ..... (re. \$2,680,000)  
4

5 By chapter 54, section 1, of the laws of 2002:

6 For the acquisition of property, construction and rehabilitation of  
7 new facilities and/or relocation of existing community mental health  
8 facilities under the auspice of municipalities and other public and  
9 not-for-profit agencies, approved by the commissioner of the office  
10 of mental health, pursuant to article 41 of the mental hygiene law  
11 (50230203) ... 5,000,000 ..... (re. \$3,571,000)  
12

13 By chapter 54, section 1, of the laws of 2001:

14 For the acquisition of property, construction, rehabilitation and/or  
15 relocation of existing community mental health facilities under the  
16 auspice of municipalities and other public and not-for-profit agen-  
17 cies, approved by the commissioner of the office of mental health,  
18 pursuant to article 41 of the mental hygiene law (50230103) .....  
19 5,000,000 ..... (re. \$5,000,000)  
20

21 New Facilities Purpose

22  
23 By chapter 54, section 1, of the laws of 2003:

24 For payment to municipalities and not-for-profit community providers  
25 for the acquisition of property, design, construction and rehabili-  
26 tation of housing for mentally ill persons. Of such appropriation up  
27 to eighty percent shall be matched on a 50/50 basis (50VY0307) .....  
28 65,000,000 ..... (re. \$65,000,000)  
29

30 By chapter 54, section 1, of the laws of 1999:

31 For payment to municipalities and not-for-profit community providers  
32 for the acquisition of property, design, construction and rehabili-  
33 tation of housing for mentally ill persons. Of such appropriation  
34 eighty percent shall be matched on a 50/50 basis and twenty percent  
35 shall not require a match (50VY9907) .....  
36 50,000,000 ..... (re. \$32,912,000)  
37

38 By chapter 54, section 1, of the laws of 1998:

39 For payment to municipalities and not-for-profit community providers  
40 for the acquisition of property, design, construction and rehabili-  
41 tation of SRO/supportive housing for mentally ill homeless persons,  
42 to be matched on a 50/50 basis (50279807) .....  
43 40,000,000 ..... (re. \$8,320,000)  
44

45 By chapter 54, section 1, of the laws of 1993, as amended by chapter 54,  
46 section 1, of the laws of 1996:

47 For the acquisition of property, construction and rehabilitation of  
48 article 31 community mental health facilities and associated  
49 programs and facilities under the auspice of municipalities and  
50 other public and not-for-profit private agencies, approved by the  
51 commissioner of the office of mental health, pursuant to article 41  
52 of the mental hygiene law. The funds hereby appropriated shall be  
53 used for the acquisition of property, construction and rehabili-  
54 tation of community facilities (50149307) .....  
55 42,000,000 ..... (re. \$3,887,000)

56 For acquisition of property, design, construction and rehabilitation  
57 of community facilities under the auspice of municipalities and  
58 other public and not-for-profit private agencies approved by the  
59 commissioner of the office of mental health, pursuant to article 41  
60 of the mental hygiene law. The funds hereby appropriated shall be

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1 available for the costs of those portions of acquired, constructed  
 2 or rehabilitated facilities intended to house mentally ill persons.  
 3 All disbursements from funds apportioned from this appropriation  
 4 shall, for bonding purposes, be considered disbursements of the  
 5 Mental Hygiene Capital Improvement Fund (50139307) .....  
 6 13,000,000 ..... (re. \$8,137,000)  
 7 For the acquisition of property, construction and rehabilitation of  
 8 article 31 community mental health facilities and associated  
 9 programs and facilities under the auspice of municipalities and  
 10 other public and not-for-profit private agencies approved by the  
 11 commissioner of the office of mental health, pursuant to article 41  
 12 of the Mental Hygiene Law. The funds hereby appropriated shall be  
 13 used for the acquisition of property, construction and rehabili-  
 14 tation of community facilities (50159307) .....  
 15 10,000,000 ..... (re. \$2,834,000)  
 16

17 By chapter 54, section 1, of the laws of 1991, as amended by chapter 54,  
 18 section 1, of the laws of 1996:

19 For the acquisition of property, construction and rehabilitation of  
 20 community facilities under the auspice of municipalities and other  
 21 public and not-for-profit private agencies approved by the commis-  
 22 sioner of the office of mental health, pursuant to article 41 of the  
 23 mental hygiene law. The funds hereby appropriated shall be made  
 24 available in accordance with a comprehensive plan for proposed  
 25 projects approved by the director of the budget, and pursuant to a  
 26 certificate of approval of availability issued by the director of  
 27 the budget with copies of the certificate filed with the state comp-  
 28 troller, and copies of the comprehensive plan and the certificate  
 29 filed with the chairman of the senate finance committee and the  
 30 chairman of the assembly ways and means committee (50099107) .....  
 31 24,000,000 ..... (re. \$1,860,000)  
 32

33 By chapter 54, section 1, of the laws of 1990:

34 For the acquisition of property, construction and rehabilitation of  
 35 article 31 community mental health facilities under the auspice of  
 36 municipalities and other public and not-for-profit private agencies  
 37 approved by the commissioner of the office of mental health, pursu-  
 38 ant to article 41 of the Mental Hygiene Law. Notwithstanding any  
 39 inconsistent provision of law to the contrary, these funds may be  
 40 expended for personal service and non-personal service, including  
 41 fringe benefits, related to the administration of projects financed  
 42 through the issuance of medical care facilities finance agency  
 43 mental health services facilities improvement bonds authorized by  
 44 this appropriation or any prior appropriation in force. The funds  
 45 hereby appropriated shall be made available in accordance with a  
 46 comprehensive plan for proposed projects approved by the director of  
 47 the budget, and pursuant to a certificate of approval of availabili-  
 48 ty issued by the director of the budget with copies of the certif-  
 49 icate filed with the state comptroller, the chairperson of the  
 50 senate finance committee and the chairperson of the assembly ways  
 51 and means committee (50109007) ... 30,000,000 ..... (re. \$3,679,000)  
 52

53 By chapter 54, section 1, of the laws of 1990, as amended by chapter 54,  
 54 section 1, of the laws of 1996, for:

55 State aid to municipalities and other public and not-for-profit  
 56 private agencies for acquisition of property, design, construction  
 57 and rehabilitation of supported housing facilities for mentally ill  
 58 persons. Notwithstanding the provisions of section 41.27 of the  
 59 Mental Hygiene Law and any other inconsistent provision of law, the  
 60 moneys hereby appropriated shall be available for payment of state

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1 aid grants for up to 100 per centum of the costs of those portions  
 2 of acquired, constructed or rehabilitated facilities intended to  
 3 house mentally ill persons. Notwithstanding any other provision of  
 4 law to the contrary, section 20 of chapter 58 of the laws of 1987,  
 5 as amended by section 9 of chapter 90 of the laws of 1989, is hereby  
 6 amended to provide that for purposes of this section a mental health  
 7 services facility shall also mean a building owned or leased by a  
 8 voluntary agency approved by the state department of mental hygiene,  
 9 all or a portion of which building contains one or more housing  
 10 units for supported housing as approved by the commissioner of the  
 11 office of mental health.

12 In addition, section 1 of chapter 359 of the laws of 1968 as amended  
 13 is hereby amended to provide that for purposes of this section a  
 14 mental hygiene facility shall also mean a building owned or leased  
 15 by a voluntary agency approved by the state department of mental  
 16 hygiene all or a portion of which building contains one or more  
 17 housing units for supported housing as approved by the commissioner  
 18 of the office of mental health.

19 No expenditure shall be made from this appropriation until a compre-  
 20 hensive plan for proposed projects and a certificate of approval of  
 21 availability have both been approved by the director of the budget  
 22 and copies of the certificate filed with the state comptroller, the  
 23 chairperson of the senate finance committee and the chairperson of  
 24 the assembly ways and means committee (50099007) .....  
 25 14,750,000 ..... (re. \$3,165,000)  
 26

27 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

28  
29 Capital Projects Fund

30  
31 Preparation of Plans Purpose

32  
33 By chapter 54, section 1, of the laws of 2004:

34 For payment to the design and construction management account of the  
 35 centralized services fund of the New York state office of general  
 36 services or to the dormitory authority of the state of New York for  
 37 the purpose of preparation and review of plans, specifications,  
 38 estimates, services, construction management and supervision,  
 39 inspection, studies, appraisals, surveys, testing and environmental  
 40 impact statements for new and existing projects. Upon approval of  
 41 the director of the budget, funds from this appropriation may be  
 42 transferred to the office of mental retardation and developmental  
 43 disabilities and the office of alcoholism and substance abuse  
 44 services for payment to the dormitory authority of the state of New  
 45 York for preparation of plans purpose (50DC0430) .....  
 46 2,000,000 ..... (re. \$2,000,000)  
 47

48 Mental Hygiene Capital Improvement Fund - 389

49  
50 Preparation of Plans Purpose

51  
52 By chapter 54, section 1, of the laws of 2004:

53 For payment to the design and construction management account of the  
 54 centralized services fund of the New York state office of general  
 55 services or to the dormitory authority of the state of New York for  
 56 the purpose of preparation and review of plans, specifications,  
 57 estimates, services, construction management and supervision,  
 58 inspection, studies, appraisals, surveys, testing and environmental  
 59 impact statements for new and existing projects. Upon request of the  
 60 commissioner of mental health and approval by the director of the

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1 budget, this appropriation may be transferred to the dormitory  
 2 authority of the state of New York. Upon approval of the director of  
 3 the budget, funds from this appropriation may be transferred to the  
 4 office of mental retardation and developmental disabilities and the  
 5 office of alcoholism and substance abuse services for payment to the  
 6 dormitory authority of the state of New York for preparation of  
 7 plans purpose (50310430) ... 8,000,000 ..... (re. \$8,000,000)

8  
 9 By chapter 54, section 1, of the laws of 2003:

10 For payment to the design and construction management account of the  
 11 centralized services fund of the New York state office of general  
 12 services or to the dormitory authority of the state of New York for  
 13 the purpose of preparation and review of plans, specifications,  
 14 estimates, services, construction management and supervision,  
 15 inspection, studies, appraisals, surveys, testing and environmental  
 16 impact statements for new and existing projects. Upon request of the  
 17 commissioner of mental health and approval by the director of the  
 18 budget, this appropriation may be transferred to the dormitory  
 19 authority of the state of New York. Upon approval of the director of  
 20 the budget, funds from this appropriation may be transferred to the  
 21 office of mental retardation and developmental disabilities and the  
 22 office of alcoholism and substance abuse services for payment to the  
 23 dormitory authority of the state of New York for preparation of  
 24 plans purpose (50310330) ... 8,000,000 ..... (re. \$300,000)

25  
 26 EXECUTIVE DIRECTION (CCP)

27  
 28 Mental Hygiene Capital Improvement Fund - 389

29  
 30 Administration Purpose

31  
 32 The appropriation made by chapter 54, section 1, of the laws of 2004, as  
 33 supplemented by a certificate of transfer, is hereby amended and  
 34 reappropriated to read:

35 For payment of personal service and nonpersonal service, including  
 36 fringe benefits, related to the administration of the capital  
 37 programs provided by the office of mental health for new and reap-  
 38 propriated state operated institutional capital projects. Upon  
 39 request of the commissioner of mental health and approval by the  
 40 director of the budget, this appropriation may be transferred to the  
 41 dormitory authority of the state of New York (50990450) .....  
 42 [3,300,000] 3,591,000 ..... (re. \$3,591,000)

43  
 44 By chapter 54, section 1, of the laws of 2003:

45 For payment of personal service and nonpersonal service, including  
 46 fringe benefits, related to the administration of the capital  
 47 programs provided by the office of mental health for new and reap-  
 48 propriated state operated institutional capital projects. Upon  
 49 request of the commissioner of mental health and approval by the  
 50 director of the budget, this appropriation may be transferred to the  
 51 dormitory authority of the state of New York (50990350) .....  
 52 3,300,000 ..... (re. \$1,074,000)

53  
 54 By chapter 54, section 1, of the laws of 2002:

55 For payment of personal service and nonpersonal service, including  
 56 fringe benefits, related to the administration of the capital  
 57 programs provided by the office of mental health for new and reap-  
 58 propriated state operated institutional capital projects. Upon

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1 request of the commissioner of mental health and approval by the  
 2 director of the budget, this appropriation may be transferred to the  
 3 dormitory authority of the state of New York (50990250) .....  
 4 3,300,000 ..... (re. \$381,000)  
 5

6 MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

7  
8 Capital Projects Fund

9  
10 Health and Safety

11  
12 By chapter 54, section 1, of the laws of 2004:

13 For payment of the cost of construction, reconstruction and improve-  
 14 ments, including the preparation of designs, plans, specifications  
 15 and estimates, for health and safety improvements to existing  
 16 facilities and programs, provided, however, that no expenditures may  
 17 be made from this appropriation until a comprehensive plan of  
 18 projects has been approved by the director of the budget. Upon  
 19 request of the commissioner of mental health and approval by the  
 20 director of the budget, this appropriation may be transferred to the  
 21 dormitory authority of the state of New York (50HS0401) .....  
 22 6,000,000 ..... (re. \$6,000,000)  
 23

24 By chapter 54, section 1, of the laws of 2003:

25 For payment of the cost of construction, reconstruction and improve-  
 26 ments, including the preparation of designs, plans, specifications  
 27 and estimates, for health and safety improvements to existing facil-  
 28 ities and programs, provided, however, that no expenditures may be  
 29 made from this appropriation until a comprehensive plan of projects  
 30 has been approved by the director of the budget. Upon request of the  
 31 commissioner of mental health and approval by the director of the  
 32 budget, this appropriation may be transferred to the dormitory  
 33 authority of the state of New York (50HS0301) .....  
 34 4,000,000 ..... (re. \$2,518,000)  
 35

36 Preservation of Facilities Purpose

37  
38 The appropriation made by chapter 54, section 1, of the laws of 2004, as  
 39 supplemented by a certificate of transfer, is hereby amended and  
 40 reappropriated to read:

41 For payment of the cost of construction, reconstruction and improve-  
 42 ments, including the preparation of designs, plans, specifications  
 43 and estimates to existing facilities and programs, provided,  
 44 however, that no expenditures may be made from this appropriation  
 45 until a comprehensive plan of projects has been approved by the  
 46 director of the budget (50PF0403) .....  
 47 [11,650,000] 11,660,000 ..... (re. \$11,660,000)  
 48

49 By chapter 54, section 1, of the laws of 2003:

50 For payment of the cost of construction, reconstruction and improve-  
 51 ments, including the preparation of designs, plans, specifications  
 52 and estimates to existing facilities and programs, provided, howev-  
 53 er, that no expenditures may be made from this appropriation until a  
 54 comprehensive plan of projects has been approved by the director of  
 55 the budget (50PF0303) ... 11,650,000 ..... (re. \$1,820,000)  
 56

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1 Energy Conservation Purpose  
2  
3 By chapter 54, section 1, of the laws of 2004:  
4 For payment of the cost of construction, reconstruction and improve-  
5 ments, including the preparation of designs, plans, specifications  
6 and estimates for energy conservation improvements to existing  
7 facilities and programs. Upon request of the commissioner of mental  
8 health and approval by the director of the budget, this appropria-  
9 tion may be transferred to the dormitory authority of the state of  
10 New York (50050405) ... 4,800,000 ..... (re. \$4,800,000)  
11  
12 By chapter 54, section 1, of the laws of 2003:  
13 For payment of the cost of construction, reconstruction and improve-  
14 ments, including the preparation of designs, plans, specifications  
15 and estimates for energy conservation improvements to existing  
16 facilities and programs. Upon request of the commissioner of mental  
17 health and approval by the director of the budget, this appropria-  
18 tion may be transferred to the dormitory authority of the state of  
19 New York (50050305) ... 4,800,000 ..... (re. \$1,373,000)  
20  
21 Environmental Protection or Improvements Purpose  
22  
23 By chapter 54, section 1, of the laws of 2004:  
24 For payment of the cost of construction, reconstruction and improve-  
25 ments, including the preparation of designs, plans, specifications  
26 and estimates for environmental protection (50EP0406) .....  
27 6,550,000 ..... (re. \$6,550,000)  
28  
29 By chapter 54, section 1, of the laws of 2003:  
30 For payment of the cost of construction, reconstruction and improve-  
31 ments, including the preparation of designs, plans, specifications  
32 and estimates for environmental protection (50EP0306) .....  
33 6,550,000 ..... (re. \$2,273,000)  
34  
35 By chapter 54, section 1, of the laws of 2002:  
36 For payment of the cost of construction, reconstruction and improve-  
37 ments, including the preparation of designs, plans, specifications  
38 and estimates for environmental protection (50EP0206) .....  
39 5,000,000 ..... (re. \$1,028,000)  
40  
41 By chapter 54, section 1, of the laws of 2001:  
42 For payment of the cost of construction, reconstruction and improve-  
43 ments, including the preparation of designs, plans, specifications  
44 and estimates for environmental protection (50EP0106) .....  
45 5,657,000 ..... (re. \$629,000)  
46  
47 By chapter 54, section 1, of the laws of 2000:  
48 For payment of the cost of construction, reconstruction and improve-  
49 ments, including the preparation of designs, plans, specifications  
50 and estimates for environmental protection (50EP0006) .....  
51 3,638,000 ..... (re. \$581,000)  
52  
53 Minor Rehabilitation Purpose  
54  
55 By chapter 54, section 1, of the laws of 2004:  
56 For minor alterations and improvements to various facilities, includ-  
57 ing the payment of liabilities incurred prior to April 1, 2004,

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1 provided, however, that no expenditures may be made from this  
 2 appropriation until a comprehensive plan of projects has been  
 3 approved by the director of the budget (50380489) .....  
 4 5,000,000 ..... (re. \$5,000,000)  
 5

6 By chapter 54, section 1, of the laws of 2003:  
 7 For minor alterations and improvements to various facilities, includ-  
 8 ing the payment of liabilities incurred prior to April 1, 2003,  
 9 provided, however, that no expenditures may be made from this appro-  
 10 priation until a comprehensive plan of projects has been approved by  
 11 the director of the budget (50480389) .....  
 12 5,000,000 ..... (re. \$174,000)  
 13

14 Mental Hygiene Capital Improvement Fund - 389

15  
16 Health and Safety Purpose  
17

18 By chapter 54, section 1, of the laws of 2004:  
 19 For payment of the cost of construction, reconstruction and improve-  
 20 ments, including the preparation of designs, plans, specifications  
 21 and estimates, for health and safety improvements to existing facil-  
 22 ities and programs, provided, however, that no expenditures may be  
 23 made from this appropriation until a comprehensive plan of projects  
 24 has been approved by the director of the budget. Upon request of the  
 25 commissioner of mental health and approval by the director of the  
 26 budget, this appropriation may be transferred to the dormitory  
 27 authority of the state of New York (50010401) .....  
 28 29,350,000 ..... (re. \$29,350,000)  
 29

30 By chapter 54, section 1, of the laws of 2003:  
 31 For payment of the cost of construction, reconstruction and improve-  
 32 ments, including the preparation of designs, plans, specifications  
 33 and estimates, for health and safety improvements to existing facil-  
 34 ities and programs, provided, however, that no expenditures may be  
 35 made from this appropriation until a comprehensive plan of projects  
 36 has been approved by the director of the budget. Upon request of the  
 37 commissioner of mental health and approval by the director of the  
 38 budget, this appropriation may be transferred to the dormitory  
 39 authority of the state of New York (50010301) .....  
 40 45,000,000 ..... (re. \$25,810,000)  
 41

42 By chapter 54, section 1, of the laws of 2002:  
 43 For payment of the cost of construction, reconstruction and improve-  
 44 ments, including the preparation of designs, plans, specifications  
 45 and estimates, for health and safety improvements to existing facil-  
 46 ities and programs, provided, however, that no expenditures may be  
 47 made from this appropriation until a comprehensive plan of projects  
 48 has been approved by the director of the budget. Upon request of the  
 49 commissioner of mental health and approval by the director of the  
 50 budget, this appropriation may be transferred to the dormitory  
 51 authority of the state of New York (50010201) .....  
 52 46,705,000 ..... (re. \$34,273,000)  
 53

54 By chapter 54, section 1, of the laws of 2001:  
 55 For payment of the cost of construction, reconstruction and improve-  
 56 ments, including the preparation of designs, plans, specifications  
 57 and estimates, for health and safety improvements to existing facil-  
 58 ities and programs, provided, however, that no expenditures may be  
 59 made from this appropriation until a comprehensive plan of projects  
 60 has been approved by the director of the budget. Upon request of the

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1 commissioner of mental health and approval by the director of the  
 2 budget, this appropriation may be transferred to the dormitory  
 3 authority of the state of New York (50010101) .....  
 4 9,474,000 ..... (re. \$6,913,000)  
 5

6 By chapter 54, section 1, of the laws of 2000:  
 7 For payment of the cost of construction, reconstruction and improve-  
 8 ments, including the preparation of designs, plans, specifications  
 9 and estimates, for health and safety improvements to existing facil-  
 10 ities and programs, provided, however, that no expenditures may be  
 11 made from this appropriation until a comprehensive plan of projects  
 12 has been approved by the director of the budget. Upon request of the  
 13 commissioner of mental health and approval by the director of the  
 14 budget, this appropriation may be transferred to the dormitory  
 15 authority of the state of New York (50010001) .....  
 16 26,432,000 ..... (re. \$10,452,000)  
 17

18 By chapter 54, section 1, of the laws of 1999:  
 19 For payment of the cost of construction, reconstruction and improve-  
 20 ments, including the preparation of designs, plans, specifications  
 21 and estimates, for health and safety improvements to existing facil-  
 22 ities and programs, provided, however, that no expenditures may be  
 23 made from this appropriation until a comprehensive plan of projects  
 24 has been approved by the director of the budget. Upon request of the  
 25 commissioner of mental health and approval by the director of the  
 26 budget, this appropriation may be transferred to the dormitory  
 27 authority of the state of New York (50019901) .....  
 28 19,973,000..... (re. \$4,306,000)  
 29

30 By chapter 54, section 1, of the laws of 1998:  
 31 For payment of the cost of construction, reconstruction and improve-  
 32 ments, including the preparation of designs, plans, specifications  
 33 and estimates, for health and safety improvements to existing facil-  
 34 ities and programs, provided, however, that no expenditures may be  
 35 made from this appropriation until a comprehensive plan of projects  
 36 has been approved by the director of the budget. Upon request of the  
 37 commissioner of mental health and approval by the director of the  
 38 budget, this appropriation may be transferred to the dormitory  
 39 authority of the state of New York (3/99) (50019801) .....  
 40 5,060,000 ..... (re. \$1,510,000)  
 41

42 Accreditation Purpose

43  
 44 By chapter 54, section 1, of the laws of 2004:  
 45 For payment of the cost of land acquisition, construction, recon-  
 46 struction and improvements, including the preparation of designs,  
 47 plans, specifications and estimates related to accreditation  
 48 improvements to existing facilities and programs. Upon request of  
 49 the commissioner of mental health and approval by the director of  
 50 the budget, this appropriation may be transferred to the dormitory  
 51 authority of the state of New York (50060402) .....  
 52 8,500,000 ..... (re. \$8,500,000)  
 53

54 By chapter 54, section 1, of the laws of 2003:  
 55 For payment of the cost of land acquisition, construction, recon-  
 56 struction and improvements, including the preparation of designs,  
 57 plans, specifications and estimates related to accreditation  
 58 improvements to existing facilities and programs. Upon request of



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1 the commissioner of mental health and approval by the director of  
 2 the budget, this appropriation may be transferred to the dormitory  
 3 authority of the state of New York (50060302).....  
 4 1,000,000 ..... (re. \$3,817,000)  
 5

6 By chapter 54, section 1, of the laws of 2002:  
 7 For payment of the cost of land acquisition, construction, recon-  
 8 struction and improvements, including the preparation of designs,  
 9 plans, specifications and estimates related to accreditation  
 10 improvements to existing facilities and programs. Upon request of  
 11 the commissioner of mental health and approval by the director of  
 12 the budget, this appropriation may be transferred to the dormitory  
 13 authority of the state of New York (50060202) .....  
 14 1,738,000 ..... (re. \$63,000)  
 15

16 By chapter 54, section 1, of the laws of 1999:  
 17 For payment of the cost of land acquisition, construction, recon-  
 18 struction and improvements, including the preparation of designs,  
 19 plans, specifications and estimates related to accreditation  
 20 improvements to existing facilities and programs. Upon request of  
 21 the commissioner of mental health and approval by the director of  
 22 the budget, this appropriation may be transferred to the dormitory  
 23 authority of the state of New York (50069902) .....  
 24 27,123,000 ..... (re. \$6,774,000)  
 25

26 By chapter 54, section 1, of the laws of 1998:  
 27 For payment of the cost of construction, reconstruction and improve-  
 28 ments, including the preparation of designs, plans, specifications  
 29 and estimates related to accreditation improvements to existing  
 30 facilities and programs. Upon request of the commissioner of mental  
 31 health and approval by the director of the budget, this appropri-  
 32 ation may be transferred to the dormitory authority of the state of  
 33 New York (3/99) (50069802) ... 9,120,000 ..... (re. \$1,214,000)  
 34

35 Preservation of Facilities Purpose

36  
 37 By chapter 54, section 1, of the laws of 2004:  
 38 For payment of the cost of construction, reconstruction and improve-  
 39 ments, including the preparation of designs, plans, specifications  
 40 and estimates, and minor rehabilitation and improvements for the  
 41 preservation of existing facilities and programs, provided, however,  
 42 that no expenditures may be made from this appropriation until a  
 43 comprehensive plan of projects has been approved by the director of  
 44 the budget. Upon request of the commissioner of mental health and  
 45 approval by the director of the budget, this appropriation may be  
 46 transferred to the dormitory authority of the state of New York  
 47 (50030403) ... 29,350,000 ..... (re. \$29,350,000)  
 48

49 By chapter 54, section 1, of the laws of 2003:  
 50 For payment of the cost of construction, reconstruction and improve-  
 51 ments, including the preparation of designs, plans, specifications  
 52 and estimates, and minor rehabilitation and improvements for the  
 53 preservation of existing facilities and programs, provided, however,  
 54 that no expenditures may be made from this appropriation until a  
 55 comprehensive plan of projects has been approved by the director of  
 56 the budget. Upon request of the commissioner of mental health and  
 57 approval by the director of the budget, this appropriation may be  
 58 transferred to the dormitory authority of the state of New York  
 59 (50030303) ... 21,700,000 ..... (re. \$17,908,000)  
 60

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1 By chapter 54, section 1, of the laws of 2002:  
 2 For payment of the cost of construction, reconstruction and improve-  
 3 ments, including the preparation of designs, plans, specifications  
 4 and estimates, and minor rehabilitation and improvements for the  
 5 preservation of existing facilities and programs, provided, however,  
 6 that no expenditures may be made from this appropriation until a  
 7 comprehensive plan of projects has been approved by the director of  
 8 the budget. Upon request of the commissioner of mental health and  
 9 approval by the director of the budget, this appropriation may be  
 10 transferred to the dormitory authority of the state of New York  
 11 (50030203) ... 35,677,000 ..... (re. \$7,243,000)  
 12

13 By chapter 54, section 1, of the laws of 2001:  
 14 For payment of the cost of construction, reconstruction and improve-  
 15 ments, including the preparation of designs, plans, specifications  
 16 and estimates, and minor rehabilitation and improvements for the  
 17 preservation of existing facilities and programs, provided, however,  
 18 that no expenditures may be made from this appropriation until a  
 19 comprehensive plan of projects has been approved by the director of  
 20 the budget. Upon request of the commissioner of mental health and  
 21 approval by the director of the budget, this appropriation may be  
 22 transferred to the dormitory authority of the state of New York  
 23 (50030103) ... 37,933,000 ..... (re. \$13,265,000)  
 24

25 By chapter 54, section 1, of the laws of 2000:  
 26 For payment of the cost of construction, reconstruction and improve-  
 27 ments, including the preparation of designs, plans, specifications  
 28 and estimates, and minor rehabilitation and improvements for the  
 29 preservation of existing facilities and programs, provided, however,  
 30 that no expenditures may be made from this appropriation until a  
 31 comprehensive plan of projects has been approved by the director of  
 32 the budget. Upon request of the commissioner of mental health and  
 33 approval by the director of the budget, this appropriation may be  
 34 transferred to the dormitory authority of the state of New York  
 35 (50030003) ... 20,645,000 ..... (re. \$1,947,000)  
 36

37 By chapter 54, section 1, of the laws of 1999:  
 38 For payment of the cost of construction, reconstruction and improve-  
 39 ments, including the preparation of designs, plans, specifications  
 40 and estimates, and minor rehabilitation and improvements for the  
 41 preservation of existing facilities and programs, provided, however,  
 42 that no expenditures may be made from this appropriation until a  
 43 comprehensive plan of projects has been approved by the director of  
 44 the budget. Upon request of the commissioner of mental health and  
 45 approval by the director of the budget, this appropriation may be  
 46 transferred to the dormitory authority of the state of New York  
 47 (50039903) ... 14,325,000 ..... (re. \$3,294,000)  
 48

49 By chapter 54, section 1, of the laws of 1998:  
 50 For payment of the cost of construction, reconstruction and improve-  
 51 ments, including the preparation of designs, plans, specifications  
 52 and estimates, and minor rehabilitation and improvements for the  
 53 preservation of existing facilities and programs, provided, however,  
 54 that no expenditures may be made from this appropriation until a  
 55 comprehensive plan of projects has been approved by the director of  
 56 the budget. Upon request of the commissioner of mental health and  
 57 approval by the director of the budget, this appropriation may be  
 58 transferred to the dormitory authority of the state of New York  
 59 (3/99) (50039803) ... 6,897,000 ..... (re. \$2,183,000)  
 60

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1 Energy Conservation Purpose  
2  
3 By chapter 54, section 1, of the laws of 1998:  
4 For payment of the cost of construction, reconstruction and improve-  
5 ments, including the preparation of designs, plans, specifications  
6 and estimates for energy conservation improvements to existing  
7 facilities and programs. Upon request of the commissioner of mental  
8 health and approval by the director of the budget, this appropri-  
9 ation may be transferred to the dormitory authority of the state of  
10 New York (3/99) (50059805) ... 1,500,000 ..... (re. \$725,000)  
11  
12 Environmental Protection or Improvements Purpose  
13  
14 By chapter 54, section 1, of the laws of 2004:  
15 For payment of the cost of construction, reconstruction and improve-  
16 ments, including the preparations of designs, plans, specifications  
17 and estimates for environmental protection. Upon request of the  
18 commissioner of mental health and approval by the director of the  
19 budget, this appropriation may be transferred to the dormitory  
20 authority of the state of New York (50060406) .....  
21 500,000 ..... (re. \$500,000)  
22  
23 By chapter 54, section 1, of the laws of 2003:  
24 For payment of the cost of construction, reconstruction and improve-  
25 ments, including the preparations of designs, plans, specifications  
26 and estimates for environmental protection. Upon request of the  
27 commissioner of mental health and approval by the director of the  
28 budget, this appropriation may be transferred to the dormitory  
29 authority of the state of New York (50160306) .....  
30 2,000,000 ..... (re. \$1,978,000)  
31  
32 By chapter 54, section 1, of the laws of 1999:  
33 For payment of the cost of construction, reconstruction and improve-  
34 ments, including the preparation of designs, plans, specifications  
35 and estimates for environmental protection. Upon request of the  
36 commissioner of mental health and approval by the director of the  
37 budget, this appropriation may be transferred to the dormitory  
38 authority of the state of New York (50069906) .....  
39 558,000 ..... (re. \$467,000)  
40  
41 By chapter 54, section 1, of the laws of 1998:  
42 For payment of the cost of construction, reconstruction and improve-  
43 ments, including the preparation of designs, plans, specifications  
44 and estimates for environmental protection. Upon request of the  
45 commissioner of mental health and the approval by the director of  
46 the budget, this appropriation may be transferred to the dormitory  
47 authority of the state of New York (3/99) (50069806) .....  
48 1,132,000 ..... (re. \$372,000)  
49  
50 Program Improvement or Program Change Purpose  
51  
52 By chapter 54, section 1, of the laws of 2004:  
53 For payment of the cost of construction, reconstruction and improve-  
54 ments, including the preparation of designs, plans, specifications  
55 and estimates related to improvements or changes to existing  
56 facilities and programs, provided, however, that no expenditures may  
57 be made from this appropriation until a comprehensive plan of  
58 projects has been approved by the director of the budget. Upon

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1 request of the commissioner of mental health and approval by the  
 2 director of the budget, this appropriation may be transferred to the  
 3 dormitory authority of the state of New York (50080408) .....  
 4 11,000,000 ..... (re. \$11,000,000)  
 5

6 By chapter 54, section 1, of the laws of 2003:  
 7 For payment of the cost of construction, reconstruction and improve-  
 8 ments, including the preparation of designs, plans, specifications  
 9 and estimates related to improvements or changes to existing facili-  
 10 ties and programs, provided, however, that no expenditures may be  
 11 made from this appropriation until a comprehensive plan of projects  
 12 has been approved by the director of the budget. Upon request of the  
 13 commissioner of mental health and approval by the director of the  
 14 budget, this appropriation may be transferred to the dormitory  
 15 authority of the state of New York (50080308) .....  
 16 18,000,000 ..... (re. \$17,145,000)  
 17

18 By chapter 54, section 1, of the laws of 2002:  
 19 For payment of the cost of construction, reconstruction and improve-  
 20 ments, including the preparation of designs, plans, specifications  
 21 and estimates related to improvements or changes to existing facili-  
 22 ties and programs, provided, however, that no expenditures may be  
 23 made from this appropriation until a comprehensive plan of projects  
 24 has been approved by the director of the budget. Upon request of the  
 25 commissioner of mental health and approval by the director of the  
 26 budget, this appropriation may be transferred to the dormitory  
 27 authority of the state of New York (50080208) .....  
 28 24,290,000 ..... (re. \$15,149,000)  
 29

30 By chapter 54, section 1, of the laws of 2001:  
 31 For payment of the cost of construction, reconstruction and improve-  
 32 ments, including the preparation of designs, plans, specifications  
 33 and estimates related to improvements or changes to existing facili-  
 34 ties and programs, provided, however, that no expenditures may be  
 35 made from this appropriation until a comprehensive plan of projects  
 36 has been approved by the director of the budget. Upon request of the  
 37 commissioner of mental health and approval by the director of the  
 38 budget, this appropriation may be transferred to the dormitory  
 39 authority of the state of New York (50080108) .....  
 40 25,001,000 ..... (re. \$11,100,000)  
 41

42 By chapter 54, section 1, of the laws of 2000:  
 43 For payment of the cost of construction, reconstruction and improve-  
 44 ments, including the preparation of designs, plans, specifications  
 45 and estimates related to improvements or changes to existing facili-  
 46 ties and programs, provided, however, that no expenditures may be  
 47 made from this appropriation until a comprehensive plan of projects  
 48 has been approved by the director of the budget. Upon request of the  
 49 commissioner of mental health and approval by the director of the  
 50 budget, this appropriation may be transferred to the dormitory  
 51 authority of the state of New York (50080008) .....  
 52 25,343,000 ..... (re. \$6,803,000)  
 53

54 By chapter 54, section 1, of the laws of 1999:  
 55 For payment of the cost of construction, reconstruction and improve-  
 56 ments, including the preparation of designs, plans, specifications  
 57 and estimates related to improvements or changes to existing facili-  
 58 ties and programs, provided, however, that no expenditures may be  
 59 made from this appropriation until a comprehensive plan of projects  
 60 has been approved by the director of the budget. Upon request of the

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 commissioner of mental health and approval by the director of the  
 2 budget, this appropriation may be transferred to the dormitory  
 3 authority of the state of New York (50089908) .....  
 4 10,766,000 ..... (re. \$4,084,000)  
 5

6 By chapter 54, section 1, of the laws of 1998:  
 7 For payment of the cost of construction, reconstruction and improve-  
 8 ments, including the preparation of designs, plans, specifications  
 9 and estimates related to improvements or changes to existing facili-  
 10 ties and programs, provided, however, that no expenditures may be  
 11 made from this appropriation until a comprehensive plan of projects  
 12 has been approved by the director of the budget. Upon request of the  
 13 commissioner of mental health and approval by the director of the  
 14 budget, this appropriation may be transferred to the dormitory  
 15 authority of the state of New York (3/99) (50089808) .....  
 16 17,799,000 ..... (re. \$5,008,000)  
 17

18 Minor Rehabilitation Purpose

19  
 20 By chapter 54, section 1, of the laws of 1999:  
 21 For minor alterations and improvements to existing facilities, includ-  
 22 ing the payment of liabilities incurred prior to April 1, 1999,  
 23 provided, however, that no expenditures may be made from this appro-  
 24 priation until a comprehensive plan of projects has been approved by  
 25 the director of the budget. Upon request of the commissioner of  
 26 mental health and approval by the director of the budget, this  
 27 appropriation may be transferred to the dormitory authority of the  
 28 state of New York (50MR9989) ... 1,767,000 ..... (re. \$620,000)  
 29

30 By chapter 54, section 1, of the laws of 1998, as amended by chapter 54,  
 31 section 1, of the laws of 2004:  
 32 For minor alterations and improvements to existing facilities, includ-  
 33 ing the payment of liabilities incurred prior to April 1, 1998,  
 34 provided, however, that no expenditures may be made from this  
 35 appropriation until a comprehensive plan of projects has been  
 36 approved by the director of the budget. Upon request of the  
 37 commissioner of mental health and approval by the director of the  
 38 budget, this appropriation may be transferred to the dormitory  
 39 authority of the state of New York (3/99) (50MR9889) .....  
 40 9,992,000 ..... (re. \$3,252,000)  
 41

42 NON-BONDABLE PROJECTS (CCP)

43  
44 Capital Projects Fund

45  
46 Non-Bondable Purpose

47  
 48 By chapter 54, section 1, of the laws of 2000:  
 49 For transfer to the Mental Hygiene Capital Improvement Fund for  
 50 reimbursement of the non-bondable cost of institutional projects  
 51 authorized by appropriations or reappropriations funded from the  
 52 Mental Hygiene Capital Improvement Fund including liabilities  
 53 incurred prior to April 1, 2000 or for payment to the dormitory  
 54 authority of the state of New York for defeasance of bonds. Upon  
 55 request of the commissioner of mental health and approval by the  
 56 director of the budget, this appropriation may be transferred to the  
 57 dormitory authority of the state of New York (50FO00NB) .....  
 58 8,000,000 ..... (re. \$8,000,000)  
 59

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL HEALTH

## CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 (APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

2

3 EXECUTIVE DIRECTION (CCP)

4

5 Capital Projects Fund

6

7 Preservation of Facilities Purpose

8

9 By chapter 1, section 8, of the laws of 1965, as amended by chapter 54,  
10 section 3, of the laws of 1989, for:

11 (1) The payment of all claims for personal injury, death or property  
12 damage for which the New York State Medical Care Facilities Finance  
13 Agency or the facilities development corporation might be liable  
14 occurring upon, in or about any projects covered by the Agreement of  
15 Lease entered into by the facilities development corporation, the  
16 department of mental hygiene and the New York State Medical Care  
17 Facilities Finance Agency under date of October 1, 1987 as from time  
18 to time amended and supplemented and any and all penalties, costs,  
19 including attorneys' fees, claims, demands and causes of action due  
20 directly or indirectly to the use, disuse, misuse or interest in  
21 such projects; (2) in the case of damage, loss or destruction of any  
22 such project, or any part of any such project, the payment of the  
23 costs of repairing, restoring, rebuilding or replacing the same in  
24 accordance with the obligations of the facilities development corpo-  
25 ration so to do from the proceeds of insurance under the provisions  
26 of paragraph (b) of section 3.04 of the Agreement of Lease; and (3)  
27 payments to the New York State Medical Care Facilities Finance Agen-  
28 cy of moneys at the times and in the amounts that annual rentals  
29 would be due with respect to each project during such time or times  
30 as each such project may be damaged or destroyed and not available  
31 for use by the department of mental hygiene in accordance with the  
32 terms of the Agreement of Lease.

33 Notwithstanding the provisions of any general or special law, the  
34 facilities development corporation may assign to the New York State  
35 Medical Care Facilities Finance Agency all or any portion of the  
36 moneys hereby appropriated for the purposes hereinabove set forth.  
37 Notwithstanding the foregoing, in the event the appropriation is  
38 insufficient to cover the losses, upon notification from the Facili-  
39 ties Development Corporation, the director of the division of the  
40 budget shall submit a request for additional appropriations to cover  
41 the additional losses (00638103) ... 4,000,000 .... (re. \$3,325,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	916,910,000	45,000
6 Special Revenue Funds - Federal ....	230,000	230,000
7 Special Revenue Funds - Other .....	2,059,344,000	0
8 Capital Projects Funds .....	136,280,000	226,799,000
9 Enterprise Funds .....	2,374,000	0
10 Internal Service Funds .....	150,000	0
11	-----	-----
12 All Funds .....	3,115,288,000	227,074,000
13	=====	=====

14  
15 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

17 Fund Type	State Operations	Aid to Localities	Capital Projects	Total
19 -----				-----
20 GF-St/Local	507,221,000	409,689,000	0	916,910,000
21 SR-Federal	230,000	0	0	230,000
22 SR-Other	846,649,000	1,212,695,000	0	2,059,344,000
23 Cap Proj	0	0	136,280,000	136,280,000
24 Enterprise	2,374,000	0	0	2,374,000
25 Internal Srv	150,000	0	0	150,000
26 -----				-----
27 All Funds	1,356,624,000	1,622,384,000	136,280,000	3,115,288,000
28	=====	=====	=====	=====

29  
30 SCHEDULE

32 CENTRAL COORDINATION AND SUPPORT PROGRAM .....	67,882,000
33 -----	
34	
35 General Fund / State Operations	
36 State Purposes Account - 003	
37	
38 Personal service .....	48,732,000
39 Nonpersonal service .....	18,770,000
40 -----	
41 Program account subtotal .....	67,502,000
42 -----	
43	
44 Special Revenue Funds - Federal / State Operations	
45 Federal Operating Grants Fund - 290	
46	
47 Maintenance undistributed	
48 For services and expenses related to the	
49 administration of the federal senior	
50 companions program .....	230,000
51 -----	
52 Program fund subtotal .....	230,000
53 -----	
54	
55 Internal Service Fund / State Operations	
56 Miscellaneous Internal Service Fund - 334	
57 OMRDD Copy Center Account	
58	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Maintenance undistributed  
2 For services and expenses associated with  
3 the office of mental retardation and  
4 developmental disabilities copy center ... 150,000  
5 -----  
6 Program account subtotal ..... 150,000  
7 -----  
8  
9 COMMUNITY SERVICES PROGRAM ..... 2,442,973,000  
10 -----  
11  
12 General Fund / State Operations  
13 State Purposes Account - 003  
14  
15 Personal service  
16 Notwithstanding any inconsistent provision  
17 of law, the amount hereby appropriated  
18 shall be available for the designated  
19 purposes, less the amount, as certified by  
20 the director of the budget, of any trans-  
21 fers from the general fund to the tobacco  
22 control and insurance initiatives pool  
23 established pursuant to section 2807-v of  
24 the public health law, to reflect the  
25 state savings attributable to this program  
26 resulting from an increase in the federal  
27 medical assistance percentage available to  
28 the state pursuant to the applicable  
29 provisions of the federal social security  
30 act ..... 702,401,000  
31 Nonpersonal service, including moneys for  
32 the community services program, net of  
33 refunds, rebates, reimbursements and cred-  
34 its ..... 109,884,000  
35  
36 Maintenance undistributed  
37 For expenses related to the payment of a  
38 provider of services assessment for the  
39 period April 1, 2005 through March 31,  
40 2006 pursuant to section 43.04 of the  
41 mental hygiene law ..... 8,304,000  
42 -----  
43 Program account subtotal ..... 820,589,000  
44 -----  
45  
46 General Fund / Aid to Localities  
47 Local Assistance Account - 001  
48  
49 For services and expenses of the community  
50 services program, net of disallowances,  
51 for community mental retardation and  
52 developmental disabilities programs pursu-  
53 ant to article 41 of the mental hygiene  
54 law, and/or chapter 620 of the laws of  
55 1974, chapter 660 of the laws of 1977,  
56 chapter 412 of the laws of 1981, chapter  
57 27 of the laws of 1987, chapter 729 of the  
58 laws of 1989, chapter 329 of the laws of  
59 1993 and other provisions of the mental  
60 hygiene law.



## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Notwithstanding any other provision of law,  
2 advances and reimbursement made pursuant  
3 to subdivision (d) of section 41.15 and  
4 section 41.18 of the mental hygiene law  
5 shall be apportioned pursuant to a plan  
6 and in a manner prescribed by the agency  
7 head and approved by the director of the  
8 budget. No expenditure shall be made until  
9 a certificate of allocation has been  
10 approved by the director of the budget and  
11 copies thereof filed with the state comp-  
12 troller, and the chairs of the senate  
13 finance and assembly ways and means  
14 committees. The moneys hereby appropriated  
15 are available to reimburse or advance  
16 localities and voluntary non-profit agen-  
17 cies for expenditures made during local  
18 fiscal periods commencing January 1, 2005,  
19 April 1, 2005 or July 1, 2005, and for  
20 advances for the 3 month period beginning  
21 January 1, 2006.

22 Notwithstanding the provisions of article 41  
23 of the mental hygiene law or any other  
24 inconsistent provision of law, rule or  
25 regulation, the commissioner, with the  
26 approval of the director of the budget,  
27 may contract with voluntary agencies that  
28 are receiving, or are eligible to receive,  
29 state aid directly or through written  
30 agreements with local governments pursuant  
31 to article 41 of the mental hygiene law.  
32 The commissioner, pursuant to such  
33 contract and in the manner provided there-  
34 in, may pay all or a portion of the  
35 expenses incurred by such voluntary agen-  
36 cies arising out of loans which are funded  
37 from the proceeds of bonds and notes  
38 issued by the dormitory authority of the  
39 state of New York. Such expenses may  
40 include, but shall not be limited to,  
41 amounts relating to principal and interest  
42 and any other fees and charges arising  
43 from such loans.

44 Notwithstanding any inconsistent provision  
45 of law, reimbursement from this appropri-  
46 ation for services delivered under the  
47 medical assistance program shall be pursu-  
48 ant to economic and efficient rates of  
49 payments, which recognize consumer choice,  
50 established by the commissioner, and  
51 approved by the director of the budget.

52 Notwithstanding any inconsistent provision  
53 of law, the director of the budget is  
54 authorized to make suballocations from  
55 this appropriation to the department of  
56 health medical assistance program.

57 Notwithstanding any other provision of law,  
58 a portion of the amount hereby appropri-  
59 ated may be made available to reimburse  
60 local governments for any medicaid costs

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 incurred during the period April 1, 2005  
2 to December 31, 2005 that are the direct  
3 result of the conversion of community-  
4 based mental retardation and developmental  
5 disability programs operated by voluntary  
6 non-profit agencies during the same per-  
7 iod.

8 Notwithstanding any inconsistent provision  
9 of law, the amount hereby appropriated  
10 shall be available for the designated  
11 purposes, less the amount, as certified by  
12 the director of the budget, of any trans-  
13 fers from the general fund to the tobacco  
14 control and insurance initiatives pool  
15 established pursuant to section 2807-v of  
16 the public health law, to reflect the  
17 state savings attributable to this program  
18 resulting from an increase in the federal  
19 medical assistance percentage available to  
20 the state pursuant to the applicable  
21 provisions of the federal social security  
22 act.

23 Notwithstanding any inconsistent provision  
24 of law, moneys from this appropriation may  
25 be used for state aid of up to 100 percent  
26 of the net deficit costs of day training  
27 programs.

28 Notwithstanding any inconsistent provision  
29 of law, moneys from this appropriation may  
30 be used for expenses incurred by the  
31 office of mental retardation and develop-  
32 mental disabilities that may arise from  
33 the assumption of operational responsibil-  
34 ity for programs when operating certifi-  
35 cates for such programs cease to be in  
36 effect.

37 Notwithstanding any inconsistent provision  
38 of law, and pursuant to criteria estab-  
39 lished by the commissioner of the office  
40 of mental retardation and developmental  
41 disabilities and approved by the director  
42 of the budget, expenditures may be made  
43 from this appropriation for residential  
44 facilities which are pending recertif-  
45 ication as intermediate care facilities  
46 for the developmentally disabled.

47 Notwithstanding any inconsistent provision  
48 of law, moneys from this appropriation may  
49 be used for state aid of up to 100 percent  
50 of the net operating costs related to the  
51 provision of family support services,  
52 including up to \$225,000 for services to  
53 persons with epilepsy. Notwithstanding any  
54 inconsistent provision of law, up to  
55 \$315,000 shall be made available to the  
56 epilepsy coalition of New York state.

57 Notwithstanding the provisions of section  
58 41.36 of the mental hygiene law and any  
59 other inconsistent provision of law,  
60 moneys from this appropriation may be used

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 for payment up to \$250 per year per  
2 client, at such times and in such manner  
3 as determined by the commissioner on the  
4 basis of financial need for the personal  
5 needs of each client residing in voluntar-  
6 y-operated community residences and volun-  
7 tary-operated community residential alter-  
8 natives, including individualized  
9 residential alternatives under the home  
10 and community based services waiver. The  
11 commissioner shall, subject to the  
12 approval of the director of the budget,  
13 alter existing advance payment schedules  
14 for voluntary-operated community resi-  
15 dences established pursuant to subdivision  
16 (h) of section 41.36 of the mental hygiene  
17 law.

18 Notwithstanding the provisions of section  
19 16.23 of the mental hygiene law and any  
20 other inconsistent provision of law, with  
21 relation to the operation of certified  
22 family care homes, including family care  
23 homes sponsored by voluntary not-for-pro-  
24 fit agencies, moneys from this appropri-  
25 ation may be used for payments to purchase  
26 general services including but not limited  
27 to respite providers, up to a maximum of  
28 14 days, at rates to be established by the  
29 commissioner and approved by the director  
30 of the budget in consideration of factors  
31 including, but not limited to, geographic  
32 area and number of clients cared for in  
33 the home and for payment at the rate of  
34 \$600 per year on the basis of financial  
35 need for the personal needs of each client  
36 residing in the family care home.  
37 Notwithstanding the provisions of subdivi-  
38 sion 12 of section 8 of the state finance  
39 law and any other inconsistent provision  
40 of law, moneys from this appropriation may  
41 be used for expenses of family care homes  
42 including payments to operators of certi-  
43 fied family care homes for damages caused  
44 by clients to personal and real property  
45 in accordance with standards established  
46 by the commissioner and approved by the  
47 director of the budget.

48 Notwithstanding any inconsistent provision  
49 of law, moneys from this appropriation may  
50 be used for appropriate day program  
51 services and residential services includ-  
52 ing, but not limited to, direct housing  
53 subsidies to individuals, start-up  
54 expenses for family care providers, envi-  
55 ronmental modifications, adaptive technol-  
56 ogies, appraisals, property options,  
57 feasibility studies and preoperational  
58 expenses.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Notwithstanding any inconsistent provision  
2 of law, moneys from this appropriation may  
3 be used for the operation of clinics  
4 licensed pursuant to article 16 of the  
5 mental hygiene law and operated by volun-  
6 tary non-profit providers, for appropriate  
7 clinical services including, but not  
8 limited to, supportive and habilitative  
9 services consistent with the home and  
10 community based services waiver.

11 Notwithstanding any inconsistent provision  
12 of law, money from this appropriation may  
13 be used to provide access to existing,  
14 out-of-home, site-based respite and recre-  
15 ation services to children served by the  
16 NYC administration for children's services  
17 and residing in either a foster family  
18 boarding home where up to six children  
19 reside or a kinship foster home where in-  
20 dividuals reside with relatives in a fos-  
21 ter family care setting.

22 Notwithstanding any inconsistent provision  
23 of law, the following appropriation amount  
24 shall be net of refunds, rebates,  
25 reimbursements, and credits ..... 1,293,960,000

26 For services and expenses associated with  
27 the NYS-CARES initiative related to the  
28 operation of certified and non-certified  
29 voluntary operated community residential  
30 program alternatives including family care  
31 and community day program alternatives  
32 consistent with economic and efficient  
33 rates of payment and amounts, which recog-  
34 nize consumer choice, established by the  
35 commissioner, and approved by the director  
36 of the budget. Notwithstanding any incon-  
37 sistent provision of law, moneys from this  
38 appropriation may be used for appropriate  
39 day program services and residential  
40 services including, but not limited to,  
41 start up expenses, environmental modifica-  
42 tions, adaptive technologies, appraisals,  
43 property options, feasibility studies and  
44 preoperational expenses. Notwithstanding  
45 any inconsistent provision of law, the  
46 director of the budget is authorized to  
47 make suballocations from this appropri-  
48 ation to the department of health medical  
49 assistance program ..... 215,729,000

50 -----  
51 Total amount available ..... 1,509,689,000  
52 -----

53

54 Less amount appropriated as an offset in the  
55 special revenue funds - other, miscella-  
56 neous special revenue fund - 339, mental  
57 hygiene patient income account ..... (1,100,000,000)

58 -----  
59 Program account subtotal ..... 409,689,000  
60 -----

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Special Revenue Funds - Other / Aid to Localities  
 2 Combined Nonexpendable Trust Fund - 332  
 3 VOICF/HCBS Advance Account  
 4  
 5 For the provision of temporary loans to  
 6 voluntary providers to address short term  
 7 delays in medical assistance reimbursement  
 8 within the first 12 months of operation,  
 9 provided, however, no payments shall be  
 10 made from this appropriation until a writ-  
 11 ten repayment agreement is entered into  
 12 between the office of mental retardation  
 13 and developmental disabilities and the  
 14 appropriate provider agency, subject to  
 15 the approval of the director of the budg-  
 16 et. Each and every such repayment agree-  
 17 ment shall include a repayment schedule  
 18 which states the date or dates on which  
 19 the amount of each part or all of the  
 20 expenditures from this appropriation shall  
 21 be repaid to the state and shall contain  
 22 such other terms and conditions as deter-  
 23 mined by the director of the budget ..... 3,000,000  
 24 -----  
 25 Program account subtotal ..... 3,000,000  
 26 -----  
 27  
 28 Special Revenue Funds - Other / Aid to Localities  
 29 Miscellaneous Special Revenue Fund - 339  
 30 Mental Hygiene Patient Income Account  
 31  
 32 Amount appropriated as an offset to the  
 33 general fund - local assistance account .. 1,100,000,000  
 34 -----  
 35 Program account subtotal ..... 1,100,000,000  
 36 -----  
 37  
 38 Special Revenue Funds - Other / Aid to Localities  
 39 Miscellaneous Special Revenue Fund - 339  
 40 OMRDD Joint Clinic Operating Account  
 41  
 42 For services and expenses of operating clin-  
 43 ic treatment facilities serving persons  
 44 with developmental disabilities ..... 29,474,000  
 45 -----  
 46 Program account subtotal ..... 29,474,000  
 47 -----  
 48  
 49 Special Revenue Funds - Other / Aid to Localities  
 50 Miscellaneous Special Revenue Fund - 339  
 51 OMRDD - Provider of Service Account  
 52  
 53 For services and expenses related to mental  
 54 retardation and developmental disabilities  
 55 services associated with the New York  
 56 state options for people through services  
 57 (NYS-OPTS) initiative, in accordance with  
 58 a programmatic and fiscal plan to be  
 59 approved by the director of the budget.  
 60 Notwithstanding any provision of law to

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 the contrary, the director of the budget  
 2 is authorized to make suballocations from  
 3 this appropriation to the department of  
 4 health medical assistance program.  
 5 Notwithstanding any provision of law to  
 6 the contrary, the moneys hereby appropri-  
 7 ated, or so much thereof as may be neces-  
 8 sary, are to be available for the purposes  
 9 herein specified for obligations hereto-  
 10 fore accrued or hereafter to accrue ..... 80,221,000  
 11 -----  
 12 Program account subtotal ..... 80,221,000  
 13 -----  
 14  
 15 INSTITUTIONAL SERVICES PROGRAM ..... 451,796,000  
 16 -----  
 17  
 18 General Fund / State Operations  
 19 State Purposes Account - 003  
 20  
 21 Personal service ..... 263,114,000  
 22 Nonpersonal service ..... 71,062,000  
 23  
 24 Maintenance undistributed  
 25 For expenses related to the payment of a  
 26 provider of services assessment for the  
 27 period April 1, 2005 through March 31,  
 28 2006 pursuant to section 43.04 of the  
 29 mental hygiene law ..... 114,742,000  
 30 -----  
 31 Program account subtotal ..... 448,918,000  
 32 -----  
 33  
 34 Special Revenue Funds - Other / State Operations  
 35 Mental Hygiene Gifts and Donations Fund - 019  
 36 Office of Mental Retardation and Developmental Disabili-  
 37 ties Gifts and Donations Account  
 38  
 39 For expenditures on behalf of residents from  
 40 donated funds:  
 41  
 42 Nonpersonal service ..... 500,000  
 43 -----  
 44 Program account subtotal ..... 500,000  
 45 -----  
 46  
 47 Special Revenue Funds - Other / State Operations  
 48 Combined Nonexpendable Trust Fund - 332  
 49 OMRDD Nonexpendable Trust Account  
 50  
 51 For expenditures on behalf of residents from  
 52 donated funds:  
 53  
 54 Nonpersonal service ..... 4,000  
 55 -----  
 56 Program account subtotal ..... 4,000  
 57 -----  
 58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Enterprise Funds / State Operations	
2	Mental Retardation Sheltered Workshop Account - 352	
3	Sheltered Workshop Fund OMRDD Account	
4		
5	For services and expenses including resi-	
6	dents' salaries, supplies and materials of	
7	sheltered workshops and vocational reha-	
8	bilitation work activities:	
9		
10	Nonpersonal service .....	1,400,000
11		-----
12	Program account subtotal .....	1,400,000
13		-----
14		
15	Enterprise Funds / State Operations	
16	Mental Hygiene Community Stores Account - 353	
17	MR Community Stores Fund Account	
18		
19	For services and expenses including super-	
20	vision and administration of community	
21	stores located at various developmental	
22	centers:	
23		
24	Personal service .....	282,000
25	Nonpersonal service .....	592,000
26	Fringe benefits .....	88,000
27	Indirect costs .....	12,000
28		-----
29	Program account subtotal .....	974,000
30		-----
31		
32	MAINTENANCE UNDISTRIBUTED .....	0
33		-----
34		
35	General Fund / State Operations	
36	State Purposes Account - 003	
37		
38	Less amount appropriated as an offset in	
39	special revenue funds - other, miscella-	
40	neous special revenue fund - 339, mental	
41	hygiene patient income account. Notwith-	
42	standing any contrary provision of law,	
43	this offset shall reduce general fund	
44	appropriations within the various programs	
45	of the office of mental retardation and	
46	developmental disabilities funded from the	
47	state purposes account .....	(846,095,000)
48		-----
49	Program account subtotal .....	(846,095,000)
50		-----
51		
52	Special Revenue Funds - Other / State Operations	
53	Miscellaneous Special Revenue Fund - 339	
54	Mental Hygiene Patient Income Account	
55		
56	Amount appropriated as an offset to the	
57	general fund - state purposes account	
58	within various office of mental retarda-	
59	tion and developmental disabilities	
60	programs. The director of the budget is	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	hereby authorized to apportion funds to	
2	the various programs of this agency from	
3	this appropriation by certificate of	
4	approval .....	846,095,000
5		-----
6	Program account subtotal .....	846,095,000
7		-----
8		
9	RESEARCH IN MENTAL RETARDATION PROGRAM .....	16,357,000
10		-----
11		
12	General Fund / State Operations	
13	State Purposes Account - 003	
14		
15	Personal service .....	14,391,000
16	Nonpersonal service .....	1,916,000
17		-----
18	Program account subtotal .....	16,307,000
19		-----
20		
21	Special Revenue Funds - Other / State Operations	
22	Combined Gifts, Grants and Bequests Fund - 020	
23	Research in Mental Retardation Account	
24		
25	Amount available on behalf of clients for	
26	genetic counseling and research from	
27	external grants and contributions:	
28		
29	Nonpersonal service .....	50,000
30		-----
31	Program account subtotal .....	50,000
32		-----
33		
34	Total new appropriations for state operations and aid to	
35	localities .....	2,979,008,000
36		=====



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 CENTRAL COORDINATION AND SUPPORT PROGRAM  
2  
3 Special Revenue Funds - Federal / State Operations  
4 Federal Operating Grants Fund - 290  
5  
6 By chapter 54, section 1, of the laws of 2004:  
7 Maintenance undistributed  
8 For services and expenses related to the administration of the federal  
9 senior companions program ... 230,000 ..... (re. \$230,000)  
10  
11 COMMUNITY SERVICES PROGRAM  
12  
13 General Fund / Aid to Localities  
14 Local Assistance Account - 001  
15  
16 By chapter 54, section 1, of the laws of 1997, as amended by chapter 55,  
17 section 1, of the laws of 1998:  
18 For services and expenses related to start-up and operation for a  
19 group home to serve medically frail children .....  
20 500,000 ..... (re. \$45,000)  
21  
22 Total reappropriations for state operations and aid to  
23 localities ..... 275,000  
24 =====  
25

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2005-06

1 For the comprehensive construction programs, purposes and  
2 projects as herein specified in accordance with the  
3 following:

4	Capital Projects Fund .....	56,257,000
5	Mental Hygiene Capital Improvement Fund - 389 .....	80,023,000
6		-----
7	All Funds .....	136,280,000
8		=====

10 DESIGN AND CONSTRUCTION SUPERVISION (CCP) ..... 5,000,000

11 Capital Projects Fund

12 Preparation of Plans Purpose

13 For payment to the design and construction  
14 management account of the centralized  
15 services fund of the New York state  
16 office of general services or to the  
17 dormitory authority for the purpose of  
18 preparation and review of plans, spec-  
19 ifications, estimates, services,  
20 construction management and supervision,  
21 inspection, studies, appraisals,  
22 surveys, testing and environmental  
23 impact statements for new and existing  
24 projects associated with the community  
25 services and institutional services  
26 programs. Upon the request of the  
27 commissioner of the office of mental  
28 retardation and developmental disabili-  
29 ties and the approval of the director of  
30 the budget, this appropriation may be  
31 transferred to the dormitory authority  
32 of the state of New York. Upon approval  
33 by the director of the budget, funds  
34 from this appropriation may be trans-  
35 ferred to the office of mental health  
36 and the office of alcoholism and  
37 substance abuse services for payment to  
38 the dormitory authority of the state of  
39 New York for the preparation of plans  
40 purpose (51F20530) ..... 2,000,000

41 Mental Hygiene Capital Improvement Fund - 389

42 Preparation of Plans Purpose

43 For payment to the design and construction  
44 management account of the centralized  
45 services fund of the New York state  
46 office of general services or to the  
47 dormitory authority for the purpose of  
48 preparation and review of plans, spec-  
49 ifications, estimates, services,  
50 construction management and supervision,  
51 inspection, studies, appraisals,  
52 surveys, testing and environmental  
53 impact statements for new and existing

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2005-06

1 projects associated with the institu-  
2 tional services program and the communi-  
3 ty services program. Upon the request of  
4 the commissioner of the office of mental  
5 retardation and developmental disabili-  
6 ties and the approval of the director of  
7 the budget, this appropriation may be  
8 transferred to the dormitory authority  
9 of the state of New York. Upon approval  
10 by the director of the budget, funds  
11 from this appropriation may be trans-  
12 ferred to the office of mental health  
13 and the office of alcoholism and  
14 substance abuse services for payment to  
15 the dormitory authority of the state of  
16 New York for the preparation of plans  
17 purpose (51F10530) ..... 3,000,000  
18  
19 INSTITUTIONAL SERVICES PROGRAM (CCP) ..... 82,890,000  
20 -----  
21 Capital Projects Fund  
22  
23 Health and Safety Purpose  
24  
25 For alterations and improvements for  
26 health and safety projects at various  
27 facilities. Upon request of the commis-  
28 sioner of the office of mental retarda-  
29 tion and developmental disabilities and  
30 approval by the director of the budget,  
31 this appropriation may be transferred to  
32 the dormitory authority of the state of  
33 New York (51H10501) ..... 7,350,000  
34  
35 Preservation of Facilities Purpose  
36  
37 For alterations and improvements for pres-  
38 ervation of various facilities including  
39 rehabilitation projects. This appropri-  
40 ation may be used for the cost of poten-  
41 tial claims against contracts awarded by  
42 the dormitory authority of the state of  
43 New York. Upon request of the commis-  
44 sioner of the office of mental retarda-  
45 tion and developmental disabilities and  
46 approval by the director of the budget,  
47 this appropriation may be transferred to  
48 the dormitory authority of the state of  
49 New York (51P10503) ..... 6,200,000  
50  
51 For minor maintenance, preservation and  
52 alterations of facilities on the grounds  
53 of former developmental centers. Upon  
54 request of the commissioner of the  
55 office of mental retardation and devel-  
56 opmental disabilities and approval by  
57 the director of the budget, this appro-  
58 priation may be transferred to the  
59 dormitory authority of the state of New  
60 York (51M20503) ..... 2,469,000

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CAPITAL PROJECTS 2005-06

1 Mental Hygiene Capital Improvement Fund - 389  
2  
3 Health and Safety Purpose  
4  
5 For alterations and improvements for  
6 health and safety projects at various  
7 facilities. This appropriation may be  
8 used for the cost of potential claims  
9 against contracts awarded by the dormi-  
10 tory authority of the state of New York.  
11 Upon request of the commissioner of the  
12 office of mental retardation and devel-  
13 opmental disabilities and approval by  
14 the director of the budget, this appro-  
15 priation may be transferred to the dorm-  
16 itory authority of the state of New York  
17 (51H30501) ..... 26,871,000  
18  
19 For alterations and improvements for  
20 health and safety projects at bernard  
21 fineson facilities on the creedmoor  
22 psychiatric center campus and at howard  
23 park. This appropriation may be used for  
24 the cost of potential claims against  
25 contracts awarded by the dormitory  
26 authority of the state of New York. Upon  
27 request of the commissioner of the  
28 office of mental retardation and devel-  
29 opmental disabilities and approval by  
30 the director of the budget, this  
31 appropriation may be transferred to the  
32 dormitory authority of the state of New  
33 York (51BF0501) ..... 40,000,000  
34  
35 NON-BONDABLE PROJECTS (CCP) ..... 1,000,000  
36 -----  
37  
38 Capital Projects Fund  
39  
40 Non-Bondable Purpose  
41  
42 For transfer to the Mental Hygiene Capital  
43 Improvement Fund for reimbursement of  
44 non-bondable costs of projects author-  
45 ized by appropriations or reappropri-  
46 ations funded from the Mental Hygiene  
47 Capital Improvement Fund including  
48 liabilities incurred prior to April 1,  
49 2005 or for payment to the dormitory  
50 authority of the state of New York for  
51 defeasance of bonds. Upon request of the  
52 commissioner of the office of mental  
53 retardation and developmental disabili-  
54 ties and approval by the director of the  
55 budget, this appropriation may be trans-  
56 ferred to the dormitory authority of the  
57 state of New York (51FL05NB) ..... 1,000,000  
58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2005-06

1 STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP) ..... 21,438,000  
2 -----  
3  
4 Capital Projects Fund  
5  
6 Administration Purpose  
7  
8 For payment of personal service and  
9 nonpersonal service costs related to the  
10 administration of capital projects for  
11 new and reappropriated appropriations.  
12 Upon request of the commissioner of the  
13 office of mental retardation and devel-  
14 opmental disabilities and approval by  
15 the director of the budget, this appro-  
16 priation may be transferred to the  
17 dormitory authority of the state of New  
18 York (51A105C1) ..... 2,398,000  
19  
20 Preservation of Facilities Purpose  
21  
22 For renovation and minor rehabilitation  
23 and improvements of state-owned communi-  
24 ty residential and day program facili-  
25 ties for the developmentally disabled.  
26 Upon request of the commissioner of the  
27 office of mental retardation and devel-  
28 opmental disabilities and approval by  
29 the director of the budget, this appro-  
30 priation may be transferred to the  
31 dormitory authority of the state of New  
32 York (51M10503) ..... 10,540,000  
33  
34 New Facilities Purpose  
35  
36 For alterations and improvements of sites  
37 leased for state-operated programs, and  
38 for the purchase of furniture and equip-  
39 ment for state-operated programs. Upon  
40 request of the commissioner of the  
41 office of mental retardation and devel-  
42 opmental disabilities and approval by  
43 the director of the budget, this appro-  
44 priation may be transferred to the  
45 dormitory authority of the state of New  
46 York (51L10507) ..... 3,500,000  
47  
48 Mental Hygiene Capital Improvement Fund - 389  
49  
50 Preservation of Facilities Purpose  
51  
52 For renovation and minor rehabilitation  
53 and improvements of state-owned communi-  
54 ty residential and day program facili-  
55 ties for the developmentally disabled.  
56 Upon request of the commissioner of the  
57 office of mental retardation and devel-  
58 opmental disabilities and approval by  
59 the director of the budget, this appro-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2005-06

1 priation may be transferred to the  
2 dormitory authority of the state of New  
3 York (51PR0503) ..... 1,000,000  
4  
5 New Facilities Purpose  
6  
7 For the acquisition and alterations and  
8 improvements of property to be used as  
9 state-operated community residential  
10 facilities. Upon request of the commis-  
11 sioner of the office of mental retarda-  
12 tion and developmental disabilities and  
13 approval by the director of the budget,  
14 this appropriation may be transferred to  
15 the dormitory authority of the state of  
16 New York. Upon request of the commis-  
17 sioner of the office of mental retarda-  
18 tion and developmental disabilities, and  
19 approval by the director of the budget,  
20 this appropriation may be used for the  
21 acquisition and alterations and improve-  
22 ments of property to be used as not-for-  
23 profit facilities licensed pursuant to  
24 articles 16 and 41 of the mental hygiene  
25 law (51R10507) ..... 4,000,000  
26  
27 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) ..... 25,952,000  
28 -----  
29  
30 Capital Projects Fund  
31  
32 Preservation of Facilities Purpose  
33  
34 For state aid, to municipalities and other  
35 public and not-for-profit agencies,  
36 including the payment of liabilities  
37 incurred prior to April 1, 2005, for up  
38 to 100 per centum of the net cost of  
39 services and expenses related to the  
40 maintenance and improvement of voluntary  
41 not-for-profit provider operated commu-  
42 nity residential and day service  
43 programs (51200503) ..... 17,218,000  
44  
45 New Facilities Purpose  
46  
47 For state aid, to municipalities and other  
48 public and not-for-profit agencies,  
49 including the payment of liabilities  
50 incurred prior to April 1, 2005 for up  
51 to 100 per centum of the net cost of  
52 feasibility studies, property options,  
53 capital renovations, acquisition of  
54 property, construction, rehabilitation  
55 and capital costs incidental and appur-  
56 tenant to facilities required to be  
57 licensed pursuant to article 16, as  
58 defined in the mental hygiene law, and  
59 for services and expenses related to  
60 environmental modifications and adaptive

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CAPITAL PROJECTS 2005-06

1 technology services at voluntary not-  
 2 for-profit provider operated community  
 3 residential facilities, certified family  
 4 care homes and private residences, as a  
 5 loan and/or grant to family care provid-  
 6 ers, for payment to other state and  
 7 federal housing agencies, private corpo-  
 8 rations and for capital development of  
 9 residential housing or day program  
 10 alternatives not currently defined in  
 11 the mental hygiene law (51B10507) ..... 3,582,000  
 12

13 Mental Hygiene Capital Improvement Fund - 389

14  
15 Community Facilities Purpose

16  
 17 For the comprehensive construction  
 18 programs, purposes and projects as here-  
 19 in specified, and for departmental  
 20 administrative costs related thereto,  
 21 consistent with section 41.34 of the  
 22 mental hygiene law, and for the acquisi-  
 23 tion of property, construction and reha-  
 24 bilitation, including the payment of  
 25 preoperational costs incurred prior to  
 26 occupancy, of article 16 community  
 27 mental retardation facilities and asso-  
 28 ciated programs and facilities and under  
 29 the auspice of municipalities and other  
 30 public and not-for-profit private agen-  
 31 cies approved by the commissioner of the  
 32 office of mental retardation and devel-  
 33 opmental disabilities, pursuant to arti-  
 34 cle 41 of the mental hygiene law and for  
 35 management fees associated with volun-  
 36 tary not-for-profit operated projects to  
 37 be financed through dormitory authority  
 38 of the state of New York bonds  
 39 (513205H2) ..... 5,152,000

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 INSTITUTIONAL SERVICES PROGRAM (CCP)  
2  
3 Capital Projects Fund  
4  
5 Health and Safety Purpose  
6  
7 By chapter 54, section 1, of the laws of 2004:  
8 For alterations and improvements for health and safety projects at  
9 various facilities. Upon request of the commissioner of the office  
10 of mental retardation and developmental disabilities and approval by  
11 the director of the budget, this appropriation may be transferred to  
12 the dormitory authority of the state of New York (51H10401) .....  
13 7,028,000 ..... (re. \$6,491,000)  
14  
15 By chapter 54, section 1, of the laws of 2003:  
16 For alterations and improvements for health and safety projects at  
17 various facilities. Upon request of the commissioner of the office  
18 of mental retardation and developmental disabilities and approval by  
19 the director of the budget, this appropriation may be transferred to  
20 the dormitory authority of the state of New York (51H10301) .....  
21 6,850,000 ..... (re. \$4,500,000)  
22  
23 By chapter 54, section 1, of the laws of 2002:  
24 For alterations and improvements for health and safety projects at  
25 various facilities. Upon request of the commissioner of the office  
26 of mental retardation and developmental disabilities and approval by  
27 the director of the budget, this appropriation may be transferred to  
28 the dormitory authority of the state of New York (51H10201) .....  
29 6,000,000 ..... (re. \$3,445,000)  
30  
31 Preservation of Facilities Purpose  
32  
33 By chapter 54, section 1, of the laws of 2004:  
34 For alterations and improvements for preservation of various facili-  
35 ties including rehabilitation projects. This appropriation may be  
36 used for the cost of potential claims against contracts awarded by  
37 the dormitory authority of the state of New York or the facilities  
38 development corporation. Upon request of the commissioner of the  
39 office of mental retardation and developmental disabilities and  
40 approval by the director of the budget, this appropriation may be  
41 transferred to the dormitory authority of the state of New York  
42 (51P10403) ... 8,180,000 ..... (re. \$8,170,000)  
43 For minor maintenance, preservation and alterations of facilities on  
44 the grounds of former developmental centers. Upon request of the  
45 commissioner of the office of mental retardation and developmental  
46 disabilities and approval by the director of the budget, this appro-  
47 priation may be transferred to the dormitory authority of the state  
48 of New York (51M20403) ... 2,600,000 ..... (re. \$2,600,000)  
49  
50 By chapter 54, section 1, of the laws of 2003:  
51 For alterations and improvements for preservation of various facili-  
52 ties including rehabilitation projects. This appropriation may be  
53 used for the cost of potential claims against contracts awarded by  
54 the dormitory authority of the state of New York or the facilities  
55 development corporation. Upon request of the commissioner of the  
56 office of mental retardation and developmental disabilities and  
57 approval by the director of the budget, this appropriation may be  
58 transferred to the dormitory authority of the state of New York  
59 (51P10303) ... 8,000,000 ..... (re. \$7,264,000)  
60



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CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 For minor maintenance, preservation and alterations of facilities on  
 2 the grounds of former developmental centers. Upon request of the  
 3 commissioner of the office of mental retardation and developmental  
 4 disabilities and approval by the director of the budget, this appro-  
 5 priation may be transferred to the dormitory authority of the state  
 6 of New York (51M20303) ... 2,600,000 ..... (re. \$2,400,000)  
 7

8 By chapter 54, section 1, of the laws of 2002:

9 For alterations and improvements for preservation of various facili-  
 10 ties including rehabilitation projects. This appropriation may be  
 11 used for the cost of potential claims against contracts awarded by  
 12 the dormitory authority of the state of New York or the facilities  
 13 development corporation. Upon request of the commissioner of the  
 14 office of mental retardation and developmental disabilities and  
 15 approval by the director of the budget, this appropriation may be  
 16 transferred to the dormitory authority of the state of New York  
 17 (51P10203) ... 9,050,000 ..... (re. \$3,561,000)

18 For minor maintenance, preservation and alterations of facilities on  
 19 the grounds of former developmental centers. Upon request of the  
 20 commissioner of the office of mental retardation and developmental  
 21 disabilities and approval by the director of the budget, this appro-  
 22 priation may be transferred to the dormitory authority of the state  
 23 of New York (51M20203) ... 1,600,000 ..... (re. \$1,300,000)  
 24

25 By chapter 54, section 1, of the laws of 2001:

26 For alterations and improvements for preservation of various facili-  
 27 ties including rehabilitation projects. This appropriation may be  
 28 used for the cost of potential claims against contracts awarded by  
 29 the dormitory authority of the state of New York or the facilities  
 30 development corporation. Upon request of the commissioner of the  
 31 office of mental retardation and developmental disabilities and  
 32 approval by the director of the budget, this appropriation may be  
 33 transferred to the dormitory authority of the state of New York  
 34 (51P10103) ... 7,950,000 ..... (re. \$3,393,000)

35 For minor maintenance, preservation and alterations of facilities on  
 36 the grounds of former developmental centers. Upon request of the  
 37 commissioner of the office of mental retardation and developmental  
 38 disabilities and approval by the director of the budget, this appro-  
 39 priation may be transferred to the dormitory authority of the state  
 40 of New York (51M20103) ... 1,300,000 ..... (re. \$880,000)  
 41

42 By chapter 54, section 1, of the laws of 2000:

43 For alterations and improvements for preservation of various facili-  
 44 ties including rehabilitation projects. This appropriation may be  
 45 used for the cost of potential claims against contracts awarded by  
 46 the dormitory authority of the state of New York or the facilities  
 47 development corporation. Upon request of the commissioner of the  
 48 office of mental retardation and developmental disabilities and  
 49 approval by the director of the budget, this appropriation may be  
 50 transferred to the dormitory authority of the state of New York  
 51 (51P10003) ... 6,000,000 ..... (re. \$1,175,000)

52 For alterations and improvements associated with the alternate use of  
 53 former developmental centers. Upon request of the commissioner of  
 54 the office of mental retardation and developmental disabilities and  
 55 approval by the director of the budget, this appropriation may be  
 56 transferred to the dormitory authority of the state of New York  
 57 (51DC0003) ... 4,775,000 ..... (re. \$3,530,000)

58 For services and expenses relating to feasibility studies and/or  
 59 design of projects associated with the alternate use of former  
 60 developmental centers. Upon request of the commissioner of the

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 office of mental retardation and developmental disabilities and  
2 approval by the director of the budget, this appropriation may be  
3 transferred to the dormitory authority of the state of New York  
4 (51DP0003) ... 670,000 ..... (re. \$300,000)  
5

6 Mental Hygiene Capital Improvement Fund - 389

7  
8 Health and Safety Purpose  
9

10 By chapter 54, section 1, of the laws of 2004:

11 For alterations and improvements for health and safety projects at  
12 various facilities. This appropriation may be used for the cost of  
13 potential claims against contracts awarded by the dormitory authori-  
14 ty of the state of New York or the facilities development corpora-  
15 tion. Upon request of the commissioner of the office of mental  
16 retardation and developmental disabilities and approval by the  
17 director of the budget, this appropriation may be transferred to the  
18 dormitory authority of the state of New York (51H30401) .....  
19 26,270,000 ..... (re. \$26,270,000)  
20

21 By chapter 54, section 1, of the laws of 2003:

22 For alterations and improvements for health and safety projects at  
23 various facilities. This appropriation may be used for the cost of  
24 potential claims against contracts awarded by the dormitory authori-  
25 ty of the state of New York or the facilities development corpora-  
26 tion. Upon request of the commissioner of the office of mental  
27 retardation and developmental disabilities and approval by the  
28 director of the budget, this appropriation may be transferred to the  
29 dormitory authority of the state of New York (51H30301) .....  
30 26,004,000 ..... (re. \$25,980,000)  
31

32 By chapter 54, section 1, of the laws of 2002:

33 For alterations and improvements for health and safety projects at  
34 various facilities. This appropriation may be used for the cost of  
35 potential claims against contracts awarded by the dormitory authori-  
36 ty of the state of New York or the facilities development corpora-  
37 tion. Upon request of the commissioner of the office of mental  
38 retardation and developmental disabilities and approval by the  
39 director of the budget, this appropriation may be transferred to the  
40 dormitory authority of the state of New York (51H30201) .....  
41 48,612,000 ..... (re. \$44,210,000)  
42

43 By chapter 54, section 1, of the laws of 2001:

44 For alterations and improvements for health and safety projects at  
45 various facilities. This appropriation may be used for the cost of  
46 potential claims against contracts awarded by the dormitory authori-  
47 ty of the state of New York or the facilities development corpora-  
48 tion. Upon request of the commissioner of the office of mental  
49 retardation and developmental disabilities and approval by the  
50 director of the budget, this appropriation may be transferred to the  
51 dormitory authority of the state of New York (51H30101) .....  
52 8,100,000 ..... (re. \$6,140,000)  
53

54 For alterations and improvements for health and safety projects at the  
55 institute for basic research in developmental disabilities. Upon  
56 request of the commissioner of the office of mental retardation and  
57 developmental disabilities and approval by the director of the budg-  
58 et, this appropriation may be transferred to the dormitory authority  
59 of the state of New York (51IB0101) .....  
60 7,000,000 ..... (re. \$7,000,000)

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CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2000:  
 2 For alterations and improvements for health and safety projects at  
 3 various facilities. This appropriation may be used for the cost of  
 4 potential claims against contracts awarded by the dormitory authori-  
 5 ty of the state of New York or the facilities development corpo-  
 6 ration. Upon request of the commissioner of the office of mental  
 7 retardation and developmental disabilities and approval by the  
 8 director of the budget, this appropriation may be transferred to the  
 9 dormitory authority of the state of New York (51H30001) .....  
 10 9,450,000 ..... (re. \$1,260,000)

11  
 12 By chapter 54, section 1, of the laws of 1999:  
 13 For alterations and improvements for health and safety projects at  
 14 various facilities. This appropriation may be used for the cost of  
 15 potential claims against contracts awarded by the dormitory authori-  
 16 ty of the state of New York or the facilities development corpo-  
 17 ration. Upon request of the commissioner of the office of mental  
 18 retardation and developmental disabilities and approval by the  
 19 director of the budget, this appropriation may be transferred to the  
 20 dormitory authority of the state of New York (51H39901) .....  
 21 16,700,000 ..... (re. \$8,160,000)

22  
23 Preservation of Facilities Purpose

24  
 25 By chapter 54, section 1, of the laws of 2000:  
 26 For minor maintenance, preservation and alterations of facilities on  
 27 the grounds of former developmental centers. Upon request of the  
 28 commissioner of the office of mental retardation and developmental  
 29 disabilities and approval by the director of the budget, this appro-  
 30 priation may be transferred to the dormitory authority of the state  
 31 of New York (51M30003) ... 2,000,000 ..... (re. \$650,000)

32  
 33 By chapter 54, section 1, of the laws of 1999:  
 34 For minor maintenance, preservation and alterations of facilities on  
 35 the grounds of former developmental centers. Upon request of the  
 36 commissioner of the office of mental retardation and developmental  
 37 disabilities and approval by the director of the budget, this appro-  
 38 priation may be transferred to the dormitory authority of the state  
 39 of New York (51M39903) ... 1,286,000 ..... (re. \$270,000)

40  
41 New Facilities Purpose

42  
 43 By chapter 54, section 1, of the laws of 1998:  
 44 For alterations and improvements of property to be used as state oper-  
 45 ated secure care treatment facilities. Upon request of the commis-  
 46 sioner of the office of mental retardation and developmental disa-  
 47 bilities and approval by the director of the budget, this appro-  
 48 appropriation may be transferred to the dormitory authority of the  
 49 state of New York (51VP9807) ... 6,500,000 ..... (re. \$6,500,000)

50  
51 NON-BONDABLE PROJECTS (CCP)

52  
53 Capital Projects Fund

54  
55 Non-Bondable Purpose

56  
 57 By chapter 54, section 1, of the laws of 2004:  
 58 For transfer to the Mental Hygiene Capital Improvement Fund for  
 59 reimbursement of non-bondable costs of projects authorized by appro-  
 60 priations or reappropriations funded from the Mental Hygiene Capital

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CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 Improvement Fund including liabilities incurred prior to April 1,  
 2 2004 or for payment to the dormitory authority of the state of New  
 3 York for defeasance of bonds. Upon request of the commissioner of  
 4 the office of mental retardation and developmental disabilities and  
 5 approval by the director of the budget, this appropriation may be  
 6 transferred to the dormitory authority of the state of New York  
 7 (51FL04NB) ... 1,000,000 ..... (re. \$1,000,000)

8  
9 STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

10  
11 Capital Projects Fund

12  
13 Preservation of Facilities Purpose

14  
15 By chapter 54, section 1, of the laws of 2004:

16 For renovation and minor rehabilitation and improvements of state-  
 17 owned community residential and day program facilities for the  
 18 developmentally disabled. Upon request of the commissioner of the  
 19 office of mental retardation and developmental disabilities and  
 20 approval by the director of the budget, this appropriation may be  
 21 transferred to the dormitory authority of the state of New York  
 22 (51M10403) ... 10,450,000 ..... (re. \$8,000,000)

23  
24 New Facilities Purpose

25  
26 By chapter 54, section 1, of the laws of 2004:

27 For alterations and improvements of sites leased for state-operated  
 28 programs, and for the purchase of furniture and equipment for state-  
 29 operated programs. Upon request of the commissioner of the office of  
 30 mental retardation and developmental disabilities and approval by  
 31 the director of the budget, this appropriation may be transferred to  
 32 the dormitory authority of the state of New York (51L10407) .....  
 33 1,250,000 ..... (re. \$1,250,000)

34  
35 By chapter 54, section 1, of the laws of 2003:

36 For alterations and improvements of sites leased for state-operated  
 37 programs, and for the purchase of furniture and equipment for state-  
 38 operated programs. Upon request of the commissioner of the office of  
 39 mental retardation and developmental disabilities and approval by  
 40 the director of the budget, this appropriation may be transferred to  
 41 the dormitory authority of the state of New York (51L10307) .....  
 42 1,250,000 ..... (re. \$1,150,000)

43  
44 By chapter 54, section 1, of the laws of 2002:

45 For alterations and improvements of sites leased for state-operated  
 46 programs, and for the purchase of furniture and equipment for state-  
 47 operated programs. Upon request of the commissioner of the office of  
 48 mental retardation and developmental disabilities and approval by  
 49 the director of the budget, this appropriation may be transferred to  
 50 the dormitory authority of the state of New York (51L10207) .....  
 51 1,400,000 ..... (re. \$360,000)

52  
53 Mental Hygiene Capital Improvement Fund - 389

54  
55 Preservation of Facilities Purpose

56  
57 By chapter 54, section 1, of the laws of 2004:

58 For renovation and minor rehabilitation and improvements of state-  
 59 owned community residential and day program facilities for the  
 60 developmentally disabled. Upon request of the commissioner of the

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 office of mental retardation and developmental disabilities and  
2 approval by the director of the budget, this appropriation may be  
3 transferred to the dormitory authority of the state of New York  
4 (51PR0403) ... 1,000,000 ..... (re. \$1,000,000)  
5

6 By chapter 54, section 1, of the laws of 2003:

7 For renovation and minor rehabilitation and improvements of state-  
8 owned community residential and day program facilities for the  
9 developmentally disabled. Upon request of the commissioner of the  
10 office of mental retardation and developmental disabilities and  
11 approval by the director of the budget, this appropriation may be  
12 transferred to the dormitory authority of the state of New York  
13 (51PR0303) ... 1,000,000 ..... (re. \$900,000)  
14

15 New Facilities Purpose

16

17 By chapter 54, section 1, of the laws of 2004:

18 For the acquisition and alterations and improvements of property to be  
19 used as state-operated community residential facilities. Upon  
20 request of the commissioner of the office of mental retardation and  
21 developmental disabilities and approval by the director of the  
22 budget, this appropriation may be transferred to the dormitory  
23 authority of the state of New York. Upon request of the commissioner  
24 of the office of mental retardation and developmental disabilities,  
25 and approval by the director of the budget, this appropriation may  
26 be used for the acquisition and alterations and improvements of  
27 property to be used as not-for-profit facilities licensed pursuant  
28 to articles 16 and 41 of the mental hygiene law (51R10407) .....  
29 4,000,000 ..... (re. \$4,000,000)  
30

31 By chapter 54, section 1, of the laws of 2003:

32 For the acquisition and alterations and improvements of property to be  
33 used as state-operated community residential facilities. Upon  
34 request of the commissioner of the office of mental retardation and  
35 developmental disabilities and approval by the director of the bud-  
36 get, this appropriation may be transferred to the dormitory authority  
37 of the state of New York. Upon request of the commissioner of the  
38 office of mental retardation and developmental disabilities, and  
39 approval by the director of the budget, this appropriation may be  
40 used for the acquisition and alterations and improvements of proper-  
41 ty to be used as not-for-profit facilities licensed pursuant to  
42 articles 16 and 41 of the mental hygiene law (51R10307) .....  
43 4,000,000 ..... (re. \$4,000,000)  
44

45 By chapter 54, section 1, of the laws of 2002:

46 For the acquisition and alterations and improvements of property to be  
47 used as state-operated community residential facilities. Upon  
48 request of the commissioner of the office of mental retardation and  
49 developmental disabilities and approval by the director of the budg-  
50 et, this appropriation may be transferred to the dormitory authority  
51 of the state of New York. Upon request of the commissioner of the  
52 office of mental retardation and developmental disabilities, and  
53 approval by the director of the budget, this appropriation may be  
54 used for the acquisition and alterations and improvements of proper-  
55 ty to be used as not-for-profit facilities licensed pursuant to  
56 articles 16 and 41 of the mental hygiene law (51R10207) .....  
57 10,000,000 ..... (re. \$6,630,000)  
58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2000:  
 2 For the acquisition and alterations and improvements of property to be  
 3 used as state-operated community residential facilities. Upon  
 4 request of the commissioner of the office of mental retardation and  
 5 developmental disabilities and approval by the director of the budg-  
 6 et, this appropriation may be transferred to the dormitory authority  
 7 of the state of New York. Upon request of the commissioner of the  
 8 office of mental retardation and developmental disabilities, and  
 9 approval by the director of the budget, this appropriation may be  
 10 used for the acquisition and alterations and improvements of proper-  
 11 ty to be used as not-for-profit facilities licensed pursuant to  
 12 articles 16 and 41 of the mental hygiene law (51R10007) .....  
 13 2,500,000 ..... (re. \$300,000)  
 14

15 By chapter 54, section 1, of the laws of 1999:  
 16 For the acquisition, design and construction of 100 state-operated New  
 17 York State Cares beds. Upon request of the commissioner of the  
 18 office of mental retardation and developmental disabilities and  
 19 approval by the director of the budget, this appropriation may be  
 20 transferred to the dormitory authority of the state of New York  
 21 (51R29907) ... 5,000,000 ..... (re. \$1,370,000)  
 22

23 By chapter 54, section 1, of the laws of 1998:  
 24 For the acquisition and alterations and improvements of property to be  
 25 used as state-operated community residential facilities. Upon  
 26 request of the commissioner of the office of mental retardation and  
 27 developmental disabilities and approval by the director of the budg-  
 28 et, this appropriation may be transferred to the dormitory authority  
 29 of the state of New York. Upon request of the commissioner of the  
 30 office of mental retardation and developmental disabilities, and  
 31 approval by the director of the budget, this appropriation may be  
 32 used for the acquisition and alterations and improvements of proper-  
 33 ty to be used as not-for-profit facilities licensed pursuant to  
 34 articles 16 and 41 of the mental hygiene law (51R19807) .....  
 35 7,400,000 ..... (re. \$490,000)  
 36

37 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

38  
39 Capital Projects Fund

40  
41 New Facilities Purpose

42  
43 By chapter 54, section 1, of the laws of 2004:  
 44 For state aid, to municipalities and other public and not-for-profit  
 45 agencies, including the payment of liabilities incurred prior to  
 46 April 1, 2004 for up to 100 per centum of the net cost of feasibil-  
 47 ity studies, property options, capital renovations, acquisition of  
 48 property, construction, rehabilitation and capital costs incidental  
 49 and appurtenant to facilities required to be licensed pursuant to  
 50 article 16, as defined in the mental hygiene law, and for services  
 51 and expenses related to environmental modifications and adaptive  
 52 technology services at voluntary not-for-profit provider operated  
 53 community residential facilities, certified family care homes and  
 54 private residences, as a loan and/or grant to family care providers,  
 55 for payment to other state and federal housing agencies, private  
 56 corporations and for capital development of residential housing or  
 57 day program alternatives not currently defined in the mental hygiene  
 58 law (51B10407) ... 3,478,000 ..... (re. \$3,478,000)  
 59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 Mental Hygiene Capital Improvement Fund - 389

2

3 Community Facilities Purpose

4

5 By chapter 54, section 1, of the laws of 2004:

6 For the comprehensive construction programs, purposes and projects as  
7 herein specified, and for departmental administrative costs related  
8 thereto, consistent with section 41.34 of the mental hygiene law,  
9 and for the acquisition of property, construction and rehabilita-  
10 tion, including the payment of preoperational costs incurred prior  
11 to occupancy, of article 16 community mental retardation facilities  
12 and associated programs and facilities and under the auspice of  
13 municipalities and other public and not-for-profit private agencies  
14 approved by the commissioner of the office of mental retardation and  
15 developmental disabilities, pursuant to article 41 of the mental  
16 hygiene law and for management fees associated with voluntary not-  
17 for-profit operated projects to be financed through dormitory  
18 authority of the state of New York bonds (513204H2) .....  
19 5,002,000 ..... (re. \$5,002,000)  
20

21 By chapter 54, section 1, of the laws of 2003:

22 For the comprehensive construction programs, purposes and projects as  
23 herein specified, and for departmental administrative costs related  
24 thereto, consistent with section 41.34 of the mental hygiene law,  
25 and for the acquisition of property, construction and rehabilita-  
26 tion, including the payment of preoperational costs incurred prior  
27 to occupancy, of article 16 community mental retardation facilities  
28 and associated programs and facilities and under the auspice of  
29 municipalities and other public and not-for-profit private agencies  
30 approved by the commissioner of the office of mental retardation and  
31 developmental disabilities, pursuant to article 41 of the mental  
32 hygiene law and for management fees associated with voluntary not-  
33 for-profit operated projects to be financed through dormitory  
34 authority of the state of New York bonds (513203H2) .....  
35 6,926,000 ..... (re. \$6,920,000)  
36

37 By chapter 54, section 1, of the laws of 2002:

38 For the comprehensive construction programs, purposes and projects as  
39 herein specified, and for departmental administrative costs related  
40 thereto, consistent with section 41.34 of the mental hygiene law,  
41 and for the acquisition of property, construction and rehabilita-  
42 tion, including the payment of preoperational costs incurred prior  
43 to occupancy, of article 16 community mental retardation facilities  
44 and associated programs and facilities and under the auspice of  
45 municipalities and other public and not-for-profit private agencies  
46 approved by the commissioner of the office of mental retardation and  
47 developmental disabilities, pursuant to article 41 of the mental  
48 hygiene law and for management fees associated with voluntary not-  
49 for-profit operated projects to be financed through dormitory  
50 authority of the state of New York bonds (513202H2) .....  
51 8,111,000 ..... (re. \$5,500,000)

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local .....	4,305,000	0
6	Special Revenue Funds - Federal ....	7,249,000	13,937,000
7	Special Revenue Funds - Other .....	4,269,000	0
8	Enterprise Funds .....	45,000	0
9		-----	-----
10	All Funds .....	15,868,000	13,937,000
11		=====	=====

12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

13					
14					
15		State	Aid to	Capital	
16	Fund Type	Operations	Localities	Projects	Total
17		-----	-----	-----	-----
18	GF-St/Local	4,012,000	293,000	0	4,305,000
19	SR-Federal	7,249,000	0	0	7,249,000
20	SR-Other	3,851,000	418,000	0	4,269,000
21	Enterprise	45,000	0	0	45,000
22		-----	-----	-----	-----
23	All Funds	15,157,000	711,000	0	15,868,000
24		=====	=====	=====	=====

25 SCHEDULE

26		
27		
28	ADMINISTRATION PROGRAM .....	8,668,000
29		-----
30		
31	General Fund / State Operations	
32	State Purposes Account - 003	
33		
34	Personal service .....	3,066,000
35	Nonpersonal service .....	946,000
36		-----
37	Program account subtotal .....	4,012,000
38		-----
39		
40	Special Revenue Funds - Federal / State Operations	
41	Federal Health and Human Services Fund - 265	
42		
43	For services and expenses associated with	
44	federal grant awards yet to be allocated.	
45	Notwithstanding any inconsistent provision	
46	of law, the director of the budget is	
47	hereby authorized to transfer appropri-	
48	ation authority contained herein to any	
49	other federal fund or program within the	
50	commission on quality of care for the	
51	mentally disabled:	
52		
53	For the grant period October 1, 2004 to	
54	September 30, 2006 .....	300,000
55		-----
56	Program fund subtotal .....	300,000
57		-----
58		
59	Special Revenue Funds - Federal / State Operations	
60	Federal Department of Education Fund - 267	
61	1031-OT-Education Account	



COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	For services and expenses related to TR Aid	
2	including for contract for the delivery of	
3	direct services to persons utilizing	
4	regional technology centers or other enti-	
5	ties funded through the TR Aid project:	
6		
7	For the grant period October 1, 2004 to	
8	September 30, 2005 .....	230,000
9	For the grant period October 1, 2005 to	
10	September 30, 2006 .....	230,000
11		-----
12	Program account subtotal .....	460,000
13		-----
14		
15	Special Revenue Funds - Other / State Operations	
16	Combined Gifts, Grants and Bequests Fund - 020	
17	Disability and Technical Assistance Account	
18		
19	For services and expenses related to disa-	
20	bility consultant services .....	193,000
21		-----
22	Program account subtotal .....	193,000
23		-----
24		
25	Special Revenue Funds - Other / State Operations	
26	Miscellaneous Special Revenue Fund - 339	
27	Conference Fee Account	
28		
29	Nonpersonal service .....	125,000
30		-----
31	Program account subtotal .....	125,000
32		-----
33		
34	Special Revenue Funds - Other / State Operations	
35	Miscellaneous Special Revenue Fund - 339	
36	Federal Salary Sharing Account	
37		
38	Personal service .....	2,074,000
39	Nonpersonal service .....	300,000
40	Fringe benefits .....	896,000
41	Indirect costs .....	63,000
42		-----
43	Program account subtotal .....	3,333,000
44		-----
45		
46	Special Revenue Funds - Other / State Operations	
47	Miscellaneous Special Revenue Fund - 339	
48	Telework Account	
49		
50	For administrative expenses related to the	
51	federal access for telework program that	
52	are incurred either by the agency or	
53	through contract with a community based	
54	organization as specified in the grant	
55	award .....	200,000
56		-----
57	Program account subtotal .....	200,000
58		-----
59		

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Enterprise Funds / State Operations		
2	Miscellaneous Enterprise Fund - 331		
3	Publications Account		
4			
5	Nonpersonal service .....	20,000	
6		-----	
7	Program account subtotal .....	20,000	
8		-----	
9			
10	Enterprise Funds / State Operations		
11	Miscellaneous Enterprise Fund - 331		
12	TRAID Services Account		
13			
14	For services and expenses related to TRAI		
15	project activities including the provision		
16	of educational, outreach, training and		
17	support services:		
18			
19	Nonpersonal service .....	25,000	
20		-----	
21	Program account subtotal .....	25,000	
22		-----	
23			
24	ADULT HOMES PROGRAM .....		170,000
25			-----
26			
27	General Fund / Aid to Localities		
28	Local Assistance Account - 001		
29			
30	For services and expenses related to the		
31	adult homes advocacy program .....	170,000	
32		-----	
33			
34	CLIENT ASSISTANCE PROGRAM .....		745,000
35			-----
36			
37	Special Revenue Funds - Federal / State Operations		
38	Federal Department of Education Fund - 267		
39			
40	For the grant period October 1, 2004 to		
41	September 30, 2005:		
42			
43	Personal service .....	65,000	
44	Nonpersonal service .....	29,000	
45	Fringe benefits .....	30,000	
46	Indirect costs .....	1,000	
47		-----	
48	Grant period total .....	125,000	
49		-----	
50			
51	For the grant period October 1, 2005 to		
52	September 30, 2006:		
53			
54	Personal service .....	65,000	
55	Nonpersonal service .....	524,000	
56	Fringe benefits .....	30,000	
57	Indirect costs .....	1,000	
58		-----	
59	Grant period total .....	620,000	
60		-----	
61			

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES    2005-06

1	PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM..	252,000
2		-----
3		
4	Special Revenue Funds - Federal / State Operations	
5	Federal Department of Education Fund - 267	
6		
7	For services and expenses related to assist-	
8	ing individuals with obtaining assistive	
9	technology services and devices consistent	
10	with federal grant requirements. A portion	
11	of the funds hereby appropriated may,	
12	subject to the availability of federal	
13	funds, be suballocated to the office of	
14	advocate for persons with disabilities for	
15	the provision of assistive technology	
16	education and outreach services, pursuant	
17	to memorandum of agreement between the	
18	commission on quality of care for the	
19	mentally disabled and the office of advo-	
20	cate for persons with disabilities:	
21		
22	For the grant period April 1, 2005 to March	
23	31, 2006 .....	252,000
24		-----
25		
26	PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECUR-	
27	RITY PROGRAM .....	326,000
28		-----
29		
30	Special Revenue Funds - Federal / State Operations	
31	Federal Operating Grants Fund - 290	
32		
33	For the grant period October 1, 2004 to	
34	November 30, 2005:	
35		
36	Personal service .....	30,000
37	Fringe benefits .....	14,000
38		-----
39	Grant period total .....	44,000
40		-----
41		
42	For the grant period December 1, 2005 to	
43	November 30, 2006:	
44		
45	Personal service .....	30,000
46	Nonpersonal service .....	237,000
47	Fringe benefits .....	14,000
48	Indirect costs .....	1,000
49		-----
50	Grant period total .....	282,000
51		-----
52		
53	PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED	
54	PROGRAM .....	2,149,000
55		-----
56		
57	Special Revenue Funds - Federal / State Operations	
58	Federal Health and Human Services Fund - 265	
59		
60	For the grant period October 1, 2004 to	
61	September 30, 2005:	

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES      2005-06

1	Personal service .....	208,000	
2	Nonpersonal service .....	263,000	
3	Fringe benefits .....	94,000	
4	Indirect costs .....	3,000	
5			-----
6	Grant period total .....	568,000	
7			-----
8			
9	For the grant period October 1, 2005 to		
10	September 30, 2006:		
11			
12	Personal service .....	208,000	
13	Nonpersonal service .....	1,276,000	
14	Fringe benefits .....	94,000	
15	Indirect costs .....	3,000	
16			-----
17	Grant period total .....	1,581,000	
18			-----
19			
20	PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL		
21	ILLNESS PROGRAM .....		1,702,000
22			-----
23			
24	Special Revenue Funds - Federal / State Operations		
25	Federal Health and Human Services Fund - 265		
26			
27	For the grant period October 1, 2004 to		
28	September 30, 2005:		
29			
30	Personal service .....	303,000	
31	Nonpersonal service .....	131,000	
32	Fringe benefits .....	138,000	
33	Indirect costs .....	4,000	
34			-----
35	Grant period total .....	576,000	
36			-----
37			
38	For the grant period October 1, 2005 to		
39	September 30, 2006:		
40			
41	Personal service .....	303,000	
42	Nonpersonal service .....	681,000	
43	Fringe benefits .....	138,000	
44	Indirect costs .....	4,000	
45			-----
46	Grant period total .....	1,126,000	
47			-----
48			
49	PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN		
50	INJURY PROGRAM .....		90,000
51			-----
52			
53	Special Revenue Funds - Federal / State Operations		
54	Federal Health and Human Services Fund - 265		
55			
56	For the grant period September 1, 2005 to		
57	August 31, 2006:		
58			
59	Nonpersonal service .....	90,000	
60			-----
61			

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES    2005-06

1	PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM ....	200,000
2		-----
3		
4	Special Revenue Funds - Federal / State Operations	
5	Federal Health and Human Services Fund - 265	
6		
7	For the grant period October 1, 2004 to	
8	September 30, 2006:	
9		
10	Nonpersonal service .....	200,000
11		-----
12		
13	PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM .....	1,025,000
14		-----
15		
16	Special Revenue Funds - Federal / State Operations	
17	Federal Department of Education Fund - 267	
18		
19	For the grant period October 1, 2004 to	
20	September 30, 2005:	
21		
22	Personal service .....	75,000
23	Nonpersonal service .....	123,000
24	Fringe benefits .....	34,000
25	Indirect costs .....	1,000
26		-----
27	Grant period total .....	233,000
28		-----
29		
30	For the grant period October 1, 2005 to	
31	September 30, 2006:	
32		
33	Personal service .....	75,000
34	Nonpersonal service .....	682,000
35	Fringe benefits .....	34,000
36	Indirect costs .....	1,000
37		-----
38	Grant period total .....	792,000
39		-----
40		
41	SURROGATE DECISION-MAKING COMMITTEE PROGRAM .....	541,000
42		-----
43		
44	General Fund / Aid to Localities	
45	Local Assistance Account - 001	
46		
47	For surrogate decision-making committee	
48	program contracts with local service	
49	providers .....	123,000
50		-----
51	Program account subtotal .....	123,000
52		-----
53		
54	Special Revenue Funds - Other / Aid to Localities	
55	Miscellaneous Special Revenue Fund - 339	
56	Federal Salary Sharing Account	
57		
58	For surrogate decision-making committee	
59	program contracts with local service	
60	providers .....	418,000
61		-----

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1	Program account subtotal .....	418,000
2		-----
3		
4	Total new appropriations for state operations and aid to	
5	localities .....	15,868,000
6		=====

COMMISSION ON QUALITY OF CARE AND ADVOCACY  
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 ADMINISTRATION PROGRAM

2

3 Special Revenue Funds - Federal / State Operations

4 Federal Health and Human Services Fund - 265

5

6 By chapter 54, section 1, of the laws of 2004:

7 For services and expenses associated with federal grant awards yet to  
8 be allocated. Notwithstanding any inconsistent provision of law, the  
9 director of the budget is hereby authorized to transfer appropria-  
10 tion authority contained herein to any other federal fund or program  
11 within the commission on quality of care for the mentally disabled:

12 For the grant period October 1, 2003 to September 30, 2005 .....  
13 300,000 ..... (re. \$300,000)

14

15 By chapter 54, section 1, of the laws of 2003:

16 For services and expenses associated with federal grant awards yet to  
17 be allocated. Notwithstanding any inconsistent provision of law, the  
18 director of the budget is hereby authorized to transfer appropria-  
19 tion authority contained herein to any other federal fund or program  
20 within the commission on quality of care for the mentally disabled.

21 For the grant periods October 1, 2002 to September 30, 2004 .....  
22 400,000 ..... (re. \$223,000)

23

24 Special Revenue Funds - Federal / State Operations

25 Federal Department of Education Fund - 267

26 1031-OT-Education Account

27

28 The appropriation made by chapter 54, section 1, of the laws of 2004, to  
29 the office of advocate for persons with disabilities is hereby  
30 transferred to the commission on quality of care and advocacy for  
31 persons with disabilities:

32 For services and expenses related to TRAIID including for contract for  
33 the delivery of direct services to persons utilizing regional  
34 technology centers or other entities funded through the TRAIID  
35 project:

36 For the grant period October 1, 2003 to September 30, 2004 .....  
37 230,000 ..... (re. \$230,000)

38 For the grant period October 1, 2004 to September 30, 2005 .....  
39 230,000 ..... (re. \$230,000)

40

41 The appropriation made by chapter 54, section 1, of the laws of 2003, to  
42 the office of advocate for persons with disabilities is hereby  
43 transferred to the commission on quality of care and advocacy for  
44 persons with disabilities:

45 For services and expenses related to TRAIID including for contract for  
46 the delivery of direct services to persons utilizing regional tech-  
47 nology centers or other entities funded through the TRAIID project.

48 For the grant period October 1, 2002 to September 30, 2003 .....  
49 230,000 ..... (re. \$230,000)

50 For the grant period October 1, 2003 to September 30, 2004 .....  
51 230,000 ..... (re. \$139,000)

52

53 The appropriation made by chapter 54, section 1, of the laws of 2002, to  
54 the office of advocate for persons with disabilities is hereby  
55 transferred to the commission on quality of care and advocacy for  
56 persons with disabilities:

57 For services and expenses related to TRAIID including for contract for  
58 the delivery of direct services to persons utilizing regional tech-  
59 nology centers or other entities funded through the TRAIID project.

60 For the grant period October 1, 2001 to September 30, 2002 .....  
61 230,000 ..... (re. \$71,000)

COMMISSION ON QUALITY OF CARE AND ADVOCACY  
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 For the grant period October 1, 2002 to September 30, 2003 .....  
2 230,000 ..... (re. \$14,000)

3  
4 Special Revenue Funds - Federal / State Operations  
5 Federal Department of Education Fund - 267  
6 Telework Account

7  
8 The appropriation made by chapter 54, section 1, of the laws of 2004, to  
9 the office of advocate for persons with disabilities is hereby  
10 transferred to the commission on quality of care and advocacy for  
11 persons with disabilities:

12 For services and expenses related to the federal access for telework  
13 program:  
14 For the grant period October 1, 2003 to September 30, 2004 .....  
15 2,600,000 ..... (re. \$2,600,000)

16  
17 CLIENT ASSISTANCE PROGRAM

18  
19 Special Revenue Funds - Federal / State Operations  
20 Federal Department of Education Fund - 267

21  
22 By chapter 54, section 1, of the laws of 2004:  
23 For the grant period October 1, 2003 to September 30, 2004: ... ..  
24 399,000 ..... (re. \$381,000)  
25 For the grant period October 1, 2004 to September 30, 2005: ... ..  
26 601,000 ..... (re. \$601,000)

27  
28 By chapter 54, section 1, of the laws of 2003:  
29 For the grant period October 1, 2002 to September 30, 2003: ... ..  
30 436,000 ..... (re. \$118,000)  
31 For the grant period October 1, 2003 to September 30, 2004: ... ..  
32 291,000 ..... (re. \$134,000)

33  
34 PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM

35  
36 Special Revenue Funds - Federal / State Operations  
37 Federal Department of Education Fund - 267

38  
39 By chapter 54, section 1, of the laws of 2004:  
40 For services and expenses related to assisting individuals with  
41 obtaining assistive technology services and devices consistent with  
42 federal grant requirements. A portion of the funds hereby appropri-  
43 ated may, subject to the availability of federal funds, be suballo-  
44 cated to the office of advocate for persons with disabilities for  
45 the provision of assistive technology education and outreach ser-  
46 vices, pursuant to memorandum of agreement between the commission on  
47 quality of care for the mentally disabled and the office of advocate  
48 for persons with disabilities:  
49 For the grant period April 1, 2004 to March 31, 2005 .....  
50 259,000 ..... (re. \$238,000)

51  
52 [TECHNOLOGY RELATED PROTECTION AND ADVOCACY PROGRAM

53  
54 Special Revenue Funds - Federal / State Operations  
55 Federal Department of Education Fund - 267]

56  
57 By chapter 54, section 1, of the laws of 2003:  
58 For the grant period October 1, 2002 to September 30, 2003:  
59 Nonpersonal service ... 45,000 ..... (re. \$45,000)



COMMISSION ON QUALITY OF CARE AND ADVOCACY  
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2002:  
2 For the grant period October 1, 2002 to September 30, 2003:  
3 Nonpersonal service ... 55,000 ..... (re. \$55,000)  
4  
5 PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM  
6  
7 Special Revenue Funds - Federal / State Operations  
8 Federal Operating Grants Fund - 290  
9  
10 By chapter 54, section 1, of the laws of 2004:  
11 For the grant period October 1, 2003 to November 30, 2004: ... ..  
12 107,000 ..... (re. \$89,000)  
13 For the grant period December 1, 2004 to November 30, 2005: ... ..  
14 296,000 ..... (re. \$296,000)  
15  
16 By chapter 54, section 1, of the laws of 2003:  
17 For the grant period October 1, 2003 to September 30, 2004: ... ..  
18 238,000 ..... (re. \$53,000)  
19  
20 PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM  
21  
22 Special Revenue Funds - Federal / State Operations  
23 Federal Health and Human Services Fund - 265  
24  
25 By chapter 54, section 1, of the laws of 2004:  
26 For the grant period October 1, 2003 to September 30, 2004: ... ..  
27 1,176,000 ..... (re. \$1,107,000)  
28 For the grant period October 1, 2004 to September 30, 2005: ... ..  
29 1,470,000 ..... (re. \$1,470,000)  
30  
31 By chapter 54, section 1, of the laws of 2003:  
32 For the grant period October 1, 2002 to September 30, 2003: ... ..  
33 1,094,000 ..... (re. \$674,000)  
34 For the grant period October 1, 2003 to September 30, 2004: ... ..  
35 853,000 ..... (re. \$327,000)  
36  
37 PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS  
38  
39 Special Revenue Funds - Federal / State Operations  
40 Federal Health and Human Services Fund - 265  
41  
42 By chapter 54, section 1, of the laws of 2004:  
43 For the grant period October 1, 2003 to September 30, 2004: ... ..  
44 969,000 ..... (re. \$867,000)  
45 For the grant period October 1, 2004 to September 30, 2005: ... ..  
46 1,080,000 ..... (re. \$1,080,000)  
47  
48 By chapter 54, section 1, of the laws of 2003:  
49 For the grant period October 1, 2002 to September 30, 2003: ... ..  
50 1,018,000 ..... (re. \$621,000)  
51  
52 PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM  
53  
54 Special Revenue Funds - Federal / State Operations  
55 Federal Health and Human Services Fund - 265  
56  
57 By chapter 54, section 1, of the laws of 2004:  
58 For the grant period September 1, 2004 to August 31, 2005:  
59 Nonpersonal service ... 85,000 ..... (re. \$85,000)  
60

COMMISSION ON QUALITY OF CARE AND ADVOCACY  
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1	PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM	
2		
3	Special Revenue Funds - Federal / State Operations	
4	Federal Health and Human Services Fund - 265	
5		
6	By chapter 54, section 1, of the laws of 2004:	
7	For the grant period October 1, 2004 to September 30, 2005:	
8	Nonpersonal service ... 37,000 .....	(re. \$37,000)
9		
10	PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM	
11		
12	Special Revenue Funds - Federal / State Operations	
13	Federal Department of Education Fund - 267	
14		
15	By chapter 54, section 1, of the laws of 2004:	
16	For the grant period October 1, 2003 to September 30, 2004: ... ..	
17	725,000 .....	(re. \$667,000)
18	For the grant period October 1, 2004 to September 30, 2005: ... ..	
19	755,000 .....	(re. \$755,000)
20		
21	By chapter 54, section 1, of the laws of 2003:	
22	For the grant period October 1, 2002 to September 30, 2003: ... ..	
23	821,000 .....	(re. \$129,000)
24	For the grant period October 1, 2003 to September 30, 2004: ... ..	
25	257,000 .....	(re. \$71,000)
26		
27	Total reappropriations for state operations and aid to	
28	localities .....	13,937,000
29		=====

## CONTINGENT AND OTHER APPROPRIATIONS

1     § 2. The several amounts specified in this section, or so much thereof  
2 as may be sufficient to accomplish the purposes designated by the appro-  
3 priations, are hereby appropriated and authorized to be paid as herein-  
4 after provided, for the several purposes specified.  
5

CONTINGENT AND OTHER APPROPRIATIONS

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Fiduciary Funds / Aid to Localities  
2 Miscellaneous New York State Agency Fund - 169  
3 Medical Assistance Restitution Account  
4  
5 For direct payment or transfer to other funds as restitu-  
6 tion to the federal, state and local governments, and  
7 when appropriate, payments to contractors, of funds  
8 collected from providers participating in the medical  
9 assistance program through recovery of overpayments and  
10 third party activities including \$1,250,000 to be trans-  
11 ferred to the department of health third-party health  
12 insurance recoveries account, miscellaneous special  
13 revenue fund - 339, for activities related to the medi-  
14 caid management information system and third-party  
15 health insurance recoveries and \$3,700,000 to be trans-  
16 ferred to the department of health recoveries and reven-  
17 ue account, miscellaneous special revenue fund - 339,  
18 for activities related to provider fraud recoveries and  
19 revenue maximization. Notwithstanding any inconsistent  
20 provision of law, contractor fees may be shared between  
21 the state and local social services districts, after  
22 first deducting therefrom any federal funds properly  
23 received or to be received on account thereof. Notwith-  
24 standing section 40 of the state finance law, this  
25 appropriation shall remain in effect until March 31,  
26 2006. Notwithstanding any other provision of law to the  
27 contrary, upon the advice of the commissioner of health,  
28 the director of the budget may transfer or suballocate  
29 any of the amounts appropriated herein to the department  
30 of health ..... 1,771,200,000  
31 -----

CONTINGENT AND OTHER APPROPRIATIONS

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 General Fund / State Operations  
2 State Purposes Account - 003  
3  
4 By chapter 54, section 2, of the laws of 2002:  
5 For expenses related to spinal cord injury research pursuant to chap-  
6 ter 338 of the laws of 1998 ... 13,500,000 ..... (re. \$13,500,000)  
7  
8 Special Revenue Funds - Other / State Operations  
9 HCRA Resources Fund - F04  
10 Health Services Account  
11  
12 By chapter 54, section 1, of the laws of 1997, as amended by chapter 54,  
13 section 2, of the laws of 2002:  
14 For advances to Roswell Park cancer institute account, the Helen Hayes  
15 hospital account, the New York city veterans' home account, the New  
16 York state home for veterans and their dependents at Oxford account,  
17 New York state home for veterans in the lower-Hudson Valley account,  
18 and the Western New York veterans' home account. Notwithstanding any  
19 existing provision of law, amounts from this appropriation may be  
20 made available only upon request of the commissioner of the depart-  
21 ment of health and issuance of a certificate of approval by the  
22 director of the budget. No moneys may be allocated from this appro-  
23 priation until a repayment agreement has been signed between the  
24 commissioner of the department of health and the director of the  
25 budget regarding the outstanding balance in the miscellaneous  
26 special revenue fund - health services account. Each allocation must  
27 be repaid within 90 days of the date of the respective certificate  
28 provided, however, an outstanding balance amount up to \$500,000 for  
29 each institutional account may be carried over into the ensuing  
30 fiscal year ... 20,000,000 ..... (re. \$20,000,000)

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