

STATE OF NEW YORK

S. 54

A. 154

SENATE - ASSEMBLY

(Prefiled)

January 7, 2009

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, 2009.
- 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.
- 22 d) Any amounts specified in this chapter for advances for capital
23 projects, or so much thereof as shall be necessary to accomplish the
24 purpose of the appropriations, are appropriated by comprehensive
25 construction programs (hereinafter referred to by the abbreviation CCP),
26 purposes and projects designated by the appropriations as advances from
27 the capital projects fund in accordance with the provisions of sections
28 40-a and 93 of the state finance law, and are authorized to be paid as
29 hereinafter provided as an advance for a share, part or whole of the
30 cost for such programs, purposes and projects hereinafter specified.

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

1 e) The several amounts specified in this chapter as capital projects -
2 reappropriations, or so much thereof as shall be sufficient to accom-
3 plish the purpose of the appropriations, as appropriated by comprehen-
4 sive construction programs (hereinafter referred to by the abbreviation
5 CCP), purposes, and projects, being the undisbursed balances of the
6 prior year's appropriations, are reappropriated and unless otherwise
7 amended or repealed in part or total in this chapter shall continue to
8 be available for the same purposes as the prior appropriations or as
9 otherwise amended for the fiscal year beginning April 1, 2009.

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

20 For the purpose of complying with section 25 of the state finance law,
21 the year, chapter and section of the last act reappropriating a former
22 original appropriation or any part thereof are, unless otherwise indi-
23 cated, chapter 54, section 1 or 2, of the laws of 2008.

24 f) The several amounts named herein, or so much thereof as shall be
25 sufficient to accomplish the purpose designated, being the unexpended
26 balances of the prior year's appropriations, are hereby reappropriated
27 from the same funds and made available for the same purposes as the
28 prior year's appropriations, unless herein amended, for the fiscal year
29 beginning April 1, 2009. Certain reappropriations in this chapter are
30 shown using abbreviated text, with three leader dots (an ellipsis)
31 followed by three spaces (...) used to indicate where existing law
32 that is being continued is not shown. However, unless a change is clear-
33 ly indicated by the use of brackets [-] for deletions and underscores
34 for additions, the purposes, amounts, funding source and all other
35 aspects pertinent to each item of appropriation shall be as last appro-
36 priated.

37 For the purpose of complying with the state finance law, the year,
38 chapter and section of the last act reappropriating a former original
39 appropriation or any part thereof is, unless otherwise indicated, chap-
40 ter 54, section 1 or 2, of the laws of 2008.

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

46 h) The appropriations contained in this chapter shall be available for
47 the fiscal year beginning on April 1, 2009.

48
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OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
2		
3		
4		
5	General Fund - State and Local	113,716,000 11,386,341
6	Special Revenue Funds - Federal	118,587,000 121,796,000
7	Special Revenue Funds - Other	1,230,000 0
8	Enterprise Funds	100,000 0
9		
10	All Funds	233,633,000 133,182,341
11		

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
17				
18	GF-St/Local	3,292,000	110,424,000	0 113,716,000
19	SR-Federal	10,987,000	107,600,000	0 118,587,000
20	SR-Other	250,000	980,000	0 1,230,000
21	Enterprise	100,000	0	0 100,000
22				
23	All Funds	14,629,000	219,004,000	0 233,633,000
24				

SCHEDULE

27

28 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM 14,629,000

29

30

31 General Fund / State Operations

32 State Purposes Account - 003

33

PERSONAL SERVICE

34

35

36 Personal service--regular 2,803,000

37 Temporary service 8,000

38

39 Amount available for personal service 2,811,000

40

NONPERSONAL SERVICE

41

42

43

44 Supplies and materials 53,000

45 Travel 101,000

46 Contractual services 300,000

47 Equipment 27,000

48

49 Amount available for nonpersonal service.. 481,000

50

51 Program account subtotal 3,292,000

52

53

54 Special Revenue Funds - Federal / State Operations

55 Federal Health and Human Services Fund - 265

56

57 For programs provided under the titles of

58 the federal older Americans act and other

59 health and human services programs 9,394,000

60

61 Program fund subtotal 9,394,000

62

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Special Revenue Funds - Federal / State Operations	
2	Federal Operating Grants Fund - 290	
3	Office for the Aging Federal Grants Account	
4		
5	For services and expenses related to the	
6	provision of aging services programs	1,200,000
7		-----
8	Program account subtotal	1,200,000
9		-----
10		
11	Special Revenue Funds - Federal / State Operations	
12	Federal Operating Grants Fund - 290	
13	Senior Community Service Employment Account	
14		
15	For the senior community service employment	
16	program provided under title V of the	
17	federal older Americans act	393,000
18		-----
19	Program account subtotal	393,000
20		-----
21		
22	Special Revenue Funds - Other / State Operations	
23	Combined Gifts, Grants and Bequests Fund - 020	
24	Aging Grants and Bequest Account	
25		
26	For service and expenses of the state office	
27	for the aging.	
28		
29		NONPERSONAL SERVICE
30		
31	Supplies and materials	50,000
32	Travel	50,000
33	Contractual services	150,000
34		-----
35	Program account subtotal	250,000
36		-----
37		
38	Enterprise Funds / State Operations	
39	Miscellaneous Enterprise Fund - 331	
40	Aging Enterprises Account	
41		
42	For service and expenses related to video	
43	and other media.	
44		
45		NONPERSONAL SERVICE
46		
47	Contractual services	100,000
48		-----
49	Program account subtotal	100,000
50		-----
51		
52	COMMUNITY SERVICES PROGRAM	219,004,000
53		-----
54		
55	General Fund / Aid to Localities	
56	Local Assistance Account - 001	
57		
58	For services and expenses, including the	
59	payment of liabilities incurred prior to	
60	April 1, 2008, related to the community	
61	services elderly grant program. No expend-	
62	itures shall be made from this appropri-	

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	ation until the director of the budget has	
2	approved a plan submitted by the office	
3	outlining the amounts and purposes of such	
4	expenditures and the allocation of funds	
5	among the counties. Notwithstanding any	
6	provision of law, rule or regulation to	
7	the contrary, subject to the approval of	
8	the director of the budget, funds appro-	
9	propriated herein for the community services	
10	for the elderly program (CSE) and the	
11	expanded in-home services for the elderly	
12	program (EISEP) may be used in accordance	
13	with a waiver or reduction in county main-	
14	tenance of effort requirements established	
15	pursuant to section 214 of the elder law,	
16	except for base year expenditures. To the	
17	extent that funds hereby appropriated are	
18	sufficient to exceed the per capita limit	
19	established in section 214 of the elder	
20	law, the excess funds shall be available	
21	to supplement the existing per capita	
22	level in a uniform manner consistent with	
23	statutory allocations	15,312,000
24	For planning and implementation, including	
25	the payment of liabilities incurred prior	
26	to April 1, 2008, of a program of expanded	
27	in-home, case management and ancillary	
28	community services for the elderly	
29	(EISEP). No expenditures shall be made	
30	from this appropriation until the director	
31	of the budget has approved a plan submit-	
32	ted by the office outlining the amounts	
33	and purposes of such expenditures and the	
34	allocation of funds among the counties,	
35	including the city of New York	46,035,000
36	For services and expenses related to the	
37	congregate services initiative. No expend-	
38	itures shall be made from this appropri-	
39	ation until the director of the budget has	
40	approved a plan submitted by the office	
41	outlining the amounts and purposes of such	
42	expenditures and the allocation of funds	
43	among the counties	725,000
44	For services and expenses of grants to area	
45	agencies on aging for the establishment	
46	and operation of caregiver resource	
47	centers	353,000
48	For services and expenses, including the	
49	payment of liabilities incurred prior to	
50	April 1, 2008, associated with the supple-	
51	mental nutrition assistance program	
52	(SNAP), including a suballocation to the	
53	department of agriculture and markets to	
54	be transferred to state operations for	
55	administrative costs of the farmers market	
56	nutrition program. No expenditure shall be	
57	made from this appropriation until the	
58	director of the budget has approved a plan	
59	submitted by the office outlining the	
60	amounts and purpose of such expenditures	
61	and the allocation of funds among the	
62	counties	21,380,000

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Local grants for services and expenses of	
2	the long-term care ombudsman program	621,000
3	For services and expenses of the retired and	
4	senior volunteer program (RSVP)	433,000
5	For services and expenses of the EAC/Nassau	
6	senior respite program	237,000
7	For services and expenses of the home aides	
8	of central New York, Inc. senior respite	
9	program	142,000
10	For services and expenses of the New York	
11	foundation for senior citizens home shar-	
12	ing and respite care program	172,000
13	For state aid grants to providers of respite	
14	services to the elderly. Funding priority	
15	shall be given to the renewal of existing	
16	contracts with the state office for the	
17	aging. No expenditures shall be made from	
18	this appropriation until the director of	
19	the budget has approved a plan submitted	
20	by the office outlining the amounts to be	
21	distributed by provider	656,000
22	For state aid grants to providers of social	
23	model adult day services. Funding priority	
24	shall be given to the renewal of existing	
25	contracts with the state office for the	
26	aging. No expenditures shall be made from	
27	this appropriation until the director of	
28	the budget has approved a plan submitted	
29	by the office outlining the amounts to be	
30	distributed by provider	872,000
31	For state aid grants to naturally occurring	
32	retirement communities (NORC). Funding	
33	priority shall be given to the renewal of	
34	existing contracts with the state office	
35	for the aging. No expenditures shall be	
36	made from this appropriation until the	
37	director of the budget has approved a plan	
38	submitted by the office outlining the	
39	amounts to be distributed by provider	2,027,000
40	For state aid grants to neighborhood	
41	naturally occurring retirement communities	
42	(NNORC). Funding priority shall be given	
43	to the renewal of existing contracts with	
44	the state office for the aging. No expend-	
45	itures shall be made from this appropri-	
46	ation until the director of the budget has	
47	approved a plan submitted by the office	
48	outlining the amounts to be distributed by	
49	provider	2,027,000
50	For grants in aid to the 59 designated area	
51	agencies on aging for transportation oper-	
52	ating expenses related to serving the	
53	elderly. Funds shall be allocated from	
54	this appropriation pursuant to a plan	
55	prepared by the director of the state	
56	office for the aging and approved by the	
57	director of the budget	921,000
58	For services and expenses of the foster	
59	grandparents program	196,000
60	For services and expenses related to an	
61	elderly abuse education and outreach	
62	program in accordance with section 219 of	

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	the elder law funding priority shall be	
2	given to the renewal of existing contracts	
3	with the state office for the aging	490,000
4	Notwithstanding any inconsistent provision	
5	of law, effective October 1, 2006, expend-	
6	itures made from this appropriation shall	
7	effectively provide a cost of living	
8	adjustment for providers of the following	
9	services, as determined by the director of	
10	the state office for the aging, expanded	
11	in-home services for the elderly program	
12	(EISEP), community services for the elder-	
13	ly program (CSE) and the supplemental	
14	nutrition assistance program (SNAP). The	
15	director of the state office for the aging	
16	shall determine the standards and require-	
17	ments necessary for reimbursement of such	
18	increases. Further, all such increases	
19	shall be made pursuant to a provider	
20	attestation regarding the use of such	
21	funds to be provided in the format	
22	prescribed by the state office for the	
23	aging. Funds shall be allocated from this	
24	appropriation pursuant to a plan prepared	
25	by the director of the state office for	
26	the aging and approved by the director of	
27	the budget	13,207,000
28	For services and expenses of New York State-	
29	wide Senior Action Council, Inc. for the	
30	patients' rights hotline and advocacy	
31	project	63,000
32	For grants to the area agencies on aging for	
33	the health insurance information, coun-	
34	seling and assistance program	921,000
35	For state matching funds for services and	
36	expenses to match federally funded model	
37	projects and/or demonstration grant	
38	programs, a portion of which may be trans-	
39	ferred to state operations or to other	
40	entities as necessary to meet federal	
41	grant objectives	236,000
42	For grants in aid to up to seven designated	
43	area agencies on aging for the creation of	
44	regional caregiver centers for excellence	
45	for the purpose of providing education and	
46	training to caregivers, the development	
47	and implementation of innovative	
48	approaches to assisting caregivers and	
49	reducing caregiver stress, provision of	
50	technical assistance and training to care-	
51	giver program coordinators and other	
52	programs and other activities to directly	
53	support community caregivers. At least	
54	\$200,000 of the amount appropriated shall	
55	be used to provide respite services to	
56	informal caregivers	230,000
57	For up to eight community empowerment initi-	
58	ative start up grants to enable communi-	
59	ties, neighborhoods, elders and families	
60	to develop their own supportive services	
61	that enable older persons to "age in	
62		

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	place" and stay in their own neighborhoods	
2	.....	245,000
3	For the managed care consumer assistance	
4	program for the purpose of providing	
5	education, outreach, one-on-one coun-	
6	seling, monitoring of the implementation	
7	of medicare part D, and assistance with	
8	drug appeals and fair hearings related to	
9	medicare part D coverage for persons who	
10	are eligible for medical assistance and	
11	who are also beneficiaries under part D of	
12	title XVIII of the federal social security	
13	act and for participants of the elderly	
14	pharmaceutical insurance coverage program	
15	(EPIC) in accordance with the following:	
16	Medicare Rights Center	414,000
17	New York StateWide Senior Action Council,	
18	Inc.	185,000
19	New York Legal Assistance Group	58,000
20	Legal Aid Society of New York	58,000
21	Selfhelp Community Services, Inc.	58,000
22	Empire Justice Center	81,000
23	Community Service Society	69,000
24	For services and expenses of grants to area	
25	agencies on aging and community-based	
26	organizations to assist seniors enrolled	
27	in the elderly pharmaceutical insurance	
28	coverage program in selecting, accessing,	
29	and maximizing medicare part D coverage.	
30	Such grant awards shall be made in	
31	consultation with the commissioner of the	
32	department of health	2,000,000
33		-----
34	Program account subtotal	110,424,000
35		-----
36		
37	Special Revenue Funds - Federal / Aid to Localities	
38	Federal Health and Human Services Fund - 265	
39		
40	For programs provided under the titles of	
41	the federal older Americans act and other	
42	health and human services programs.	
43	Title III-b social services	26,000,000
44	Title III-c nutrition programs, including a	
45	suballocation to the department of health	
46	for nutrition program activities	41,000,000
47	Title III-e caregivers	12,000,000
48	Health and human services programs	5,000,000
49	Nutrition services incentive program	16,000,000
50		-----
51	Program fund subtotal	100,000,000
52		-----
53		
54	Special Revenue Funds - Federal / Aid to Localities	
55	Federal Operating Grants Fund - 290	
56	Office for the Aging Federal Grants Account	
57		
58	For services and expenses related to the	
59	provision of aging services programs	600,000
60		-----
61	Program account subtotal	600,000
62		-----

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1		
2	Special Revenue Funds - Federal / Aid to Localities	
3	Federal Operating Grants Fund - 290	
4	Senior Community Service Employment Account	
5		
6	For the senior community service employment	
7	program provided under title V of the	
8	federal older Americans act	7,000,000
9		-----
10	Program account subtotal	7,000,000
11		-----
12		
13	Special Revenue Fund - Other / Aid to Localities	
14	Combined Gifts, Grants and Bequests Fund - 020	
15	Aging Grants and Bequest Account	
16		
17	For services and expenses of the state	
18	office for the aging	980,000
19		-----
20	Program account subtotal	980,000
21		-----
22		
23	Total new appropriations for state operations and aid to	
24	localities	233,633,000
25		=====
26		

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM

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General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1 of the laws of 2008:

- For services and expenses of establishing a family caregiver council.
- Supplies and materials ... 15,000 (re. \$15,000)
- Travel ... 40,000 (re. \$40,000)
- Contractual services ... 55,000 (re. \$55,000)
- Equipment ... 15,000 (re. \$15,000)
- For services and expenses of establishing a community empowerment initiative.
- Personal service--regular ... 75,000 (re. \$75,000)
- Supplies and materials ... 5,000 (re. \$5,000)
- Travel ... 5,000 (re. \$5,000)
- Contractual services ... 10,000 (re. \$10,000)
- Equipment ... 5,000 (re. \$5,000)

The appropriation made by chapter 54, section 1 of the laws of 2008, is hereby amended and reappropriated to read:

- For services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to [a] chapter 58 of the laws of 2007.
- The funds appropriated hereby shall be suballocated to the department of health ...50,000 (re. \$50,000)

By chapter 54, section 1 of the laws of 2007:

- For the planning, development and feasibility study of the senior benefits program.
- Contractual services ... 25,000 (re. \$25,000)
- For services and expenses of establishing a family caregiver council.
- Contractual services ... 55,000 (re. \$30,000)
- For services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to a chapter of the laws of 2007. The funds appropriated hereby shall be suballocated to the department of health ... 75,000 (re. \$75,000)
- For additional services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to a chapter of the laws of 2007. The funds appropriated hereby shall be suballocated to the department of health ... 150,000 (re. \$150,000)
- For services and expenses of the mature worker taskforce 100,000 (re. \$25,000)
- For services and expenses of developing model zoning and planning guidelines that foster age-integrated communities 100,000 (re. \$12,200)

By chapter 54, section 1 of the laws of 2006:

- For the planning, development and feasibility study of the senior benefits program ... 25,000 (re. \$7,000)
- For the planning, development and evaluation of a community green house project ... 150,000 (re. \$120,000)

By chapter 54, section 1 of the laws of 2005:

- For the planning, development and evaluation of senior's single intake point technology solutions ... 250,000 (re. \$250,000)

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

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
2 For programs provided under the titles of the federal older Americans
3 act and other health and human services programs
4 8,700,000 (re. \$8,700,000)
5
6 By chapter 54, section 1, of the laws of 2007:
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, 2007 to September 30, 2008
10 4,200,000 (re. \$2,700,000)
11
12 By chapter 54, section 1, of the laws of 2006:
13 For programs provided under the titles of the federal older Americans
14 act and other health and human services programs:
15 For the grant period October 1, 2006 to September 30, 2006
16 4,200,000 (re. \$250,000)
17
18 Special Revenue Funds - Federal / State Operations
19 Federal Operating Grants Fund - 290
20 Senior Community Service Employment Account
21
22 By chapter 54, section 1, of the laws of 2008:
23 For the senior community service employment program provided under
24 title V of the federal older Americans act
25 350,000 (re. \$196,000)
26
27 COMMUNITY SERVICES PROGRAM
28
29 General Fund / Aid to Localities
30 Local Assistance Account - 001
31
32 By chapter 54, section 1 of the laws of 2008:
33 For services and expenses of New York Statewide Senior Action Council,
34 Inc. for the patients' rights hotline and advocacy project
35 63,000 (re. \$63,000)
36 For state matching funds for services and expenses to match federally
37 funded model projects and/or demonstration grant programs, a portion
38 of which may be transferred to state operations or to other entities
39 as necessary to meet federal grant objectives
40 236,000 (re. \$236,000)
41
42 By chapter 54, section 1 of the laws of 2008, as amended by chapter 496,
43 section 5 of the laws of 2008:
44 For services and expenses, including the payment of liabilities
45 incurred prior to April 1, 2008, associated with the supplemental
46 nutrition assistance program (SNAP), including a suballocation to
47 the department of agriculture and markets to be transferred to state
48 operations for administrative costs of the farmers market nutrition
49 program. No expenditure shall be made from this appropriation until
50 the director of the budget has approved a plan submitted by the
51 office outlining the amounts and purpose of such expenditures and
52 the allocation of funds among the counties, provided, however, that
53 the amount of this appropriation available for expenditure and
54 disbursement on and after September 1, 2008 shall be reduced by six
55 percent of the amount that was undisbursed as of August 15, 2008 ...
56 22,745,000 (re. \$300,000)
57 For state aid grants to providers of respite services to the elderly.
58 Funding priority shall be given to the renewal of existing contracts
59 with the state office for the aging. No expenditures shall be made
60 from this appropriation until the director of the budget has
61 approved a plan submitted by the office outlining the amounts to be
62 distributed by provider, provided, however, that the amount of this

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 appropriation available for expenditure and disbursement on and
2 after September 1, 2008 shall be reduced by six percent of the
3 amount that was undisbursed as of August 15, 2008
4 698,000 (re. \$656,120)
5 For state aid grants to providers of social model adult day services.
6 Funding priority shall be given to the renewal of existing contracts
7 with the state office for the aging. No expenditures shall be made
8 from this appropriation until the director of the budget has
9 approved a plan submitted by the office outlining the amounts to be
10 distributed by provider, provided, however, that the amount of this
11 appropriation available for expenditure and disbursement on and
12 after September 1, 2008 shall be reduced by six percent of the
13 amount that was undisbursed as of August 15, 2008
14 928,000 (re. \$872,320)
15 For state aid grants to naturally occurring retirement communities
16 (NORC). Funding priority shall be given to the renewal of existing
17 contracts with the state office for the aging. No expenditures shall
18 be made from this appropriation until the director of the budget has
19 approved a plan submitted by the office outlining the amounts to be
20 distributed by provider, provided, however, that the amount of this
21 appropriation available for expenditure and disbursement on and
22 after September 1, 2008 shall be reduced by six percent of the
23 amount that was undisbursed as of August 15, 2008
24 2,156,000 (re. \$1,808,000)
25 For state aid grants to neighborhood naturally occurring retirement
26 communities (NNORC). Funding priority shall be given to the renewal
27 of existing contracts with the state office for the aging. No
28 expenditures shall be made from this appropriation until the
29 director of the budget has approved a plan submitted by the office
30 outlining the amounts to be distributed by provider, provided,
31 however, that the amount of this appropriation available for
32 expenditure and disbursement on and after September 1, 2008 shall be
33 reduced by six percent of the amount that was undisbursed as of
34 August 15, 2008 ... 2,156,000 (re. \$2,027,000)
35 For additional grants in aid to the 59 designated area agencies on
36 aging for transportation operating expenses related to serving the
37 elderly. Funds shall be allocated from this appropriation pursuant
38 to a plan prepared by the director of the state office for the aging
39 and approved by the director of the budget
40 940,000 (re. \$500,000)
41 For grants in aid to up to seven designated area agencies on aging for
42 the creation of regional caregiver centers for excellence for the
43 purpose of providing education and training to caregivers, the
44 development and implementation of innovative approaches to assisting
45 caregivers and reducing caregiver stress, provision of technical
46 assistance and training to caregiver program coordinators and other
47 programs and other activities to directly support community
48 caregivers. At least \$200,000 of the amount appropriated shall be
49 used to provide respite services to informal caregivers
50 230,000 (re. \$230,000)
51 For up to eight community empowerment initiative start up grants to
52 enable communities, neighborhoods, elders and families to develop
53 their own supportive services that enable older persons to "age in
54 place" and stay in their own neighborhoods
55 245,000 (re. \$245,000)
56 For services and expenses related to the enriched social adult day
57 services demonstration project to help older New Yorkers age in
58 place in the community while avoiding spend-down to medicaid. No
59 more than eight and one half percent of the amount appropriated for
60 such purpose may be expended by the office for the aging for
61 services and expenses in connection with the evaluation of the
62 demonstration project which shall be conducted by the center for

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 functional assessment research (CFAR) at the university of Buffalo.
2 An amount not to exceed 10 percent of the allocation may be used for
3 administration for the office ... 245,000 (re. \$245,000)
4 For the managed care consumer assistance program for the purpose of
5 providing education, outreach, one-on-one counseling, monitoring of
6 the implementation of medicare part D, and assistance with drug
7 appeals and fair hearings related to medicare part D coverage for
8 persons who are eligible for medical assistance and who are also
9 beneficiaries under part D of title XVIII of the federal social
10 security act and for participants of the elderly pharmaceutical
11 insurance coverage program (EPIC) in accordance with the following,
12 provided, however, that the amount of this appropriation available
13 for expenditure and disbursement on and after September 1, 2008
14 shall be reduced by six percent of the amount that was undisbursed
15 as of August 15, 2008:
16 Medicare Rights Center ... 882,000 (re. \$449,532)
17 New York StateWide Senior Action Council, Inc.
18 392,000 (re. \$199,794)
19 New York Legal Assistance Group ... 123,000 (re. \$62,694)
20 Legal Aid Society of New York ... 123,000 (re. \$62,694)
21 Selfhelp Community Services, Inc. ... 123,000 (re. \$62,694)
22 Empire Justice Center ... 172,000 (re. \$87,667)
23 Community Service Society ... 147,000 (re. \$74,926)
24 For continuation of the pilot programs in geriatric in-home medical
25 care initiatives, including in-home visits and consultations by
26 physicians ... 705,000 (re. \$375,000)
27 For end of life care initiatives grants ... 188,000 ... (re. \$100,000)
28 For additional state aid grants to existing providers of social model
29 adult day services pursuant to the following sub-schedule
30 244,400 (re. \$130,000)
31
32 sub-schedule
33
34 Chautauqua Adult Day Center 37,600
35 The Community Programs Center
36 of Long Island 47,000
37 Lutheran Family Centers of
38 Brooklyn 79,900
39 Park Slope Geriatric Center 79,900
40
41 By chapter 54, section 1, of the laws of 2007:
42 For state aid grants to providers of respite services to the elderly.
43 Funding priority shall be given to the renewal of existing contracts
44 with the state office for the aging. No expenditures shall be made
45 from this appropriation until the director of the budget has
46 approved a plan submitted by the office outlining the amounts to be
47 distributed by provider ... 712,000 (re. \$341,700)
48 For state aid grants to providers of social model adult day services.
49 Funding priority shall be given to the renewal of existing contracts
50 with the state office for the aging. No expenditures shall be made
51 from this appropriation until the director of the budget has
52 approved a plan submitted by the office outlining the amounts to be
53 distributed by provider ... 947,000 (re. \$337,000)
54 For pilot programs in geriatric in-home medical care initiatives,
55 including in-home visits and consultations by physicians
56 1,000,000 (re. \$713,000)
57 For a study to be conducted by the School of Social Welfare at Stoney
58 Brook University to evaluate the pilot programs in geriatric home
59 medical care initiatives and the related pilot project studying the
60 role of social workers providing gerontological care coordination
61 services serving the patients of the pilot programs in geriatric
62

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 home medical initiatives. This study shall be developed in consulta-
2 tion with the Medical Society of the State of New York, New York
3 Academy of Medicine and the State Office for the Aging
4 150,000 (re. \$50,000)
5 For end of life care initiatives in at least four counties pursuant to
6 and RFP ... 200,000 (re. \$188,000)
7
8 Special Revenue Funds - Federal / Aid to Localities
9 Federal Health and Human Services Fund - 265
10
11 By chapter 54, section 1, of the laws of 2008:
12 For programs provided under the titles of the federal older Americans
13 act and other health and human services programs.
14 Title III-b social services ... 26,000,000 (re. \$26,000,000)
15 Title III-c nutrition programs, including a suballocation to the
16 department of health for nutrition program activities
17 41,000,000 (re. \$41,000,000)
18 Title III-e caregivers ... 12,000,000 (re. \$12,000,000)
19 Health and human services programs ... 5,000,000 (re. \$5,000,000)
20 Nutrition services incentive program
21 16,000,000 (re. \$16,000,000)
22
23 By chapter 54, section 1, of the laws of 2007:
24 For programs provided under the titles of the federal older Americans
25 act and other health and human services programs:
26 For the grant period October 1, 2006 to September 30, 2007:
27 4,200,000 (re. \$4,200,000)
28
29 By chapter 54, section 1, of the laws of 2006:
30 For programs provided under the titles of the federal older Americans
31 act and other health and human services programs:
32 For the grant period October 1, 2005 to September 30, 2006:
33 57,500,000 (re. \$250,000)
34
35 Special Revenue Funds - Federal / Aid to Localities
36 Federal Operating Grants Fund - 290
37 Senior Community Service Employment Account
38
39 By chapter 54, section 1, of the laws of 2008:
40 For the senior community service employment program provided under
41 title V of the federal older Americans act
42 7,000,000 (re. \$5,500,000)
43
44 Total reappropriations for state operations and aid to
45 localities 133,182,341
46 =====
47

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 Special Revenue Funds - Federal	4,550,000	2,883,000
6 Enterprise Funds	10,000	0
7	-----	-----
8 All Funds	4,560,000	2,883,000
9	=====	=====

10

11 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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Fund Type	State Operations	Aid to Localities	Capital Projects	Total
SR-Federal	4,550,000	0	0	4,550,000
Enterprise	10,000	0	0	10,000
	-----	-----	-----	-----
All Funds	4,560,000	0	0	4,560,000
	=====	=====	=====	=====

SCHEDULE

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM 4,560,000

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

For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five.

Personal service	1,130,000
Nonpersonal service	449,000
Fringe benefits	448,000
Indirect costs	12,000
Maintenance undistributed	2,511,000

Program fund subtotal	4,550,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Developmental Disabilities Planning Council Publications
Account

For services and expenses incurred by the developmental disabilities planning council related to producing, reproducing, distributing, and mailing printed, recorded and electronic media.

NONPERSONAL SERVICE

Supplies and materials	10,000

Program account subtotal	10,000

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Total new appropriations for state operations and aid to	
2	localities	4,560,000
3		=====
4		

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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 2008:
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 Personal service ... 1,098,000 (re. \$420,000)
12 Nonpersonal service ... 455,000 (re. \$200,000)
13 Fringe benefits ... 450,000 (re. \$212,000)
14 Indirect costs ... 16,000 (re. \$6,000)
15 Maintenance undistributed ... 2,531,000 (re. \$1,880,000)
16
17 By chapter 54, section 1, of the laws of 2007:
18 For services and expenses related to the provision of services to the
19 developmentally disabled under the provisions of the federal devel-
20 opmental disabilities bill of rights act of nineteen hundred seven-
21 ty-five.
22 For the grant period October 1, 2007 to September 30, 2008:
23 Maintenance undistributed ... 1,519,000 (re. \$129,000)
24
25 By chapter 54, section 1, of the laws of 2006:
26 For services and expenses related to the provision of services to the
27 developmentally disabled under the provisions of the federal devel-
28 opmental disabilities bill of rights act of nineteen hundred seven-
29 ty-five:
30 For the grant period October 1, 2006 to September 30, 2007:
31 2,450,000 (re. \$36,000)
32
33 Total reappropriations for state operations and aid to
34 localities 2,883,000
35 =====
36

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local ...	12,036,035,000	172,179,940
6	Special Revenue Funds - Federal	29,604,359,000	37,022,399,400
7	Special Revenue Funds - Other	7,692,909,800	1,527,031,800
8	Capital Projects Funds	350,580,000	829,603,000
9	Enterprise Funds	10,000	0
10		-----	-----
11	All Funds	49,683,893,800	39,551,214,140
12		=====	=====

13
14 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

15					
16		State	Aid to	Capital	
17	Fund Type	Operations	Localities	Projects	Total
18		-----	-----	-----	-----
19	GF-St/Local	303,492,400	11,732,542,600	0	12,036,035,000
20	SR-Federal	1,208,651,000	28,395,708,000	0	29,604,359,000
21	SR-Other	577,919,100	7,114,990,700	0	7,692,909,800
22	Cap Proj	0	0	350,580,000	350,580,000
23	Enterprise	10,000	0	0	10,000
24		-----	-----	-----	-----
25	All Funds	2,090,072,500	47,243,241,300	350,580,000	49,683,893,800
26		=====	=====	=====	=====

27
28 SCHEDULE

29
30 ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM 80,588,200
31 -----

32
33 General Fund / State Operations
34 State Purposes Account - 003

35
36 PERSONAL SERVICE

37
38 Personal service--regular 8,757,300
39 Temporary service 10,000
40 Holiday/overtime compensation 50,000
41 -----
42 Amount available for personal service 8,817,300
43 -----

44
45 NONPERSONAL SERVICE

46
47 Supplies and materials 1,077,400
48 Travel 406,500
49 Contractual services 19,352,000
50 Equipment 628,300
51 -----
52 Amount available for nonpersonal service.. 21,464,200
53 -----

54
55 MAINTENANCE UNDISTRIBUTED

56
57 For services and expenses of health e-link.
58
59 Contractual services 750,000
60 -----
61 Program account subtotal 31,031,500
62 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 General Fund / Aid to Localities
 2 Local Assistance Account - 001
 3
 4 Notwithstanding any inconsistent provision
 5 of law, effective October 1, 2006, expend-
 6 itures made from this appropriation shall
 7 effectively provide a cost of living
 8 adjustment to the office of minority
 9 health, as determined by the commissioner
 10 of the department of health. The commis-
 11 sioner of the department of health shall
 12 determine the standards and requirements
 13 necessary to qualify for such increases.
 14 Further, each local government unit or
 15 direct contract provider receiving such
 16 funding shall submit a written certifi-
 17 cation regarding the use of such funds to
 18 be provided in the format proscribed by
 19 the department. Funds shall be allocated
 20 from this appropriation pursuant to a plan
 21 prepared by the commissioner and approved
 22 by the director of the budget 29,000
 23 For services and expenses of the office of
 24 minority health including competitive
 25 grants to promote community strategic
 26 planning or new or improved health care
 27 delivery systems and networks in minority
 28 areas. Up to \$102,000 of this appropri-
 29 ation may be transferred to state oper-
 30 ations for administration, provided,
 31 however, that the amount of this appropri-
 32 ation available for expenditure and
 33 disbursement on and after September 1,
 34 2008 shall be reduced by six percent of
 35 the amount that was undisbursed as of
 36 August 15, 2008 532,000
 37 -----
 38 Program account subtotal 561,000
 39 -----
 40
 41 Special Revenue Funds - Federal / State Operations
 42 Federal USDA-Food and Nutrition Services Fund - 261
 43 Child and Adult Care Food Account
 44
 45 For various food and nutritional services .. 818,000
 46 -----
 47 Program account subtotal 818,000
 48 -----
 49
 50 Special Revenue Funds - Federal / State Operations
 51 Federal USDA-Food and Nutrition Services Fund - 261
 52 Federal Food and Nutrition Services Account
 53
 54 For various food and nutritional services .. 1,983,000
 55 -----
 56 Program account subtotal 1,983,000
 57 -----
 58
 59 Special Revenue Funds - Federal / State Operations
 60 Federal Health and Human Services Fund - 265
 61
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For administration of the national health
 2 services corps. Notwithstanding any incon-
 3 sistent provision of law, and subject to
 4 the approval of the director of the budg-
 5 et, moneys hereby appropriated may be
 6 suballocated to the higher education
 7 services corporation 419,000
 8 -----
 9 Program fund subtotal 419,000
 10 -----
 11
 12 Special Revenue Funds - Federal / State Operations
 13 Federal Health and Human Services Fund - 265
 14 Federal Block Grant Account
 15
 16 For various health prevention, diagnostic,
 17 detection and treatment services 6,656,000
 18 -----
 19 Program account subtotal 6,656,000
 20 -----
 21
 22 Special Revenue Funds - Other / State Operations
 23 Combined Gifts, Grants and Bequests Fund - 020
 24 Technology Transfer Account
 25
 26 For services and expenses related to the
 27 department of health's patent and technol-
 28 ogy transfer program. The department of
 29 health may receive and deposit revenue
 30 from the sale and licensing of inventions
 31 pursuant to a technology and patent trans-
 32 fer policy established in accordance with
 33 section 64-a of the public officers law.
 34 Notwithstanding any other provision of
 35 law, these funds may be used for payments
 36 to Health Research, Inc. as reimbursement
 37 for expenses incurred in its patent and
 38 technology transfer operations, to support
 39 research, training, and infrastructure
 40 development in the department's research
 41 facilities, and for payments to inventors.
 42 The moneys hereby appropriated shall be
 43 available for liabilities heretofore and
 44 hereafter to accrue.
 45
 46 NONPERSONAL SERVICE
 47
 48 Contractual services 500,000
 49 -----
 50 Program account subtotal 500,000
 51 -----
 52
 53 Special Revenue Funds - Other / State Operations
 54 HCRA Resources Fund - 061
 55 Health Occupation Development and Workplace Demo Account
 56
 57 For services and expenses related to admin-
 58 istration of the health occupation devel-
 59 opment and workplace demonstration program
 60 established pursuant to sections 2807-g
 61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 and 2807-h of the public health law. Up to
 2 50 percent of this appropriation may be
 3 suballocated to the department of labor.
 4
 5 PERSONAL SERVICE
 6
 7 Personal service--regular 594,700
 8 Temporary service 40,000
 9 -----
 10 Amount available for personal service 634,700
 11 -----
 12
 13 NONPERSONAL SERVICE
 14
 15 Supplies and materials 5,000
 16 Travel 10,300
 17 Contractual services 1,184,800
 18 Equipment 10,000
 19 Fringe benefits 255,100
 20 Indirect costs 254,300
 21 -----
 22 Amount available for nonpersonal service.. 1,719,500
 23 -----
 24 Program account subtotal 2,354,200
 25 -----
 26
 27 Special Revenue Funds - Other / State Operations
 28 HCRA Resources Fund - 061
 29 Pilot Health Insurance Account
 30
 31 For services and expenses related to the
 32 administration of the program authorized
 33 by section 2807-1 of the public health
 34 law.
 35
 36 PERSONAL SERVICE
 37
 38 Personal service--regular 1,164,400
 39 Holiday/overtime compensation 3,000
 40 -----
 41 Amount available for personal service 1,167,400
 42 -----
 43
 44 NONPERSONAL SERVICE
 45
 46 Supplies and materials 15,000
 47 Travel 20,000
 48 Contractual services 73,000
 49 Equipment 100,000
 50 Fringe benefits 464,400
 51 Indirect costs 463,200
 52 -----
 53 Amount available for nonpersonal service.. 1,135,600
 54 -----
 55 Program account subtotal 2,303,000
 56 -----
 57
 58 Special Revenue Funds - Other / State Operations
 59 HCRA Resources Fund - 061
 60 Primary Care Initiatives Account
 61
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For services and expenses related to the
2 administration of the program authorized
3 by section 2807-1 of the public health
4 law.

5
6 PERSONAL SERVICE

7
8 Personal service--regular 587,900
9 Temporary service 5,000
10 Holiday/overtime compensation 5,000
11 -----
12 Amount available for personal service 597,900
13 -----

14
15 NONPERSONAL SERVICE

16
17 Supplies and materials 5,400
18 Travel 7,600
19 Contractual services 15,000
20 Equipment 15,000
21 Fringe benefits 235,500
22 Indirect costs 233,200
23 -----
24 Amount available for nonpersonal service.. 511,700
25 -----

26 Program account subtotal 1,109,600
27 -----

28
29 Special Revenue Funds - Other / State Operations
30 HCRA Resources Fund - 061
31 Health Care Delivery Administration Account
32

33 For services and expenses related to admin-
34 istration of the health care and cancer
35 initiative programs pursuant to section
36 2807-1 of the public health law.

37
38 PERSONAL SERVICE

39
40 Personal service--regular 275,400
41 Temporary Service 5,000
42 -----
43 Amount available for personal service 280,400
44 -----

45
46 NONPERSONAL SERVICE

47
48 Supplies and materials 20,000
49 Travel 62,500
50 Contractual services 182,600
51 Equipment 34,500
52 Fringe benefits 111,600
53 Indirect costs 111,300
54 -----
55 Amount available for nonpersonal service.. 522,500
56 -----

57 Program account subtotal 802,900
58 -----
59
60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Administration Program Account	
4		
5	For services and expenses, including indi-	
6	rect costs, related to the administration	
7	program.	
8		
9	PERSONAL SERVICE	
10		
11	Personal service--regular	6,627,200
12	Holiday/overtime compensation	170,000
13		-----
14	Amount available for personal service	6,797,200
15		-----
16		
17	NONPERSONAL SERVICE	
18		
19	Supplies and materials	1,000
20	Travel	50,000
21	Contractual services	2,816,000
22	Fringe benefits	2,771,700
23		-----
24	Amount available for nonpersonal service..	5,638,700
25		-----
26	Program account subtotal	12,435,900
27		-----
28		
29	Special Revenue Funds - Other / State Operations	
30	Miscellaneous Special Revenue Fund - 339	
31	Health-SPARCS Account	
32		
33	For all services and expenses, including	
34	indirect costs, related to the statewide	
35	planning and research cooperative system.	
36		
37	PERSONAL SERVICE	
38		
39	Personal service--regular	3,190,000
40	Holiday/overtime compensation	55,000
41		-----
42	Amount available for personal service	3,245,000
43		-----
44		
45	NONPERSONAL SERVICE	
46		
47	Supplies and materials	52,000
48	Travel	18,000
49	Contractual services	1,658,000
50	Equipment	800,000
51	Fringe benefits	1,323,200
52	Indirect costs	1,002,100
53		-----
54	Amount available for nonpersonal service..	4,853,300
55		-----
56	Program account subtotal	8,098,300
57		-----
58		
59	Special Revenue Funds - Other / State Operations	
60	Miscellaneous Special Revenue Fund - 339	
61	Professional Medical Conduct Account	
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For services and expenses, including indi-		
2	irect costs, related to the professional		
3	medical conduct program.		
4			
5			
6			
7			
8	Personal service--regular	4,868,100	
9	Holiday/overtime compensation	10,000	
10			
11	Amount available for personal service	4,878,100	
12			
13			
14			
15			
16	Supplies and materials	65,000	
17	Travel	118,000	
18	Contractual services	1,622,000	
19	Equipment	52,000	
20	Fringe benefits	1,989,200	
21			
22	Amount available for nonpersonal service..	3,846,200	
23			
24	Program account subtotal	8,724,300	
25			
26	Special Revenue Funds - Other / State Operations		
27	Miscellaneous Special Revenue Fund - 339		
28	Vital Records Management Account		
29			
30	For services and expenses including the		
31	collection of increased fees related to		
32	the vital records program.		
33			
34			
35			
36	Personal service--regular	1,199,800	
37	Holiday/overtime compensation	125,000	
38			
39	Amount available for personal service	1,324,800	
40			
41			
42			
43			
44	Supplies and materials	30,000	
45	Travel	2,000	
46	Contractual services	500,000	
47	Equipment	17,000	
48	Fringe benefits	508,600	
49	Indirect costs	409,100	
50			
51	Amount available for nonpersonal service..	1,466,700	
52			
53	Program account subtotal	2,791,500	
54			
55			
56	AIDS INSTITUTE PROGRAM		124,483,000
57			
58			
59	General Fund / State Operations		
60	State Purposes Account - 003		
61			
62			

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	PERSONAL SERVICE	
2		
3	Personal service--regular	11,918,000
4	Holiday/overtime compensation	20,000
5		-----
6	Amount available for personal service	11,938,000
7		-----
8		
9	NONPERSONAL SERVICE	
10		
11	Supplies and materials	1,333,881
12	Travel	311,700
13	Contractual services	3,636,900
14	Equipment	228,519
15		-----
16	Amount available for nonpersonal service..	5,511,000
17		-----
18		
19	MAINTENANCE UNDISTRIBUTED	
20		
21	For suballocation to the office of children	
22	and family services through a memorandum	
23	of understanding with the AIDS institute,	
24	for services and expenses related to HIV	
25	policy development and training.	
26		
27	Personal service--regular	150,000
28		-----
29		
30	For suballocation to the state education	
31	department through a memorandum of under-	
32	standing with the AIDS institute, for	
33	services and expenses of the provision of	
34	AIDS education by AIDS regional training	
35	coordinators for staff in elementary and	
36	secondary schools.	
37		
38	Contractual services	200,000
39		-----
40		
41	For suballocation to the division of human	
42	rights through a memorandum of understand-	
43	ing with the AIDS institute, for services	
44	and expenses of the office of AIDS	
45	discrimination investigation.	
46		
47	Personal service--regular	97,000
48	Supplies and materials	2,600
49	Travel	400
50		-----
51	Amount available	100,000
52		-----
53	Amount available for maintenance undis-	
54	tributed	
55		450,000
55		-----
56	Program account subtotal	17,899,000
57		-----
58		
59	General Fund / Aid to Localities	
60	Local Assistance Account - 001	
61		
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For services and expenses related to a joint
 2 project between the state and the city of
 3 New York, known as the New York/New York
 4 III Supportive Housing Agreement. No
 5 expenditures shall be made for such
 6 program prior to the approval of a method-
 7 ology for allocation in accordance with a
 8 plan approved by the commissioner and the
 9 director of the budget. Furthermore, no
 10 expenditure shall be made until a certif-
 11 icate of allocation has been approved by
 12 the director of the budget with copies to
 13 be filed with the chairpersons of the
 14 senate finance committee and the assembly
 15 ways and means committee.

16 The amounts appropriated pursuant to such
 17 appropriation may be suballocated to other
 18 state agencies, authorities, or accounts
 19 for expenditures incurred in the operation
 20 of programs funded by such appropriation,
 21 provided

4,490,000

22 Notwithstanding any inconsistent provision
 23 of law, effective October 1, 2006, expend-
 24 itures made from this appropriation shall
 25 effectively provide a cost of living
 26 adjustment for providers of the following
 27 services, as determined by the commission-
 28 er of the department of health, adolescent
 29 services - act for youth; adolescent
 30 services - general; adolescent services
 31 schools; clinical education; clinical
 32 guidelines development, clinical scholars;
 33 clinical trials experimental treatment;
 34 community development initiative; communi-
 35 ty HIV prevention and primary care; commu-
 36 nity services programs; criminal justice;
 37 education and training; evaluation and
 38 research; expanded syringe access program;
 39 families in transition; family centered
 40 care; harm reduction; general; harm
 41 reduction - syringe exchange; HIV health
 42 care and support services for women and
 43 kids; HIV prevention, primary care support
 44 services for substance abusers; homeless
 45 shelters; legal services and advocacy;
 46 lesbian, gay, bisexual, transgender -
 47 adolescent; lesbian, gay, bisexual, trans-
 48 gender - general; lesbian, gay, bisexual,
 49 transgender - substance use; multiple
 50 service agency; nutritional services;
 51 pediatric centers of excellence; permanen-
 52 cy planning; racial and ethnic minority;
 53 social day care; specialized care centers
 54 for youth; specialty; supportive housing;
 55 treatment adherence; women's services -
 56 general; women's services - peer; women's
 57 services - supportive services and youth
 58 access program. The commissioner of the
 59 department of health shall determine the
 60 standards and requirements necessary to
 61 qualify for such increases. Further, each
 62 local government unit or direct contract

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1	provider receiving such funding shall	
2	submit a written certification regarding	
3	the use of such funds to be provided in	
4	the format proscribed by the department.	
5	Funds shall be allocated from this appro-	
6	priation pursuant to a plan prepared by	
7	the commissioner and approved by the	
8	director of the budget	6,497,000
9	For grants to community based organizations	
10	to support permanency planning and support	
11	services for families affected by HIV,	
12	provided	517,000
13	For additional demonstration project grants	
14	to designated AIDS centers, and not-for-	
15	profit organizations, including but not	
16	limited to community service programs and	
17	community-based organizations, providing	
18	specialized AIDS-related services for	
19	purposes of patient education and case	
20	management services related to promoting	
21	compliance with HIV-related treatment	
22	therapies and regimes	517,000
23	For grants to New York state community	
24	service programs to provide HIV/AIDS	
25	related education, prevention, outreach,	
26	legal and supportive services	1,626,000
27	For services and expenses related to the	
28	operation of the communities of color	
29	initiative	3,581,000
30	For services and expenses related to the	
31	communities of color initiative, notwith-	
32	standing any inconsistent provision of law	
33	to the contrary, funds shall be available	
34	for the statewide communities of color	
35	initiative to provide advocacy, education,	
36	preventive services and treatment on	
37	behalf of and for individuals with	
38	HIV/AIDS from communities of color,	
39	including but not limited to Latino and	
40	African-American communities pursuant to	
41	the following:	
42	Action for a Better Community, Inc.	41,454
43	AIDS Center of Lower Manhattan	73,696
44	Alianza Dominicana, Inc.	41,454
45	American Indian Community House, Inc.	41,454
46	Anthony Jordan Health Center	20,774
47	Asian and Pacific Islander Coalition on	
48	HIV/AIDS, Inc.	41,454
49	Audre Lorde Project, Inc.	41,454
50	Bedford Stuyvesant Family Health Center, Inc.	41,454
51	Betances Health Center	20,774
52	Black Men and Latino Men Health Crisis, Inc.	9,212
53	Black Veterans for Social Justice, Inc.	20,774
54	East Harlem Council for Human Services, Inc.	20,774
55	Breaking Ground	9,212
56	Brooklyn Plaza Medical-Rising Heights	9,212
57	Capital District African-American Coalition	
58	on AIDS	20,774
59	Caribbean Women's Health Association, Inc. .	41,454
60	Center for Rapid Recovery	9,212
61	Centro Civico of Amsterdam, Inc.	41,454
62	Chinese-American Planning Council, Inc.	41,454

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1	Circulo de la Hispanidad, Inc.	41,454
2	Citizen's Advice Bureau	41,454
3	Coalition for Hispanic Family Service	20,774
4	Committee for Hispanic Children and Families	20,774
5	Dale House Resource Center	20,774
6	Discipleship Outreach Ministries, Inc.	41,454
7	Economic Opportunity Council of Suffolk,	
8	Inc.	41,454
9	El Puente de Williamsburg	9,212
10	Family Services Network of New York, Inc. ..	41,454
11	Federation of Protestant Welfare Agencies,	
12	Inc.	41,454
13	Five Towns Community Center, Inc.	41,454
14	Gay Men of African Descent	20,774
15	Greater Hudson Valley Family Health Center,	
16	Inc.	41,454
17	Group Ministries, Inc.	41,454
18	Haitian Center's Council	41,454
19	Diaspora Community Services, Inc.	46,060
20	Harlem Congregations for Community Improve-	
21	ment	20,774
22	Harlem Dowling-Westside Center for Children	
23	and Families	41,454
24	Harlem United Community AIDS Center	41,454
25	Hispanic AIDS Forum, Inc.	41,454
26	Hispanic Federation, Inc.	41,454
27	Hispanic United of Buffalo	9,212
28	Housing Works, Inc.	41,454
29	Hunts Point Multi-Service Center	20,774
30	Institute for Puerto Rican Hispanic Elderly.	9,212
31	Iris House	20,774
32	J-CAP Foundation, Inc.	41,454
33	Latino Commission on AIDS, Inc.	41,454
34	Life Force: Women Fighting AIDS, Inc.	20,774
35	Long Island Minority AIDS Coalition	41,454
36	Men of Color Health Awareness Project	20,774
37	El Regresso Foundation, Inc.	41,454
38	National Black Leadership Commission on	
39	AIDS, Inc.	41,454
40	New York Council on Adoptable Children	20,774
41	New York State Gay Men's Network	9,212
42	NYC HHC/Kings County Hospital	20,774
43	People of Color in Crisis, Inc.	92,120
44	Promesa, Inc.	41,454
45	Puerto Rican Family Institute	20,774
46	Puerto Rican Youth Development	9,212
47	Safe Space NYC, Inc.	41,454
48	Saint Ann's Corner of Harm Reduction	20,774
49	Settlement Health & Medical Services	41,454
50	Sharing Community, Inc.	41,454
51	Southeast Queens Clergy for Community Empow-	
52	erment, Inc.	41,454
53	Steinway Child & Family Services, Inc.	41,454
54	Syracuse Model Neighborhood Facility, Inc. .	41,454
55	Ten Points Ministrall Alliance	9,212
56	United Bronx Parents, Inc.	41,454
57	Urban Health Plan, Inc.	20,774
58	Urban League of Westchester County, Inc. ...	41,454
59	VIDA Family Services	9,212
60	Vocational Instruction Project Community	
61	Services	41,454
62	Whitney M. Young, Jr. Health Center	41,454

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	William F. Ryan Community Health Center	41,454
2	For additional grants to existing community	
3	based organizations and to article 28 of	
4	the public health law diagnostic and	
5	treatment centers that must operate in a	
6	neighborhood or geographic area with high	
7	concentrations of at risk populations and	
8	provide services and programs that are	
9	culturally sensitive to the special social	
10	and cultural needs of the at risk popu-	
11	lations. Such grants shall be used to meet	
12	increased demands for HIV education,	
13	prevention, outreach, and legal programs.	
14	Such grants shall be equitably	
15	distributed	1,626,000
16	For grants to organizations with specialty	
17	contracts administered by the AIDS insti-	
18	tute to be allocated to organizations	
19	based on the proportionate share of the	
20	value of an organization's specialty	
21	contract to the value of all specialty	
22	contracts administered by the AIDS insti-	
23	tute, provided	573,000
24	For suballocation to the office of temporary	
25	and disability assistance for operational	
26	support to projects which have received	
27	capital grant awards through the homeless	
28	housing assistance program	175,000
29	For services and expenses related to the	
30	national black leadership commission on	
31	AIDS	175,000
32	For services and expenses of the New York	
33	AIDS coalition	87,000
34	For services and expenses of AIDS and HIV	
35	testing and rapid testing program	490,000
36	For services and expenses for supplemental	
37	reviews and information management systems	
38	activities for AIDS related utilization	
39	review	390,000
40	For services and expenses of the comprehen-	
41	sive hepatitis c program. A portion of	
42	these funds may be transferred to state	
43	operations appropriations	1,190,000
44	For services and expenses of an HIV-related	
45	risk reduction program	625,000
46	For services and expenses of an HIV care	
47	retention in communities of color	200,000
48		-----
49	Program account subtotal	25,166,000
50		-----
51		
52	Special Revenue Funds - Other / Aid to Localities	
53	HCRA Resources Fund - 061	
54	Health Care Services Account	
55		
56	For grants to existing community service	
57	programs, as deemed appropriate by the	
58	department of health, including but not	
59	limited to community based organizations	
60	and other organizations providing special-	
61	ized AIDS-related services targeted to	
62	minority and other high-risk populations.	

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1 To ensure organizational viability, agency
2 administration may be supported subject to
3 review and approval of the commissioner of
4 health. Up to \$125,000 may be transferred
5 to the general fund - state purposes
6 account for the administration of this
7 program. Notwithstanding any provision of
8 law to the contrary, the commissioner of
9 health shall be authorized to continue
10 contracts with community service programs,
11 multi-service agencies and community
12 development initiatives for all such
13 contracts which were executed on or before
14 March 31, 2008, without any additional
15 requirements that such contracts be
16 subject to competitive bidding or a
17 request for proposals process 18,923,000

18 For grants to existing community service
19 programs to meet the increased demands for
20 HIV education, prevention, outreach, legal
21 and supportive services to high-risk
22 groups and to address increased operating
23 costs of these programs. To ensure organ-
24 izational viability, agency administration
25 may be supported subject to review and
26 approval of the commissioner of health.
27 Notwithstanding any provision of law to
28 the contrary, the commissioner of health
29 shall be authorized to continue contracts
30 with community service programs, multiser-
31 vice agencies and community development
32 initiatives for all such contracts which
33 were executed on or before March 31, 2008,
34 without any additional requirements that
35 such contracts be subject to competitive
36 bidding or a request for proposals
37 process 4,418,000

38 For additional grants to existing community
39 service programs to meet the increased
40 demands for HIV education, prevention,
41 outreach, legal and supportive services to
42 high-risk groups and to address increased
43 operating costs of these programs. To
44 ensure organizational viability, agency
45 administration may be supported subject to
46 review and approval of the commissioner of
47 health. Notwithstanding any provision of
48 law to the contrary, the commissioner of
49 health shall be authorized to continue
50 contracts with community service programs,
51 multi-service agencies and community
52 development initiatives for all such
53 contracts which were executed on or before
54 March 31, 2008, without any additional
55 requirements that such contracts be
56 subject to competitive bidding or a
57 request for proposals process 783,000

58 For services and expenses related to the
59 operation of the Cornell university parent
60 HIV/AIDS education project to provide
61

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	educational workshops for parents in	
2	Nassau county, and to enhance the project	
3	in Suffolk county	74,000
4	For services and expenses of the Long Island	
5	association for AIDS care to conduct a	
6	study to (1) identify the medical and	
7	social services gaps for children orphaned	
8	by AIDS on Long Island, as well as strate-	
9	gies to link families with AIDS with	
10	community services in order to plan for	
11	future care needs of their children, and	
12	(2) develop innovative comprehensive model	
13	service programs for such children	49,000
14	For grants to county health departments for	
15	HIV-related public health activities in	
16	rural underserved counties and counties	
17	with the most rapid increases in HIV inci-	
18	dence	294,000
19	For services and expenses of the AIDS insti-	
20	tute related to training and education	
21	activities and continuum of care initi-	
22	atives	2,147,000
23	For services and expenses of a pilot	
24	surveillance project for investigation of	
25	reported AIDS cases by county health	
26	departments as authorized by the commis-	
27	sioner of health	88,000
28	For grants to community based organizations	
29	for the provision of services to parolees	
30	and their families. Up to \$730,000 of this	
31	appropriation may be transferred to the	
32	general fund - state purposes account for	
33	administration of this program	1,041,000
34	For HIV counseling and testing services in	
35	facilities operated by the New York state	
36	department of correctional services. All	
37	or part of this appropriation may be	
38	transferred to the general fund - state	
39	purposes account for administration of	
40	this program	854,000
41	For grants for the provision of outreach and	
42	case management services to high-risk	
43	women and children	1,267,000
44	For services and expenses related to the	
45	provision of outreach and education to	
46	low-income and minority communities	
47	concerning the availability of and access	
48	to clinical drug trials	98,000
49	For services and expenses related to the	
50	care and service needs of children,	
51	adolescents and families with the HIV	
52	disease	1,693,000
53	For grants for the provision of comprehen-	
54	sive HIV prevention and health care	
55	services to high-risk adolescents and	
56	young adults. Up to 5 percent of this	
57	appropriation may be transferred to the	
58	general fund - state purposes account for	
59	the administration of this program,	
60	provided	2,139,000
61	For grants for housing, supported housing	
62	and referral services for homeless persons	

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1	with HIV/AIDS and their families, includ-	
2	ing those with tuberculosis or if	
3	warranted those with tuberculosis only, in	
4	areas as determined by data collected by	
5	the department of health	2,303,000
6	For suballocation to the office of temporary	
7	and disability assistance for operational	
8	support to projects which have received	
9	capital grant awards through the homeless	
10	housing assistance program	917,000
11	For grants for the provision of HIV	
12	prevention and primary care services to	
13	high-risk populations in community health	
14	centers and substance abuse programs,	
15	provided	662,000
16	For grants to community based organizations	
17	for HIV prevention and outreach efforts	
18	targeted to substance abusers	461,000
19	For services and expenses related to educa-	
20	tion and prevention services and for	
21	nutritional services including individuals	
22	homebound with AIDS or in an adult day	
23	care or home care setting	4,514,000
24	For grants to community based organizations	
25	to support permanency planning and support	
26	services for families affected by HIV. Up	
27	to 5 percent of this appropriation may be	
28	transferred to the general fund - state	
29	purposes account for the administration of	
30	this program	921,000
31	For grants to community based organizations	
32	and for services and expenses of the AIDS	
33	institute related to the provision of HIV	
34	education and prevention services. Up to	
35	10 percent of this appropriation may be	
36	transferred to the general fund - state	
37	purposes account for administration of	
38	this program	691,000
39	For services and expenses of surveillance	
40	projects for investigation of reported	
41	AIDS cases, including seroprevalence	
42	studies, as authorized by the commissioner	
43	of health	323,000
44	For provision of comprehensive HIV outreach	
45	and prevention services to adolescents and	
46	women	921,000
47	For state aid to municipalities pursuant to	
48	article 6 of the public health law or for	
49	grants to counties and local health	
50	departments for an HIV surveillance and	
51	partner notification program	3,777,000
52	For services and expenses of the medical	
53	society of the state of New York for a	
54	peer educational program for physicians	
55	regarding the testing and reporting of	
56	individuals who are infected with HIV	98,000
57	For grants for AIDS prevention and education	
58	and AIDS related services to existing	
59	community based organizations, as deemed	
60	appropriate by the department of health	
61	and to article 28 of the public health law	
62	diagnostic and treatment centers. For the	

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1 purposes of this program, eligible organ-
2 izations must (1) operate in a neighbor-
3 hood or geographic area with high concen-
4 trations of at risk populations; and (2)
5 provide services and programs that are
6 culturally sensitive to the special social
7 and cultural needs of the at risk popu-
8 lations. To ensure organizational viabil-
9 ity, agency administration may be
10 supported subject to review and approval
11 of the commissioner of health. Notwith-
12 standing any provision of law to the
13 contrary, the commissioner of health shall
14 be authorized to continue contracts with
15 community service programs, multi-service
16 agencies and community development initi-
17 atives for all such contracts which were
18 executed on or before March 31, 2008,
19 without any additional requirements that
20 such contracts be subject to competitive
21 bidding or a request for proposals
22 process 11,331,000

23 For additional grants to existing community
24 based organizations and to article 28 of
25 the public health law diagnostic and
26 treatment centers that must operate in a
27 neighborhood or geographic area with high
28 concentrations of at risk populations and
29 provide services and programs that are
30 culturally sensitive to the special social
31 and cultural needs of the at risk popu-
32 lations. Such grants shall be used to meet
33 the increased demands for HIV education,
34 prevention, outreach, and legal programs.

35 To ensure organizational viability, agency
36 administration may be supported subject to
37 review and approval of the commissioner of
38 health. Notwithstanding any provision of
39 law to the contrary, the commissioner of
40 health shall be authorized to continue
41 contracts with community service programs,
42 multi-service agencies and community
43 development initiatives for all such
44 contracts which were executed on or before
45 March 31, 2008, without any additional
46 requirements that such contracts be
47 subject to competitive bidding or a
48 request for proposals process 783,000

49 For grants for the provision of primary
50 health care services in drug treatment
51 programs. Up to \$800,000 of this appropri-
52 ation can be used for services targeted to
53 substance abusers at risk of becoming
54 intravenous drug users. Up to 5 percent of
55 this appropriation may be transferred to
56 the general fund - state purposes account
57 for the administration of this program ... 2,456,000

58 For services and expenses relating to the
59 provision of HIV counseling and testing by
60 family planning clinics and prenatal care
61 assistance programs to the extent that
62 reimbursement through medical assistance

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1	is not available. These funds shall not be	
2	used by the department for any costs	
3	directly related to the processing of	
4	tests	3,180,000
5	For grants for the development of women's	
6	HIV clinics to provide comprehensive	
7	obstetrical/gynecological services and for	
8	grants to health care facilities and	
9	community organizations for the provisions	
10	of primary care, subspecialty care and	
11	supportive services to HIV-infected women	
12	and children in underserved, high seropre-	
13	valence areas. Up to 5 percent of this	
14	appropriation may be transferred to the	
15	general fund - state purposes account for	
16	the administration of this program,	
17	provided	1,192,000
18	For services and expenses related to the	
19	special program for HIV services for	
20	infants and pregnant women established	
21	pursuant to section 71 of chapter 731 of	
22	the laws of 1993. Such programs may	
23	provide continuing services to high-risk	
24	and HIV-positive women and children,	
25	provided	1,382,000
26	For services and expenses associated with	
27	the HIV clinical education initiative	
28	program	1,474,000
29		-----
30	Program account subtotal	71,254,000
31		-----
32		
33	Special Revenue Funds - Other / Aid to Localities	
34	HCRA Resources Fund - 061	
35	Hospital Based Grants Program Account	
36		
37	For grants to community service programs	
38	including but not limited to community	
39	based organizations and other organiza-	
40	tions providing specialized AIDS-related	
41	services targeted to minority and other	
42	high-risk populations	956,000
43	For services and expenses of an HIV and	
44	substance abuse fellowship program to	
45	encourage physicians and nurses to work in	
46	clinical settings providing care and	
47	treatment to persons with HIV infection,	
48	including but not limited to designated	
49	care centers, community health centers,	
50	hospital outpatient clinics, substance	
51	abuse treatment programs, mental health	
52	clinics, family planning and prenatal	
53	clinics, for training in diagnosis and	
54	management of HIV illness and substance	
55	abuse treatment. Up to 5 percent of the	
56	amount appropriated may be transferred to	
57	the general fund - state purposes account	
58	for administration of the program	1,372,000
59	For services and expenses related to the	
60	provision of HIV counseling and testing by	
61	family planning clinics and prenatal care	
62	assistance programs	505,000

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For services and expenses of the AIDS insti-	
2	tute related to training and education	
3	activities and continuum of care initi-	
4	atives	318,000
5	For grants for the provision of primary	
6	health care services in drug treatment	
7	programs. Up to 5 percent of this amount	
8	may be transferred to the general fund -	
9	state purposes account	361,000
10	For grants for the provision of comprehen-	
11	sive HIV prevention and health care	
12	service to high-risk adolescents and young	
13	adults	783,000
14	For grants for the development of women's	
15	HIV clinics to provide comprehensive	
16	obstetrical/gynecological services and for	
17	grants to health care facilities and	
18	community organizations for the provision	
19	of primary care, subspecialty care and	
20	supportive services to HIV infected women	
21	and children in underserved, high seropre-	
22	valence areas	743,000
23	For grants for the provision of HIV	
24	prevention and primary care services to	
25	high-risk populations in community health	
26	centers and substance abuse programs	472,000
27	For grants to community based organizations	
28	for HIV prevention and outreach efforts	
29	targeted to substance abusers	29,000
30		-----
31	Program account subtotal	5,539,000
32		-----
33		
34	Special Revenue Funds - Other / Aid to Localities	
35	HCRA Resources Fund - 061	
36	Maternal and Child HIV Services Account	
37		
38	For services and expenses related to special	
39	programs for HIV services for infants and	
40	pregnant women established pursuant to	
41	section 71 of chapter 731 of the laws of	
42	1993. Such programs may provide continuing	
43	services to high-risk and HIV-positive	
44	women and children. Up to 5 percent of	
45	this appropriation may be transferred to	
46	the general fund-state purposes account	
47	for administration of this program	4,625,000
48		-----
49	Program account subtotal	4,625,000
50		-----
51		
52	CENTER FOR COMMUNITY HEALTH PROGRAM	1,590,814,700
53		-----
54		
55	General Fund / State Operations	
56	State Purposes Account - 003	
57		
58	PERSONAL SERVICE	
59		
60	Personal service--regular	2,851,000
61		

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Holiday/overtime compensation	20,000
2		-----
3	Amount available for personal service	2,871,000
4		-----
5		
6	NONPERSONAL SERVICE	
7		
8	Supplies and materials	201,000
9	Travel	117,000
10	Contractual services	9,487,000
11	Equipment	309,000
12		-----
13	Amount available for nonpersonal service..	10,114,000
14		-----
15	Program account subtotal	12,985,000
16		-----

17
18 General Fund / Aid to Localities
19 Local Assistance Account - 001

20
21 State aid to municipalities for the opera-
22 tion of local health departments and labo-
23 ratories and for the provision of general
24 public health services pursuant to article
25 6 of the public health law for activities
26 under the jurisdiction of the commissioner
27 of health.

28 Notwithstanding any other provision of arti-
29 cle 6 of the public health law, a county
30 may obtain reimbursement pursuant to this
31 act, only after the county chief financial
32 officer certifies, in the municipal health
33 services plan, that county tax levies used
34 to fund services carried out by the county
35 health department have not been added to
36 or supplanted directly or indirectly by
37 any funds obtained by the county pursuant
38 to the Master Settlement Agreement entered
39 into on November 23, 1998 by the state and
40 leading United States tobacco product
41 manufacturers, except in the case of a
42 public health emergency, as determined by
43 the commissioner of health. Notwithstand-
44 ing annual aggregate limits for bad debt
45 and charity care allowances and any other
46 provision of law, up to \$1,700,000 shall
47 be transferred to the medical assistance
48 program general fund - local assistance
49 account for eligible publicly sponsored
50 certified home health agencies that demon-
51 strate losses from a disproportionate
52 share of bad debt and charity care, pursu-
53 ant to chapter 884 of the laws of 1990.
54 Within the maximum limits specified here-
55 in, the department shall transfer only
56 those funds which are necessary to meet
57 the state share requirements for
58 disproportionate share adjustments
59 expected to be paid for the period January
60 1, 2009 through December 31, 2009. The
61

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1 moneys hereby appropriated shall be avail-
2 able for payment of financial assistance
3 heretofore accrued 201,713,000
4 For services and expenses related to public
5 health emergencies as declared by the
6 counties or the commissioner of the
7 department of health, and approved by the
8 director of the budget in accordance with
9 article 6 of public health law. Notwith-
10 standing any provision of the law to the
11 contrary, a portion of these funds may be
12 transferred to any program, fund, or
13 account within the department to respond
14 to any identified emergency, pursuant to
15 approval by the director of the budget.
16 Any such funds transferred to the general
17 fund - state purposes account shall be
18 available for personal service and nonper-
19 sonal service expenditures 40,000,000
20 For services and expenses, including grants,
21 related to the reporting of body mass
22 index on school physical forms. A portion
23 of this appropriation may be transferred
24 to state operations appropriations for
25 administration of this program 1,861,000
26 For services and expenses of an obesity
27 prevention program in support of healthy
28 eating collaboratives. A portion of this
29 appropriation may be transferred to state
30 operations appropriations for adminis-
31 tration of this program 1,645,000
32 For grants to community based organizations,
33 in accordance with chapter 820 of the laws
34 of 1987, for nutrition outreach in areas
35 where a significant percentage or number
36 of those potentially eligible for food
37 assistance programs are not participating
38 in such programs. A portion of this appro-
39 priation, not to exceed 600,000 shall be
40 suballocated to the office of temporary
41 and disability assistance. Up to 15
42 percent of the funds appropriated may be
43 allocated to fund a program of nutrition
44 outreach as established pursuant to
45 section 2597 of the public health law if
46 such a program is administered through a
47 contract arrangement 931,000
48 For services and expenses related to provid-
49 ing nutritional services and to provide
50 nutritional education to pregnant women,
51 infants, and children, including suballo-
52 cations to the department of agriculture
53 and markets for the farmer's market nutri-
54 tion program and migrant worker services
55 and the office of temporary and disability
56 assistance for prenatal care assistance
57 program activities. A portion of this
58 appropriation may be transferred to state
59 operations appropriations for adminis-
60 tration of this program 20,610,000
61 For services and expenses, including operat-
62 ing expenses related to providing nutri-

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 tional services and nutrition education
2 for hunger prevention and nutrition
3 assistance. A portion of this appropri-
4 ation may be transferred to state oper-
5 ations appropriations for administration
6 of this program 30,900,000
7 For services and expenses of a rabies
8 program, including but not limited to
9 reimbursement to counties for rabies
10 expenses such as human post-exposure
11 vaccination, and research studies in the
12 control of wildlife rabies, pursuant to
13 United States department of agriculture
14 approval if necessary, to control the
15 spread of rabies. A portion of this appro-
16 priation may be transferred to state oper-
17 ations appropriations for administration
18 of this program 1,542,000
19 For grants to rape crisis centers for
20 services to rape victims and programs to
21 prevent rape. The amounts appropriated
22 pursuant to such appropriation may be
23 suballocated to other state agencies or
24 accounts for expenditures incurred in the
25 operation of programs funded by such
26 appropriation subject to the approval of
27 the director of the budget 1,871,000
28 State grants for a program of family plan-
29 ning services pursuant to article 2 of the
30 public health law 28,595,000
31 For services and expenses of existing
32 Alzheimer's disease assistance centers as
33 established pursuant to chapter 586 of the
34 laws of 1987 498,000
35 For services and expenses including payment
36 of health insurance premiums and
37 reimbursement of health care providers for
38 services rendered to individuals enrolled
39 in the cystic fibrosis program pursuant to
40 chapter 851 of the laws of 1987 573,000
41 For services and expenses to implement the
42 early intervention program act of 1992.
43 The moneys hereby appropriated shall be
44 available for payment of financial assist-
45 ance heretofore accrued or hereafter to
46 accrue. Notwithstanding the provisions of
47 any other law to the contrary, for state
48 fiscal year 2009-2010 the liability of the
49 state and the amount to be distributed or
50 otherwise expended by the state pursuant
51 to section 2557 of the public health law
52 shall be determined by first calculating
53 the amount of the expenditure or other
54 liability pursuant to such law, and then
55 reducing the amount so calculated by two
56 percent of such amount 160,000,000
57 The moneys hereby appropriated shall be
58 available for respite services for fami-
59 lies of eligible children. Such moneys
60 shall be allocated to each municipality by
61 the department of health as determined by
62 the department, to reimburse such municipi-

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	palities in the amount of 50 percent of	
2	the costs of respite services provided to	
3	eligible children and their families with	
4	the approval of the early intervention	
5	official, in accordance with section 2547	
6	of the public health law, section 69-4.18	
7	of title 10 of the New York codes rules	
8	and regulation and standards established	
9	by the department for the provision of	
10	respite services. The moneys allocated to	
11	each municipality by the department shall	
12	be the total amount of respite funds	
13	available for such purpose	1,861,000
14	For services and expenses of a comprehensive	
15	adolescent pregnancy prevention program. A	
16	portion of this appropriation may be	
17	transferred to state operations appropri-	
18	ations for administration of this program.	
19	Notwithstanding any inconsistent provision	
20	of law, a portion of these funds may be	
21	suballocated to the office of children and	
22	family services to continue contracting	
23	with existing providers for the adolescent	
24	pregnancy prevention and services program	
25	until the program is transferred to the	
26	department of health	11,259,000
27	For services and expenses of the cancer	
28	registry. A portion of this appropriation	
29	may be transferred to state operations	
30	appropriations for administration of this	
31	program	49,000
32	For state grants for breast cancer detection	
33	and education program pursuant to chapter	
34	328 of the laws of 1989 as amended. A	
35	portion of this appropriation may be	
36	transferred to state operations appropri-	
37	ations for administration of this program.	4,521,000
38	For services and expenses of cancer perman-	
39	ency planning, legal and family counseling	
40	services	490,000
41	For services and expenses of the health and	
42	social services sexuality-related	
43	programs	5,537,000
44	For services and expenses of the osteoporo-	
45	sis prevention and education program. The	
46	commissioner of health, pursuant to a plan	
47	subject to the approval of the director of	
48	the budget, may transfer funds to the	
49	state operations budget of Helen Hayes	
50	hospital for this program	65,000
51	For services and expenses of a childhood	
52	cancer awareness program	35,000
53	For services and expenses associated with	
54	red cross emergency response preparedness,	
55	including support for capital projects and	
56	ensuring an adequate blood supply. Funds	
57	shall be allocated from this appropriation	
58	pursuant to a plan prepared by the commis-	
59	sioner of health and approved by the	
60	director of the budget	3,000,000
61	For a grant to the Coalition of New York	
62	State Alzheimer's Chapter, Inc. in support	

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	of and for distribution to a statewide	
2	network of not-for-profit corporations	
3	established and dedicated to responding at	
4	the local level to the needs of the New	
5	York State Alzheimer's community pursuant	
6	to subdivision 2 of section 2005 of the	
7	public health law	246,000
8	For services and expenses of the arthritis	
9	foundation	246,000
10	For grants to community based programs	
11	providing support, including educational	
12	and outreach services to persons diagnosed	
13	with breast and other cancers	392,000
14	For services and expenses related to the	
15	statewide breast cancer support, education	
16	and outreach program, notwithstanding any	
17	inconsistent provision of law to the	
18	contrary, funds shall be available for the	
19	statewide breast cancer support, education	
20	and outreach program to provide support	
21	and education services to community-based	
22	providers pursuant to the following:	
23	Breast Cancer Coalition of Rochester, Inc.	
24	.....	20,385
25	Breast Cancer Network of WNY, Inc.	20,385
26	Brentwood/Bayshore Breast Cancer Coalition..	6,454
27	Capital Region Action Against Breast Cancer	
28	(CRAAB!)	20,385
29	Health Care Choices, Inc.	4,461
30	Huntington Breast Cancer Action Coalition ..	20,385
31	Ithaca Breast Cancer Alliance	20,385
32	Mid Hudson Options Project, Inc. (dba Breast	
33	Cancer Options)	20,385
34	New York State Breast Cancer Support &	
35	Education Network, Inc.	27,879
36	Share Self-Help for Women with Breast or	
37	Ovarian Cancer, Inc.	37,511
38	Young Survivor Coalition	20,385
39	Notwithstanding any inconsistent provision	
40	of law, effective October 1, 2006, expend-	
41	itures made from this appropriation shall	
42	effectively provide a cost of living	
43	adjustment for providers of the following	
44	services, as determined by the commissioner	
45	of the department of health, red cross	
46	emergency preparedness, nutrition educa-	
47	tion and outreach, obesity prevention,	
48	nutritional services to pregnant women,	
49	infants and children, hunger prevention	
50	and nutrition assistance program, Indian	
51	health, asthma, prenatal care assistance	
52	program, rape crisis, health and human	
53	services sexuality related programs,	
54	maternity and early childhood foundation,	
55	comprehensive adolescent pregnancy	
56	prevention, family planning, school	
57	health, sudden infant death syndrome	
58	education and outreach, childhood lead	
59	poisoning prevention, enhanced services	
60	for kids, act for youth, children with	
61	special health care needs, regional peri-	
62	natal data centers, migrant health, dental	

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	services, osteoporosis prevention, eating	
2	disorders, cancer services, cancer regis-	
3	try, healthy heart, Alzheimer's disease	
4	assistance centers, Alzheimer's research	
5	and education, diabetes screening, educa-	
6	tion, and prevention, tobacco control,	
7	rabies, tick-borne disease, immunization,	
8	universal prenatal and postpartum home	
9	visitation, public health campaign, sexu-	
10	ally transmitted diseases, and tuberculo-	
11	sis control. The commissioner of the	
12	department of health shall determine the	
13	standards and requirements necessary to	
14	qualify for such increases. Further, each	
15	local government unit or direct contract	
16	provider receiving such funding shall	
17	submit written certification regarding the	
18	use of such funds to be provided in the	
19	format prescribed by the department. Funds	
20	shall be allocated from this appropriation	
21	pursuant to a plan prepared by the commis-	
22	sioner and approved by the director of the	
23	budget	30,440,000
24	For services and expenses for the	
25	Alzheimer's community assistance program	
26	as established pursuant to chapter 657 of	
27	the laws of 1997	49,000
28	For services and expenses of the public	
29	health management leaders of tomorrow	
30	program, provided	554,000
31	For services and expenses of a study of	
32	racial disparities	295,000
33	For services and expenses, including grants,	
34	for statewide emergency contraception	
35	outreach and education, training and	
36	assistance as approved by the commis-	
37	sioner. A portion of this appropriation may be	
38	transferred to state operations appropri-	
39	ations for administration of this program.	2,406,000
40	For services and expenses related to state-	
41	wide health broadcasts involving local,	
42	state and federal agencies. A portion of	
43	this appropriation may be transferred to	
44	state operations appropriations for admin-	
45	istration of this program	167,000
46	For services and expenses for Alzheimer's	
47	community service programs	295,000
48	For services and expenses, including subal-	
49	location to the state office for aging,	
50	for coordinating patient care Alzheimer's	
51	disease program. A portion of this appro-	
52	priation may be transferred to state oper-	
53	ations appropriations for administration	
54	of this program	360,000
55	For services and expenses of a shaken baby	
56	syndrome public educational campaign,	
57	pursuant to chapter 110 of the laws of	
58	2006. A portion of this appropriation may	
59	be transferred to state operations appro-	
60	priations for administration of this	
61	program by the department of health	180,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For services and expenses of a public health	
2	genomics. A portion of this appropriation	
3	may be transferred to state operations	
4	appropriations for administration of this	
5	program	50,000
6	For services and expenses for stockpile	
7	storage for vaccines and supplies. A	
8	portion of this appropriation may be	
9	transferred to state operations	
10	appropriations for administration of this	
11	program	1,200,000
12		-----
13	Program account subtotal	554,655,000
14		-----
15		
16	Special Revenue Funds - Federal / State Operations	
17	Federal USDA-Food and Nutrition Services Fund - 261	
18	Child and Adult Care Food Account	
19		
20	For various food and nutritional services ..	9,195,000
21		-----
22	Program account subtotal	9,195,000
23		-----
24		
25	Special Revenue Funds - Federal / Aid to Localities	
26	Federal USDA-Food and Nutrition Services Fund - 261	
27	Child and Adult Care Food Account	
28		
29	For various federal food and nutritional	
30	services. The moneys hereby appropriated	
31	shall be available for payment of finan-	
32	cial assistance heretofore accrued	214,200,000
33		-----
34	Program account subtotal	214,200,000
35		-----
36		
37	Special Revenue Funds - Federal / State Operations	
38	Federal USDA-Food and Nutrition Services Fund - 261	
39	Federal Food and Nutrition Services Account	
40		
41	For various food and nutritional services ..	59,276,000
42		-----
43	Program account subtotal	59,276,000
44		-----
45		
46	Special Revenue Funds - Federal / Aid to Localities	
47	Federal USDA-Food and Nutrition Services Fund - 261	
48	Federal Food and Nutrition Services Account	
49		
50	For various federal food and nutritional	
51	services. The moneys hereby appropriated	
52	shall be available for payment of finan-	
53	cial assistance heretofore accrued	437,600,000
54		-----
55	Program account subtotal	437,600,000
56		-----
57		
58	Special Revenue Funds - Federal / State Operations	
59	Federal USDA - Food and Nutrition Services Fund - 261	
60	Women, Infants, and Children (WIC) Civil Monetary	
61	Account	
62		

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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.
 5
 6 NONPERSONAL SERVICE
 7
 8 Contractual services 5,000,000
 9 -----
 10 Program account subtotal 5,000,000
 11 -----
 12
 13 Special Revenue Funds - Federal / State Operations
 14 Federal Health and Human Services Fund - 265
 15
 16 For various health prevention, diagnostic,
 17 detection and treatment services. The
 18 amounts appropriated pursuant to such
 19 appropriation may be suballocated to other
 20 state agencies or accounts for
 21 expenditures incurred in the operation of
 22 programs funded by such appropriation
 23 subject to the approval of the director of
 24 the budget 29,819,000
 25 -----
 26 Program fund subtotal 29,819,000
 27 -----
 28
 29 Special Revenue Funds - Federal / Aid to Localities
 30 Federal Health and Human Services Fund - 265
 31
 32 For various health prevention, diagnostic,
 33 detection and treatment services. The
 34 amounts appropriated pursuant to such
 35 appropriation may be suballocated to other
 36 state agencies or accounts for
 37 expenditures incurred in the operation of
 38 programs funded by such appropriation
 39 subject to the approval of the director of
 40 the budget 41,938,000
 41 -----
 42 Program fund subtotal 41,938,000
 43 -----
 44
 45 Special Revenue Funds - Federal / State Operations
 46 Federal Health and Human Services Fund - 265
 47 Federal Block Grant Account
 48
 49 For various health prevention, diagnostic,
 50 detection and treatment services. The
 51 amounts appropriated pursuant to such
 52 appropriation may be suballocated to other
 53 state agencies or accounts for
 54 expenditures incurred in the operation of
 55 programs funded by such appropriation
 56 subject to the approval of the director of
 57 the budget 24,023,000
 58 -----
 59 Program account subtotal 24,023,000
 60 -----
 61
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Special Revenue Funds - Federal / Aid to Localities
 2 Federal Health and Human Services Fund - 265
 3 Federal Block Grant Account
 4
 5 For various health prevention, diagnostic,
 6 detection and treatment services.
 7 The commissioner of health is hereby author-
 8 ized to waive any provisions of the public
 9 health law and regulations, to issue
 10 appropriate operating certificates, and to
 11 enter into contracts with article 28
 12 facilities, to provide funds, to estab-
 13 lish, support and conduct projects to
 14 provide improved and expanded school
 15 health services for preschool and school-
 16 age children. No more than 10 per centum
 17 of the amount appropriated for such
 18 purpose shall be expended for services and
 19 expenses in connection with the adminis-
 20 tration and evaluation of such grants.
 21 Grants awarded under this appropriation
 22 shall be distributed and administered in
 23 accordance with regulations established by
 24 the commissioner of health. The amounts
 25 appropriated pursuant to such
 26 appropriation may be suballocated to other
 27 state agencies or accounts for
 28 expenditures incurred in the operation of
 29 programs funded by such appropriation
 30 subject to the approval of the director of
 31 the budget 57,475,000
 32 -----
 33 Program account subtotal 57,475,000
 34 -----
 35
 36 Special Revenue Funds - Federal / State Operations
 37 Federal Department of Education Fund - 267
 38 Individuals with Disabilities-Part C Account
 39
 40 For activities related to a handicapped
 41 infants and toddlers program 24,265,000
 42 -----
 43 Program account subtotal 24,265,000
 44 -----
 45
 46 Special Revenue Funds - Federal / Aid to Localities
 47 Federal Department of Education Fund - 267
 48 Individuals with Disabilities-Part C Account
 49
 50 For activities related to a handicapped
 51 infants and toddlers program 51,578,000
 52 -----
 53 Program account subtotal 51,578,000
 54 -----
 55
 56 Special Revenue Funds - Other / State Operations
 57 Combined Gifts, Grants and Bequests Fund - 020
 58 Alzheimer's Research Account
 59
 60 For Alzheimer's disease research and assist-
 61 ance pursuant to chapter 590 of the laws
 62 of 1999.

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1	NONPERSONAL SERVICE	
2		
3	Contractual services	1,000,000
4		-----
5	Program account subtotal	1,000,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Combined Gifts, Grants and Bequests Fund - 020	
10	Autism Awareness and Research Account	
11		
12	For services and expenses related to autism	
13	awareness and research pursuant to section	
14	404-v of the vehicle and traffic law and	
15	section 95-e of the state finance law, as	
16	added by chapter 301 of the laws of 2004.	
17		
18	NONPERSONAL SERVICE	
19		
20	Contractual services	20,000
21		-----
22	Program account subtotal	20,000
23		-----
24		
25	Special Revenue Funds - Other / Aid to Localities	
26	Combined Gifts, Grants and Bequests Fund - 020	
27	NYS Prostate Cancer Research, Detection and Education	
28	Account	
29		
30	For prostate cancer research, detection and	
31	education pursuant to chapter 273 of the	
32	laws of 2004	1,000,000
33		-----
34	Program account subtotal	1,000,000
35		-----
36		
37	Special Revenue Funds - Other / State Operations	
38	Combined Gifts, Grants and Bequests Fund - 020	
39	Prostate and Testicular Cancer Research and Education	
40	Account	
41		
42	For prostate and testicular cancer research	
43	and education pursuant to section 97-ccc	
44	of the state finance law.	
45		
46	NONPERSONAL SERVICE	
47		
48	Contractual services	150,000
49		-----
50	Program account subtotal	150,000
51		-----
52		
53	Special Revenue Funds - Other / Aid to Localities	
54	HCRA Resources Fund - 061	
55	Health Care Services Account	
56		
57	For services and expenses of a statewide	
58	public health campaign for tuberculosis	
59	control and prevention and for screening	
60	and education activities regarding sexual-	
61	ly transmitted diseases, provided that any	
62	funds allocated under this appropriation	

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1	shall not supplant existing local funds or	
2	state funds allocated to county health	
3	departments under article 6 of the public	
4	health law. Up to \$300,000 of this appro-	
5	priation may be transferred to state oper-	
6	ations for the administration of this	
7	program by the department of health	6,196,000
8	For services and expenses related to the	
9	Indian health program. The moneys hereby	
10	appropriated shall be for payment of	
11	financial assistance heretofore accrued or	
12	hereafter to accrue. Up to 2.5 percent of	
13	this appropriation may be transferred to	
14	the general fund-state purposes account	
15	for the nonpersonal service administration	
16	of this program	16,121,000
17	State aid to municipalities for medical	
18	services for the rehabilitation of phys-	
19	ically handicapped children, pursuant to	
20	article 6 of the public health law	3,685,000
21	For services and expenses for a school	
22	health program	3,981,000
23	For services and expenses of the prenatal	
24	care assistance program. Up to 100 percent	
25	of this appropriation may be suballocated	
26	to the medical assistance program general	
27	fund - local assistance account to be	
28	matched by federal funds	2,432,000
29	For state grants for the breast cancer	
30	detection and education program pursuant	
31	to chapter 328 of the laws of 1989 as	
32	amended, which may include coverage of	
33	geographic areas not presently covered by	
34	the program where the need for such	
35	services is demonstrated. Up to \$110,000	
36	may be transferred to state operations for	
37	administration of this program	2,276,000
38	For breast cancer awareness programs for	
39	school students conducted by organizations	
40	approved pursuant to chapter 328 of the	
41	laws of 1989 as amended	147,000
42	For grants to community based programs	
43	providing support, educational and	
44	outreach services to persons diagnosed	
45	with breast cancer	245,000
46	For services and expenses related to tobacco	
47	enforcement, education and related activ-	
48	ities, pursuant to chapter 433 of the laws	
49	of 1997. Of amounts appropriated herein,	
50	up to \$500,000 may be used for educational	
51	programs. A portion of this appropriation	
52	may be transferred to state operations ...	2,303,000
53	For services and expenses of the maternity	
54	and early childhood foundation	1,198,000
55	For transfer to the comprehensive care	
56	center for eating disorders development	
57	fund	490,000
58		-----
59	Program account subtotal	39,074,000
60		-----
61		
62		

DEPARTMENT OF HEALTH

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1	Special Revenue Funds - Other / Aid to Localities	
2	HCRA Resources Fund - 061	
3	Hospital Based Grants Program Account	
4		
5	For services and expenses related to provid-	
6	ing nutritional services to pregnant	
7	women, infants, and children. Notwith-	
8	standing any other provision of law to the	
9	contrary, up to 5 percent of the amount	
10	appropriated may be transferred to the	
11	general fund - state purposes account for	
12	the administration of this program by the	
13	department of health	8,572,000
14	For grants in aid to contract for hyperten-	
15	sion prevention, screening and treatment	
16	programs	669,000
17	State grants for a program of family plan-	
18	ning services pursuant to article 2 of the	
19	public health law	2,300,000
20	For grants to rape crisis centers for	
21	services to rape victims and programs to	
22	prevent rape. The amounts appropriated	
23	pursuant to such appropriation may be	
24	suballocated to other state agencies or	
25	accounts for expenditures incurred in the	
26	operation of programs funded by such	
27	appropriation subject to the approval of	
28	the director of the budget	128,000
29	For services and expenses for a school	
30	health program	2,007,000
31	For services and expenses of breast cancer	
32	detection and education	270,000
33	For services and expenses of tuberculosis	
34	treatment, detection and prevention	599,000
35	For services and expenses of a lead poison-	
36	ing prevention program	392,000
37		-----
38	Program account subtotal	14,937,000
39		-----
40		
41	Special Revenue Funds - Other / State Operations	
42	HCRA Resources Fund - 061	
43	Tobacco Control and Cancer Services Account	
44		
45	For services and expenses related to the	
46	tobacco control and cancer services	
47	programs authorized pursuant to sections	
48	2807-r and 1399-ii of the public health	
49	law.	
50		
51	PERSONAL SERVICE	
52		
53	Personal service--regular	2,763,700
54	Holiday/overtime compensation	4,000
55		-----
56	Amount available for personal service	2,767,700
57		-----
58		
59	NONPERSONAL SERVICE	
60		
61	Supplies and materials	10,000
62	Travel	45,000

DEPARTMENT OF HEALTH

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1	Contractual services	50,000
2	Equipment	30,000
3	Fringe benefits	1,071,000
4	Indirect costs	751,000
5		-----
6	Amount available for nonpersonal service..	1,957,000
7		-----
8	Program account subtotal	4,724,700
9		-----
10		
11	Special Revenue Funds - Other / State Operations	
12	Miscellaneous Special Revenue Fund - 339	
13	Cable Television Account	
14		
15	For services and expenses related to public	
16	service education, with specific emphasis	
17	on public health issues.	
18		
19		
20		
21	Contractual services	454,000
22		-----
23	Program account subtotal	454,000
24		-----
25		
26	Special Revenue Funds - Other / Aid to Localities	
27	Miscellaneous Special Revenue Fund - 339	
28	Comprehensive Care Center for Eating Disorders Develop-	
29	ment Grant Account	
30		
31	For services and expenses of providing	
32	development grants to comprehensive care	
33	centers for eating disorders provided	
34	pursuant to chapter 114 of the laws of	
35	2004	921,000
36		-----
37	Program account subtotal	921,000
38		-----
39		
40	Special Revenue Funds - Other / State Operations	
41	Miscellaneous Special Revenue Fund - 339	
42	CSFP Salvage Account	
43		
44	For services and expenses of the department	
45	of health related to the commodity supple-	
46	mental food program.	
47		
48		
49		
50	Contractual services	25,000
51		-----
52	Program account subtotal	25,000
53		-----
54		
55	Special Revenue Funds - Other / State Operations	
56	Miscellaneous Special Revenue Fund - 339	
57	Diabetes Research and Education Account	
58		
59	For diabetes research and education pursuant	
60	to chapter 339 of the laws of 2001.	
61		
62		

DEPARTMENT OF HEALTH

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1	NONPERSONAL SERVICE	
2		
3	Contractual services	100,000
4		-----
5	Program account subtotal	100,000
6		-----
7		
8	Special Revenue Funds - Other / Aid to Localities	
9	Miscellaneous Special Revenue Fund - 339	
10	Early Intervention Program Account	
11		
12	For services and expenses to implement the	
13	early intervention program act of 1992, as	
14	amended by a chapter of the laws of 2009.	
15	The money's hereby appropriated shall be	
16	available for payment of financial	
17	assistance heretofore accrued or hereafter	
18	to accrue, and shall be available for	
19	early intervention program administrative	
20	costs and for the state share for	
21	reimbursement of early intervention	
22	services. A portion of these funds shall	
23	be available to transfer to state	
24	operations for administration of this	
25	program	1,700,000
26		-----
27	Program account subtotal	
28	1,700,000	
29		-----
30		
31	Special Revenue Funds - Other / Aid to Localities	
32	Miscellaneous Special Revenue Fund - 339	
33	Local Public Health Services Account	
34		
35	For services and expenses of the local	
36	public health services program. Notwith-	
37	standing section 607 of the public health	
38	law these funds shall be allocated for	
39	state aid to municipalities for a program	
40	of immunization against German measles,	
41	and other communicable diseases, pursuant	
42	to article 6 of the public health law	1,095,000
43	For state aid to municipalities, notwith-	
44	standing section 607 of the public health	
45	law, for the operation of local health	
46	departments and for the provision of	
47	general public health services pursuant to	
48	article 6 of the public health law for	
49	activities under the jurisdiction of the	
50	commissioner of health	3,036,000
51	Notwithstanding any other provision of law	
52	to the contrary, this appropriation is	
53	available for transfer to the state oper-	
54	ations miscellaneous special revenue fund	
55	- local public health services program	
56	account, in the administration and execu-	
57	tive direction program fiscal management	
58	group	285,000
59		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Notwithstanding any other provision of law	
2	to the contrary, this appropriation is	
3	available for contractual audits of local-	
4	ities to supplement the audits performed	
5	by the department of health	209,000
6		-----
7	Program account subtotal	4,625,000
8		-----
9		
10	Special Revenue Funds - Other / State Operations	
11	Miscellaneous Special Revenue Fund - 339	
12	Tobacco Enforcement and Education Account	
13		
14	For services and expenses related to tobacco	
15	enforcement, education and related activ-	
16	ities, pursuant to chapter 162 of the laws	
17	of 2002.	
18		
19		
20		
21	Contractual services	75,000
22		-----
23	Program account subtotal	75,000
24		-----
25		
26	CENTER FOR ENVIRONMENTAL HEALTH PROGRAM	68,277,000
27		-----
28		
29	General Fund / State Operations	
30	State Purposes Account - 003	
31		
32		
33		
34	PERSONAL SERVICE	
35	Personal service--regular	7,428,100
36	Temporary service	243,700
37	Holiday/overtime compensation	24,000
38		-----
39	Amount available for personal service	7,695,800
40		-----
41		
42		
43	NONPERSONAL SERVICE	
44	Supplies and materials	101,000
45	Travel	374,400
46	Contractual services	1,661,000
47	Equipment	100,600
48		-----
49	Amount available for nonpersonal service..	2,237,000
50		-----
51	Program account subtotal	9,932,800
52		-----
53		
54	General Fund / Aid to Localities	
55	Local Assistance Account - 001	
56		
57	For services and expenses related to the	
58	water supply protection program	5,527,200
59	For services and expenses of the healthy	
60	neighborhood program	1,983,400
61	For services and expenses related to	
62	enhancing the childhood lead poisoning	
	primary prevention program in accordance	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	with article 13 of the public health law.	
2	A portion of this appropriation may be	
3	transferred to state operations	2,500,000
4		-----
5	Program account subtotal	10,010,600
6		-----
7		
8	Special Revenue Funds - Federal / State Operations	
9	Federal Health and Human Services Fund - 265	
10		
11	For various health prevention, diagnostic,	
12	detection and treatment services	1,673,000
13		-----
14	Program account subtotal	1,673,000
15		-----
16		
17	Special Revenue Funds - Federal / State Operations	
18	Federal Health and Human Services Fund - 265	
19	Federal Block Grant Account	
20		
21	For services and expenses of various health	
22	prevention, diagnostic, detection and	
23	treatment services	6,808,000
24		-----
25	Program account subtotal	6,808,000
26		-----
27		
28	Special Revenue Funds - Federal / Aid to Localities	
29	Federal Health and Human Services Fund - 265	
30	Federal Block Grant Account	
31		
32	For services and expenses of various health	
33	prevention, diagnostic, detection and	
34	treatment services	3,687,000
35		-----
36	Program account subtotal	3,687,000
37		-----
38		
39	Special Revenue Funds - Federal / State Operations	
40	Federal Operating Grants Fund - 290	
41	Federal Environmental Protection Agency Grants Account	
42		
43	For various environmental projects including	
44	suballocation for the department of envi-	
45	ronmental conservation	9,703,000
46		-----
47	Program account subtotal	9,703,000
48		-----
49		
50	Special Revenue Funds - Other / State Operations	
51	Environmental Conservation Special Revenue Fund - 301	
52	Low Level Radioactive Waste Account	
53		
54	For services and expenses of the low-level	
55	radioactive waste siting program.	
56		
57	PERSONAL SERVICE	
58		
59	Personal service--regular	658,600
60		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Holiday/overtime compensation	5,500
2		-----
3	Amount available for personal service	664,100
4		-----
5		
6	NONPERSONAL SERVICE	
7		
8	Supplies and materials	20,000
9	Travel	41,000
10	Contractual services	184,800
11	Equipment	15,500
12	Fringe benefits	261,500
13	Indirect costs	168,800
14		-----
15	Amount available for nonpersonal service..	691,600
16		-----
17		
18	MAINTENANCE UNDISTRIBUTED	
19		
20	For suballocation to the energy research and	
21	development authority, pursuant to chapter	
22	673 of the laws of 1986, as amended by	
23	chapters 368 and 913 of the laws of 1990..	150,000
24		-----
25	Program account subtotal	1,505,700
26		-----
27		
28	Special Revenue Funds - Other / State Operations	
29	Environmental Protection and Oil Spill Compensation Fund	
30	- 303	
31		
32	For services and expenses related to the oil	
33	spill relocation network program.	
34		
35	PERSONAL SERVICE	
36		
37	Personal service--regular	181,300
38	Holiday/overtime compensation	2,000
39		-----
40	Amount available for personal service	183,300
41		-----
42		
43	NONPERSONAL SERVICE	
44		
45	Supplies and materials	6,900
46	Travel	2,000
47	Contractual services	22,900
48	Equipment	4,000
49	Fringe benefits	72,600
50	Indirect costs	46,800
51		-----
52	Amount available for nonpersonal service..	155,200
53		-----
54	Program fund subtotal	338,500
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		
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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	196,000
6		-----
7	Program account subtotal	196,000
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	
19		
20	Personal service--regular	419,200
21	Holiday/overtime compensation	5,500
22		-----
23	Amount available for personal service	424,700
24		-----
25		
26	NONPERSONAL SERVICE	
27		
28	Supplies and materials	3,500
29	Travel	5,000
30	Contractual services	25,000
31	Equipment	8,000
32	Fringe benefits	169,800
33	Indirect costs	109,600
34		-----
35	Amount available for nonpersonal service..	320,900
36		-----
37	Program account subtotal	745,600
38		-----
39		
40	Special Revenue Funds - Other / State Operations	
41	Miscellaneous Special Revenue Fund - 339	
42	Asbestos Safety Training Account	
43		
44	For services and expenses of the asbestos	
45	safety training program.	
46		
47	PERSONAL SERVICE	
48		
49	Personal service--regular	368,500
50	Holiday/overtime compensation	5,500
51		-----
52	Amount available for personal service	374,000
53		-----
54		
55	NONPERSONAL SERVICE	
56		
57	Supplies and materials	3,200
58	Travel	30,000
59	Contractual services	63,000
60	Equipment	11,600
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Fringe benefits	152,500
2	Indirect costs	98,400
3		-----
4	Amount available for nonpersonal service..	358,700
5		-----
6	Program account subtotal	732,700
7		-----
8		
9	Special Revenue Funds - Other / State Operations	
10	Miscellaneous Special Revenue Fund - 339	
11	Occupational Health Clinics Account	
12		
13	For services and expenses of implementing	
14	and operating a statewide network of occu-	
15	pational health clinics for diagnostic,	
16	screening, treatment, referral, and educa-	
17	tion services.	
18		
19	PERSONAL SERVICE	
20		
21	Personal service--regular	364,900
22	Holiday/overtime compensation	5,500
23		-----
24	Amount available for personal service	370,400
25		-----
26		
27	NONPERSONAL SERVICE	
28		
29	Supplies and materials	4,000
30	Travel	3,700
31	Contractual services	9,550,000
32	Equipment	3,400
33	Fringe benefits	151,000
34	Indirect costs	97,500
35		-----
36	Amount available for nonpersonal service..	9,809,600
37		-----
38	Program account subtotal	10,180,000
39		-----
40		
41	Special Revenue Funds - Other / State Operations	
42	Miscellaneous Special Revenue Fund - 339	
43	Radiological Health Protection Program Account	
44		
45	For services and expenses related to the	
46	radiological health protection account.	
47		
48	PERSONAL SERVICE	
49		
50	Personal service--regular	2,426,300
51	Temporary service	12,000
52	Holiday/overtime compensation	7,500
53		-----
54	Amount available for personal service	2,445,800
55		-----
56		
57	NONPERSONAL SERVICE	
58		
59	Supplies and materials	31,100
60	Travel	156,000
61	Contractual services	56,000
62	Equipment	39,400

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Fringe benefits	997,400	
2	Indirect costs	643,800	
3		-----	
4	Amount available for nonpersonal service..	1,923,700	
5		-----	
6	Program account subtotal	4,369,500	
7		-----	
8			
9	Special Revenue Funds - Other / State Operations		
10	Miscellaneous Special Revenue Fund - 339		
11	Radon Detection Device Account		
12			
13	For services and expenses of the radon		
14	detection device distribution program.		
15			
16	NONPERSONAL SERVICE		
17			
18	Contractual services	200,000	
19		-----	
20	Program account subtotal	200,000	
21		-----	
22			
23	Special Revenue Funds - Other / State Operations		
24	Drinking Water Program Management and Administration		
25	Fund - 366		
26			
27	For services and expenses of the state		
28	revolving funds program.		
29			
30	PERSONAL SERVICE		
31			
32	Personal service--regular	4,772,700	
33	Holiday/overtime compensation	10,500	
34		-----	
35	Amount available for personal service	4,783,200	
36		-----	
37			
38	NONPERSONAL SERVICE		
39			
40	Supplies and materials	88,800	
41	Travel	131,000	
42	Contractual services	1,147,600	
43	Equipment	117,700	
44	Fringe benefits	1,926,300	
45		-----	
46	Amount available for nonpersonal service..	3,411,400	
47		-----	
48	Program fund subtotal	8,194,600	
49		-----	
50			
51	CHILD HEALTH INSURANCE PROGRAM	1,010,926,400	
52		-----	
53			
54	Special Revenue Funds - Federal / State Operations		
55	Federal Health and Human Services Fund - 265		
56	Children's Health Insurance Account		
57			
58	The money hereby appropriated is available		
59	for payment of aid heretofore accrued or		
60	hereafter accrued.		
61			

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For services and expenses related to the	
2	children's health insurance program	
3	provided pursuant to title XXI of the	
4	federal social security act	64,130,000
5		-----
6	Program account subtotal	64,130,000
7		-----

8
9 Special Revenue Funds - Federal / Aid to Localities
10 Federal Health and Human Services Fund - 265
11 Children's Health Insurance Account
12

13 The money hereby appropriated is available
14 for payment of aid heretofore accrued or
15 hereafter accrued.

16 For services and expenses related to the
17 children's health insurance program,
18 pursuant to title XXI of the federal
19 social security act.

20 Notwithstanding any inconsistent provision
21 of law, rule or regulation, effective
22 April 1, 2009 through March 31, 2010,
23 payment for marketing and facilitated
24 enrollment activities set forth in
25 subdivision 9 of section 2511 of the
26 public health law and included in subsidy
27 payments made to approved organizations
28 providing such services pursuant to a
29 contract with the state shall be limited
30 to an amount determined by the
31 commissioner of health. Such subsidy
32 payments shall be adjusted by the
33 commissioner of health to remove any costs
34 of approved organizations in excess of the
35 amount determined in accordance with this
36 section based on cost reports submitted to
37 the department of health by approved
38 organizations; provided, however, if this
39 chapter provides sufficient additional
40 funding to cover costs in excess of the
41 amount determined in accordance with this
42 section, then the provisions of this
43 section shall be deemed null and void as
44 of February 28, 2009.

45 Notwithstanding any inconsistent provision
46 of law, rule or regulation, effective
47 April 1, 2009 through March 31, 2010:

- 48 1. "Subsidy payment," as defined in
49 subdivision 8 of section 2510 of the
50 public health law, shall mean a payment
51 made to an approved organization for the
52 cost of covered health care services
53 coverage to an eligible child or children
54 enrolled in the child health insurance
55 plan pursuant to title 1-A of article 25
56 of the public health law, the amount of
57 which shall be determined solely by the
58 commissioner of health.
- 59 2. In addition, the cost of coverage
60 provided under subdivision 5 of section
61 2511 of the public health law shall be

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 determined solely by the commissioner of
 2 health and shall be no more than the cost
 3 of providing such coverage.
 4 3. Provided, however, if this chapter
 5 provides sufficient additional funds to
 6 cover subsidy payments approved by the
 7 superintendent of insurance, then the
 8 provisions of this section shall be deemed
 9 null and void as of February 28, 2009 487,800,000
 10 -----
 11 Program account subtotal 487,800,000
 12 -----

13
 14 Special Revenue Funds - Other / State Operations
 15 HCRA Resources Fund - 061
 16 Children's Health Insurance Account
 17

18 The money hereby appropriated is available
 19 for payment of aid heretofore accrued or
 20 hereafter accrued.
 21 For services and expenses related to the
 22 children's health insurance program
 23 authorized pursuant to title 1-A of arti-
 24 cle 25 of the public health law.
 25

26 PERSONAL SERVICE

27
 28 Personal service--regular 3,178,400
 29 Temporary service 5,000
 30 Holiday/overtime compensation 45,000
 31 -----
 32 Amount available for personal service 3,228,400
 33 -----

34
 35 NONPERSONAL SERVICE

36
 37 Supplies and materials 171,000
 38 Travel 123,000
 39 Contractual services 10,047,000
 40 Equipment 400,000
 41 Fringe benefits 1,265,000
 42 Indirect costs 1,262,000
 43 -----
 44 Amount available for nonpersonal service.. 13,268,000
 45 -----
 46 Program account subtotal 16,496,400
 47 -----

48
 49 Special Revenue Funds - Other / Aid to Localities
 50 HCRA Resources Fund - 061
 51 Children's Health Insurance Account
 52

53 The money hereby appropriated is available
 54 for payment of aid heretofore accrued or
 55 hereafter accrued.
 56 For services and expenses related to the
 57 children's health insurance program
 58 authorized pursuant to title 1-A of arti-
 59 cle 25 of the public health law.
 60 Notwithstanding any inconsistent provision
 61 of law, rule or regulation, effective
 62 April 1, 2009 through March 31, 2010,

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 payment for marketing and facilitated
 2 enrollment activities set forth in
 3 subdivision 9 of section 2511 of the
 4 public health law and included in subsidy
 5 payments made to approved organizations
 6 providing such services pursuant to a
 7 contract with the state shall be limited
 8 to an amount determined by the
 9 commissioner of health. Such subsidy
 10 payments shall be adjusted by the
 11 commissioner of health to remove any costs
 12 of approved organizations in excess of the
 13 amount determined in accordance with this
 14 section based on cost reports submitted to
 15 the department of health by approved
 16 organizations; provided, however, if this
 17 chapter provides sufficient additional
 18 funding to cover costs in excess of the
 19 amount determined in accordance with this
 20 section, then the provisions of this
 21 section shall be deemed null and void as
 22 of February 28, 2009.

23 Notwithstanding any inconsistent provision
 24 of law, rule or regulation, effective
 25 April 1, 2009 through March 31, 2010:

- 26 1. "Subsidy payment," as defined in
 27 subdivision 8 of section 2510 of the
 28 public health law, shall mean a payment
 29 made to an approved organization for the
 30 cost of covered health care services
 31 coverage to an eligible child or children
 32 enrolled in the child health insurance
 33 plan pursuant to title 1-A of article 25
 34 of the public health law, the amount of
 35 which shall be determined solely by the
 36 commissioner of health.
- 37 2. In addition, the cost of coverage
 38 provided under subdivision 5 of section
 39 2511 of the public health law shall be
 40 determined solely by the commissioner of
 41 health and shall be no more than the cost
 42 of providing such coverage.
- 43 3. Provided, however, if this chapter
 44 provides sufficient additional funds to
 45 cover subsidy payments approved by the
 46 superintendent of insurance, then the
 47 provisions of this section shall be deemed
 48 null and void as of February 28, 2009 442,500,000

49 -----
 50 Program account subtotal 442,500,000
 51 -----

52
 53 DIVISION OF MANAGED CARE AND PROGRAM EVALUATION 18,725,200
 54 -----

55
 56 General Fund / State Operations
 57 State Purposes Account - 003

58 PERSONAL SERVICE

59
 60
 61 Personal service--regular 12,279,200
 62 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials	156,000
4	Travel	130,000
5	Contractual services	6,000,000
6	Equipment	160,000
7		-----
8	Amount available for nonpersonal service..	6,446,000
9		-----
10	Program account subtotal	18,725,200
11		-----
12		
13	ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM	415,061,000
14		-----
15		
16	Special Revenue Funds - Other / Aid to Localities	
17	HCRA Resources Fund - 061	
18	EPIC Premium Account	
19		
20	For services and expenses of the program for	
21	elderly pharmaceutical insurance coverage,	
22	including reimbursement to pharmacies	
23	participating in such program.	
24	Notwithstanding any inconsistent provision	
25	of law, rule or regulation to the	
26	contrary, for the period April 1, 2009	
27	through March 31, 2010, payment under the	
28	elderly pharmaceutical insurance coverage	
29	program for brand name drugs required by	
30	the prescriber to be dispensed as written	
31	and for covered drugs other than multiple	
32	source drugs shall be determined by	
33	applying the lower of: (A) average	
34	wholesale price discounted by 17.25	
35	percent, plus a dispensing fee as defined	
36	in paragraph (c) of subdivision 1 of	
37	section 250 of the elder law, or (B) the	
38	pharmacy's usual and customary charge to	
39	the general public, taking into	
40	consideration any quantity and promotional	
41	discounts to the general public at the	
42	time of purchase.	
43	Notwithstanding any inconsistent provision	
44	of law, rule or regulation to the	
45	contrary, for the period July 1, 2009	
46	through March 31, 2010, for purposes of	
47	the program for elderly pharmaceutical	
48	insurance coverage, provider pharmacies	
49	shall include nonresident establishments	
50	registered pursuant to section 6800-b of	
51	the education law; provided, however, that	
52	the participation in the program of	
53	pharmacies registered in the state	
54	pursuant to section 6808-b of the	
55	education law shall be limited to elderly	
56	pharmaceutical insurance coverage program	
57	assistance for prescription drugs covered	
58	by a program participant's medicare or	
59	other drug plan; and provided further	
60	that, if this chapter appropriates	
61	sufficient additional funds to exclude	
62	non-resident establishments from	

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 participation in the elderly
2 pharmaceutical insurance coverage program
3 as described herein, then the provisions
4 of this paragraph shall not apply and
5 shall be considered null and void as of
6 March 31, 2009.

7 Notwithstanding any inconsistent provision
8 of law, rule or regulation to the
9 contrary, for the period July 1, 2009
10 through March 31, 2010, for a participant
11 in the program for elderly pharmaceutical
12 insurance coverage whose prescription drug
13 expenses are paid or reimbursable under
14 the provisions of the medicare program,
15 assistance under the program for elderly
16 pharmaceutical insurance coverage shall be
17 limited to prescription drugs covered by
18 the participant's medicare plan and to
19 drugs excluded from medicare coverage in
20 accordance with section 1860-D-2 of the
21 federal social security act, and in such
22 cases the program for elderly
23 pharmaceutical insurance coverage shall
24 cover the amount that is the
25 responsibility of the participant under
26 the medicare plan benefit, subject to the
27 participant's cost-sharing responsibility
28 on such amount under sections 247 or 248
29 of the elder law.

30 Notwithstanding any inconsistent provision
31 of law, rule or regulation to the
32 contrary, for the period July 1, 2009
33 through March 31, 2010, under the elderly
34 pharmaceutical insurance coverage program,
35 the requirement that, as a condition of
36 continued eligibility for benefits under
37 such program, a program participant who is
38 eligible for medicare part D drug coverage
39 under section 1860D of the federal social
40 security act be required to enroll in
41 medicare part D at the first available
42 enrollment period and to maintain such
43 enrollment shall not be waived if such
44 enrollment would result in significant
45 additional financial liability by the
46 participant, including, but not limited
47 to, individuals in a medicare advantage
48 plan whose cost sharing would be
49 increased; provided further that elderly
50 pharmaceutical insurance coverage program
51 representation of program participants in
52 the pursuit of medicare part D coverage
53 and the medicare savings programs shall be
54 permitted notwithstanding additional
55 financial liability on behalf of such
56 program participants; provided further
57 that, if this chapter appropriates
58 sufficient additional funds to permit a
59 waiver of the medicare part D enrollment
60 requirement and the representation
61 requirement described herein if the
62 participant incurs significant additional

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 financial liability, or additional
2 financial liability, respectively, then
3 the provisions of this paragraph shall not
4 apply and shall be considered null and
5 void as of March 31, 2009.

6 Notwithstanding any inconsistent provision
7 of law, rule or regulation to the
8 contrary, for the period July 1, 2009
9 through March 31, 2010, it shall be a
10 condition of eligibility for benefits
11 under the program for elderly pharma-
12 ceutical insurance coverage that, if a
13 program participant's income indicates
14 that the participant could be eligible for
15 an income-related subsidy under section
16 1860D-14 of the federal social security
17 act by enrolling in a medicare savings
18 program as a qualified medicare bene-
19 ficiary, a specified low-income medicare
20 beneficiary, or a qualifying individual,
21 the participant shall provide any
22 information or documentation required to
23 establish the participant's eligibility
24 for such subsidy, and shall authorize the
25 program to apply on behalf of the
26 participant for the subsidy or the
27 medicare savings program; provided,
28 however, if this chapter appropriates
29 sufficient additional funds to allow
30 eligibility for the elderly pharmaceutical
31 insurance coverage program without the
32 eligibility conditions described herein,
33 then the provisions of this paragraph
34 shall not apply and shall be considered
35 null and void as of March 31, 2009.

36 Notwithstanding any inconsistent provision
37 of law, rule or regulation to the
38 contrary, for the period July 1, 2009
39 through March 31, 2010, a covered drug
40 under the elderly pharmaceutical insurance
41 coverage program shall not include any
42 drug excluded from coverage by the medical
43 assistance program established under title
44 11 of article 5 of the social services
45 law.

46 The moneys hereby appropriated shall be
47 available for payment of financial assist-
48 ance heretofore accrued 168,150,000
49 -----

50 Program account subtotal 168,150,000
51 -----

52
53 Special Revenue Funds - Other / State Operations
54 Miscellaneous Special Revenue Fund - 339
55 EPIC Premium Account

56
57 PERSONAL SERVICE

58
59 Personal service--regular 2,141,600
60 -----

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials	30,000
4	Travel	25,000
5	Contractual services	18,498,900
6	Equipment	15,000
7	Fringe benefits	975,500
8		-----
9	Amount available for nonpersonal service..	19,544,400
10		-----
11		
12	MAINTENANCE UNDISTRIBUTED	
13		
14	For suballocation to the state office for	
15	the aging for the administration of the	
16	elderly pharmaceutical insurance coverage	
17	program.	
18		
19	Personal service--regular	212,000
20	Supplies and materials	3,000
21	Travel	3,000
22	Contractual services	7,000
23		-----
24	Amount available for maintenance undis-	
25	tributed	225,000
26		-----
27	Program account subtotal	21,911,000
28		-----
29		
30	Special Revenue Funds - Other / Aid to Localities	
31	Miscellaneous Special Revenue Fund - 339	
32	EPIC Premium Account	
33		
34	For services and expenses of the program for	
35	elderly pharmaceutical insurance coverage,	
36	including reimbursement to pharmacies	
37	participating in such program.	
38	Notwithstanding any inconsistent provision	
39	of law, rule or regulation to the	
40	contrary, for the period April 1, 2009	
41	through March 31, 2010, payment under the	
42	elderly pharmaceutical insurance coverage	
43	program for brand name drugs required by	
44	the prescriber to be dispensed as written	
45	and for covered drugs other than multiple	
46	source drugs shall be determined by	
47	applying the lower of: (A) average	
48	wholesale price discounted by 17.25	
49	percent, plus a dispensing fee as defined	
50	in paragraph (c) of subdivision 1 of	
51	section 250 of the elder law, or (B) the	
52	pharmacy's usual and customary charge to	
53	the general public, taking into	
54	consideration any quantity and promotional	
55	discounts to the general public at the	
56	time of purchase.	
57	Notwithstanding any inconsistent provision	
58	of law, rule or regulation to the	
59	contrary, for the period July 1, 2009	
60	through March 31, 2010, for purposes of	
61	the program for elderly pharmaceutical	
62	insurance coverage, provider pharmacies	

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 shall include nonresident establishments
2 registered pursuant to section 6800-b of
3 the education law; provided, however, that
4 the participation in the program of
5 pharmacies registered in the state
6 pursuant to section 6808-b of the
7 education law shall be limited to elderly
8 pharmaceutical insurance coverage program
9 assistance for prescription drugs covered
10 by a program participant's medicare or
11 other drug plan; and provided further
12 that, if this chapter appropriates
13 sufficient additional funds to exclude
14 non-resident establishments from
15 participation in the elderly
16 pharmaceutical insurance coverage program
17 as described herein, then the provisions
18 of this paragraph shall not apply and
19 shall be considered null and void as of
20 March 31, 2009.

21 Notwithstanding any inconsistent provision
22 of law, rule or regulation to the
23 contrary, for the period July 1, 2009
24 through March 31, 2010, for a participant
25 in the program for elderly pharmaceutical
26 insurance coverage whose prescription drug
27 expenses are paid or reimbursable under
28 the provisions of the medicare program,
29 assistance under the program for elderly
30 pharmaceutical insurance coverage shall be
31 limited to prescription drugs covered by
32 the participant's medicare plan and to
33 drugs excluded from medicare coverage in
34 accordance with section 1860-D-2 of the
35 federal social security act, and in such
36 cases the program for elderly
37 pharmaceutical insurance coverage shall
38 cover the amount that is the
39 responsibility of the participant under
40 the medicare plan benefit, subject to the
41 participant's cost-sharing responsibility
42 on such amount under sections 247 or 248
43 of the elder law.

44 Notwithstanding any inconsistent provision
45 of law, rule or regulation to the
46 contrary, for the period July 1, 2009
47 through March 31, 2010, under the elderly
48 pharmaceutical insurance coverage program,
49 the requirement that, as a condition of
50 continued eligibility for benefits under
51 such program, a program participant who is
52 eligible for medicare part D drug coverage
53 under section 1860D of the federal social
54 security act be required to enroll in
55 medicare part D at the first available
56 enrollment period and to maintain such
57 enrollment shall not be waived if such
58 enrollment would result in significant
59 additional financial liability by the
60 participant, including, but not limited
61 to, individuals in a medicare advantage
62 plan whose cost sharing would be

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 increased; provided further that elderly
2 pharmaceutical insurance coverage program
3 representation of program participants in
4 the pursuit of medicare part D coverage
5 and the medicare savings programs shall be
6 permitted notwithstanding additional
7 financial liability on behalf of such
8 program participants; provided further
9 that, if this chapter appropriates
10 sufficient additional funds to permit a
11 waiver of the medicare part D enrollment
12 requirement and the representation
13 requirement described herein if the
14 participant incurs significant additional
15 financial liability, or additional
16 financial liability, respectively, then
17 the provisions of this paragraph shall not
18 apply and shall be considered null and
19 void as of March 31, 2009.

20 Notwithstanding any inconsistent provision
21 of law, rule or regulation to the
22 contrary, for the period July 1, 2009
23 through March 31, 2010, it shall be a
24 condition of eligibility for benefits
25 under the program for elderly pharma-
26 ceutical insurance coverage that, if a
27 program participant's income indicates
28 that the participant could be eligible for
29 an income-related subsidy under section
30 1860D-14 of the federal social security
31 act by enrolling in a medicare savings
32 program as a qualified medicare bene-
33 ficiary, a specified low-income medicare
34 beneficiary, or a qualifying individual,
35 the participant shall provide any
36 information or documentation required to
37 establish the participant's eligibility
38 for such subsidy, and shall authorize the
39 program to apply on behalf of the
40 participant for the subsidy or the
41 medicare savings program; provided,
42 however, if this chapter appropriates
43 sufficient additional funds to allow
44 eligibility for the elderly pharmaceutical
45 insurance coverage program without the
46 eligibility conditions described herein,
47 then the provisions of this paragraph
48 shall not apply and shall be considered
49 null and void as of March 31, 2009.

50 Notwithstanding any inconsistent provision
51 of law, rule or regulation to the
52 contrary, for the period July 1, 2009
53 through March 31, 2010, a covered drug
54 under the elderly pharmaceutical insurance
55 coverage program shall not include any
56 drug excluded from coverage by the medical
57 assistance program established under title
58 11 of article 5 of the social services
59 law.
60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	The moneys hereby appropriated shall be	
2	available for payment of financial assist-	
3	ance heretofore accrued	225,000,000
4		-----
5	Program account subtotal	225,000,000
6		-----
7		
8	HEALTH CARE FINANCING PROGRAM	21,288,700
9		-----
10		
11	General Fund / State Operations	
12	State Purposes Account - 003	
13		
14	PERSONAL SERVICE	
15		
16	Personal service--regular	5,420,100
17	Temporary service	10,000
18	Holiday/overtime compensation	40,000
19		-----
20	Amount available for personal service	5,470,100
21		-----
22		
23	NONPERSONAL SERVICE	
24		
25	Supplies and materials	99,000
26	Travel	40,000
27	Contractual services	2,318,000
28	Equipment	50,000
29		-----
30	Amount available for nonpersonal service..	2,507,000
31		-----
32	Program account subtotal	7,977,100
33		-----
34		
35	General Fund / Aid to Localities	
36	Local Assistance Account - 001	
37		
38	For services and expenses related to the	
39	annual hospital institutional cost report.	
40	A portion of this appropriation may be	
41	transferred to state operations appropri-	
42	ations	147,000
43	For services and expenses for the center for	
44	workforce studies at the school of public	
45	health through the research foundation of	
46	the state university of New York. A	
47	portion of this appropriation may be	
48	transferred to state operations appropri-	
49	ations	392,000
50	For services and expenses of upstate medical	
51	university through the research foundation	
52	of the state university of New York to	
53	promote minority participation in medical	
54	education. A portion of this appropriation	
55	may be transferred to state operations	
56	appropriations	39,000
57	For services and expenses of the gateway	
58	institute through the research foundation	
59	of the city university of New York to	
60	promote minority participation in medical	
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	education. A portion of this appropriation	
2	may be transferred to state operations	
3	appropriations	220,000
4		-----
5	Program account subtotal	798,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	HCRA Resources Fund - 061	
10	Provider Collection Monitoring Account	
11		
12	For services and expenses related to admin-	
13	istration of statutory duties for the	
14	collections authorized by sections 2807-j,	
15	2807-s, 2807-t and 2807-v of the public	
16	health law and the assessments authorized	
17	by sections 2807-d, 3614-a and 3614-b of	
18	the public health law and section 367-i of	
19	the social services law pursuant to chap-	
20	ter 41 of the laws of 1992.	
21		
22		
23	PERSONAL SERVICE	
24	Personal service--regular	3,245,900
25	Holiday/overtime compensation	10,000
26		-----
27	Amount available for personal service	3,255,900
28		-----
29		
30		
31	NONPERSONAL SERVICE	
32	Supplies and materials	62,000
33	Travel	13,000
34	Contractual services	73,000
35	Equipment	341,000
36	Fringe benefits	1,191,900
37	Indirect costs	1,136,000
38		-----
39	Amount available for nonpersonal service..	2,816,900
40		-----
41	Program account subtotal	6,072,800
42		-----
43		
44	Special Revenue Funds - Other / State Operations	
45	Miscellaneous Special Revenue Fund - 339	
46	1200-Hospital and Nursing Home Management Account	
47		
48	For services and expenses of inspecting,	
49	regulating, supervising and auditing	
50	hospital and nursing home companies incor-	
51	porated and authorized under articles 28-A	
52	and 28-B of the public health law, from	
53	funds received pursuant to these activ-	
54	ities.	
55		
56		
57	PERSONAL SERVICE	
58	Personal service--regular	3,221,800
59	Holiday/overtime compensation	40,000
60		-----
61	Amount available for personal service	3,261,800
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials	82,000
4	Travel	20,000
5	Contractual services	239,000
6	Equipment	182,000
7	Fringe benefits	1,330,000
8	Indirect costs	1,326,000
9		-----
10	Amount available for nonpersonal service..	3,179,000
11		-----
12	Program account subtotal	6,440,800
13		-----
14		
15	HEALTH CARE REFORM ACT PROGRAM	654,270,000
16		-----
17		
18	Special Revenue Funds - Other / Aid to Localities	
19	HCRA Resources Fund - 061	
20	HCRA Program Account	
21		
22	For services, expenses, grants and transfers	
23	necessary to implement the health care	
24	reform act program in accordance with	
25	section 2807-j, 2807-k, 2807-l, 2807-m,	
26	2807-p, 2807-s and 2807-v of the public	
27	health law. The moneys hereby appropriated	
28	shall be available for payments heretofore	
29	accrued or hereafter to accrue. Notwith-	
30	standing any inconsistent provision of	
31	law, the moneys hereby appropriated may be	
32	increased or decreased by interchange or	
33	transfer with any appropriation of the	
34	department of health or by transfer or	
35	suballocation to any appropriation of the	
36	department of insurance, the office of	
37	mental health and the state office for the	
38	aging subject to the approval of the	
39	director of the budget, who shall file	
40	such approval with the department of audit	
41	and control and copies thereof with the	
42	chairman of the senate finance committee	
43	and the chairman of the assembly ways and	
44	means committee. With the approval of the	
45	director of the budget, up to 5 percent of	
46	this appropriation may be used for state	
47	operations purposes. At the direction of	
48	the director of the budget, funds may also	
49	be transferred directly to the general	
50	fund for the purpose of repaying a draw on	
51	the tobacco revenue guarantee fund.	
52	For transfer to the pool administrator for	
53	the purpose of making supplemental gradu-	
54	ate medical education payments	30,400,000
55	For services and expenses of the ambulatory	
56	care training program pursuant to subdivi-	
57	sion 5-a of section 2807-m of the public	
58	health law	4,900,000
59	For services and expenses of the physician	
60	loan repayment program pursuant to subdivi-	
61	sion 5-a of section 2807-m of the public	
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	health law. All or part of this appropri-	
2	ation may be suballocated to the NYS high-	
3	er education services corporation	1,960,000
4	For services and expenses of the physician	
5	practice support program pursuant to	
6	subdivision 5-a of section 2807-m of the	
7	public health law	4,900,000
8	For services and expenses related to physi-	
9	cian workforce studies pursuant to subdivi-	
10	sion 5-a of section 2807-m of the public	
11	health law	590,000
12	For services and expenses of the diversity	
13	in medicine/post-baccalaureate program	
14	pursuant to subdivision 5-a of section	
15	2807-m of the public health law	1,960,000
16	For transfer to Roswell park cancer insti-	
17	tute corporation	76,400,000
18	For suballocation to the state insurance	
19	department related to the healthy NY	
20	program. A portion of this appropriation	
21	may be transferred to state operations	
22	appropriations	185,000,000
23	For suballocation to the state insurance	
24	department related to the pilot program	
25	for entertainment industry employees	1,960,000
26	For suballocation to the state insurance	
27	department related to the physicians	
28	excess medical malpractice program	127,400,000
29	For transfer to health research incorporated	
30	(HRI) for the AIDS drug assistance pro-	
31	gram	42,300,000
32	For state grants for the health workforce	
33	retraining program. Notwithstanding	
34	section 2807-g of the public health law,	
35	or any other provision of law to the	
36	contrary, funds hereby appropriated may be	
37	made available to other state agencies and	
38	facilities operated by the department of	
39	health for services and expenses related	
40	to the worker retraining program as	
41	disbursed pursuant to section 2807-g of	
42	the public health law. Provided, however,	
43	that the director of the budget must	
44	approve the release of any request for	
45	proposal or request for application or any	
46	other procurement initiatives issued on or	
47	after April 1, 2007. Further provided that	
48	any contract executed on or after April 1,	
49	2007 must receive the prior approval of	
50	the director of the budget. A portion of	
51	this appropriation may be transferred to	
52	state operations appropriations	10,400,000
53	For suballocation to the state insurance	
54	department for the health maintenance	
55	organization direct pay market program ...	36,800,000
56	For services and expenses of the New York	
57	state area health education center	
58	program	2,500,000
59	For state grants for rural health care	
60	access development	10,400,000
61	For state grants for rural health network	
62	development	6,700,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For services and expenses, including grants,	
2	related to emergency assistance distrib-	
3	utions as designated by the commissioner	
4	of health. Notwithstanding section 112 or	
5	163 of the state finance law or any other	
6	contrary provision of law, such distrib-	
7	utions shall be limited to providers or	
8	programs where, as determined by the	
9	commissioner of health, emergency assist-	
10	ance is vital to protect the life or safe-	
11	ty of patients, to ensure the retention of	
12	facility caregivers or other staff, or in	
13	instances where health facility operations	
14	are jeopardized, or where the public	
15	health is jeopardized or other emergency	
16	situations exist	2,900,000
17	For transfer to the pool administrator for	
18	distributions related to school based	
19	health clinics	6,400,000
20	For services and expenses related to the	
21	disease management demonstration program..	6,700,000
22	For services and expenses related to audit-	
23	ing or payment of audit contracts to	
24	determine payor and provider compliance	
25	requirements. All or a portion of this	
26	appropriation may be transferred to state	
27	operations appropriations	7,800,000
28	For services and expenses related to audit-	
29	ing or payment of audit contracts to	
30	determine hospital compliance with para-	
31	graph 6 of subdivision (a) of section	
32	405.4 of title 10, NYCRR. All or a portion	
33	of this appropriation may be transferred	
34	to state operations appropriations	2,700,000
35	For services and expenses, including	
36	personal services, related to the long	
37	term care insurance education and outreach	
38	program. All or a portion of this appro-	
39	priation may be transferred to state oper-	
40	ations appropriations	1,400,000
41	For services and expenses related to the	
42	pool administration. All or a portion of	
43	this appropriation may be transferred to	
44	state operations appropriations	4,600,000
45	For services and expenses related to school	
46	based health centers. The total amount of	
47	funds provided herein shall be distributed	
48	to school-based health center providers	
49	based on the ratio of each provider's	
50	total enrollment for all sites to the	
51	total enrollment of all providers. This	
52	formula shall be applied to the total	
53	amount made available herein, provided,	
54	however, that notwithstanding any contrary	
55	provision of law, the commissioner of	
56	health may establish minimum and maximum	
57	awards for providers	3,200,000
58	For payments for uncompensated care to	
59	eligible voluntary non-profit diagnostic	
60	and treatment centers	54,400,000
61		

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For transfer to the dormitory authority of	
2	the state of New York for the health	
3	facility restructuring program	19,600,000
4		-----
5	Program account subtotal	654,270,000
6		-----
7		
8	INSTITUTIONAL MANAGEMENT PROGRAM	165,752,100
9		-----
10		
11	Special Revenue Funds - Other / State Operations	
12	Combined Gifts, Grants and Bequests Fund - 020	
13	Batavia Home Donation Account	
14		
15	For services and expenses of patient bene-	
16	fits and other activities and other	
17	services as funded by gifts and donations.	
18		
19	NONPERSONAL SERVICE	
20		
21	Supplies and materials	50,000
22		-----
23	Program account subtotal	50,000
24		-----
25		
26	Special Revenue Funds - Other / State Operations	
27	Combined Gifts, Grants and Bequests Fund - 020	
28	Helen Hayes Hospital Account	
29		
30	For services and expenses of patient bene-	
31	fits and other activities and services as	
32	funded by gifts and donations.	
33		
34	NONPERSONAL SERVICE	
35		
36	Supplies and materials	35,000
37		-----
38	Program account subtotal	35,000
39		-----
40		
41	Special Revenue Funds - Other / State Operations	
42	Combined Gifts, Grants and Bequests Fund - 020	
43	New York City Veterans' Home Donation Account	
44		
45	For services and expenses of patient bene-	
46	fits and other activities and other	
47	services as funded by gifts and donations.	
48		
49	NONPERSONAL SERVICE	
50		
51	Supplies and materials	50,000
52		-----
53	Program account subtotal	50,000
54		-----
55		
56	Special Revenue Funds - Other / State Operations	
57	Combined Gifts, Grants and Bequests Fund - 020	
58	Montrose Donation Account	
59		
60	For services and expenses of patient bene-	
61	fits and other activities and other	
62	services as funded by gifts and donations.	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials	50,000
4		-----
5	Program account subtotal	50,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Combined Gifts, Grants and Bequests Fund - 020	
10	Oxford Gifts and Donations Account	
11		
12	For services and expenses of patient bene-	
13	fits and other activities and services as	
14	funded by gifts and donations.	
15		
16	NONPERSONAL SERVICE	
17		
18	Supplies and materials	200,000
19		-----
20	Program account subtotal	200,000
21		-----
22		
23	Special Revenue Funds - Other / State Operations	
24	Miscellaneous Special Revenue Fund - 339	
25	Helen Hayes Hospital Account	
26		
27	For services and expenses of the Helen Hayes	
28	hospital including an affiliation agree-	
29	ment contract. Up to \$304,273 of this	
30	amount may be suballocated to the depart-	
31	ment of law for services and expenses of a	
32	collection unit at Helen Hayes hospital.	
33		
34	PERSONAL SERVICE	
35		
36	Personal service--regular	36,223,800
37	Temporary service	3,150,000
38	Holiday/overtime compensation	956,000
39		-----
40	Amount available for personal service	40,329,800
41		-----
42		
43	NONPERSONAL SERVICE	
44		
45	Supplies and materials	3,945,000
46	Travel	32,000
47	Contractual services	19,247,000
48	Equipment	823,000
49	Fringe benefits	3,000,000
50	Indirect costs	200,000
51		-----
52	Amount available for nonpersonal service..	27,247,000
53		-----
54	Program account subtotal	67,576,800
55		-----
56		
57	Special Revenue Funds - Other / State Operations	
58	Miscellaneous Special Revenue Fund - 339	
59	New York City Veterans' Home Account	
60		
61	For services and expenses of the New York	
62	city veterans' home. Up to \$400,000 of	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 this amount may be suballocated to the
2 department of law for services and
3 expenses of a collection unit at the New
4 York city veterans' home for the New York
5 state home for veterans and their depen-
6 dents at Oxford, the New York city veter-
7 ans' home, the Western New York veterans'
8 home and New York state veterans' home at
9 Montrose.

10
11 PERSONAL SERVICE

13 Personal service--regular	13,741,100
14 Holiday/overtime compensation	1,425,000
15	-----
16 Amount available for personal service	15,166,100
17	-----

18
19 NONPERSONAL SERVICE

21 Supplies and materials	1,043,000
22 Travel	52,000
23 Contractual services	11,196,000
24 Equipment	466,000
25 Fringe benefits	6,700,000
26 Indirect costs	75,000
27	-----
28 Amount available for nonpersonal service..	19,532,000
29	-----
30 Program account subtotal	34,698,100
31	-----

32
33 Special Revenue Funds - Other / State Operations
34 Miscellaneous Special Revenue Fund - 339
35 New York State Home for Veterans and Their Dependents at
36 Oxford Account

37
38 For services and expenses of the New York
39 state home for veterans and their depen-
40 dents at Oxford.

41
42 PERSONAL SERVICE

44 Personal service--regular	14,462,700
45 Temporary service	795,000
46 Holiday/overtime compensation	1,012,000
47	-----
48 Amount available for personal service	16,269,700
49	-----

50
51 NONPERSONAL SERVICE

53 Supplies and materials	4,373,000
54 Travel	65,000
55 Contractual services	2,612,000
56 Equipment	513,000
57 Fringe benefits	1,200,000
58 Indirect costs	60,000
59	-----
60 Amount available for nonpersonal service..	8,823,000
61	-----

62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Program account subtotal	25,092,700
2		-----
3		
4	Special Revenue Funds - Other / State Operations	
5	Miscellaneous Special Revenue Fund - 339	
6	New York State Home for Veterans in the Lower-Hudson	
7	Valley Account	
8		
9	For services and expenses of the New York	
10	state home for veterans in the lower-Hud-	
11	son Valley account.	
12		
13	PERSONAL SERVICE	
14		
15	Personal service--regular	13,939,200
16	Temporary service	2,159,000
17	Holiday/overtime compensation	1,875,000
18		-----
19	Amount available for personal service	17,973,200
20		-----
21		
22	NONPERSONAL SERVICE	
23		
24	Supplies and materials	2,389,000
25	Travel	15,000
26	Contractual services	4,784,000
27	Equipment	290,000
28	Indirect costs	60,000
29		-----
30	Amount available for nonpersonal service..	7,538,000
31		-----
32	Program account subtotal	25,511,200
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.	
41		
42	PERSONAL SERVICE	
43		
44	Personal service--regular	8,013,300
45	Temporary service	280,000
46	Holiday/overtime compensation	490,000
47		-----
48	Amount available for personal service	8,783,300
49		-----
50		
51	NONPERSONAL SERVICE	
52		
53	Supplies and materials	828,000
54	Travel	25,000
55	Contractual services	1,997,000
56	Equipment	800,000
57	Indirect costs	45,000
58		-----
59	Amount available for nonpersonal service..	3,695,000
60		-----
61	Program account subtotal	12,478,300
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Enterprise Funds / State Operations
2 Miscellaneous Enterprise Fund - 331
3 Oxford Arts and Crafts Fund Account
4

5 For services and expenses of patient bene-
6 fits and other activities and services as
7 funded by receipts from the sale of arts
8 and crafts.
9

10 NONPERSONAL SERVICE

11
12 Supplies and materials 10,000
13 -----
14 Program account subtotal 10,000
15 -----

16
17 MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM 199,759,000
18 -----
19

20 General Fund / State Operations
21 State Purposes Account - 003
22

23 For services and expenses for payment of
24 liabilities accrued heretofore and here-
25 after to accrue.
26

27 NONPERSONAL SERVICE

28
29 Contractual services 94,505,000
30 -----
31 Program account subtotal 94,505,000
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

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1	the chairman of the senate finance commit-	
2	tee and the chairman of the assembly ways	
3	and means committee	105,254,000
4		-----
5	Program fund subtotal	105,254,000
6		-----
7		
8	MAINTENANCE UNDISTRIBUTED	0
9		-----
10		
11	General Fund / State Operations	
12	State Purposes Account - 003	
13		
14	Less amounts appropriated as offsets from	
15	the special revenue funds - other, miscel-	
16	laneous special revenue fund - 339, quali-	
17	ty of care account, hospital and nursing	
18	home management account, nurses aide	
19	registry account, third-party health	
20	insurance recoveries account and medicaid	
21	inquiry account. Notwithstanding any	
22	contrary provision of law, these offsets	
23	shall reduce general fund appropriations	
24	within the various programs of the depart-	
25	ment of health funded from the state	
26	purposes account	(112,822,000)
27		-----
28	Program account subtotal	(112,822,000)
29		-----
30		
31	Special Revenue Funds - Other / State Operations	
32	Miscellaneous Special Revenue Fund - 339	
33	Hospital and Nursing Home Management 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	11,800,000
42		-----
43	Program account subtotal	11,800,000
44		-----
45		
46	Special Revenue Funds - Other / State Operations	
47	Miscellaneous Special Revenue Fund - 339	
48	Nurses Aide Registry 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	300,000
57		-----
58	Program account subtotal	300,000
59		-----
60		
61		

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1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Quality of Care 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	99,472,000
12		-----
13	Program account subtotal	99,472,000
14		-----
15		
16	Special Revenue Funds - Other / State Operations	
17	Miscellaneous Special Revenue Fund - 339	
18	Third-Party Health Insurance Recoveries 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	1,250,000
27		-----
28	Program account subtotal	1,250,000
29		-----
30		
31	General Fund / Aid to Localities	
32	Local Assistance Account - 001	
33		
34	Less amounts appropriated as an offset from	
35	the special revenue funds - other, miscel-	
36	laneous special revenue fund - 339, quali-	
37	ty of care account. Notwithstanding any	
38	contrary provision of law, this offset	
39	shall reduce general fund appropriations	
40	within the various programs of the depart-	
41	ment of health funded from the local	
42	assistance account	(7,288,000)
43		-----
44	Program account subtotal	(7,288,000)
45		-----
46		
47	Special Revenue Funds - Other / Aid to Localities	
48	Miscellaneous Special Revenue Fund - 339	
49	Quality of Care Account	
50		
51	Amount appropriated as an offset to the	
52	general fund - local assistance account	
53	with various department of health	
54	programs. The director of the budget is	
55	hereby authorized to apportion funds to	
56	the various programs of this agency from	
57	this appropriation by certificate of	
58	approval	7,288,000
59		-----
60	Program account subtotal	7,288,000
61		-----
62		

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1 MEDICAL ASSISTANCE ADMINISTRATION PROGRAM 1,130,300,000
2 -----

3
4 General Fund / Aid to Localities
5 Local Assistance Account - 001
6

7 For state reimbursement of local administra-
8 tive expenses for medical assistance
9 programs notwithstanding section 153 of
10 the social services law.

11 The money hereby appropriated is available
12 for payment of aid heretofore accrued or
13 hereafter to accrue to municipalities, and
14 to providers of medical services pursuant
15 to section 367-b of the social services
16 law, and shall be available to the depart-
17 ment net of disallowances, refunds,
18 reimbursements, and credits.

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

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

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1 district's share of payments made pursuant
2 to section 367-b of the social services
3 law 422,800,000
4 For contractual services related to medical
5 necessity and quality of care reviews
6 related to medicaid patients. Subject to
7 the approval of the director of the budg-
8 et, all or part of this appropriation may
9 be transferred to the health care stand-
10 ards and surveillance program, general
11 fund - local assistance account 3,700,000
12 The amount appropriated herein, together
13 with any federal matching funds obtained,
14 may be available to the department,
15 subject to the approval of the director of
16 the budget, for contractual services
17 related to a third party entity responsi-
18 ble for education of persons eligible for
19 medical assistance regarding their options
20 for enrollment in managed care plans.
21 Subject to the approval of the director of
22 the budget, all or a part of this appro-
23 priation may be transferred to the office
24 of managed care, general fund - state
25 purposes account. Notwithstanding any
26 other provision of law, the money hereby
27 appropriated may be increased or decreased
28 by interchange, with any appropriation of
29 the department of health, and may be
30 increased or decreased by transfer or
31 suballocation between these appropriated
32 amounts 22,000,000
33 For state reimbursement of administrative
34 expenses for the medical assistance
35 program provided by the office of mental
36 health, office of mental retardation and
37 developmental disabilities and office of
38 alcoholism and substance abuse services.
39 The money hereby appropriated is available
40 for payment of aid heretofore accrued and
41 hereafter to accrue. Notwithstanding any
42 other provision of law, the money hereby
43 appropriated may be increased or decreased
44 by interchange with any other appropri-
45 ation of the department of health with the
46 approval of the director of the budget ... 100,000,000
47 -----
48 Program account subtotal 548,500,000
49 -----
50
51 Special Revenue Funds - Federal / Aid to Localities
52 Federal Health and Human Services Fund - 265
53 Medicaid Administration Transfer Account
54
55 For reimbursement of local administrative
56 expenses of medical assistance programs
57 provided pursuant to title XIX of the
58 federal social security act or its succes-
59 sor program.
60 The moneys hereby appropriated are to be
61 available for payment of aid heretofore
62 accrued or hereafter to accrue to munici-

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

14 Notwithstanding any other provision of law,
 15 the money hereby appropriated may be
 16 increased or decreased by interchange,
 17 with any appropriation of the department
 18 of health, and may be increased or
 19 decreased by transfer or suballocation
 20 between these appropriated amounts and
 21 appropriations of the office of mental
 22 health, the office of mental retardation
 23 and developmental disabilities, the office
 24 of alcoholism and substance abuse
 25 services, the department of family assist-
 26 ance office of temporary and disability
 27 assistance and office of children and
 28 family services with the approval of the
 29 director of the budget, who shall file
 30 such approval with the department of audit
 31 and control and copies thereof with the
 32 chairman of the senate finance committee
 33 and the chairman of the assembly ways and
 34 means committee.

35 Notwithstanding any inconsistent provision
 36 of law, in lieu of payments authorized by
 37 the social services law, or payments of
 38 federal funds otherwise due to the local
 39 social services districts for programs
 40 provided under the federal social security
 41 act or the federal food stamp act, funds
 42 herein appropriated, in amounts certified
 43 by the state commissioner of temporary and
 44 disability assistance or the state commis-
 45 sioner of health as due from local social
 46 services districts each month as their
 47 share of payments made pursuant to section
 48 367-b of the social services law may be
 49 set aside by the state comptroller in an
 50 interest-bearing account in order to
 51 ensure the orderly and prompt payment of
 52 providers under section 367-b of the
 53 social services law pursuant to an esti-
 54 mate provided by the commissioner of
 55 health of each local social services
 56 district's share of payments made pursuant
 57 to section 367-b of the social services
 58 law

481,800,000

59 For reimbursement of administrative expenses
 60 of the medical assistance program provided
 61 by the office of mental health, office of
 62 mental retardation and developmental disa-

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1 bilities, and office of alcoholism and
 2 substance abuse services provided pursuant
 3 to title XIX of the federal social securi-
 4 ty act. The money hereby appropriated is
 5 available for payment of aid heretofore
 6 accrued and hereafter to accrue. Notwith-
 7 standing any other provision of law, the
 8 money hereby appropriated may be increased
 9 or decreased by interchange with any other
 10 appropriation of the department of health
 11 with the approval of the director of budg-
 12 et 100,000,000
 13 -----
 14 Program account subtotal 581,800,000
 15 -----

17 MEDICAL ASSISTANCE PROGRAM 42,238,804,000
 18 -----

20 General Fund / Aid to Localities
 21 Local Assistance Account - 001

23 For the medical assistance program, includ-
 24 ing administrative expenses, for local
 25 social services districts, and for medical
 26 care rates for authorized child care agen-
 27 cies.

28 The money hereby appropriated is to be
 29 available for payment of aid heretofore
 30 accrued or hereafter to accrue to munici-
 31 palities, and to providers of medical
 32 services pursuant to section 367-b of the
 33 social services law, and for payment of
 34 state aid to municipalities and to provid-
 35 ers of family care where payment systems
 36 through the fiscal intermediaries are not
 37 operational, and shall be available to the
 38 department net of disallowances, refunds,
 39 reimbursements, and credits.

40 Notwithstanding any inconsistent provision
 41 of law to the contrary, funds may be used
 42 by the department for outside legal
 43 assistance on issues involving the federal
 44 government, the conduct of preadmission
 45 screening and annual resident reviews
 46 required by the state's medicaid program,
 47 computer matching with insurance carriers
 48 to insure that medicaid is the payer of
 49 last resort and activities related to the
 50 management of the pharmacy benefit avail-
 51 able under the medicaid program.

52 Notwithstanding any inconsistent provision
 53 of law, in lieu of payments authorized by
 54 the social services law, or payments of
 55 federal funds otherwise due to the local
 56 social services districts for programs
 57 provided under the federal social security
 58 act or the federal food stamp act, funds
 59 herein appropriated, in amounts certified
 60 by the state commissioner of temporary and
 61 disability assistance or the state commis-
 62 sioner of health as due from local social

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1 services districts each month as their
2 share of payments made pursuant to section
3 367-b of the social services law may be
4 set aside by the state comptroller in an
5 interest-bearing account in order to
6 ensure the orderly and prompt payment of
7 providers under section 367-b of the
8 social services law pursuant to an esti-
9 mate provided by the commissioner of
10 health of each local social services
11 district's share of payments made pursuant
12 to section 367-b of the social services
13 law.

14 Notwithstanding any other provision of law,
15 the money hereby appropriated may be
16 increased or decreased by interchange,
17 with any appropriation of the department
18 of health and the office of medicaid
19 inspector general and may be increased or
20 decreased by transfer or suballocation
21 between these appropriated amounts and
22 appropriations of the office of mental
23 health, office of mental retardation and
24 developmental disabilities, the office of
25 alcoholism and substance abuse services,
26 the department of family assistance office
27 of temporary and disability assistance and
28 office of children and family services,
29 and state office for the aging with the
30 approval of the director of the budget,
31 who shall file such approval with the
32 department of audit and control and copies
33 thereof with the chairman of the senate
34 finance committee and the chairman of the
35 assembly ways and means committee.

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

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

60 Notwithstanding paragraph (c) of subdivision
61 10 of section 2807-c of the public health
62 law, subdivision 2-b of section 2808 of

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1 the public health law, section 21 of
2 chapter 1 of the laws of 1999 and any
3 other contrary provision of law, except
4 with regard to subparagraph (iii) of
5 paragraph (b) of subdivision 33 of section
6 2807-c of the public health law, for the
7 period April 1, 2009 through March 31,
8 2010, rates of payments by state
9 governmental agencies for inpatient and
10 outpatient services provided by general
11 hospitals, for inpatient services and
12 adult day health care outpatient services
13 provided by residential health care
14 facilities pursuant to article 28 of the
15 public health law, except for residential
16 health care facilities that provide
17 extensive nursing, medical, psychological
18 and counseling support services to
19 children, for home health care services
20 provided pursuant to article 36 of the
21 public health law by certified home health
22 agencies and long term home health care
23 programs, and personal care services
24 provided pursuant to paragraph (e) of
25 subdivision 2 of section 365-a of the
26 social services law, and including rates
27 of payment for assisted living program
28 services, the commissioner of health shall
29 reflect zero trend factor projections for
30 the 2008 calendar year.

31 Notwithstanding paragraph (c) of subdivision
32 10 of section 2807-c of the public health
33 law, subdivision 2-b of section 2808 of
34 the public health law, section 21 of
35 chapter 1 of the laws of 1999 and any
36 other contrary provision of law, except
37 with regard to subparagraph (iii) of
38 paragraph (b) of subdivision 33 of section
39 2807-c of the public health law, for the
40 period April 1, 2009 through March 31,
41 2010, rates of payments by state
42 governmental agencies for inpatient and
43 outpatient services provided by general
44 hospitals, for inpatient services and
45 adult day health care outpatient services
46 provided by residential health care
47 facilities pursuant to article 28 of the
48 public health law, except for residential
49 health care facilities that provide
50 extensive nursing, medical, psychological
51 and counseling support services to
52 children, for home health care services
53 provided pursuant to article 36 of the
54 public health law by certified home health
55 agencies and long term home health care
56 programs, and personal care services
57 provided pursuant to paragraph (e) of
58 subdivision 2 of section 365-a of the
59 social services law, including personal
60 care services provided in those local
61 social service districts, including New
62 York City, whose rates of payment for such

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1 services are established by such local
2 social service districts pursuant to a
3 rate-setting exemption issued by the
4 commissioner of health to such local
5 social service districts in accordance
6 with applicable regulations, and including
7 rates of payment for assisted living
8 program services, shall reflect zero trend
9 factor projections for the 2009 calendar
10 year.

11 For services and expenses of the medical
12 assistance program including hospital
13 inpatient services.

14 Notwithstanding any contrary provision of
15 law and subject to the availability of
16 federal financial participation, for the
17 period April 1, 2009 through March 31,
18 2010, the operating cost component of
19 medicaid per diem and per discharge rates
20 of payment for inpatient services for
21 discharges and days occurring during such
22 period shall, after application of any
23 applicable adjustments to the trend
24 factors affecting such rates, be subject
25 to a uniform percentage reduction of 2
26 percent.

27 Notwithstanding any inconsistent provision
28 of section 2807-c of the public health law
29 or any other contrary provision of law,
30 and subject to the availability of federal
31 financial participation, rates of payment
32 by governmental agencies for general
33 hospital inpatient services with regard to
34 discharges occurring on and after July 1,
35 2009 through March 31, 2010, shall be in
36 accordance with the following:

37 (a) For periods on and after July 1, 2009
38 through March 31, 2010, the operating cost
39 component of such rates of payment shall
40 reflect the use of 2005 operating costs as
41 reported by each facility to the
42 department of health prior to December 1,
43 2008 and as otherwise computed in
44 accordance with the provisions of this
45 section and shall be in accordance with
46 the following:

47 (i) The computation of a case mix neutral
48 statewide base price applicable to each
49 rate period, but excluding adjustments for
50 graduate medical education costs, high
51 cost outlier costs and cost related to
52 patient transfers, and as may be
53 periodically adjusted to reflect changes
54 in provider coding patterns and case-mix;
55 and

56 (ii) Only those 2005 base year costs which
57 relate to the cost of services provided to
58 medicaid inpatients, as determined by the
59 applicable ratio of costs to charges
60 methodology, shall be utilized for rate-
61 setting and case-mix purposes;

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- 1 (iii) Such rates shall reflect the appli-
2 cation of hospital specific wage equaliza-
3 tion factors and power equalization
4 factors reflecting differences in wage
5 rates and utility costs;
- 6 (iv) Such rates shall reflect the
7 utilization of the all patient refined
8 (APR) case mix methodology, utilizing
9 diagnostic related groups with assigned
10 weights that incorporate differing levels
11 of severity of patient condition and the
12 associated risk of mortality, and as may
13 be periodically updated by the commis-
14 sioner of health;
- 15 (v) Such regulations may incorporate quality
16 related measures pertaining to potentially
17 preventable complications and re-
18 admissions;
- 19 (vi) Such regulations shall address
20 adjustments based on the costs of high
21 cost outlier patients;
- 22 (vii) Such rates shall continue to reflect
23 trend factor adjustments as otherwise
24 provided in paragraph (c) of subdivision
25 10 of section 2807-c of the public health
26 law;
- 27 (viii) Such rates shall not include any
28 adjustments pursuant to subdivision 9 of
29 section 2807-c of the public health law;
- 30 (ix) Rates for non-public, not-for-profit
31 general hospitals which have not, as of
32 the effective date of this section,
33 published an ancillary charges schedule as
34 provided in paragraph (j) of subdivision 1
35 of section 2303 of the public health law
36 shall have their inlier payments increased
37 by an amount equal to the statewide
38 average of cost outlier payments as
39 determined by such regulations;
- 40 (x) Administrative rate appeals shall be
41 permitted only with regard to: (A) the
42 correction of computational errors or
43 omissions of data, including with regard
44 to the hospital specific computations
45 pertaining to graduate medical education,
46 wage equalization factor adjustments and
47 power equalization factor adjustments, and
48 (B) capital cost reimbursement.
- 49 (xi) Rates for teaching general hospitals
50 shall include reimbursement for direct and
51 indirect graduate medical education and
52 the commissioner of health shall specify
53 the reports and information required to
54 assess the cost, quality and health system
55 needs for medical education provided; and
- 56 (b) The provisions of this section shall not
57 apply to those general hospitals or
58 distinct units of general hospitals whose
59 inpatient reimbursement does not, as of
60 June 30, 2009, reflect case-based payments
61 per diagnosis related group; and

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- 1 (c) Notwithstanding section 112 or 163 of
2 the state finance law or any other law,
3 rule or regulation to the contrary, the
4 commissioner of health may contract with a
5 vendor for consideration to develop the
6 specifications for the diagnosis-related
7 groups methodology as provided for in this
8 section if the commissioner of health
9 certifies to the state comptroller that
10 such contract is in the best interest of
11 the health of the people of the state.
12 Notwithstanding that such specifications
13 shall be available pursuant to article 6
14 of the public officers law, such contract
15 may provide that the specifications for
16 such adjusted or additional diagnosis-
17 related groups provided by the vendor
18 shall be subject to copyright protection
19 pursuant to federal copyright law; and
- 20 (d) Notwithstanding any inconsistent provi-
21 sion of this section or any other contrary
22 provision of law, the commissioner of
23 health may, for rate periods on and after
24 July 1, 2009 through March 31, 2010, and
25 subject to the availability of federal
26 financial participation, make additional
27 adjustments of up to \$75,000,000 in
28 aggregate to the inpatient rates of
29 payment of eligible general hospitals, to
30 facilitate improvements in hospital
31 operations and finances, in accordance
32 with the following:
- 33 (i) Such payments shall be available to non-
34 public hospitals which, as determined by
35 the commissioner of health, experience a
36 reduction in their medicaid inpatient
37 revenue as determined by the commissioner
38 of health, as a result of the application
39 of the provisions of paragraphs 1 and 2 of
40 this section.
- 41 (ii) Such payments shall be allocated based
42 on each eligible facility's relative need
43 as determined by the commissioner of
44 health.
- 45 (iii) Such payments shall not be subject to
46 retroactive adjustment or reconciliation
47 and may be added to rates of payment or
48 made as lump sum payments.
- 49 (iv) Each hospital receiving such payments
50 shall, as a condition for eligibility for
51 such payments, adopt a resolution of the
52 board of directors of each such hospital
53 setting forth its current financial
54 condition and a plan for reforming and
55 improving such financial condition,
56 including ongoing board oversight,
57 provided, however, if such report is not
58 issued and adopted by each such board of
59 directors, or if such report fails to set
60 forth adequate progress, as determined by
61 the commissioner of health, the
62 commissioner of health may deem such

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1 facility ineligible for further such
2 payments and may redistribute such further
3 payments to other eligible facilities in
4 accordance with the provisions of this
5 paragraph. The commissioner of health
6 shall be provided with copies of all such
7 resolutions and reports; and

8 (e) Inpatient rate adjustments made pursuant
9 to paragraphs (a) through (c) of this
10 section shall result in a net statewide
11 decrease in aggregate medicaid payments of
12 no less than \$168,000,000 for the period
13 July 1, 2009 through March 31, 2010; and

14 (f) If the commissioner of health determines
15 that federal financial participation will
16 not be available with regard to the
17 provisions of paragraph (d)(ii) herein,
18 the commissioner of health may deem such
19 provision null and void and instead may
20 allocate payments proportionally, based on
21 each eligible facility's relative share of
22 medicaid inpatient discharges in the year
23 two years prior to the distribution year;
24 and

25 (g) Provided, however, if this chapter
26 appropriates sufficient additional funds
27 to support payments for general hospital
28 inpatient services using the methodology
29 in existence on February 28, 2009 as set
30 forth in section 2807-c of the public
31 health law, the provisions of this section
32 shall not apply and shall be considered
33 null and void as of February 28, 2009.

34 Notwithstanding any inconsistent provision
35 of law and subject to the availability of
36 federal financial participation, for the
37 period April 1, 2009 through March 31,
38 2010, rates of payment by governmental
39 agencies for general hospitals which are
40 certified by the office of alcoholism and
41 substance abuse services to provide
42 inpatient detoxification and withdrawal
43 services and, with regard to inpatient
44 services provided to patients who are
45 determined to be in diagnosis-related
46 groups numbered 743 , 744, 745, 746, 747,
47 748, 749, 750, or 751, shall be made on a
48 per diem basis in accordance with the
49 following:

50 (a) For each of the regions within the state
51 as described in paragraph (e) of this
52 section the commissioner of health shall
53 determine the average per diem cost
54 incurred by general hospitals in that
55 region subject to the provisions of this
56 section with regard to inpatients
57 requiring medically managed detoxification
58 services, as defined by applicable
59 regulations promulgated by the office of
60 alcoholism and substance abuse services.
61 In determining such costs the commissioner
62 of health shall utilize 2006 costs and

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1 statistics as reported by such hospitals
2 to the department of health prior to 2008;
3 and
4 (b) Per diem payments for inpatients
5 requiring medically managed inpatient
6 detoxification services shall reflect 100
7 percent of the per diem amounts computed
8 pursuant to paragraph (a) of this section
9 for the applicable region in which the
10 facility is located and as trended forward
11 to adjust for inflation, provided however,
12 that such payments shall be reduced by 50
13 percent for any such services provided on
14 or after the sixth day of services through
15 the tenth day of services, and further
16 provided that no payments shall be made
17 for any services provided on or after the
18 eleventh day; and
19 (c) Per diem payments for inpatients
20 requiring medically supervised inpatient
21 detoxification services, as defined by
22 applicable regulations promulgated by the
23 office of alcoholism and substance abuse
24 services, shall reflect 100 of the per
25 diem amounts computed pursuant to
26 paragraph (a) of this section for the
27 applicable region in which the facility is
28 located for the period April 1, 2009
29 through December 31, 2009, and as trended
30 forward to adjust for inflation, and shall
31 reflect 75 percent of such per diem
32 amounts for periods on and after January
33 1, 2010 through March 31, 2010, as trended
34 forward to adjust for inflation, provided,
35 however, that such payments shall be
36 reduced by 50 percent for any services
37 provided on or after the sixth day of
38 services through the tenth day of
39 services, and further provided that no
40 payments shall be made for any services
41 provided on and after the eleventh day;
42 and
43 (d) Per diem payments for inpatients placed
44 in observation beds, as defined by
45 applicable regulations promulgated by the
46 office of alcoholism and substance abuse
47 services, shall be at the same level as
48 would be paid pursuant to paragraph (a) of
49 this section, provided, however, that such
50 payments shall not apply for more than two
51 days of care, after which payments for
52 such inpatients shall reflect their
53 designation as requiring either medically
54 managed detoxification services or
55 medically supervised withdrawal services,
56 and further provided that days of care
57 provided in such observation beds shall,
58 for reimbursement purposes, be fully
59 reflected in the computation of the
60 initial five days of care as set forth in
61 paragraphs (a) and (b) of this section;
62 and

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- 1 (e) For the purposes of this paragraph, the
2 regions of the state shall be as follows:
3 (i) New York city, consisting of the
4 counties of Bronx, New York, Kings, Queens
5 and Richmond;
6 (ii) Long Island, consisting of the counties
7 of Nassau and Suffolk;
8 (iii) Northern metropolitan, consisting of
9 the counties of Columbia, Delaware,
10 Dutchess, Orange, Putnam, Rockland,
11 Sullivan, Ulster and Westchester;
12 (iv) Northeast, consisting of the counties
13 of Albany, Clinton, Essex, Fulton, Greene,
14 Hamilton, Montgomery, Rensselaer,
15 Saratoga, Schenectady, Schoharie, Warren
16 and Washington;
17 (v) Utica/Watertown, consisting of the
18 counties of Franklin, Herkimer, Lewis,
19 Oswego, Otsego, St. Lawrence, Jefferson,
20 Chenango, Madison and Oneida;
21 (vi) Central, consisting of the counties of
22 Broome, Cayuga, Chemung, Cortland,
23 Onondaga, Schuyler, Seneca, Steuben, Tioga
24 and Tompkins;
25 (vii) Rochester, consisting of Monroe,
26 Ontario, Livingston, Wayne and Yates;
27 (viii) Western, consisting of the counties
28 of Allegany, Cattaraugus, Chautauqua,
29 Erie, Genesee, Niagara, Orleans and
30 Wyoming.
31 (f) Provided, however, if this chapter
32 appropriates sufficient additional funds
33 to support payments for hospital inpatient
34 detoxification services using the
35 methodology in existence on February 28,
36 2009 as set forth in section 2807-c(4)(1)
37 of the public health law, the provisions
38 of this section shall not apply and shall
39 be considered null and void as of February
40 28, 2009.
41 Notwithstanding any inconsistent provision
42 of paragraph (e) of subdivision 4 of
43 section 2807-c of the public health law or
44 any other contrary provision of law and
45 subject to the availability of federal
46 financial participation, per diem rates of
47 payment by governmental agencies for a
48 general hospital or a distinct unit of a
49 general hospital for inpatient psychiatric
50 services that would otherwise be subject
51 to the provisions of paragraph (e) of
52 subdivision 4 of section 2807-c of the
53 public health law, and rates of payment
54 for outpatient psychiatric services
55 provided by such facilities pursuant to
56 article 28 of the public health law and as
57 specified in this section, shall, with
58 regard to days of service and visits
59 occurring on and after July 1, 2009
60 through March 31, 2010, be in accordance
61 with the following:

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- 1 (a) For the period July 1, 2009 through
2 December 31, 2009, the operating component
3 of such inpatient rates shall reflect the
4 use of 2005 operating costs as reported by
5 each facility to the department of health
6 prior to December 1, 2008 and as adjusted
7 for inflation pursuant to paragraph (c) of
8 subdivision 10 of section 2807-c of the
9 public health law, as otherwise modified
10 by any applicable statute, provided,
11 however, that such 2005 reported operating
12 costs shall, for inpatient rate-setting
13 purposes, be held to a ceiling of 110
14 percent of the average of such reported
15 inpatient costs by such facilities in the
16 region in which the facility is located,
17 as determined pursuant to clause (E) of
18 subparagraph (iii) of paragraph (1) of
19 subdivision 4 of section 2807-c of the
20 public health law; and
- 21 (b) For rate periods on and after January 1,
22 2010 through March 31, 2010, the operating
23 component of such inpatient rates shall
24 utilize 2005 operating costs as submitted
25 to the department of health prior to
26 December 1, 2008 and shall provide for
27 methodologies establishing per diem
28 inpatient rates that utilize case mix
29 adjustment mechanisms and provide for
30 post-discharge referral to outpatient
31 services. Such inpatient rates shall
32 reflect adjustments based on length of
33 stay. Outpatient rates of payment for
34 general hospitals or units of general
35 hospitals subject to this section shall
36 provide for reimbursement for the
37 evaluation of potential inpatient
38 psychiatric patients and the pre-admission
39 referral of such patients, when
40 appropriate, to outpatient services; and
- 41 (c) Rates of payment established pursuant to
42 paragraph (b) of this paragraph shall
43 reflect an aggregate net statewide
44 increase in reimbursement for such
45 services of \$25,000,000; and
- 46 (d) Provided, however, if this chapter
47 appropriates sufficient additional funds
48 to support payments for inpatient
49 psychiatric services provided by a general
50 hospital or a distinct unit of a general
51 hospital and for outpatient psychiatric
52 services provided by such facilities
53 pursuant to article 28 of the public
54 health law using the methodology in
55 existence on February 28, 2009 as set
56 forth in section 2807-c of the public
57 health law, the provisions of this section
58 shall not apply and shall be considered
59 null and void as of February 28, 2009.
- 60 Notwithstanding any inconsistent provision
61 of paragraph (e) of subdivision 4 of
62 section 2807-c of the public health law or

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1 any other contrary provision of law and
2 subject to the availability of federal
3 financial participation, the operating
4 cost component of per diem rates of
5 payment by governmental agencies for
6 inpatient services provided by a general
7 hospital or a distinct unit of a general
8 hospital for services, as described below,
9 that would otherwise be subject to the
10 provisions of paragraph (e) of subdivision
11 4 of section 2807-c of the public health
12 law, shall, with regard to days of service
13 occurring on and after July 1, 2009
14 through March 31, 2010, be in accord with
15 the following:

16 (a) For physical medical rehabilitation
17 services and for chemical dependency
18 rehabilitation services, such rates shall
19 reflect the use of 2005 operating costs
20 for each respective category of services
21 as reported by each facility to the
22 department of health prior to December 1,
23 2008 and as adjusted for inflation
24 pursuant to paragraph (c) of subdivision
25 10 of section 2807-c of the public health
26 law, as otherwise modified by any
27 applicable statute, provided, however,
28 that such 2005 reported operating costs
29 shall, for rate-setting purposes, be held
30 to a ceiling of 110 percent of the average
31 of such reported costs in the region in
32 which the facility is located, as
33 determined pursuant to clause (E) of
34 subparagraph (iii) of paragraph (1) of
35 subdivision 4 of section 2807-c of the
36 public health law; and

37 (b) For services provided by rural hospitals
38 designated as critical access hospitals in
39 accordance with title XVIII of the federal
40 social security act, such rates shall
41 reflect the use of 2005 operating costs as
42 reported by each facility to the
43 department of health prior to December 1,
44 2008 and as adjusted for inflation
45 pursuant to paragraph (c) of subdivision
46 10 of section 2807-c of the public health
47 law, as otherwise modified by any
48 applicable statutes, provided, however,
49 that such 2005 reported operating costs
50 shall, for rate-setting purposes, be held
51 to a ceiling of 110 percent of the average
52 of such reported costs for all such
53 designated hospitals statewide; and

54 (c) For inpatient services provided by
55 specialty long term acute care hospitals
56 and for inpatient services provided by
57 cancer hospitals as so designated as of
58 December 31, 2008, such rates shall
59 reflect the use of 2005 operating costs
60 for each respective category of facility
61 as reported by each facility to the
62 department of health prior to December 1,

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1 2008 and as adjusted for inflation
2 pursuant to paragraph (c) of subdivision
3 10 of section 2807-c of the public health
4 law, as otherwise modified by any
5 applicable statutes; and
6 (d) For facilities designated by the federal
7 department of health and human services as
8 exempt acute care children's hospitals,
9 for which a discrete institutional cost
10 report was filed for the 2006 calendar
11 year, and which has reported medicaid
12 discharges greater than 50 percent of
13 total discharges in such cost report, such
14 rates shall reflect the use of 2006
15 operating costs as reported by each
16 facility to the department of health prior
17 to December 1, 2008 and as adjusted for
18 inflation pursuant to paragraph (c) of
19 subdivision 10 of section 2807-c of the
20 public health law, as otherwise modified
21 by any applicable statutes, and as
22 determined on a per case basis or per diem
23 basis, as set forth in regulations
24 promulgated by the commissioner of health;
25 and
26 (e) Rates established pursuant to this
27 section shall be deemed as excluding
28 reimbursement for physician services for
29 inpatient services and claims for medicaid
30 fee payments for such physician services
31 for such inpatient care may be submitted
32 separately from the rate in accordance
33 with otherwise applicable law; and
34 (f) Such rates of payment pursuant to this
35 section for a general hospital or distinct
36 unit of a general hospital without
37 adequate cost experience shall be based on
38 the lower of the facility's or unit's
39 inpatient budgeted operating costs per
40 day, adjusted to actual, or the applicable
41 regional ceiling, if any; and
42 (g) Provided, however, if this chapter
43 appropriates sufficient additional funds
44 to support payments for inpatient services
45 provided by a general hospital or a
46 distinct unit of a general hospital, as
47 described in this paragraph, using the
48 methodology in existence on February 28,
49 2009 as set forth in section 2807-c of the
50 public health law, the provisions of this
51 section shall not apply and shall be
52 considered null and void as of February
53 28, 2009 279,107,000
54 For services and expenses of the medical
55 assistance program including hospital
56 outpatient and emergency room services ... 334,657,000
57 For services and expenses of the medical
58 assistance program including clinic
59 services 285,844,000
60 For services and expenses of the medical
61 assistance program including nursing home
62 services.

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1 Notwithstanding any contrary provision of
2 law and subject to the availability of
3 federal financial participation, for the
4 period April 1, 2009 through March 31,
5 2010, the operating cost components of
6 rates of payment paid by governmental
7 agencies for inpatient services to each
8 residential health care facility, but not
9 including residential health care
10 facilities that provide extensive nursing,
11 medical, psychological and counseling
12 support to children, shall, after
13 application of any applicable adjustments
14 to the trend factors affecting such rates,
15 be subject to uniform reductions of 2
16 percent.

17 Notwithstanding any contrary provision of
18 law and subject to the availability of
19 federal financial participation, for the
20 period April 1, 2009 through March 31,
21 2010, the rates of payment by governmental
22 agencies for residential health care
23 facility inpatient services shall be
24 computed on a regional basis, using
25 allowable operating costs, as determined
26 by the department of health, from the 2005
27 certified cost reports from facilities on
28 file with the department of health as of
29 December 1, 2008, as adjusted for
30 inflation in accordance with paragraph (c)
31 of subdivision 10 of section 2807-c of the
32 public health law, and in accordance with
33 the following:

- 34 (a) For the purpose of this paragraph, the
35 regions of the state shall be as follows:
36 (i) New York City, consisting of the
37 counties of Bronx, New York, Kings,
38 Queens, and Richmond;
39 (ii) Long Island, consisting of the counties
40 of Nassau and Suffolk;
41 (iii) Central, consisting of the counties of
42 Broome, Cayuga, Chemung, Cortland,
43 Onondaga, Schuyler, Steuben, Tioga and
44 Tompkins;
45 (iv) Rochester, consisting of Monroe,
46 Ontario, Livingston, Seneca, Wayne and
47 Yates;
48 (v) Western, consisting of the counties of
49 Allegany, Cattaraugus, Chautauqua, Erie,
50 Genesee, Niagara, Orleans and Wyoming;
51 (vi) Northern Metropolitan, consisting of
52 the counties of Columbia, Delaware,
53 Dutchess, Orange, Putnam, Rockland,
54 Sullivan, Ulster and Westchester;
55 (vii) Northeast, consisting of the counties
56 of Albany, Clinton, Essex, Fulton, Greene,
57 Montgomery, Rensselaer, Saratoga,
58 Schenectady, Schoharie, Warren, and
59 Washington; (iii) Utica/Watertown,
60 consisting of the counties of Franklin,
61 Hamilton, Herkimer, Lewis, Oswego, Otsego,

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- 1 St. Lawrence, Jefferson, Chenango, Madison
2 and Oneida;
- 3 (b) The operating component of such rates
4 shall fully reflect the cost of local
5 property taxes and payments made in lieu
6 of local property taxes and payments in
7 lieu of local property taxes, as reported
8 in each facility's cost report submitted
9 for the year two years prior to the rate
10 year; and
- 11 (c) The direct component of the operating
12 component of such rates shall be subject
13 to case mix adjustment through application
14 of the minimum data set (MDS)
15 classification employed by the federal
16 government with regard to payments to
17 skilled nursing facilities pursuant to
18 title XVIII of the federal social security
19 act (Medicare) to reflect patient service
20 intensity, as may be adjusted by the
21 commissioner of health. Such adjustments
22 shall be made semi-annually in each
23 calendar year, and both the adjustments
24 and the related patient classifications in
25 each facility shall be subject to audit
26 review in accordance with regulations
27 promulgated by the commissioner of health;
28 and
- 29 (d) Such rates shall, except for the
30 establishment of any regional prices, be
31 calculated utilizing only the number of
32 patients properly assessed and reported in
33 each patient classification group and
34 eligible for medicaid; and
- 35 (e) Such rates for the following categories
36 of facilities, as established pursuant to
37 applicable regulations, shall receive the
38 rates in effect for such facilities on
39 December 31, 2006, as adjusted for
40 inflation in accordance with paragraph (c)
41 of subdivision 10 of section 2808-c of the
42 public health law: (i) AIDS facilities or
43 discrete AIDS units within facilities,
44 (ii) discrete units for residents
45 receiving care in a long term inpatient
46 rehabilitation program for traumatic brain
47 injured persons, (iii) discrete units
48 providing specialized programs for
49 residents requiring behavioral
50 interventions, (iv) discrete units for
51 long term ventilator dependent residents,
52 and (v) facilities or discrete units
53 within facilities that provide extensive
54 nursing, medical, psychological and
55 counseling support services solely to
56 children; and
- 57 (f) The commissioner of health may make
58 additional transition adjustments to rates
59 of payment for residential health care
60 facilities to facilitate improvements in

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- 1 residential health care facilities
2 operations and finances in accordance with
3 the following: and
- 4 (i) Residential health care facilities
5 eligible for distributions pursuant to
6 this paragraph shall be those non-public
7 facilities which, as determined by the
8 commissioner of health, experience a
9 reduction in their medicaid inpatient
10 revenue as determined by the commissioner
11 of health, as a result of the application
12 of regional pricing.
- 13 (ii) Transition funds distributed pursuant
14 to this paragraph shall be allocated based
15 on each eligible facility's relative need
16 as determined by the commissioner of
17 health.
- 18 (iii) Up to \$75,000,000 in transition
19 funding pursuant to this paragraph shall
20 be available.
- 21 (iv) Payments made pursuant to this
22 paragraph shall not be subject to
23 retroactive adjustment or reconciliation
24 and may be added to rates of payment or
25 made as lump sum payments.
- 26 (v) Each residential health care facility
27 receiving funds pursuant to this paragraph
28 shall, as a condition for eligibility for
29 such funds, adopt a resolution of the
30 board of directors or submit a report by
31 the owner acceptable to the commissioner
32 of health setting forth its current
33 financial condition and a plan for
34 reforming and improving such financial
35 condition, including ongoing board or
36 owner oversight; and
- 37 (g) Administrative rate appeals of such
38 rates shall be available by the department
39 of health only for (i) the correction of
40 computational errors or omissions of data
41 by the department of health in determining
42 the operating rate based upon the
43 information provided to the department of
44 health prior to the computation of the
45 rate, (ii) capital cost reimbursement, or
46 (iii) such reasons as the commissioner of
47 health determines are appropriate. The
48 department of health will not consider any
49 revisions made to a facility's annual cost
50 report for operating rate adjustment
51 purposes later than the due date
52 established by the commissioner of health;
53 and
- 54 (h) Any proprietary residential health care
55 facilities which otherwise would be
56 entitled to residual reimbursement as
57 provided under applicable regulation, may
58 have the capital cost component of its
59 rate recalculated by the department of
60 health to take into account any capital
61 improvements and/or renovations made to
62 the facility's existing infrastructure for

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1 the purpose of converting beds to
2 alternative long term care uses or
3 protecting the health and safety of
4 patients, subject to the approval of the
5 commissioner of health and all applicable
6 certificate of need requirements; and
7 (i) If the commissioner of health determines
8 that federal financial participation will
9 not be available with regard to the
10 provisions of paragraph (f)(ii) of this
11 subdivision the commissioner of health may
12 deem such provision null and void and
13 instead may allocate such funds
14 proportionally, based on each eligible
15 facility's relative share of medicaid days
16 in the year two years prior to the
17 distribution year.
18 Provided, however, if this chapter
19 appropriates sufficient additional funds
20 to support payments for residential health
21 care facility rates using methodology in
22 existence on February 28, 2009 as set
23 forth in section 2808 of the public health
24 law, the provisions of this section shall
25 not apply and shall be considered null and
26 void as of February 28, 2009.
27 Notwithstanding any contrary provision of
28 law, for the period April 1, 2009 through
29 March 31, 2010, for rates of payment by
30 government agencies for inpatient services
31 provided by residential health care
32 facilities, in determining the operating
33 component of a facility's rate for care
34 provided for an AIDS patient in a
35 residential health care facility
36 designated as an AIDS facility or having a
37 discrete AIDS unit, the operating
38 component of such rates shall not reflect
39 an occupancy factor increase 1,587,533,000
40 For services and expenses of the medical
41 assistance program including other long
42 term care services.
43 Notwithstanding any contrary provision of
44 law and subject to the availability of
45 federal financial participation, for the
46 period April 1, 2009 through March 31,
47 2010, the rates of payment paid by
48 governmental agencies for home health care
49 services to each certified home health
50 agency, each long term home health care
51 program, and each AIDS home care program
52 shall, after application of any applicable
53 adjustments to the trend factors affecting
54 such rates, be subject to a uniform
55 reduction of one percent, and for
56 certified home health agencies, an
57 additional uniform reduction of 3.5
58 percent, and, for long term home health
59 care program and the AIDS home care
60 program, an additional uniform reduction
61 of 1.5 percent, and further, the rates of
62 payment paid by governmental agencies for

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1 personal care services, including personal
2 care services provided in those social
3 service districts whose rates of payment
4 for such services are established by such
5 social service districts pursuant to a
6 rate-setting exemption issued by the
7 commissioner to such social service
8 districts in accordance with applicable
9 regulations, shall, after application of
10 any applicable adjustments to the trend
11 factors affecting such rates, be subject
12 to a uniform reduction of one percent and
13 an additional uniform reduction of 1.5
14 percent.

15 Notwithstanding any contrary provision of
16 law or regulation, for purposes of
17 establishing rates of payment by
18 governmental agencies for long term home
19 health care programs for the period April
20 1, 2009 through March 31, 2010, the
21 reimbursable base year administrative and
22 general costs of a provider of services
23 with annual expenses in excess of
24 \$20,000,000, as determined using the
25 reported base year cost data used to
26 establish the statewide average
27 administrative and general cost ceiling
28 for such period, shall not exceed the
29 lower of such statewide average or 20
30 percent of each such agency's total
31 reimbursable base year costs.

32 Notwithstanding any contrary provision of
33 law or regulation, for purposes of
34 establishing rates of payment by
35 governmental agencies for certified home
36 health agencies for the period April 1,
37 2009 through March 31, 2010, the
38 reimbursable base year administrative and
39 general costs of a provider of services
40 with annual expenses in excess of
41 \$20,000,000, as determined using the
42 reported base year cost data used to
43 establish the statewide average
44 administrative and general cost ceiling
45 for such period, shall not exceed the
46 lower of such statewide average or 20
47 percent of each such agency's total
48 reimbursable base year costs.

49 Notwithstanding any contrary provision of
50 law, for the period April 1, 2009 through
51 March 31, 2010, for purposes of
52 establishing rates of payment for
53 certified home health agency services and
54 long term home health care program
55 services, no amount shall be included in
56 the rate for any community-based agency or
57 program that is in excess of 100 percent
58 of the weighted average cost of all
59 community-based agencies or programs in
60 each such agency's or program's group, or
61 that, in the case of hospital-based
62 agencies or programs, is in excess of 100

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1 percent of the weighted average cost of
2 community based agencies or programs in
3 the area in which such hospital-based
4 agencies or programs are located.

5 Notwithstanding any contrary provision of
6 law and subject to the availability of
7 federal financial participation, for the
8 period January 1, 2010 through March 31,
9 2010, rates of payment by government
10 agencies for services provided by
11 certified home health agencies shall be
12 based on episodic payments. In
13 establishing such payments, a statewide
14 base price shall be established for each
15 60 day episode of care and adjusted by a
16 provider regional wage index factor and an
17 individual patient case mix index. Such
18 episodic payments may be further adjusted
19 for low utilization cases and to reflect a
20 percentage of the cost for high-
21 utilization cases that exceed outlier
22 thresholds of such payments. Base year
23 episodic payments shall be further
24 adjusted to the applicable rate year in
25 accordance with paragraph c of subdivision
26 10 of section 2807-c of article 28 of the
27 public health law. Such payments shall be
28 based on medicaid paid claims, as
29 determined by the commissioner of health,
30 for service provided by all certified home
31 health agencies in the 2007 base year. In
32 determining case mix, each patient shall
33 be classified using a system based on
34 measures including, but not limited to,
35 clinical and functional measures, as
36 reported on the federal outcome and
37 assessment information set (OASIS). As
38 determined by the commissioner of health,
39 agencies will be required to collect and
40 submit any data required to implement this
41 section. Provided, however, if this
42 chapter appropriates sufficient additional
43 funds to support payments for certified
44 home health care agencies using
45 methodology in existence on February 28,
46 2009 as set forth in section 3614 of the
47 public health law, the provisions of this
48 section shall not apply and shall be
49 considered null and void as of February
50 28, 2009.

51 Notwithstanding any inconsistent provision
52 of law, rule or regulation to the
53 contrary, for the period October 1, 2009
54 through March 31, 2010, an agreement
55 between the department of health and an
56 entity offering a comprehensive health
57 services plan, including an entity that
58 has received a certificate of authority
59 pursuant to sections 4403, 4403-a or 4408-
60 a of the public health law, or a health
61 maintenance organization authorized under
62 article 43 of the insurance law, may allow

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1 for medical assistance payments on a
2 capitated basis for home care or other
3 long term care services, other than
4 nursing facility services, without such
5 entity being a managed long term care
6 plan, operating demonstration, or approved
7 managed long term care demonstration under
8 section 4403-f of the public health law.
9 Provided, however, if this chapter
10 appropriates sufficient additional funds
11 to support payments for care and services
12 furnished by an entity offering
13 comprehensive health services plan in
14 existence on February 28, 2009 as set
15 forth in section 365-a (k) of the social
16 services law, the provisions of this
17 section shall not apply and shall be
18 considered null and void as of February
19 28, 2009.

20 Notwithstanding any inconsistent provision
21 of law, rule or regulation to the
22 contrary, for the period April 1, 2009
23 through March 31, 2010, the department of
24 health is authorized to establish long
25 term care assessment centers to serve
26 regions of the state as may be established
27 by the department, including the city of
28 New York, for the purpose of transferring
29 from the social services district to the
30 regional long term care assessment centers
31 responsibility for activities related to
32 the assessment of a person's need for, and
33 the authorization of, long term care
34 services and programs identified in this
35 section. The department is authorized to
36 contract with one or more entities to
37 operate regional long term care assessment
38 centers. The regional long term care
39 assessment center shall have
40 responsibility for assessment of long term
41 care needs of an applicant for, or
42 recipient of, medical assistance and for
43 authorization of services and
44 participation in programs including:
45 personal care services, including personal
46 emergency response services, under
47 paragraph (e) of subdivision 2 of section
48 365-a of the social services law,
49 consumer-directed personal assistance
50 services under section 365-f of the social
51 services law and the cash and counseling
52 demonstration program under section 367-v
53 of the social services law; the assisted
54 living program under section 461-l of the
55 social services law; and participation in
56 the long term home health care program
57 under section 367-c of the social services
58 law and section 3612 of the public health
59 law, including the AIDS home care program
60 under the provisions of section 367-e of
61 the social services law and section 3620
62 of the public health law. The regional

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1 long term care assessment center shall
2 have responsibility for reviewing
3 assessments to verify that an individual
4 requires a nursing home level of care and,
5 after confirming that an enrollment is
6 voluntary, for authorizing participation
7 in a managed long term care plan or an
8 approved managed long term care
9 demonstration under paragraph (o) of
10 subdivision 2 of section 365-a of the
11 social services law. The regional long
12 term care assessment center shall have
13 responsibility for reviewing documentation
14 from a person's physician and a certified
15 home health agency and for making the
16 determination as to the continuing need
17 for home health services beyond 60 days
18 provided by a certified home health agency
19 under paragraph (d) of subdivision 2 of
20 section 365-a of the social services law.
21 This section shall apply to those
22 consumers who apply for the services
23 specified in this section on and after the
24 later of January 1, 2010 or the date
25 specified in the contract between the
26 department and the entity selected to be a
27 regional long term care assessment center. 1,857,424,000
28 For services and expenses of the medical
29 assistance program including managed care
30 services 2,032,455,000
31 For services and expenses of the medical
32 assistance program including pharmacy
33 services.
34 Notwithstanding any inconsistent provision
35 of law, rule or regulation to the
36 contrary, for the period April 1, 2009
37 through March 31, 2010, medical assistance
38 payment for certain drugs which may not be
39 dispensed without a prescription shall be
40 made at the following amounts: for sole
41 and multiple source brand name drugs,
42 estimated acquisition cost means the
43 average wholesale price of a prescription
44 drug based upon the package size dispensed
45 from, as reported by the prescription drug
46 pricing service used by the department of
47 health, less 17.25 percent thereof, and
48 updated monthly by the department.
49 Notwithstanding any inconsistent provision
50 of law, rule or regulation to the
51 contrary, for the period April 1, 2009
52 through March 31, 2010, medical assistance
53 payment to a specialized HIV pharmacy, as
54 defined in paragraph (f) of subdivision 9
55 of section 367-a of the social services
56 law, for drugs which may not be dispensed
57 without a prescription shall be made at
58 the following amounts: if the drug
59 dispensed is a multiple source
60 prescription drug or a brand-name
61 prescription drug for which no specific
62 upper limit has been set by the centers

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1 for medicare and medicaid services, the
2 lower of the estimated acquisition cost of
3 such drug to pharmacies, or the dispensing
4 pharmacy's usual and customary price
5 charged to the general public; for sole
6 and multiple source brand name drugs,
7 estimated acquisition cost means the
8 average wholesale price of a prescription
9 drug based upon the package size dispensed
10 from, as reported by the prescription drug
11 pricing service used by the department of
12 health, less 17.25 percent thereof, and
13 updated monthly by the department; for
14 multiple source generic drugs, estimated
15 acquisition cost means the lower of the
16 average wholesale price of a prescription
17 drug based on the package size dispensed
18 from, as reported by the prescription drug
19 pricing service used by the department,
20 less 25 percent thereof, or the maximum
21 acquisition cost, if any, established
22 pursuant to paragraph (e) of subdivision 9
23 of section 367-a of the social services
24 law.

25 Notwithstanding any inconsistent provision
26 of law, rule or regulation to the
27 contrary, for the period May 1, 2009
28 through March 31, 2010, the commissioner
29 of health may, upon recommendation by the
30 pharmacy and therapeutics committee,
31 consider for inclusion in the preferred
32 drug program established pursuant to
33 section 272 of the public health law the
34 therapeutic class of anti-depressants;
35 provided, however, if this chapter
36 appropriates sufficient additional funds
37 to exclude anti-depressants from the
38 preferred drug program then the provisions
39 of this paragraph shall not apply and
40 shall be considered null and void as of
41 February 28, 2009.

42 Notwithstanding any inconsistent provision
43 of law, rule or regulation to the
44 contrary, for the period April 1, 2009
45 through March 31, 2010, the commissioner
46 of health is authorized to negotiate
47 directly with pharmaceutical manufacturers
48 for rebates under the medical assistance
49 program and to enter into a contract or
50 contracts with qualified entities for such
51 purpose, which contract or contracts may be
52 entered into without a competitive bid or
53 request for proposal process,
54 notwithstanding any inconsistent provision
55 of sections 112 and 163 of the state
56 finance law, or section 142 of the
57 economic development law, or any other
58 law; provided, however, if this chapter
59 appropriates sufficient additional funds
60 to preclude such direct negotiation and
61 such contracting, then the provisions of

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1 this paragraph shall not apply and shall
2 be considered null and void as of
3 February 28, 2009.

4 Notwithstanding any inconsistent provision
5 of law, rule or regulation to the
6 contrary, for the period April 1, 2009
7 through March 31, 2010, the department of
8 health may establish or expand pharmacy
9 prior authorization requirements for the
10 medical assistance program without the
11 need to obtain new statutory authority;
12 provided, however, if this chapter
13 appropriates sufficient additional funds
14 to require the department and the panel to
15 obtain new statutory authority for such
16 prior authorization establishment or
17 expansion, then the provisions of this
18 paragraph shall not apply and shall be
19 considered null and void as of February
20 28, 2009.

21 Notwithstanding any inconsistent provision
22 of law, rule or regulation to the
23 contrary, for the period September 1, 2009
24 through March 31, 2010, for purposes of
25 medical assistance coverage, "step
26 therapy" shall mean the practice of
27 beginning drug therapy for a medical
28 condition with the most medically
29 appropriate and cost effective therapy and
30 progressing to other drugs as medically
31 necessary; provided that the commissioner,
32 through the prospective drug utilization
33 review program, as established in section
34 369-aa of the social services law, is
35 authorized to require step therapy when
36 there is more than one drug appropriate to
37 treat a medical condition; and provided
38 further that the drug utilization review
39 board, as established in section 369-cc of
40 the social services law, shall recommend
41 guidelines, which consider clinical
42 effectiveness, safety, and cost
43 effectiveness, for specific diagnoses and
44 therapy regimens within which
45 practitioners may prescribe drugs without
46 the requirement for prior authorization of
47 those drugs; provided, however, if this
48 chapter provides sufficient additional
49 funding to cover the costs of drugs which
50 are dispensed without regard to the step
51 therapy method described herein, then the
52 provisions of the section shall be deemed
53 null and void as of February 28, 2009.

54 Notwithstanding any inconsistent provision
55 of law, rule or regulation to the
56 contrary, for the period September 1, 2009
57 through March 31, 2010, for purposes of
58 medical assistance coverage, the
59 commissioner is authorized to limit the
60 amount, frequency and duration of drug
61 therapy through prior authorization as
62 part of the drug utilization review

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1 program established under title 11-C of
2 article 5 of the social services law;
3 provided, however, that clinical
4 prescribing guidelines relating to the
5 quantity, frequency and duration of drug
6 therapy will be developed by the drug
7 utilization review board for the
8 commissioner's use in determining when to
9 require prior authorization of drugs in
10 the drug utilization review program, and
11 provided further that exceptions to any
12 prior authorization imposed as a result of
13 these guidelines shall include, but need
14 not be limited to, provision for emergency
15 circumstances where a medical condition
16 requires alleviation of severe pain or
17 which threatens to cause disability or to
18 take a life if not promptly treated;
19 provided further, however, if this chapter
20 provides sufficient additional funding to
21 cover the costs of drugs prescribed
22 without the limitations as to amount,
23 frequency and duration described herein,
24 then the provisions of this section shall
25 be null and void as of February 28, 2009.

26 Notwithstanding any inconsistent provision
27 of law, rule or regulation to the
28 contrary, for the period September 1, 2009
29 through March 31, 2010, for persons
30 eligible for medical assistance, who are
31 also beneficiaries under part D of title
32 XVIII of the federal social security act,
33 the following categories of drugs shall
34 not be exempt from the definition of
35 "covered part D drugs" and shall be
36 subject to the medical assistance
37 exclusion of coverage for "covered part D
38 drugs": atypical anti-psychotics, anti-
39 depressants, anti-retrovirals used in the
40 treatment of HIV/AIDS, and anti-rejection
41 drugs used for the treatment of organ and
42 tissue transplants.

43 Notwithstanding any inconsistent provision
44 of law, rule or regulation to the
45 contrary, for the period June 1, 2009
46 through March 31, 2010, patients who do
47 not meet the criteria for approval
48 established in the clinical drug review
49 program, as set forth in subdivision 6 of
50 section 274 of the public health law, will
51 be given reasonable opportunity to
52 reasonably present justification for prior
53 authorization; provided, however, that
54 after provision of such reasonable
55 opportunity, the program may determine
56 that the use of the drug is not medically
57 necessary and prior authorization may be
58 denied; and further provided that if this
59 chapter provides sufficient additional
60 funding to cover the costs of drugs that
61 the prescriber, in his or her reasonable
62 professional judgment, determines the use

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1 of is warranted, then the provisions of
2 this section shall be deemed null and void
3 as of February 28, 2009.

4 Notwithstanding any inconsistent provision
5 of law, rule or regulation to the
6 contrary, for the period September 1, 2009
7 through March 31, 2010, the commissioner
8 is authorized to deny reimbursement under
9 the medical assistance program for a
10 generic equivalent drug, including a
11 generic equivalent that is on the
12 preferred drug list or the clinical drug
13 review program, when the net cost of the
14 brand name prescription drug, after
15 consideration of all rebates, is less than
16 the cost of the generic equivalent;
17 provided further that the co-payment
18 charged for each such brand name
19 prescription drug shall be \$1 and the
20 dispensing fee for each such brand name
21 prescription drug shall be \$4.50.

22 Notwithstanding any inconsistent provision
23 of law, rule or regulation to the
24 contrary, for the period April 1, 2009
25 through March 31, 2010, for the purposes
26 of providing reimbursement under the
27 medical assistance program, and subject to
28 obtaining all necessary approvals under
29 federal law and regulation to receive
30 federal financial participation in the
31 costs of services described herein, the
32 commissioner of health is authorized to
33 pay financial incentives to prescribing
34 practitioners and to pharmacies for the
35 purpose of encouraging the use of
36 electronic prescriptions for drugs for
37 which payments are made under this
38 subdivision; provided that such payments
39 shall be in the following amounts: for
40 prescribing practitioners, eighty cents
41 per dispensed electronic prescription; for
42 dispensing pharmacies, twenty cents per
43 dispensed electronic prescription;
44 provided, however, that electronic
45 prescribing software shall not use any
46 means or permit any other person to use
47 any means, including, but not limited to,
48 advertising, instant messaging, and pop-up
49 ads, to influence or attempt to influence,
50 through economic incentives or otherwise,
51 the prescribing decision of a prescribing
52 practitioner at the point of care and that
53 such means shall not be triggered or in
54 specific response to the input, selection,
55 or act of a prescribing practitioner or
56 his or her agent in prescribing a certain
57 pharmaceutical or directing a patient to a
58 certain pharmacy. Provided however that if
59 this chapter provides sufficient
60 additional funding to eliminate financial
61 incentives to prescribing practitioners
62 and to pharmacies for the purpose of

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<p>1 encouraging the use of electronic 2 prescriptions for drugs for which payments 3 are made under this subdivision, then the 4 provisions of this section shall be deemed 5 null and void as of February 28, 2009</p>	<p>251,223,000</p>
<p>6 For services and expenses of the medical 7 assistance program including 8 transportation services. 9 Notwithstanding any inconsistent provision 10 of law, rule or regulation to the 11 contrary, for the period September 1, 2009 12 through March 31, 2010, the commissioner 13 of health is authorized to assume 14 responsibility from a local social 15 services official for the provision and 16 reimbursement of medicaid transportation 17 costs under this section 365-h of the 18 social services law. If the commissioner 19 elects to assume such responsibility, the 20 commissioner shall notify the local social 21 services official in writing as to the 22 election, the date upon which the election 23 shall be effective and such information as 24 to transition of responsibilities as the 25 commissioner deems prudent. The 26 commissioner is authorized to contract 27 with a transportation manager or managers 28 that have experience in coordinating 29 transportation services in New York state 30 to manage the provision of such services. 31 Such a contract or contracts may include, 32 without limitation, responsibility for: 33 review, approval and processing of 34 transportation orders; management of the 35 appropriate level of transportation based 36 on documented patient medical need; and 37 development of new technologies and 38 approaches leading to efficient 39 transportation services. Notwithstanding 40 any inconsistent provision of sections 112 41 and 163 of the state finance law, or 42 section 142 of the economic development 43 law, or any other law, the commissioner is 44 authorized to enter into such contract 45 without a competitive bid or request for 46 proposal process. Provided, however, if 47 this chapter appropriates sufficient 48 additional funds to permit local social 49 services officials to maintain 50 responsibility for management of medicaid 51 transportation services without assumption 52 of such responsibility by the commissioner 53 of health, then the provisions of this 54 paragraph shall not apply and shall be 55 considered null and void as of February 56 28, 2009</p>	<p>105,794,000</p>
<p>57 For services and expenses of the medical 58 assistance program including dental 59 services</p>	<p>69,648,000</p>
<p>60 For services and expenses of the medical 61 assistance program including non-institu- 62 tional and other spending</p>	<p>489,966,000</p>

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1 Notwithstanding any inconsistent provision
2 of law, subject to the approval of the
3 director of the budget, up to the amount
4 appropriated herein, together with any
5 available federal matching funds, may be
6 transferred to the general fund - state
7 purposes account for services and expenses
8 related to pharmacy best practices initi-
9 atives including prior authorizations and
10 prior approvals 6,800,000

11 Notwithstanding any inconsistent provision
12 of law, subject to the approval of the
13 director of the budget, up to the amount
14 appropriated herein, together with any
15 available federal matching funds, may be
16 transferred to the general fund - state
17 purposes account for services and expenses
18 related to utilization review activities
19 including but not limited to utilization
20 management for radiology and transpor-
21 tation management services 6,000,000

22 Notwithstanding any inconsistent provision
23 of law, subject to the approval of the
24 director of the budget, up to the amount
25 appropriated herein, together with any
26 available federal matching funds, may be
27 transferred to the general fund - state
28 purposes account for services and expenses
29 related to education of medicaid eligibles
30 and recipients regarding the medicare part
31 D program and recipient and provider
32 notification and other program information
33 as determined necessary by the commission-
34 er of health. Subject to the approval of
35 the director of the budget, a portion of
36 this appropriation may be suballocated to
37 other state agencies 2,500,000

38 Notwithstanding any inconsistent provision
39 of law, subject to the approval of a plan
40 by the director of the budget, up to the
41 amount appropriated herein, together with
42 any available federal matching funds, may
43 be transferred to the general fund - state
44 purposes account or suballocated to the
45 state office for the aging for services
46 and expenses related to making improve-
47 ments in the long-term care system includ-
48 ing long-term care restructuring, the
49 nursing home transition and diversion
50 waiver, and point-of-entry initiatives for
51 the purpose of expanding and promoting a
52 more coordinated level of care for the
53 delivery of quality services in the commu-
54 nity 16,000,000

55 Notwithstanding any inconsistent provision
56 of law, subject to the approval of the
57 director of the budget, up to the amount
58 appropriated herein, together with any
59 available federal matching funds, may be
60 transferred to the general fund - state
61 purposes account for services and expenses
62 related to required criminal background

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1 checks for non-licensed long-term care
2 employees including employees of nursing
3 homes, certified home health agencies,
4 long term home health care providers, AIDS
5 home care providers, and licensed home
6 care service agencies 11,705,000

7 Notwithstanding any inconsistent provision
8 of law, subject to a plan developed by the
9 commissioner of health and approved by the
10 director of the budget, up to the amount
11 appropriated herein, together with any
12 available federal matching funds, will be
13 available for demonstrations that develop
14 and evaluate interventions targeted at
15 medicaid beneficiaries who are otherwise
16 exempt or excluded from mandatory Medicaid
17 managed care and who have multiple comor-
18 bidities.

19 Notwithstanding section 112 and section 163
20 of the state finance law, for chronic
21 illness demonstration projects authorized
22 by section 364-1 of the social services
23 law, the commissioner of health may allo-
24 cate up to \$2,500,000 of the amount appro-
25 priated for contracts without a request
26 for proposal process or any other compet-
27 itive process 6,000,000

28 Notwithstanding any inconsistent provision
29 of law, rule or regulation, subject to the
30 approval of the director of budget, moneys
31 appropriated herein, together with any
32 available federal matching funds, will be
33 available for home health telehealth and
34 IT demonstration programs 5,000,000

35 Notwithstanding any other provision of law,
36 the money herein appropriated, together
37 with any available federal matching funds,
38 is available for transfer or suballocation
39 to the state university of New York and
40 its subsidiaries, or to contract without
41 competition for services with the state
42 university of New York research founda-
43 tion, to provide support for the adminis-
44 tration of the medical assistance program
45 including activities such as dental prior
46 approval, retrospective and prospective
47 drug utilization review, development of
48 evidence based utilization thresholds,
49 data analysis, clinical consultation and
50 peer review, clinical support for the
51 pharmacy and therapeutic committee, and
52 other activities related to utilization
53 management for the medicaid program 6,000,000

54 For services and expenses of the medical
55 assistance program including medical
56 services provided at state facilities
57 operated by the office of mental health,
58 the office of mental retardation and
59 developmental disabilities and the office
60 of alcoholism and substance abuse services
61 3,200,000,000
62 -----

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1 Program account subtotal 10,553,656,000
 2 -----
 3
 4 Special Revenue Funds - Federal / Aid to Localities
 5 Federal Health and Human Services Fund - 265
 6 Medicaid Direct Account

7
 8 For services and expenses for the medical
 9 assistance program, including administra-
 10 tive expenses for local social services
 11 districts, pursuant to title XIX of the
 12 federal social security act or its succes-
 13 sor program.

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

26 Notwithstanding any other provision of law,
 27 the money hereby appropriated may be
 28 increased or decreased by interchange,
 29 with any appropriation of the department
 30 of health and the office of medicaid
 31 inspector general and may be increased or
 32 decreased by transfer or suballocation
 33 between these appropriated amounts and
 34 appropriations of the office of mental
 35 health, office of mental retardation and
 36 developmental disabilities, the office of
 37 alcoholism and substance abuse services,
 38 the department of family assistance office
 39 of temporary and disability assistance,
 40 office of children and family services,
 41 and state office for the aging with the
 42 approval of the director of the budget,
 43 who shall file such approval with the
 44 department of audit and control and copies
 45 thereof with the chairman of the senate
 46 finance committee and the chairman of the
 47 assembly ways and means committee.

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

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

10 Notwithstanding paragraph (c) of subdivision
11 10 of section 2807-c of the public health
12 law, subdivision 2-b of section 2808 of
13 the public health law, section 21 of
14 chapter 1 of the laws of 1999 and any
15 other contrary provision of law, except
16 with regard to subparagraph (iii) of
17 paragraph (b) of subdivision 33 of section
18 2807-c of the public health law, for the
19 period April 1, 2009 through March 31,
20 2010, rates of payments by state
21 governmental agencies for inpatient and
22 outpatient services provided by general
23 hospitals, for inpatient services and
24 adult day health care outpatient services
25 provided by residential health care
26 facilities pursuant to article 28 of the
27 public health law, except for residential
28 health care facilities that provide
29 extensive nursing, medical, psychological
30 and counseling support services to
31 children, for home health care services
32 provided pursuant to article 36 of the
33 public health law by certified home health
34 agencies and long term home health care
35 programs, and personal care services
36 provided pursuant to paragraph (e) of
37 subdivision 2 of section 365-a of the
38 social services law, and including rates
39 of payment for assisted living program
40 services, the commissioner of health shall
41 reflect zero trend factor projections for
42 the 2008 calendar year.

43 Notwithstanding paragraph (c) of subdivision
44 10 of section 2807-c of the public health
45 law, subdivision 2-b of section 2808 of
46 the public health law, section 21 of
47 chapter 1 of the laws of 1999 and any
48 other contrary provision of law, except
49 with regard to subparagraph (iii) of
50 paragraph (b) of subdivision 33 of section
51 2807-c of the public health law, for the
52 period April 1, 2009 through March 31,
53 2010, rates of payments by state
54 governmental agencies for inpatient and
55 outpatient services provided by general
56 hospitals, for inpatient services and
57 adult day health care outpatient services
58 provided by residential health care
59 facilities pursuant to article 28 of the
60 public health law, except for residential
61 health care facilities that provide
62 extensive nursing, medical, psychological

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1 and counseling support services to
2 children, for home health care services
3 provided pursuant to article 36 of the
4 public health law by certified home health
5 agencies and long term home health care
6 programs, and personal care services
7 provided pursuant to paragraph (e) of
8 subdivision 2 of section 365-a of the
9 social services law, including personal
10 care services provided in those local
11 social service districts, including New
12 York city, whose rates of payment for such
13 services are established by such local
14 social service districts pursuant to a
15 rate-setting exemption issued by the
16 commissioner of health to such local
17 social service districts in accordance
18 with applicable regulations, and including
19 rates of payment for assisted living
20 program services, shall reflect zero trend
21 factor projections for the 2009 calendar
22 year.

23 For services and expenses of the medical
24 assistance program including hospital
25 inpatient services.

26 Notwithstanding any contrary provision of
27 law and subject to the availability of
28 federal financial participation, for the
29 period April 1, 2009 through March 31,
30 2010, the operating cost component of
31 medicaid per diem and per discharge rates
32 of payment for inpatient services for
33 discharges and days occurring during such
34 period shall, after application of any
35 applicable adjustments to the trend
36 factors affecting such rates, be subject
37 to a uniform percentage reduction of 2
38 percent.

39 Notwithstanding any inconsistent provision
40 of section 2807-c of the public health law
41 or any other contrary provision of law,
42 and subject to the availability of federal
43 financial participation, rates of payment
44 by governmental agencies for general
45 hospital inpatient services with regard to
46 discharges occurring on and after July 1,
47 2009 through March 31, 2010, shall be in
48 accordance with the following:

49 (a) For periods on and after July 1, 2009
50 through March 31, 2010, the operating cost
51 component of such rates of payment shall
52 reflect the use of 2005 operating costs as
53 reported by each facility to the
54 department of health prior to December 1,
55 2008 and as otherwise computed in
56 accordance with the provisions of this
57 section and shall be in accordance with
58 the following:

59 (i) The computation of a case mix neutral
60 statewide base price applicable to each
61 rate period, but excluding adjustments for
62 graduate medical education costs, high

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- 1 cost outlier costs and cost related to
2 patient transfers, and as may be
3 periodically adjusted to reflect changes
4 in provider coding patterns and case-mix;
5 and
- 6 (ii) Only those 2005 base year costs which
7 relate to the cost of services provided to
8 medicaid inpatients, as determined by the
9 applicable ratio of costs to charges
10 methodology, shall be utilized for rate-
11 setting and case-mix purposes;
- 12 (iii) Such rates shall reflect the appli-
13 cation of hospital specific wage equaliza-
14 tion factors and power equalization
15 factors reflecting differences in wage
16 rates and utility costs;
- 17 (iv) Such rates shall reflect the
18 utilization of the all patient refined
19 (APR) case mix methodology, utilizing
20 diagnostic related groups with assigned
21 weights that incorporate differing levels
22 of severity of patient condition and the
23 associated risk of mortality, and as may
24 be periodically updated by the commis-
25 sioner of health;
- 26 (v) Such regulations may incorporate quality
27 related measures pertaining to potentially
28 preventable complications and re-
29 admissions;
- 30 (vi) Such regulations shall address
31 adjustments based on the costs of high
32 cost outlier patients;
- 33 (vii) Such rates shall continue to reflect
34 trend factor adjustments as otherwise
35 provided in paragraph (c) of subdivision
36 10 of section 2807-c of the public health
37 law;
- 38 (viii) Such rates shall not include any
39 adjustments pursuant to subdivision 9 of
40 section 2807-c of the public health law;
- 41 (ix) Rates for non-public, not-for-profit
42 general hospitals which have not, as of
43 the effective date of this section,
44 published an ancillary charges schedule as
45 provided in paragraph (j) of subdivision 1
46 of section 2303 of the public health law
47 shall have their inlier payments increased
48 by an amount equal to the statewide
49 average of cost outlier payments as
50 determined by such regulations;
- 51 (x) Administrative rate appeals shall be
52 permitted only with regard to: (A) the
53 correction of computational errors or
54 omissions of data, including with regard
55 to the hospital specific computations
56 pertaining to graduate medical education,
57 wage equalization factor adjustments and
58 power equalization factor adjustments, and
59 (B) capital cost reimbursement.
- 60 (xi) Rates for teaching general hospitals
61 shall include reimbursement for direct and
62 indirect graduate medical education and

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1 the commissioner of health shall specify
2 the reports and information required to
3 assess the cost, quality and health system
4 needs for medical education provided; and
5 (b) The provisions of this section shall not
6 apply to those general hospitals or
7 distinct units of general hospitals whose
8 inpatient reimbursement does not, as of
9 June 30, 2009, reflect case-based payments
10 per diagnosis related group; and
11 (c) Notwithstanding section 112 or 163 of
12 the state finance law or any other law,
13 rule or regulation to the contrary, the
14 commissioner of health may contract with a
15 vendor for consideration to develop the
16 specifications for the diagnosis-related
17 groups methodology as provided for in this
18 section if the commissioner of health
19 certifies to the state comptroller that
20 such contract is in the best interest of
21 the health of the people of the state.
22 Notwithstanding that such specifications
23 shall be available pursuant to article 6
24 of the public officers law, such contract
25 may provide that the specifications for
26 such adjusted or additional diagnosis-
27 related groups provided by the vendor
28 shall be subject to copyright protection
29 pursuant to federal copyright law; and
30 (d) Notwithstanding any inconsistent provi-
31 sion of this section or any other contrary
32 provision of law, the commissioner of
33 health may, for rate periods on and after
34 July 1, 2009 through March 31, 2010, and
35 subject to the availability of federal
36 financial participation, make additional
37 adjustments of up to \$75,000,000 in
38 aggregate to the inpatient rates of
39 payment of eligible general hospitals, to
40 facilitate improvements in hospital
41 operations and finances, in accordance
42 with the following:
43 (i) Such payments shall be available to non-
44 public hospitals which, as determined by
45 the commissioner of health, experience a
46 reduction in their medicaid inpatient
47 revenue as determined by the commissioner
48 of health, as a result of the application
49 of the provisions of paragraphs 1 and 2 of
50 this section.
51 (ii) Such payments shall be allocated based
52 on each eligible facility's relative need
53 as determined by the commissioner of
54 health.
55 (iii) Such payments shall not be subject to
56 retroactive adjustment or reconciliation
57 and may be added to rates of payment or
58 made as lump sum payments.
59 (iv) Each hospital receiving such payments
60 shall, as a condition for eligibility for
61 such payments, adopt a resolution of the
62 board of directors of each such hospital

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1 setting forth its current financial
2 condition and a plan for reforming and
3 improving such financial condition,
4 including ongoing board oversight,
5 provided, however, if such report is not
6 issued and adopted by each such board of
7 directors, or if such report fails to set
8 forth adequate progress, as determined by
9 the commissioner of health, the
10 commissioner of health may deem such
11 facility ineligible for further such
12 payments and may redistribute such further
13 payments to other eligible facilities in
14 accordance with the provisions of this
15 paragraph. The commissioner of health
16 shall be provided with copies of all such
17 resolutions and reports; and

18 (e) Inpatient rate adjustments made pursuant
19 to paragraphs (a) through (c) of this
20 section shall result in a net statewide
21 decrease in aggregate medicaid payments of
22 no less than \$168,000,000 for the period
23 July 1, 2009 through March 31, 2010; and

24 (f) If the commissioner of health determines
25 that federal financial participation will
26 not be available with regard to the
27 provisions of paragraph (d)(ii) herein,
28 the commissioner of health may deem such
29 provision null and void and instead may
30 allocate payments proportionally, based on
31 each eligible facility's relative share of
32 medicaid inpatient discharges in the year
33 two years prior to the distribution year;
34 and

35 (g) Provided, however, if this chapter
36 appropriates sufficient additional funds
37 to support payments for general hospital
38 inpatient services using the methodology
39 in existence on February 28, 2009 as set
40 forth in section 2807-c of the public
41 health law, the provisions of this section
42 shall not apply and shall be considered
43 null and void as of February 28, 2009.

44 Notwithstanding any inconsistent provision
45 of law and subject to the availability of
46 federal financial participation, for the
47 period April 1, 2009 through March 31,
48 2010, rates of payment by governmental
49 agencies for general hospitals which are
50 certified by the office of alcoholism and
51 substance abuse services to provide
52 inpatient detoxification and withdrawal
53 services and, with regard to inpatient
54 services provided to patients who are
55 determined to be in diagnosis-related
56 groups numbered 743 , 744, 745, 746, 747,
57 748, 749, 750, or 751, shall be made on a
58 per diem basis in accordance with the
59 following:

60 (a) For each of the regions within the state
61 as described in paragraph (e) of this
62 section the commissioner of health shall

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1 determine the average per diem cost
2 incurred by general hospitals in that
3 region subject to the provisions of this
4 section with regard to inpatients
5 requiring medically managed detoxification
6 services, as defined by applicable
7 regulations promulgated by the office of
8 alcoholism and substance abuse services.
9 In determining such costs the commissioner
10 of health shall utilize 2006 costs and
11 statistics as reported by such hospitals
12 to the department of health prior to 2008;
13 and

14 (b) Per diem payments for inpatients
15 requiring medically managed inpatient
16 detoxification services shall reflect 100
17 percent of the per diem amounts computed
18 pursuant to paragraph (a) of this section
19 for the applicable region in which the
20 facility is located and as trended forward
21 to adjust for inflation, provided however,
22 that such payments shall be reduced by 50
23 percent for any such services provided on
24 or after the sixth day of services through
25 the tenth day of services, and further
26 provided that no payments shall be made
27 for any services provided on or after the
28 eleventh day; and

29 (c) Per diem payments for inpatients
30 requiring medically supervised inpatient
31 detoxification services, as defined by
32 applicable regulations promulgated by the
33 office of alcoholism and substance abuse
34 services, shall reflect 100 percent of the
35 per diem amounts computed pursuant to
36 paragraph (a) of this section for the
37 applicable region in which the facility is
38 located for the period April 1, 2009
39 through December 31, 2009, and as trended
40 forward to adjust for inflation, and shall
41 reflect 75 percent of such per diem
42 amounts for periods on and after January
43 1, 2010 through March 31, 2010, as trended
44 forward to adjust for inflation, provided,
45 however, that such payments shall be
46 reduced by 50 percent for any services
47 provided on or after the sixth day of
48 services through the tenth day of
49 services, and further provided that no
50 payments shall be made for any services
51 provided on and after the eleventh day;
52 and

53 (d) Per diem payments for inpatients placed
54 in observation beds, as defined by
55 applicable regulations promulgated by the
56 office of alcoholism and substance abuse
57 services, shall be at the same level as
58 would be paid pursuant to paragraph (a) of
59 this section, provided, however, that such
60 payments shall not apply for more than two
61 days of care, after which payments for
62 such inpatients shall reflect their

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1 designation as requiring either medically
2 managed detoxification services or
3 medically supervised withdrawal services,
4 and further provided that days of care
5 provided in such observation beds shall,
6 for reimbursement purposes, be fully
7 reflected in the computation of the
8 initial five days of care as set forth in
9 paragraphs (a) and (b) of this section;
10 and

11 (e) For the purposes of this paragraph, the
12 regions of the state shall be as follows:

13 (i) New York city, consisting of the
14 counties of Bronx, New York, Kings, Queens
15 and Richmond;

16 (ii) Long Island, consisting of the counties
17 of Nassau and Suffolk;

18 (iii) Northern metropolitan, consisting of
19 the counties of Columbia, Delaware,
20 Dutchess, Orange, Putnam, Rockland,
21 Sullivan, Ulster and Westchester;

22 (iv) Northeast, consisting of the counties
23 of Albany, Clinton, Essex, Fulton, Greene,
24 Hamilton, Montgomery, Rensselaer,
25 Saratoga, Schenectady, Schoharie, Warren
26 and Washington;

27 (v) Utica/Watertown, consisting of the
28 counties of Franklin, Herkimer, Lewis,
29 Oswego, Otsego, St. Lawrence, Jefferson,
30 Chenango, Madison and Oneida

31 (vi) Central, consisting of the counties of
32 Broome, Cayuga, Chemung, Cortland,
33 Onondaga, Schuyler, Seneca, Steuben, Tioga
34 and Tompkins,

35 (vii) Rochester, consisting of Monroe,
36 Ontario, Livingston, Wayne and Yates;

37 (viii) Western, consisting of the counties
38 of Allegany, Cattaraugus, Chautauqua,
39 Erie, Genesee, Niagara, Orleans and
40 Wyoming.

41 (f) Provided, however, if this chapter
42 appropriates sufficient additional funds
43 to support payments for hospital inpatient
44 detoxification services using the
45 methodology in existence on February 28,
46 2009 as set forth in section 2807-c(4)(1)
47 of the public health law, the provisions
48 of this section shall not apply and shall
49 be considered null and void as of February
50 28, 2009.

51 Notwithstanding any inconsistent provision
52 of paragraph (e) of subdivision 4 of
53 section 2807-c of the public health law or
54 any other contrary provision of law and
55 subject to the availability of federal
56 financial participation, per diem rates of
57 payment by governmental agencies for a
58 general hospital or a distinct unit of a
59 general hospital for inpatient psychiatric
60 services that would otherwise be subject
61 to the provisions of paragraph (e) of
62 subdivision 4 of section 2807-c of the

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- 1 public health law, and rates of payment
2 for outpatient psychiatric services
3 provided by such facilities pursuant to
4 article 28 of the public health law and as
5 specified in this section, shall, with
6 regard to days of service and visits
7 occurring on and after July 1, 2009
8 through March 31, 2010, be in accordance
9 with the following:
- 10 (a) For the period July 1, 2009 through
11 December 31, 2009, the operating component
12 of such inpatient rates shall reflect the
13 use of 2005 operating costs as reported by
14 each facility to the department of health
15 prior to December 1, 2008 and as adjusted
16 for inflation pursuant to paragraph (c) of
17 subdivision 10 of section 2807-c of the
18 public health law, as otherwise modified
19 by any applicable statute, provided,
20 however, that such 2005 reported operating
21 costs shall, for inpatient rate-setting
22 purposes, be held to a ceiling of 110
23 percent of the average of such reported
24 inpatient costs by such facilities in the
25 region in which the facility is located,
26 as determined pursuant to clause (E) of
27 subparagraph (iii) of paragraph (1) of
28 subdivision 4 of section 2807-c of the
29 public health law; and
- 30 (b) For rate periods on and after January 1,
31 2010 through March 31, 2010, the operating
32 component of such inpatient rates shall
33 utilize 2005 operating costs as submitted
34 to the department of health prior to
35 December 1, 2008 and shall provide for
36 methodologies establishing per diem
37 inpatient rates that utilize case mix
38 adjustment mechanisms and provide for
39 post-discharge referral to outpatient
40 services. Such inpatient rates shall
41 reflect adjustments based on length of
42 stay. Outpatient rates of payment for
43 general hospitals or units of general
44 hospitals subject to this section shall
45 provide for reimbursement for the
46 evaluation of potential inpatient
47 psychiatric patients and the pre-admission
48 referral of such patients, when
49 appropriate, to outpatient services; and
- 50 (c) Rates of payment established pursuant to
51 paragraph (b) of this paragraph shall
52 reflect an aggregate net statewide
53 increase in reimbursement for such
54 services of \$25,000,000; and
- 55 (d) Provided, however, if this chapter
56 appropriates sufficient additional funds
57 to support payments for inpatient
58 psychiatric services provided by a general
59 hospital or a distinct unit of a general
60 hospital and for outpatient psychiatric
61 services provided by such facilities
62 pursuant to article 28 of the public

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1 health law using the methodology in
2 existence on February 28, 2009 as set
3 forth in section 2807-c of the public
4 health law, the provisions of this section
5 shall not apply and shall be considered
6 null and void as of February 28, 2009.

7 Notwithstanding any inconsistent provision
8 of paragraph (e) of subdivision 4 of
9 section 2807-c of the public health law or
10 any other contrary provision of law and
11 subject to the availability of federal
12 financial participation, the operating
13 cost component of per diem rates of
14 payment by governmental agencies for
15 inpatient services provided by a general
16 hospital or a distinct unit of a general
17 hospital for services, as described below,
18 that would otherwise be subject to the
19 provisions of paragraph (e) of subdivision
20 4 of section 2807-c of the public health
21 law, shall, with regard to days of service
22 occurring on and after July 1, 2009
23 through March 31, 2010, be in accord with
24 the following:

25 (a) For physical medical rehabilitation
26 services and for chemical dependency
27 rehabilitation services, such rates shall
28 reflect the use of 2005 operating costs
29 for each respective category of services
30 as reported by each facility to the
31 department of health prior to December 1,
32 2008 and as adjusted for inflation
33 pursuant to paragraph (c) of subdivision
34 10 of section 2807-c of the public health
35 law, as otherwise modified by any
36 applicable statute, provided, however,
37 that such 2005 reported operating costs
38 shall, for rate-setting purposes, be held
39 to a ceiling of 110 percent of the average
40 of such reported costs in the region in
41 which the facility is located, as
42 determined pursuant to clause (E) of
43 subparagraph (iii) of paragraph (1) of
44 subdivision 4 of section 2807-c of the
45 public health law; and

46 (b) For services provided by rural hospitals
47 designated as critical access hospitals in
48 accordance with title XVIII of the federal
49 social security act, such rates shall
50 reflect the use of 2005 operating costs as
51 reported by each facility to the
52 department of health prior to December 1,
53 2008 and as adjusted for inflation
54 pursuant to paragraph (c) of subdivision
55 10 of section 2807-c of the public health
56 law, as otherwise modified by any
57 applicable statutes, provided, however,
58 that such 2005 reported operating costs
59 shall, for rate-setting purposes, be held
60 to a ceiling of 110 percent of the average
61 of such reported costs for all such
62 designated hospitals statewide; and

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1 (c) For inpatient services provided by
 2 specialty long term acute care hospitals
 3 and for inpatient services provided by
 4 cancer hospitals as so designated as of
 5 December 31, 2008, such rates shall
 6 reflect the use of 2005 operating costs
 7 for each respective category of facility
 8 as reported by each facility to the
 9 department of health prior to December 1,
 10 2008 and as adjusted for inflation
 11 pursuant to paragraph (c) of subdivision
 12 10 of section 2807-c of the public health
 13 law, as otherwise modified by any
 14 applicable statutes; and

15 (d) For facilities designated by the federal
 16 department of health and human services as
 17 exempt acute care children's hospitals,
 18 for which a discrete institutional cost
 19 report was filed for the 2006 calendar
 20 year, and which has reported medicaid
 21 discharges greater than 50 percent of
 22 total discharges in such cost report, such
 23 rates shall reflect the use of 2006
 24 operating costs as reported by each
 25 facility to the department of health prior
 26 to December 1, 2008 and as adjusted for
 27 inflation pursuant to paragraph (c) of
 28 subdivision 10 of section 2807-c of the
 29 public health law, as otherwise modified
 30 by any applicable statutes, and as
 31 determined on a per case basis or per diem
 32 basis, as set forth in regulations
 33 promulgated by the commissioner of health;
 34 and

35 (e) Rates established pursuant to this
 36 section shall be deemed as excluding
 37 reimbursement for physician services for
 38 inpatient services and claims for medicaid
 39 fee payments for such physician services
 40 for such inpatient care may be submitted
 41 separately from the rate in accordance
 42 with otherwise applicable law; and

43 (f) Such rates of payment pursuant to this
 44 section for a general hospital or distinct
 45 unit of a general hospital without
 46 adequate cost experience shall be based on
 47 the lower of the facility's or unit's
 48 inpatient budgeted operating costs per
 49 day, adjusted to actual, or the applicable
 50 regional ceiling, if any; and

51 (g) Provided, however, if this chapter
 52 appropriates sufficient additional funds
 53 to support payments for inpatient services
 54 provided by a general hospital or a
 55 distinct unit of a general hospital, as
 56 described in this paragraph, using the
 57 methodology in existence on February 28,
 58 2009 as set forth in section 2807-c of the
 59 public health law, the provisions of this
 60 section shall not apply and shall be
 61 considered null and void as of February
 62 28, 2009

4,608,348,000

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1 For services and expenses of the medical
2 assistance program including hospital
3 outpatient and emergency room services ... 702,854,000
4 For services and expenses of the medical
5 assistance program including clinic
6 services 793,114,000
7 For services and expenses of the medical
8 assistance program including nursing home
9 services.
10 Notwithstanding any contrary provision of
11 law and subject to the availability of
12 federal financial participation, for the
13 period April 1, 2009 through March 31,
14 2010, the operating cost components of
15 rates of payment paid by governmental
16 agencies for inpatient services to each
17 residential health care facility, but not
18 including residential health care
19 facilities that provide extensive nursing,
20 medical, psychological and counseling
21 support to children, shall, after
22 application of any applicable adjustments
23 to the trend factors affecting such rates,
24 be subject to uniform reductions of 2
25 percent.
26 Notwithstanding any contrary provision of
27 law and subject to the availability of
28 federal financial participation, for the
29 period April 1, 2009 through March 31,
30 2010, the rates of payment by governmental
31 agencies for residential health care
32 facility inpatient services shall be
33 computed on a regional basis, using
34 allowable operating costs, as determined
35 by the department of health, from the 2005
36 certified cost reports from facilities on
37 file with the department of health as of
38 December 1, 2008, as adjusted for
39 inflation in accordance with paragraph (c)
40 of subdivision 10 of section 2807-c of the
41 public health law, and in accordance with
42 the following:
43 (a) For the purpose of this paragraph, the
44 regions of the state shall be as follows:
45 (i) New York City, consisting of the
46 counties of Bronx, New York, Kings,
47 Queens, and Richmond;
48 (ii) Long Island, consisting of the counties
49 of Nassau and Suffolk;
50 (iii) Central, consisting of the counties of
51 Broome, Cayuga, Chemung, Cortland,
52 Onondaga, Schuyler, Steuben, Tioga and
53 Tompkins;
54 (iv) Rochester, consisting of Monroe,
55 Ontario, Livingston, Seneca, Wayne and
56 Yates;
57 (v) Western, consisting of the counties of
58 Allegany, Cattaraugus, Chautauqua, Erie,
59 Genesee, Niagara, Orleans and Wyoming;
60 (vi) Northern Metropolitan, consisting of
61 the counties of Columbia, Delaware,

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- 1 Dutchess, Orange, Putnam, Rockland,
2 Sullivan, Ulster and Westchester;
3 (vii) Northeast, consisting of the counties
4 of Albany, Clinton, Essex, Fulton, Greene,
5 Montgomery, Rensselaer, Saratoga,
6 Schenectady, Schoharie, Warren, and
7 Washington; (iii) Utica/Watertown,
8 consisting of the counties of Franklin,
9 Hamilton, Herkimer, Lewis, Oswego, Otsego,
10 St. Lawrence, Jefferson, Chenango, Madison
11 and Oneida;
- 12 (b) The operating component of such rates
13 shall fully reflect the cost of local
14 property taxes and payments made in lieu
15 of local property taxes and payments in
16 lieu of local property taxes, as reported
17 in each facility's cost report submitted
18 for the year two years prior to the rate
19 year; and
- 20 (c) The direct component of the operating
21 component of such rates shall be subject
22 to case mix adjustment through application
23 of the minimum data set (MDS)
24 classification employed by the federal
25 government with regard to payments to
26 skilled nursing facilities pursuant to
27 title XVIII of the federal social security
28 act (Medicare) to reflect patient service
29 intensity, as may be adjusted by the
30 commissioner of health. Such adjustments
31 shall be made semi-annually in each
32 calendar year, and both the adjustments
33 and the related patient classifications in
34 each facility shall be subject to audit
35 review in accordance with regulations
36 promulgated by the commissioner of health;
37 and
- 38 (d) Such rates shall, except for the
39 establishment of any regional prices, be
40 calculated utilizing only the number of
41 patients properly assessed and reported in
42 each patient classification group and
43 eligible for medicaid; and
- 44 (e) Such rates for the following categories
45 of facilities, as established pursuant to
46 applicable regulations, shall receive the
47 rates in effect for such facilities on
48 December 31, 2006, as adjusted for
49 inflation in accordance with paragraph (c)
50 of subdivision 10 of section 2808-c of the
51 public health law: (i) AIDS facilities or
52 discrete AIDS units within facilities,
53 (ii) discrete units for residents
54 receiving care in a long term inpatient
55 rehabilitation program for traumatic brain
56 injured persons, (iii) discrete units
57 providing specialized programs for
58 residents requiring behavioral
59 interventions, (iv) discrete units for
60 long term ventilator dependent residents,
61 and (v) facilities or discrete units
62 within facilities that provide extensive

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- 1 nursing, medical, psychological and
2 counseling support services solely to
3 children; and
- 4 (f) The commissioner of health may make
5 additional transition adjustments to rates
6 of payment for residential health care
7 facilities to facilitate improvements in
8 residential health care facilities
9 operations and finances in accordance with
10 the following: and
- 11 (i) Residential health care facilities
12 eligible for distributions pursuant to
13 this paragraph shall be those non-public
14 facilities which, as determined by the
15 commissioner of health, experience a
16 reduction in their medicaid inpatient
17 revenue as determined by the commissioner
18 of health, as a result of the application
19 of regional pricing.
- 20 (ii) Transition funds distributed pursuant
21 to this paragraph shall be allocated based
22 on each eligible facility's relative need
23 as determined by the commissioner of
24 health.
- 25 (iii) Up to \$75,000,000 in transition
26 funding pursuant to this paragraph shall
27 be available.
- 28 (iv) Payments made pursuant to this
29 paragraph shall not be subject to
30 retroactive adjustment or reconciliation
31 and may be added to rates of payment or
32 made as lump sum payments.
- 33 (v) Each residential health care facility
34 receiving funds pursuant to this paragraph
35 shall, as a condition for eligibility for
36 such funds, adopt a resolution of the
37 board of directors or submit a report by
38 the owner acceptable to the commissioner
39 of health setting forth its current
40 financial condition and a plan for
41 reforming and improving such financial
42 condition, including ongoing board or
43 owner oversight; and
- 44 (g) Administrative rate appeals of such
45 rates shall be available by the department
46 of health only for (i) the correction of
47 computational errors or omissions of data
48 by the department of health in determining
49 the operating rate based upon the
50 information provided to the department of
51 health prior to the computation of the
52 rate, (ii) capital cost reimbursement, or
53 (iii) such reasons as the commissioner of
54 health determines are appropriate. The
55 department of health will not consider any
56 revisions made to a facility's annual cost
57 report for operating rate adjustment
58 purposes later than the due date
59 established by the commissioner of health;
60 and
- 61 (h) Any proprietary residential health care
62 facilities which otherwise would be

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1 entitled to residual reimbursement as
 2 provided under applicable regulation, may
 3 have the capital cost component of its
 4 rate recalculated by the department of
 5 health to take into account any capital
 6 improvements and/or renovations made to
 7 the facility's existing infrastructure for
 8 the purpose of converting beds to
 9 alternative long term care uses or
 10 protecting the health and safety of
 11 patients, subject to the approval of the
 12 commissioner of health and all applicable
 13 certificate of need requirements; and

14 (i) If the commissioner of health determines
 15 that federal financial participation will
 16 not be available with regard to the
 17 provisions of paragraph (f)(ii) of this
 18 subdivision the commissioner of health may
 19 deem such provision null and void and
 20 instead may allocate such funds
 21 proportionally, based on each eligible
 22 facility's relative share of medicaid days
 23 in the year two years prior to the
 24 distribution year.

25 Provided, however, if this chapter
 26 appropriates sufficient additional funds
 27 to support payments for residential health
 28 care facility rates using methodology in
 29 existence on February 28, 2009 as set
 30 forth in section 2808 of the public health
 31 law, the provisions of this section shall
 32 not apply and shall be considered null and
 33 void as of February 28, 2009.

34 Notwithstanding any contrary provision of
 35 law, for the period April 1, 2009 through
 36 March 31, 2010, for rates of payment by
 37 government agencies for inpatient services
 38 provided by residential health care
 39 facilities, in determining the operating
 40 component of a facility's rate for care
 41 provided for an AIDS patient in a
 42 residential health care facility
 43 designated as an AIDS facility or having a
 44 discrete AIDS unit, the operating
 45 component of such rates shall not reflect
 46 an occupancy factor increase 3,953,193,000

47 For services and expenses of the medical
 48 assistance program including other long
 49 term care services.

50 Notwithstanding any contrary provision of
 51 law and subject to the availability of
 52 federal financial participation, for the
 53 period April 1, 2009 through March 31,
 54 2010, the rates of payment paid by
 55 governmental agencies for home health care
 56 services to each certified home health
 57 agency, each long term home health care
 58 program, and each AIDS home care program
 59 shall, after application of any applicable
 60 adjustments to the trend factors affecting
 61 such rates, be subject to a uniform
 62 reduction of one percent, and for

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1 certified home health agencies, an
2 additional uniform reduction of 3.5
3 percent, and, for long term home health
4 care program and the AIDS home care
5 program, an additional uniform reduction
6 of 1.5 percent, and further, the rates of
7 payment paid by governmental agencies for
8 personal care services, including personal
9 care services provided in those social
10 service districts whose rates of payment
11 for such services are established by such
12 social service districts pursuant to a
13 rate-setting exemption issued by the
14 commissioner to such social service
15 districts in accordance with applicable
16 regulations, shall, after application of
17 any applicable adjustments to the trend
18 factors affecting such rates, be subject
19 to a uniform reduction of one percent and
20 an additional uniform reduction of 1.5
21 percent.

22 Notwithstanding any contrary provision of
23 law or regulation, for purposes of
24 establishing rates of payment by
25 governmental agencies for long term home
26 health care programs for the period April
27 1, 2009 through March 31, 2010, the
28 reimbursable base year administrative and
29 general costs of a provider of services
30 with annual expenses in excess of
31 \$20,000,000, as determined using the
32 reported base year cost data used to
33 establish the statewide average
34 administrative and general cost ceiling
35 for such period, shall not exceed the
36 lower of such statewide average or 20
37 percent of each such agency's total
38 reimbursable base year costs.

39 Notwithstanding any contrary provision of
40 law or regulation, for purposes of
41 establishing rates of payment by
42 governmental agencies for certified home
43 health agencies for the period April 1,
44 2009 through March 31, 2010, the
45 reimbursable base year administrative and
46 general costs of a provider of services
47 with annual expenses in excess of
48 \$20,000,000, as determined using the
49 reported base year cost data used to
50 establish the statewide average
51 administrative and general cost ceiling
52 for such period, shall not exceed the
53 lower of such statewide average or 20
54 percent of each such agency's total
55 reimbursable base year costs.

56 Notwithstanding any contrary provision of
57 law, for the period April 1, 2009 through
58 March 31, 2010, for purposes of
59 establishing rates of payment for
60 certified home health agency services and
61 long term home health care program
62 services, no amount shall be included in

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1 the rate for any community-based agency or
2 program that is in excess of 100 percent
3 of the weighted average cost of all
4 community-based agencies or programs in
5 each such agency's or program's group, or
6 that, in the case of hospital-based
7 agencies or programs, is in excess of 100
8 percent of the weighted average cost of
9 community based agencies or programs in
10 the area in which such hospital-based
11 agencies or programs are located.

12 Notwithstanding any contrary provision of
13 law and subject to the availability of
14 federal financial participation, for the
15 period January 1, 2010 through March 31,
16 2010, rates of payment by government
17 agencies for services provided by
18 certified home health agencies shall be
19 based on episodic payments. In
20 establishing such payments, a statewide
21 base price shall be established for each
22 60 day episode of care and adjusted by a
23 provider regional wage index factor and an
24 individual patient case mix index. Such
25 episodic payments may be further adjusted
26 for low utilization cases and to reflect a
27 percentage of the cost for high-
28 utilization cases that exceed outlier
29 thresholds of such payments. Base year
30 episodic payments shall be further
31 adjusted to the applicable rate year in
32 accordance with paragraph c of subdivision
33 ten of section 2807-c of article 28 of the
34 public health law. Such payments shall be
35 based on medicaid paid claims, as
36 determined by the commissioner of health,
37 for service provided by all certified home
38 health agencies in the 2007 base year. In
39 determining case mix, each patient shall
40 be classified using a system based on
41 measures including, but not limited to,
42 clinical and functional measures, as
43 reported on the federal outcome and
44 assessment information set (OASIS). As
45 determined by the commissioner of health,
46 agencies will be required to collect and
47 submit any data required to implement this
48 section. Provided, however, if this
49 chapter appropriates sufficient additional
50 funds to support payments for certified
51 home health care agencies using
52 methodology in existence on February 28,
53 2009 as set forth in section 3614 of the
54 public health law, the provisions of this
55 section shall not apply and shall be
56 considered null and void as of February
57 28, 2009.

58 Notwithstanding any inconsistent provision
59 of law, rule or regulation to the
60 contrary, for the period October 1, 2009
61 through March 31, 2010, an agreement
62 between the department of health and an

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1 entity offering a comprehensive health
2 services plan, including an entity that
3 has received a certificate of authority
4 pursuant to sections 4403, 4403-a or 4408-
5 a of the public health law, or a health
6 maintenance organization authorized under
7 article 43 of the insurance law, may allow
8 for medical assistance payments on a
9 capitated basis for home care or other
10 long term care services, other than
11 nursing facility services, without such
12 entity being a managed long term care
13 plan, operating demonstration, or approved
14 managed long term care demonstration under
15 section 4403-f of the public health law.
16 Provided, however, if this chapter
17 appropriates sufficient additional funds
18 to support payments for care and services
19 furnished by an entity offering
20 comprehensive health services plan in
21 existence on February 28, 2009 as set
22 forth in section 365-a (k) of the social
23 services law, the provisions of this
24 section shall not apply and shall be
25 considered null and void as of February
26 28, 2009.

27 Notwithstanding any inconsistent provision
28 of law, rule or regulation to the
29 contrary, for the period April 1, 2009
30 through March 31, 2010, the department of
31 health is authorized to establish long
32 term care assessment centers to serve
33 regions of the state as may be established
34 by the department, including the city of
35 New York, for the purpose of transferring
36 from the social services district to the
37 regional long term care assessment centers
38 responsibility for activities related to
39 the assessment of a person's need for, and
40 the authorization of, long term care
41 services and programs identified in this
42 section. The department is authorized to
43 contract with one or more entities to
44 operate regional long term care assessment
45 centers. The regional long term care
46 assessment center shall have
47 responsibility for assessment of long term
48 care needs of an applicant for, or
49 recipient of, medical assistance and for
50 authorization of services and
51 participation in programs including:
52 personal care services, including personal
53 emergency response services, under
54 paragraph (e) of subdivision 2 of section
55 365-a of the social services law,
56 consumer-directed personal assistance
57 services under section 365-f of the social
58 services law and the cash and counseling
59 demonstration program under section 367-v
60 of the social services law; the assisted
61 living program under section 461-l of the
62 social services law; and participation in

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1 the long term home health care program
2 under section 367-c of the social services
3 law and section 3616 of the public health
4 law, including the AIDS home care program
5 under the provisions of section 367-e of
6 the social services law and section 3620
7 of the public health law. The regional
8 long term care assessment center shall
9 have responsibility for reviewing
10 assessments to verify that an individual
11 requires a nursing home level of care and,
12 after confirming that an enrollment is
13 voluntary, for authorizing participation
14 in a managed long term care plan or an
15 approved managed long term care
16 demonstration under paragraph (o) of
17 subdivision 2 of section 365-a of the
18 social services law. The regional long
19 term care assessment center shall have
20 responsibility for reviewing documentation
21 from a person's physician and a certified
22 home health agency and for making the
23 determination as to the continuing need
24 for home health services beyond 60 days
25 provided by a certified home health agency
26 under paragraph (d) of subdivision 2 of
27 section 365-a of the social services law.
28 This section shall apply to those
29 consumers who apply for the services
30 specified in this section on and after the
31 later of January 1, 2010 or the date
32 specified in the contract between the
33 department and the entity selected to be a
34 regional long term care assessment center. 3,028,228,000
35 For services and expenses of the medical
36 assistance program including managed care
37 services 3,758,534,000
38 For services and expenses of the medical
39 assistance program including pharmacy
40 services.
41 Notwithstanding any inconsistent provision
42 of law, rule or regulation to the
43 contrary, for the period April 1, 2009
44 through March 31, 2010, medical assistance
45 payment for certain drugs which may not be
46 dispensed without a prescription shall be
47 made at the following amounts: for sole
48 and multiple source brand name drugs,
49 estimated acquisition cost means the
50 average wholesale price of a prescription
51 drug based upon the package size dispensed
52 from, as reported by the prescription drug
53 pricing service used by the department of
54 health, less 17.25 percent thereof, and
55 updated monthly by the department.
56 Notwithstanding any inconsistent provision
57 of law, rule or regulation to the
58 contrary, for the period April 1, 2009
59 through March 31, 2010, medical assistance
60 payment to a specialized HIV pharmacy, as
61 defined in paragraph (f) of subdivision 9
62 of section 367-a of the social services

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1 law, for drugs which may not be dispensed
2 without a prescription shall be made at
3 the following amounts: if the drug
4 dispensed is a multiple source
5 prescription drug or a brand-name
6 prescription drug for which no specific
7 upper limit has been set by the centers
8 for medicare and medicaid services, the
9 lower of the estimated acquisition cost of
10 such drug to pharmacies, or the dispensing
11 pharmacy's usual and customary price
12 charged to the general public; for sole
13 and multiple source brand name drugs,
14 estimated acquisition cost means the
15 average wholesale price of a prescription
16 drug based upon the package size dispensed
17 from, as reported by the prescription drug
18 pricing service used by the department of
19 health, less 17.25 percent thereof, and
20 updated monthly by the department; for
21 multiple source generic drugs, estimated
22 acquisition cost means the lower of the
23 average wholesale price of a prescription
24 drug based on the package size dispensed
25 from, as reported by the prescription drug
26 pricing service used by the department,
27 less 25 percent thereof, or the maximum
28 acquisition cost, if any, established
29 pursuant to paragraph (e) of subdivision 9
30 of section 367-a of the social services
31 law.

32 Notwithstanding any inconsistent provision
33 of law, rule or regulation to the
34 contrary, for the period May 1, 2009
35 through March 31, 2010, the commissioner
36 of health may, upon recommendation by the
37 pharmacy and therapeutics committee,
38 consider for inclusion in the preferred
39 drug program established pursuant to
40 section 272 of the public health law the
41 therapeutic class of anti-depressants;
42 provided, however, if this chapter
43 appropriates sufficient additional funds
44 to exclude anti-depressants from the
45 preferred drug program then the provisions
46 of this paragraph shall not apply and
47 shall be considered null and void as of
48 February 28, 2009.

49 Notwithstanding any inconsistent provision
50 of law, rule or regulation to the
51 contrary, for the period April 1, 2009
52 through March 31, 2010, the commissioner
53 of health is authorized to negotiate
54 directly with pharmaceutical manufacturers
55 for rebates under the medical assistance
56 program and to enter into a contract or
57 contracts with qualified entities for such
58 purpose, which contract or contacts may be
59 entered into without a competitive bid or
60 request for proposal process,
61 notwithstanding any inconsistent provision
62 of sections 112 and 163 of the state

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1 finance law, or section 142 of the
2 economic development law, or any other
3 law; provided, however, if this chapter
4 appropriates sufficient additional funds
5 to preclude such direct negotiation and
6 such contracting, then the provisions of
7 this paragraph shall not apply and shall
8 be considered null and void as of February
9 28, 2009.

10 Notwithstanding any inconsistent provision
11 of law, rule or regulation to the
12 contrary, for the period April 1, 2009
13 through March 31, 2010, the department of
14 health may establish or expand pharmacy
15 prior authorization requirements for the
16 medical assistance program without the
17 need to obtain new statutory authority;
18 provided, however, if this chapter
19 appropriates sufficient additional funds
20 to require the department and the panel to
21 obtain new statutory authority for such
22 prior authorization establishment or
23 expansion, then the provisions of this
24 paragraph shall not apply and shall be
25 considered null and void as of February
26 28, 2009.

27 Notwithstanding any inconsistent provision
28 of law, rule or regulation to the
29 contrary, for the period September 1, 2009
30 through March 31, 2010, for purposes of
31 medical assistance coverage, "step
32 therapy" shall mean the practice of
33 beginning drug therapy for a medical
34 condition with the most medically
35 appropriate and cost effective therapy and
36 progressing to other drugs as medically
37 necessary; provided that the commissioner,
38 through the prospective drug utilization
39 review program, as established in section
40 369-aa of the social services law, is
41 authorized to require step therapy when
42 there is more than one drug appropriate to
43 treat a medical condition; and provided
44 further that the drug utilization review
45 board, as established in section 369-cc of
46 the social services law, shall recommend
47 guidelines, which consider clinical
48 effectiveness, safety, and cost
49 effectiveness, for specific diagnoses and
50 therapy regimens within which
51 practitioners may prescribe drugs without
52 the requirement for prior authorization of
53 those drugs; provided, however, if this
54 chapter provides sufficient additional
55 funding to cover the costs of drugs which
56 are dispensed without regard to the step
57 therapy method described herein, then the
58 provisions of the section shall be deemed
59 null and void as of February 28, 2009.

60 Notwithstanding any inconsistent provision
61 of law, rule or regulation to the
62 contrary, for the period September 1, 2009

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1 through March 31, 2010, for purposes of
2 medical assistance coverage, the
3 commissioner is authorized to limit the
4 amount, frequency and duration of drug
5 therapy through prior authorization as
6 part of the drug utilization review
7 program established under title 11-C of
8 article 5 of the social services law;
9 provided, however, that clinical
10 prescribing guidelines relating to the
11 quantity, frequency and duration of drug
12 therapy will be developed by the drug
13 utilization review board for the
14 commissioner's use in determining when to
15 require prior authorization of drugs in
16 the drug utilization review program, and
17 provided further that exceptions to any
18 prior authorization imposed as a result of
19 these guidelines shall include, but need
20 not be limited to, provision for emergency
21 circumstances where a medical condition
22 requires alleviation of severe pain or
23 which threatens to cause disability or to
24 take a life if not promptly treated;
25 provided further, however, if this chapter
26 provides sufficient additional funding to
27 cover the costs of drugs prescribed
28 without the limitations as to amount,
29 frequency and duration described herein,
30 then the provisions of this section shall
31 be null and void as of February 28, 2009.

32 Notwithstanding any inconsistent provision
33 of law, rule or regulation to the
34 contrary, for the period September 1, 2009
35 through March 31, 2010, for persons
36 eligible for medical assistance, who are
37 also beneficiaries under part D of title
38 XVIII of the federal social security act,
39 the following categories of drugs shall
40 not be exempt from the definition of
41 "covered part D drugs" and shall be
42 subject to the medical assistance
43 exclusion of coverage for "covered part D
44 drugs": atypical anti-psychotics, anti-
45 depressants, anti-retrovirals used in the
46 treatment of HIV/AIDS, and anti-rejection
47 drugs used for the treatment of organ and
48 tissue transplants.

49 Notwithstanding any inconsistent provision
50 of law, rule or regulation to the
51 contrary, for the period June 1, 2009
52 through March 31, 2010, patients who do
53 not meet the criteria for approval
54 established in the clinical drug review
55 program, as set forth in subdivision 6 of
56 section 274 of the public health law, will
57 be given reasonable opportunity to
58 reasonably present justification for prior
59 authorization; provided, however, that
60 after provision of such reasonable
61 opportunity, the program may determine
62 that the use of the drug is not medically

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1 necessary and prior authorization may be
2 denied; and further provided that if this
3 chapter provides sufficient additional
4 funding to cover the costs of drugs that
5 the prescriber, in his or her reasonable
6 professional judgment, determines the use
7 of is warranted, then the provisions of
8 this section shall be deemed null and void
9 as of February 28, 2009.

10 Notwithstanding any inconsistent provision
11 of law, rule or regulation to the
12 contrary, for the period September 1, 2009
13 through March 31, 2010, the commissioner
14 is authorized to deny reimbursement under
15 the medical assistance program for a
16 generic equivalent drug, including a
17 generic equivalent that is on the
18 preferred drug list or the clinical drug
19 review program, when the net cost of the
20 brand name prescription drug, after
21 consideration of all rebates, is less than
22 the cost of the generic equivalent;
23 provided further that the co-payment
24 charged for each such brand name
25 prescription drug shall be \$1 and the
26 dispensing fee for each such brand name
27 prescription drug shall be \$4.50.

28 Notwithstanding any inconsistent provision
29 of law, rule or regulation to the
30 contrary, for the period April 1, 2009
31 through March 31, 2010, for the purposes
32 of providing reimbursement under the
33 medical assistance program, and subject to
34 obtaining all necessary approvals under
35 federal law and regulation to receive
36 federal financial participation in the
37 costs of services described herein, the
38 commissioner of health is authorized to
39 pay financial incentives to prescribing
40 practitioners and to pharmacies for the
41 purpose of encouraging the use of
42 electronic prescriptions for drugs for
43 which payments are made under this
44 subdivision; provided that such payments
45 shall be in the following amounts: for
46 prescribing practitioners, eighty cents
47 per dispensed electronic prescription; for
48 dispensing pharmacies, twenty cents per
49 dispensed electronic prescription;
50 provided, however, that electronic
51 prescribing software shall not use any
52 means or permit any other person to use
53 any means, including, but not limited to,
54 advertising, instant messaging, and pop-up
55 ads, to influence or attempt to influence,
56 through economic incentives or otherwise,
57 the prescribing decision of a prescribing
58 practitioner at the point of care and that
59 such means shall not be triggered or in
60 specific response to the input, selection,
61 or act of a prescribing practitioner or
62 his or her agent in prescribing a certain

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1 pharmaceutical or directing a patient to a
 2 certain pharmacy. Provided however that if
 3 this chapter provides sufficient
 4 additional funding to eliminate financial
 5 incentives to prescribing practitioners
 6 and to pharmacies for the purpose of
 7 encouraging the use of electronic
 8 prescriptions for drugs for which payments
 9 are made under this subdivision, then the
 10 provisions of this section shall be deemed
 11 null and void as of February 28, 2009 2,042,299,000

12 For services and expenses of the medical
 13 assistance program including
 14 transportation services.

15 Notwithstanding any inconsistent provision
 16 of law, rule or regulation to the
 17 contrary, for the period September 1, 2009
 18 through March 31, 2010, the commissioner
 19 of health is authorized to assume
 20 responsibility from a local social
 21 services official for the provision and
 22 reimbursement of medicaid transportation
 23 costs under this section 365-h of the
 24 social services law. If the commissioner
 25 elects to assume such responsibility, the
 26 commissioner shall notify the local social
 27 services official in writing as to the
 28 election, the date upon which the election
 29 shall be effective and such information as
 30 to transition of responsibilities as the
 31 commissioner deems prudent. The
 32 commissioner is authorized to contract
 33 with a transportation manager or managers
 34 that have experience in coordinating
 35 transportation services in New York state
 36 to manage the provision of such services.
 37 Such a contract or contracts may include,
 38 without limitation, responsibility for:
 39 review, approval and processing of
 40 transportation orders; management of the
 41 appropriate level of transportation based
 42 on documented patient medical need; and
 43 development of new technologies and
 44 approaches leading to efficient
 45 transportation services. Notwithstanding
 46 any inconsistent provision of sections 112
 47 and 163 of the state finance law, or
 48 section 142 of the economic development
 49 law, or any other law, the commissioner is
 50 authorized to enter into such contract
 51 without a competitive bid or request for
 52 proposal process. Provided, however, if
 53 this chapter appropriates sufficient
 54 additional funds to permit local social
 55 services officials to maintain
 56 responsibility for management of medicaid
 57 transportation services without assumption
 58 of such responsibility by the commissioner
 59 of health, then the provisions of this
 60 paragraph shall not apply and shall be
 61 considered null and void as of February
 62 28, 2009

248,564,000

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1	For services and expenses of the medical	
2	assistance program including dental	
3	services	146,736,000
4	For services and expenses of the medical	
5	assistance program including noninstitu-	
6	tional and other spending	4,016,678,000
7	For services and expenses of the medical	
8	assistance program including a series of	
9	targeted chronic illness demonstration	
10	projects.	
11	Notwithstanding section 112 and section 163	
12	of the state finance law, for chronic	
13	illness demonstration projects authorized	
14	by section 364-1 of the social services	
15	law, the commissioner of health may allo-	
16	cate up to \$2,500,000 of the amount appro-	
17	priated for contracts without a request	
18	for proposal process or any other compet-	
19	itive process	6,000,000
20	For services and expenses of the medical	
21	assistance program including home health	
22	telehealth and IT demonstration programs..	5,000,000
23	Notwithstanding any other provision of law,	
24	the money herein appropriated, together	
25	with any available federal matching funds,	
26	is available for transfer or suballocation	
27	to the state university of New York and	
28	its subsidiaries, or to contract without	
29	competition for services with the state	
30	university of New York research founda-	
31	tion, to provide support for the adminis-	
32	tration of the medical assistance program	
33	including activities such as dental prior	
34	approval, retrospective and prospective	
35	drug utilization review, development of	
36	evidence based utilization thresholds,	
37	data analysis, clinical consultation and	
38	peer review, clinical support for the	
39	pharmacy and therapeutic committee, and	
40	other activities related to utilization	
41	management for the medicaid program	6,000,000
42	For services and expenses of the medical	
43	assistance program including medical	
44	services provided at state facilities	
45	operated by the office of mental health,	
46	the office of mental retardation and	
47	developmental disabilities and the office	
48	of alcoholism and substance abuse services	
49	.....	3,200,000,000
50		-----
51	Program account subtotal	26,515,548,000
52		-----
53		
54	Special Revenue Funds - Other / Aid to Localities	
55	HCRA Resources Fund - 061	
56	Medical Assistance Account	
57		
58	For the purpose of making payments, the	
59	money hereby appropriated is available for	
60	payment of aid heretofore accrued or here-	
61	after accrued, to providers of medical	
62	care pursuant to section 367-b of the	

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1	social services law, and for payment of	
2	state aid to municipalities and the feder-	
3	al government where payment systems	
4	through fiscal intermediaries are not	
5	operational, to reimburse such providers	
6	for costs attributable to the provision of	
7	care to patients eligible for medical	
8	assistance.	
9	For services and expenses related to the	
10	medical assistance program	114,100,000
11	For services and expenses of the medical	
12	assistance program related to disabled	
13	persons	23,500,000
14	For services and expenses of the medical	
15	assistance program related to physician	
16	services	85,200,000
17	For services and expenses of the medical	
18	assistance program related, but not	
19	limited to, pharmacy, inpatient, and	
20	nursing home services	2,076,500,000
21	For services and expenses of the medical	
22	assistance program related to the city of	
23	New York	124,700,000
24	For services and expenses of the medical	
25	assistance program related to providing	
26	distributions for supplemental medical	
27	insurance for medicare part B premiums,	
28	physician services, outpatient services,	
29	medical equipment, supplies and other	
30	health services	68,000,000
31	For services and expenses of the medical	
32	assistance program related to the family	
33	health plus program	573,000,000
34	For services and expenses of the medical	
35	assistance program related to the priority	
36	restoration program	6,000,000
37	For services and expenses of the medical	
38	assistance program related to providing	
39	financial assistance to residential health	
40	care facilities	15,000,000
41	For services and expenses of the medical	
42	assistance program related to non-public	
43	general hospital rate increases for	
44	recruitment and retention of health care	
45	workers	7,600,000
46	For services and expenses of the medical	
47	assistance program related to free-stand-	
48	ing diagnostic and treatment center rate	
49	increases for recruitment and retention of	
50	health care workers	1,700,000
51	For services and expenses of the medical	
52	assistance program related to supporting	
53	workforce recruitment and retention of	
54	personal care services or any worker with	
55	direct patient care responsibility for	
56	local social service districts which	
57	include a city with a population of over	
58	one million persons	136,000,000
59	For services and expenses of the medical	
60	assistance program related to supporting	
61	workforce recruitment and retention of	
62	personal care services for local social	

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1	service districts that do not include a	
2	city with a population of over one million	
3	persons	11,200,000
4	For services and expenses of the medical	
5	assistance program related to supporting	
6	rate increases for certified home health	
7	agencies, long term home health care	
8	programs, AIDS home care programs, hospice	
9	programs, managed long term care plans and	
10	approved managed long term care operating	
11	demonstrations for recruitment and	
12	retention of health care workers	50,000,000
13	For services and expenses of the medical	
14	assistance program related to rate adjust-	
15	ments made to public hospitals in accord-	
16	ance with paragraph (i) of subdivision 1	
17	of section 2807-c of the public health law	
18	pursuant to a chapter of the laws of 2007.	6,000,000
19	For additional services and expenses of the	
20	medical assistance program. The moneys	
21	hereby appropriated shall be available for	
22	non-public general hospitals located in a	
23	city with a population of more than one	
24	million persons to ensure meaningful	
25	access to the hospital's services and	
26	reasonable accommodation for all Medicaid	
27	patients that need language assistance ...	4,000,000
28	For additional services and expenses of the	
29	medical assistance program. The moneys	
30	hereby appropriated shall be available for	
31	general hospitals located in the counties	
32	of Nassau and Suffolk for distributions	
33	pursuant to paragraph (k) of subdivision 1	
34	of section 2807-c of the public health	
35	law, as added by a chapter of the laws of	
36	2007	625,000
37	For services and expenses of the medical	
38	assistance program related to supplemental	
39	rate adjustments to rural hospitals in	
40	accordance with subdivision 32 of section	
41	2807-c of the public health law	875,000
42		-----
43	Program account subtotal	3,304,000,000
44		-----
45		
46	Special Revenue Funds - Other / Aid to Localities	
47	HCRA Resources Fund - 061	
48	Indigent Care Account	
49		
50	For the purpose of making payments to	
51	providers of medical care pursuant to	
52	section 367-b of the social services law,	
53	and for payment of state aid to munici-	
54	palities where payment systems through	
55	fiscal intermediaries are not operational,	
56	to reimburse such providers for costs	
57	attributable to the provision of care to	
58	patients eligible for medical assistance.	
59	Payments from this appropriation to gener-	
60	al hospitals related to bad debt and char-	
61	ity care pursuant to article 28 of the	
62	public health law respectively, when	

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1 combined with federal funds for services
 2 and expenses for the medical assistance
 3 program pursuant to title XIX of the
 4 federal social security act or its succes-
 5 sor program, shall equal the amount of the
 6 funds received related to bad debt and
 7 charity care allowances and surcharges
 8 pursuant to article 28 of the public
 9 health law and deposited to this account
 10 less any such amounts withheld pursuant to
 11 subdivision 21 of section 2807-c of the
 12 public health law 982,100,000
 13 -----
 14 Program account subtotal 982,100,000
 15 -----

16
 17 Special Revenue Funds - Other / Aid to Localities
 18 Miscellaneous Special Revenue Fund - 339
 19 Medical Assistance Account
 20

21 For the purpose of making payments to
 22 providers of medical care pursuant to
 23 section 367-b of the social services law,
 24 and for payment of state aid to munici-
 25 palities and the federal government where
 26 payment systems through fiscal interme-
 27 diaries are not operational, to reimburse
 28 such providers for costs attributable to
 29 the provision of care to patients eligible
 30 for medical assistance.
 31 For services and expenses of the medical
 32 assistance program including nursing home,
 33 personal care, certified home health
 34 agency and long term home health care
 35 program and hospital services 883,500,000
 36 -----
 37 Program account subtotal 883,500,000
 38 -----

39
 40 OFFICE OF HEALTH INSURANCE PROGRAMS 1,255,375,700
 41 -----

42
 43 General Fund / State Operations
 44 State Purposes Account - 003
 45

46 Notwithstanding any other provision of law,
 47 the money hereby appropriated may be
 48 increased or decreased by interchange,
 49 with any appropriation of the department
 50 of health, and may be increased or
 51 decreased by transfer or suballocation
 52 between these appropriated amounts and
 53 appropriations of the medicaid inspector
 54 general, office of mental health, office
 55 of mental retardation and developmental
 56 disabilities and office of alcoholism and
 57 substance abuse services with the approval
 58 of the director of the budget, who shall
 59 file such approval with the department of
 60 audit and control and copies thereof with
 61

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1 the chairman of the senate finance commit-
2 tee and the chairman of the assembly ways
3 and means committee.
4
5 PERSONAL SERVICE
6
7 Personal service--regular 28,968,700
8 Temporary service 1,000
9 Holiday/overtime compensation 350,000
10 -----
11 Amount available for personal service 29,319,700
12 -----
13
14 NONPERSONAL SERVICE
15
16 Supplies and materials 536,000
17 Travel 823,000
18 Contractual services 29,902,000
19 Equipment 831,000
20 -----
21 Amount available for nonpersonal service.. 32,092,000
22 -----
23
24 MAINTENANCE UNDISTRIBUTED
25
26 For services and expenses related to
27 creation of a state enrollment portal.
28
29 Contractual services 32,000,000
30 -----
31 Program account subtotal 93,411,700
32 -----
33
34 General Fund / Aid to Localities
35 Local Assistance Account - 001
36
37 For grants to a New York state based not-
38 for-profit organization with expertise in
39 the New York state medicaid program for
40 studies, reviews and analysis, to be
41 performed in conjunction with the
42 department of health, on medicaid policy,
43 operational and other issues as defined by
44 the department. All or a portion of this
45 appropriation may be transferred to state
46 operations appropriations 1,391,200
47 -----
48 Program account subtotal 1,391,200
49 -----
50
51 Special Revenue Funds - Federal / State Operations
52 Federal Health and Human Services Fund - 265
53
54 For services and expenses for the medical
55 assistance program and administration of
56 the medical assistance program and survey
57 and certification program, provided pursu-
58 ant to title XIX of the federal social
59 security act.
60 Notwithstanding any inconsistent provision
61 of law and subject to the approval of the
62 director of the budget, moneys hereby

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1 appropriated may be increased or decreased
 2 by transfer or suballocation between these
 3 appropriated amounts and appropriations of
 4 other state agencies and appropriations of
 5 the department of health. Notwithstanding
 6 any inconsistent provision of law and
 7 subject to approval of the director of the
 8 budget, moneys hereby appropriated may be
 9 transferred or suballocated to other state
 10 agencies for reimbursement to local
 11 government entities for services and
 12 expenses related to administration of the
 13 medical assistance program 846,697,000
 14 -----
 15 Program fund subtotal 846,697,000
 16 -----
 17
 18 Special Revenue Funds - Other / State Operations
 19 HCRA Resources Fund - 061
 20 Medicaid Fraud Hotline and Medicaid Administration
 21 Account
 22
 23 For services and expenses related to the
 24 medicaid fraud hotline established pursu-
 25 ant to chapter 1 of the laws of 1999 and
 26 administrative expenses related to the
 27 family health plus program pursuant to
 28 section 369-ee of the social services law.
 29
 30 PERSONAL SERVICE
 31
 32 Personal service--regular 228,900
 33 -----
 34
 35 NONPERSONAL SERVICE
 36
 37 Supplies and materials 25,000
 38 Contractual services 500,000
 39 Fringe benefits 91,000
 40 Indirect costs 84,000
 41 -----
 42 Amount available for nonpersonal service.. 700,000
 43 -----
 44 Program account subtotal 928,900
 45 -----
 46
 47 Special Revenue Funds - Other / State Operations
 48 HCRA Resources Fund - 061
 49 Medical Assistance Account
 50
 51 For services and expenses related to the
 52 administration and marketing of the family
 53 health plus program established pursuant
 54 to chapter 1 of the laws of 1999.
 55
 56 PERSONAL SERVICE
 57
 58 Personal service--regular 925,900
 59 Temporary services 20,000
 60

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Holiday/overtime compensation	10,000
2		-----
3	Amount available for personal service	955,900
4		-----
5		
6		
7	NONPERSONAL SERVICE	
8		
9	Supplies and materials	35,000
10	Travel	34,000
11	Contractual services	5,581,000
12	Equipment	34,000
13	Fringe benefits	369,000
14	Indirect costs	338,000
15		-----
16	Amount available for nonpersonal service..	6,391,000
17		-----
18	Program account subtotal	7,346,900
19		-----
20		
21	Special Revenue Funds - Other / State Operations	
22	Miscellaneous Special Revenue Fund - 339	
23	Disease Management Account	
24		
25	For services and expenses related to disease	
26	management.	
27		
28	NONPERSONAL SERVICE	
29		
30	Contractual services	5,000,000
31		-----
32	Program account subtotal	5,000,000
33		-----
34		
35	Special Revenue Funds - Other / Aid to Localities	
36	Miscellaneous Special Revenue Fund - 339	
37	Federal State Health Reform Partnership Account	
38		
39	Notwithstanding any inconsistent provision	
40	of law, the money appropriated herein	
41	shall be available for services and	
42	expenses including grants related to the	
43	federal-state health reform partnership	
44	program and/or its successor program,	
45	provided, however, that the section 1115	
46	waiver demonstration which is entitled the	
47	federal-state health reform partnership,	
48	is in effect in accordance with the terms	
49	and conditions approved by the secretary	
50	of the federal department of health and	
51	human services, and further provided that	
52	funds appropriated for the federal-state	
53	health reform partnership program are	
54	disbursed only in accordance with those	
55	terms and conditions. Subject to the	
56	approval of the director of the budget,	
57	moneys appropriated herein may be trans-	
58	ferred or suballocated to the state office	
59	for the aging and other state agencies ...	300,000,000
60		-----
61	Program account subtotal	300,000,000
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Medicaid Research Projects Account	
4		
5	For services and expenses related to improv-	
6	ing services to medical assistance recipi-	
7	ents and other medical assistance research	
8	activities.	
9		
10		
11		
12	Contractual services	600,000
13		-----
14	Program account subtotal	600,000
15		-----
16		
17	OFFICE OF HEALTH SYSTEMS MANAGEMENT	111,223,100
18		-----
19		
20	General Fund / State Operations	
21	State Purposes Account - 003	
22		
23		
24		
25	Personal service--regular	22,419,600
26	Temporary service	53,000
27	Holiday/overtime compensation	546,000
28		-----
29	Amount available for personal service	23,018,600
30		-----
31		
32		
33		
34	Supplies and materials	186,000
35	Travel	237,000
36	Contractual services	6,499,000
37	Equipment	201,000
38		-----
39	Amount available for nonpersonal service..	7,123,000
40		-----
41		
42		
43		
44	For suballocation to the office of mental	
45	health for services and expenses for	
46	surveys of psychiatric residential treat-	
47	ment facilities.	
48		
49	Personal service--regular	131,000
50	Supplies and materials	18,000
51	Travel	50,000
52	Equipment	74,000
53		-----
54	Amount available for maintenance undis-	
55	tributed	273,000
56		-----
57	Program account subtotal	30,414,600
58		-----
59		
60		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	General Fund / Aid to Localities	
2	Local Assistance Account - 001	
3		
4	For contractual services related to medical	
5	necessity and quality of care reviews	
6	related to medicaid patients and to moni-	
7	tor health care services provided to	
8	persons with AIDS. A portion of this	
9	appropriation may be transferred to state	
10	operations appropriations	10,800,600
11	For services and expenses for patient health	
12	information and quality improvement initi-	
13	atives. A portion of this appropriation	
14	may be transferred to state operations	
15	appropriations	368,000
16	For services and expenses for cardiac	
17	services access and cardiac data	
18	quality/outcomes initiatives	1,381,800
19	For services and expenses related to the	
20	operation of the incident reporting system	
21	(NYPORTS). A portion of this appropriation	
22	may be transferred to state operations	
23	appropriations	625,100
24	For services and expenses for consulting	
25	services related to health information	
26	technology. A portion of this	
27	appropriation may be transferred to state	
28	operations appropriations	176,000
29	For services and expenses to support the	
30	center for liver transplant and the alli-	
31	ance for donation	372,000
32	For services and expenses of the brain trau-	
33	ma foundation	490,000
34	For services and expenses for a statewide	
35	campaign to promote awareness of the New	
36	York state donor registry to increase	
37	organ and tissue donation. A portion of	
38	this appropriation may be transferred to	
39	state operations appropriations	245,000
40		-----
41	Program account subtotal	14,458,500
42		-----
43		
44	Special Revenue Funds - Federal / Aid to Localities	
45	Federal Operating Grants Fund - 290	
46	United States Department of Justice Account	
47		
48	For expenses incurred in the administration	
49	of the prescription drug monitoring	
50	program relating to the prescribing and	
51	dispensing of controlled substances	400,000
52		-----
53	Program account subtotal	400,000
54		-----
55		
56	Special Revenue Funds - Other / State Operations	
57	HCRA Resources Fund - 061	
58	Emergency Medical Services Account	
59		
60	For services and expenses related to emer-	
61	gency medical services (EMS) adminis-	
62	tration including but not limited to,	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 expenses related to training courses and
 2 instructor development, expenses of the
 3 state EMS council, expenses of the EMS
 4 regional councils and program agencies,
 5 and expenses of the general public health
 6 work - EMS reimbursement.
 7
 8 PERSONAL SERVICE
 9
 10 Personal service--regular 2,575,300
 11 Temporary service 5,000
 12 Holiday/overtime compensation 75,000
 13 -----
 14 Amount available for personal service 2,655,300
 15 -----
 16
 17 NONPERSONAL SERVICE
 18
 19 Supplies and materials 130,000
 20 Travel 180,000
 21 Contractual services 15,693,000
 22 Equipment 300,000
 23 Fringe benefits 1,057,000
 24 Indirect costs 804,000
 25 -----
 26 Amount available for nonpersonal service.. 18,164,000
 27 -----
 28 Program account subtotal 20,819,300
 29 -----
 30
 31 Special Revenue Funds - Other / State Operations
 32 Miscellaneous Special Revenue Fund - 339
 33 1200-Hospital and Nursing Home Management Account
 34
 35 For services and expenses of inspecting,
 36 regulating, supervising and auditing
 37 hospital and nursing home companies incor-
 38 porated and authorized under articles 28-A
 39 and 28-B of the public health law, from
 40 funds received pursuant to these activ-
 41 ities.
 42
 43 PERSONAL SERVICE
 44
 45 Personal service--regular 535,000
 46 Temporary service 2,000
 47 Holiday/overtime compensation 7,000
 48 -----
 49 Amount available for personal service 544,000
 50 -----
 51
 52 NONPERSONAL SERVICE
 53
 54 Supplies and materials 2,000
 55 Travel 8,000
 56 Contractual services 24,000
 57 Equipment 20,000
 58 Fringe benefits 222,000
 59 Indirect costs 169,000
 60 -----
 61 Amount available for nonpersonal service.. 445,000
 62 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Program account subtotal	989,000
2		-----
3		
4	Special Revenue Funds - Other / State Operations	
5	Miscellaneous Special Revenue Fund - 339	
6	Certificate of Need Account	
7		
8	For services and expenses, including indi-	
9	rect costs, related to the certificate of	
10	need program.	
11		
12	PERSONAL SERVICE	
13		
14	Personal service--regular	2,859,300
15	Holiday/overtime compensation	10,000
16		-----
17	Amount available for personal service	2,869,300
18		-----
19		
20	NONPERSONAL SERVICE	
21		
22	Supplies and materials	26,000
23	Travel	38,000
24	Contractual services	1,970,000
25	Equipment	42,600
26	Fringe benefits	1,197,700
27	Indirect costs	877,200
28		-----
29	Amount available for nonpersonal service..	4,151,500
30		-----
31	Program account subtotal	7,020,800
32		-----
33		
34	Special Revenue Funds - Other / State Operations	
35	Miscellaneous Special Revenue Fund - 339	
36	Funeral Directing Account	
37		
38	For services and expenses of a statewide	
39	program, including indirect costs, related	
40	to the funeral direction administration	
41	program.	
42		
43	PERSONAL SERVICE	
44		
45	Personal service--regular	222,300
46	Holiday/overtime compensation	10,000
47		-----
48	Amount available for personal service	232,300
49		-----
50		
51	NONPERSONAL SERVICE	
52		
53	Supplies and materials	14,000
54	Travel	24,000
55	Contractual services	45,000
56	Equipment	25,000
57	Fringe benefits	95,000
58	Indirect costs	73,000
59		-----
60	Amount available for nonpersonal service..	276,000
61		-----
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Program account subtotal	508,300	
2			-----
3			
4	Special Revenue Funds - Other / State Operations		
5	Miscellaneous Special Revenue Fund - 339		
6	Patient Safety Center Account		
7			
8	For services and expenses of the patient		
9	safety center created by title 2 of arti-		
10	cle 29-D of the public health law.		
11			
12	NONPERSONAL SERVICE		
13			
14	Contractual services	1,000,000	
15			-----
16	Program account subtotal	1,000,000	
17			-----
18			
19	Special Revenue Funds - Other / State Operations		
20	Miscellaneous Special Revenue Fund - 339		
21	Professional Medical Conduct Account		
22			
23	For services and expenses, including indi-		
24	rect costs, related to the professional		
25	medical conduct program.		
26			
27	PERSONAL SERVICE		
28			
29	Personal service--regular	15,388,900	
30	Temporary service	340,000	
31	Holiday/overtime compensation	49,000	
32			-----
33	Amount available for personal service	15,777,900	
34			-----
35			
36	NONPERSONAL SERVICE		
37			
38	Supplies and materials	154,000	
39	Travel	276,000	
40	Contractual services	8,392,800	
41	Equipment	250,000	
42	Fringe benefits	6,516,900	
43	Indirect costs	3,255,000	
44			-----
45	Amount available for nonpersonal service..	18,844,700	
46			-----
47			
48	MAINTENANCE UNDISTRIBUTED		
49			
50	For services and expenses of the medical		
51	society contract authorized pursuant to		
52	chapter 582 of the laws of 1984	990,000	
53			-----
54	Program account subtotal	35,612,600	
55			-----
56			
57	OFFICE OF LONG TERM CARE		97,466,200
58			-----
59			
60	General Fund / State Operations		
61	State Purposes Account - 003		
62			

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1		PERSONAL SERVICE	
2			
3	Personal service--regular		29,574,000
4	Temporary service		82,000
5	Holiday/overtime compensation		854,000
6			-----
7	Amount available for personal service		30,510,000
8			-----
9			
10		NONPERSONAL SERVICE	
11			
12	Supplies and materials		350,000
13	Travel		1,065,000
14	Contractual services		19,574,000
15	Equipment		415,000
16			-----
17	Amount available for nonpersonal service..		21,404,000
18			-----
19			
20		MAINTENANCE UNDISTRIBUTED	
21			
22	For services and expenses related to the		
23	home health aide registry.		
24			
25	Personal service--regular		300,000
26	Supplies and materials		700
27	Travel		1,300
28	Contractual services		1,680,000
29	Equipment		18,000
30			-----
31	Amount available for maintenance undis-		
32	tributed		2,000,000
33			-----
34	Program account subtotal		53,914,000
35			-----
36			
37	General Fund / Aid to Localities		
38	Local Assistance Account - 001		
39			
40	For services and expenses, including grants,		
41	of a falls prevention program. All or a		
42	portion of this appropriation may be		
43	transferred to state operations		
44	appropriations		300,000
45	For services and expenses, including grants,		
46	of the uniform assessment program. All or		
47	a portion of this appropriation may be		
48	transferred to state operations		
49	appropriations		5,000,000
50	For services and expenses related to trau-		
51	matic brain injury including but not		
52	limited to services rendered to individ-		
53	uals enrolled in the federally approved		
54	home and community based services (HCBS)		
55	waiver and including personal and nonper-		
56	sonal services spending originally author-		
57	ized by appropriations and reappropri-		
58	ations enacted prior to 1996. All or part		
59	of this appropriation may be transferred		
60	to state operations appropriations		13,733,400
61	For services and expenses of the long-term		
62	care nursing initiative demonstration		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	projects established pursuant to section	
2	2893 of the public health law. All or a	
3	portion of this appropriation may be	
4	transferred to state operations and/or	
5	suballocated to the NYS higher education	
6	services corporation	2,500,000
7	For services and expenses of the quality	
8	incentive payment program	2,605,000
9	For services and expenses of the quality	
10	incentive payment program, provided	
11	however, that such funds can be used for	
12	prior year 2006-07 commitments	2,750,000
13	For an operating assistance subprogram for	
14	enriched housing. To the extent that funds	
15	are appropriated for such purposes, the	
16	department is authorized to pay an operat-	
17	ing subsidy for SSI recipients who are	
18	residents in certified not-for-profit or	
19	public enriched housing programs. Such	
20	subsidy shall not exceed \$115 per month	
21	per each SSI recipient and will be paid	
22	directly to the certified operator. If	
23	appropriations are not sufficient to meet	
24	such maximum monthly payments, such subsi-	
25	dy shall be reduced proportionately	502,900
26	For services and expenses, including grants,	
27	of the long term care community coalition	
28	for an advocacy program on behalf of	
29	seniors with long term care needs	69,000
30	The monies hereby appropriated shall be	
31	available for the cost of housing subsi-	
32	dies to certain participants in the nurs-	
33	ing home transition and diversion waiver	
34	program as authorized by chapters 615 and	
35	627 of the laws of 2004. A portion of such	
36	funds may be used for administration of	
37	the housing subsidies, either by state	
38	staff or a not-for-profit agency. A	
39	portion of this appropriation may be	
40	transferred to state operations appropri-	
41	ations. Up to 100 percent of this appro-	
42	priation may be suballocated to the divi-	
43	sion of housing and community renewal	2,303,000
44		-----
45	Program account subtotal	29,763,300
46		-----

47
 48 Special Revenue Fund - Other / Aid to Localities
 49 HCRA Resources Fund - 061
 50 Health Services Account
 51

52 For services and expenses related to adult
 53 home initiatives including but not limited
 54 to, social and recreational services;
 55 programs to support wellness including
 56 smoking cessation; falls prevention; main-
 57 taining or improving physical mobility,
 58 cognitive functioning or overall health;
 59 and advocacy and legal support.
 60 Notwithstanding any inconsistent provision
 61 of law and subject to the approval of the
 62 director of the budget, moneys hereby

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 appropriated may be transferred to the
2 office of mental health, the office for
3 the aging, and the commission on quality
4 of care and advocacy for persons with
5 disabilities. Moneys herein appropriated
6 may be used for the purpose of awarding
7 grants to operators of adult homes,
8 enriched housing programs and residences
9 through the enhancing abilities and life
10 experience (EnAbLE) program to improve the
11 quality of life and independence for resi-
12 dents. Use of program funds may include,
13 but shall not be limited to, independent
14 living skills training, vocational or
15 educational programs; peer specialists;
16 employment specialist; or services and
17 supports to allow residents to maintain
18 independence in their activities of daily
19 living. Such grants shall be made pursuant
20 to criteria established by the department
21 of health. A preference in funding shall
22 be granted to applicants for use of
23 program funds which would serve residents
24 receiving supplemental security income
25 and/or safety net. No grants shall be made
26 unless the department of health receives
27 satisfactory documentation that the resi-
28 dent council of any facility for which
29 funds are requested has endorsed the
30 proposed use of funds as set forth in the
31 grant application 2,447,800

32 For additional services and expenses for the
33 enhancing abilities and life experience
34 (EnAbLE) program to improve the quality of
35 life of residents. Use of program funds
36 may include, but shall not be limited to,
37 providing air conditioning in resident
38 rooms, providing generators to facilities,
39 improving the quality of food services and
40 other quality of life activities. In
41 distributing such funds, the department
42 shall give priority to those applicants
43 whose residents demonstrate the highest
44 level of need, including but not limited
45 to, those with psychiatric disabilities
46 and the elderly, and consideration to
47 applicants in the greatest financial need
48 of such assistance 1,833,900

49 -----
50 Program account subtotal 4,311,700
51 -----
52

53 Special Revenue Funds - Other / State Operations
54 Miscellaneous Special Revenue Fund - 339
55 Adult Home Quality Enhancement Account
56

57 For services and expenses to promote
58 programs to improve the quality of care
59 for residents in adult homes.
60
61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	NONPERSONAL SERVICE	
2		
3	Contractual services	500,000
4		-----
5	Program account subtotal	500,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Miscellaneous Special Revenue Fund - 339	
10	Assisted Living Residence Quality Oversight Account	
11		
12	For services and expenses related to the	
13	oversight and licensing activities for	
14	assisted living facilities. Subject to the	
15	approval of the director of the budget,	
16	moneys appropriated herein may be suballo-	
17	cated to the state office for the aging, a	
18	portion of which may be tranferred to	
19	state operations and aid to localities.	
20		
21	PERSONAL SERVICE	
22		
23	Personal service--regular	1,093,200
24	Holiday/overtime compensation	35,000
25		-----
26	Amount available for personal service	1,128,200
27		-----
28		
29	NONPERSONAL SERVICE	
30		
31	Supplies and materials	9,000
32	Travel	40,000
33	Contractual services	134,000
34	Equipment	16,000
35	Fringe benefits	445,000
36	Indirect costs	346,000
37		-----
38	Amount available for nonpersonal service..	990,000
39		-----
40	Program account subtotal	2,118,200
41		-----
42		
43	Special Revenue Funds - Other / State Operations	
44	Miscellaneous Special Revenue Fund - 339	
45	Continuing Care Retirement Community Account	
46		
47	For services and expenses related to the	
48	establishment of continuing care retire-	
49	ment communities including expenses of the	
50	life care community council.	
51		
52	PERSONAL SERVICE	
53		
54	Personal service--regular	33,500
55		-----
56		
57	NONPERSONAL SERVICE	
58		
59	Supplies and materials	3,000
60	Travel	5,000
61	Contractual services	160,000
62	Fringe benefits	14,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Indirect costs	34,000
2		-----
3	Amount available for nonpersonal service..	216,000
4		-----
5	Program account subtotal	249,500
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Miscellaneous Special Revenue Fund - 339	
10	Durable Medical Equipment Account	
11		
12	For services and expenses, including indi-	
13	rect costs, related to the durable medical	
14	equipment program.	
15		
16	PERSONAL SERVICE	
17		
18	Personal service--regular	348,500
19		-----
20		
21	NONPERSONAL SERVICE	
22		
23	Supplies and materials	23,000
24	Travel	24,000
25	Equipment	14,000
26	Fringe benefits	143,000
27	Indirect costs	109,000
28		-----
29	Amount available for nonpersonal service..	313,000
30		-----
31	Program account subtotal	661,500
32		-----
33		
34	Special Revenue Funds - Other / State Operations	
35	Miscellaneous Special Revenue Fund - 339	
36	Nurses Aide Registry Account	
37		
38	For services and expenses of administrative	
39	costs related to the nurses aide registry	
40	program.	
41		
42	PERSONAL SERVICE	
43		
44	Personal service--regular	174,400
45	Holiday/overtime compensation	1,000
46		-----
47	Amount available for personal service	175,400
48		-----
49		
50	NONPERSONAL SERVICE	
51		
52	Supplies and materials	10,000
53	Travel	5,000
54	Contractual services	3,605,000
55	Equipment	8,000
56	Fringe benefits	72,000
57	Indirect costs	55,000
58		-----
59	Amount available for nonpersonal service..	3,755,000
60		-----
61	Program account subtotal	3,930,400
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Quality of Care Improvement Account	
4		
5	For services and expenses related to the	
6	protection of the health or property of	
7	residents of residential health care	
8	facilities that are found to be deficient	
9	including, but not limited to, payment for	
10	the cost of relocation of residents to	
11	other facilities and the maintenance and	
12	operation of a facility pending correction	
13	of deficiencies or closure.	
14		
15	PERSONAL SERVICE	
16		
17	Personal service--regular	147,600
18	Holiday/overtime compensation	20,000
19		-----
20	Amount available for personal service	167,600
21		-----
22		
23	NONPERSONAL SERVICE	
24		
25	Supplies and materials	33,000
26	Travel	50,000
27	Contractual services	1,528,000
28	Equipment	117,000
29	Fringe benefits	70,000
30	Indirect costs	52,000
31		-----
32	Amount available for nonpersonal service..	1,850,000
33		-----
34	Program account subtotal	2,017,600
35		-----
36		
37	WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM ...	150,199,500
38		-----
39		
40	General Fund / State Operations	
41	State Purposes Account - 003	
42		
43	PERSONAL SERVICE	
44		
45	Personal service--regular	29,130,000
46	Temporary service	70,000
47	Holiday/overtime compensation	800,500
48		-----
49	Amount available for personal service	30,000,500
50		-----
51		
52	NONPERSONAL SERVICE	
53		
54	Supplies and materials	3,352,000
55	Travel	76,000
56	Contractual services	7,285,000
57	Equipment	5,305,000
58		-----
59	Amount available for nonpersonal service..	16,018,000
60		-----
61	Program account subtotal	46,018,500
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	General Fund / Aid to Localities	
2	Local Assistance Account - 001	
3		
4	For services and expenses of a genetic	
5	disease screening program	645,000
6	For services and expenses of a sickle cell	
7	screening program	226,000
8		-----
9	Program account subtotal	871,000
10		-----
11		
12	Special Revenue Funds - Federal / State Operations	
13	Federal Health and Human Services Fund - 265	
14		
15	For health prevention, diagnostic, detection	
16	and treatment services	1,556,000
17		-----
18	Program fund subtotal	1,556,000
19		-----
20		
21	Special Revenue Funds - Federal / State Operations	
22	Federal Health and Human Services Fund - 265	
23	Federal Block Grant Account	
24		
25	For health prevention, diagnostic, detection	
26	and treatment services	11,376,000
27		-----
28	Program account subtotal	11,376,000
29		-----
30		
31	Special Revenue Funds - Federal / Aid to Localities	
32	Federal Health and Human Services Fund - 265	
33	Federal Block Grant Account	
34		
35	For services and expenses of the various	
36	health prevention, diagnostic, detection	
37	and treatment services	3,682,000
38		-----
39	Program account subtotal	3,682,000
40		-----
41		
42	Special Revenue Funds - Other / State Operations	
43	Combined Gifts, Grants and Bequests Fund - 020	
44	Breast Cancer Research and Education Account	
45		
46	For breast cancer research and education	
47	pursuant to section 97-yy of the state	
48	finance law as amended by chapter 550 of	
49	the laws of 2000.	
50		
51		
52		
53	Contractual services	2,600,000
54		-----
55	Program account subtotal	2,600,000
56		-----
57		
58	Special Revenue Funds - Other / State Operations	
59	Combined Gifts, Grants and Bequests Fund - 020	
60	Multiple Sclerosis Research Account	
61		
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For research into the causes and treatment	
2	of pediatric multiple sclerosis pursuant	
3	to section 95-d of the state finance law.	
4		
5		
6		
7	Contractual services	20,000
8		-----
9	Program account subtotal	20,000
10		-----
11		
12	Special Revenue Funds - Other / State Operations	
13	Miscellaneous Special Revenue Fund - 339	
14	Clinical Laboratory Reference System Assessment Account	
15		
16	For services and expenses of the clinical	
17	laboratory reference and accreditation	
18	program.	
19		
20		
21		
22	Personal service--regular	7,937,000
23	Holiday/overtime compensation	100,000
24		-----
25	Amount available for personal service	8,037,000
26		-----
27		
28		
29		
30	Supplies and materials	846,000
31	Travel	300,000
32	Contractual services	2,271,000
33	Equipment	1,441,000
34	Fringe benefits	3,468,000
35	Indirect costs	4,407,000
36		-----
37	Amount available for nonpersonal service..	12,733,000
38		-----
39	Program account subtotal	20,770,000
40		-----
41		
42	Special Revenue Funds - Other / State Operations	
43	Miscellaneous Special Revenue Fund - 339	
44	Environmental Laboratory Fee Account	
45		
46	For services and expenses hereafter to	
47	accrue for the environmental laboratory	
48	reference and accreditation program.	
49		
50		
51		
52	Personal service--regular	1,974,000
53	Holiday/overtime compensation	20,000
54		-----
55	Amount available for personal service	1,994,000
56		-----
57		
58		
59		
60	Supplies and materials	295,000
61	Travel	170,000
62	Contractual services	210,000

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Equipment	103,000
2	Fringe benefits	837,300
3	Indirect costs	1,167,700
4		-----
5	Amount available for nonpersonal service..	2,783,000
6		-----
7	Program account subtotal	4,777,000
8		-----
9		
10	Special Revenue Funds - Other / State Operations	
11	Miscellaneous Special Revenue Fund - 339	
12	Spinal Cord Injury Research Fund Account	
13		
14	For services and expenses related to spinal	
15	cord injury research pursuant to chapter	
16	338 of the laws of 1998, in accordance	
17	with the following.	
18		
19	PERSONAL SERVICE	
20		
21	Personal service--regular	224,000
22		-----
23		
24	NONPERSONAL SERVICE	
25		
26	Supplies and materials	50,000
27	Travel	45,000
28	Contractual services	7,978,000
29	Equipment	15,000
30	Fringe benefits	88,000
31	Indirect costs	129,000
32		-----
33	Amount available for nonpersonal service..	8,305,000
34		-----
35	Program account subtotal	8,529,000
36		-----
37		
38	Special Revenue Fund - Other / State Operations	
39	Miscellaneous Special Revenue Fund - 339	
40	Empire State Stem Cell Research Account	
41		
42	For services and expenses, including grants,	
43	related to stem cell research pursuant to	
44	chapter 58 of the laws of 2007:	
45		
46	NONPERSONAL SERVICE	
47		
48	Contractual services	50,000,000
49		-----
50	Program account subtotal	50,000,000
51		-----
52		
53	Total new appropriations for state operations and aid to	
54	localities	49,333,313,800
55		=====
56		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM
2
3 General Fund / State Operations
4 State Purposes Account - 003
5
6 By chapter 54, section 1, of the laws of 2008:
7 Contractual services ... 19,352,000 (re. \$6,000,000)
8 For services and expenses related to the improvement of data
9 protection and interoperability.
10 Contractual services ... 1,000,000 (re. \$982,000)
11 For services and expenses related to the improvement of electronic
12 content and the production and presentation of electronically stored
13 information (e-Discovery).
14 Contractual services ... 1,000,000 (re. \$1,000,000)
15
16 By chapter 54, section 1, of the laws of 2007:
17 Contractual services ... 18,517,000 (re. \$6,000,000)
18
19 By chapter 54, section 1, of the laws of 2002:
20 Maintenance undistributed
21 For services and expenses related to a time and activity system
22 3,000,000 (re. \$770,000)
23
24 Special Revenue Funds - Federal / State Operations
25 Federal USDA-Food and Nutrition Services Fund - 261
26 Child and Adult Care Food Account
27
28 By chapter 54, section 1, of the laws of 2008:
29 For various food and nutritional services
30 976,000 (re. \$293,000)
31
32 By chapter 54, section 1, of the laws of 2007:
33 For the grant period October 1, 2006 to September 30, 2007
34 391,000 (re. \$78,000)
35 For the grant period October 1, 2007 to September 30, 2008
36 476,000 (re. \$95,200)
37
38 Special Revenue Funds - Federal / State Operations
39 Federal USDA-Food and Nutrition Services Fund - 261
40 Federal Food and Nutrition Services Account
41
42 By chapter 54, section 1, of the laws of 2008:
43 For various food and nutritional services
44 1,952,000 (re. \$586,000)
45
46 By chapter 54, section 1, of the laws of 2007:
47 For various food and nutritional services.
48 For the grant period October 1, 2006 to September 30, 2007
49 935,000 (re. \$187,000)
50 For the grant period October 1, 2007 to September 30, 2008
51 1,139,000 (re. \$228,000)
52
53 Special Revenue Funds - Federal / State Operations
54 Federal Health and Human Services Fund - 265
55 Federal Block Grant Account
56
57 By chapter 54, section 1, of the laws of 2008:
58 For various health prevention, diagnostic, detection and treatment
59 services ... 6,656,000 (re. \$6,656,000)
60
61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 Special Revenue Funds - Federal / State Operations
2 Federal Block Grant Fund - 269
3
4 By chapter 54, section 1, of the laws of 2007:
5 For various health prevention, diagnostic, detection and treatment
6 services.
7 For the grant period October 1, 2006 to September 30, 2007
8 2,893,000 (re. \$2,893,000)
9 For the grant period October 1, 2007 to September 30, 2008
10 2,893,000 (re. \$2,893,000)
11
12 By chapter 54, section 1, of the laws of 2006:
13 For various health prevention, diagnostic, detection and treatment
14 services:
15 For the grant period October 1, 2006 to September 30, 2007
16 2,893,000 (re. \$2,893,000)
17
18 AIDS INSTITUTE PROGRAM
19
20 General Fund / Aid to Localities
21 Local Assistance Account - 001
22
23 By chapter 54, section 1, of the laws of 2008, as amended by chapter
24 496, section 5, of the laws of 2008:
25 For additional grants to existing community service programs to meet
26 the increased demands of HIV education, prevention, outreach, legal
27 and supportive services to high risk groups and to address increased
28 operating costs of these programs. Such grants shall be equitably
29 distributed ... 540,500 (re. \$288,000)
30 For services and expenses related to the operation of the communities
31 of color initiative, provided, however, that the amount of this
32 appropriation available for expenditure and disbursement on and
33 after September 1, 2008 shall be reduced by six percent of the
34 amount that was undisbursed as of August 15, 2008
35 3,810,000 (re. \$2,500,000)
36 For additional grants to existing community based organizations and to
37 article 28 of the public health law diagnostic and treatment centers
38 that must operate in a neighborhood or geographic area with high
39 concentrations of at risk populations and provide services and
40 programs that are culturally sensitive to the special social and
41 cultural needs of the at risk populations. Such grants shall be used
42 to meet increased demands for HIV education, prevention, outreach,
43 and legal programs. Such grants shall be equitably distributed
44 540,500 (re. \$288,000)
45 For additional services and expenses of the New York AIDS Coalition ..
46 23,500 (re. \$12,500)
47 For services and expenses of the Legal Aid Society of New York City ..
48 125,960 (re. \$67,000)
49 For services and expenses of the Legal Services for New York City
50 125,960 (re. \$67,000)
51
52 Special Revenue Funds - Other / Aid to Localities
53 HCRA Resources Fund - 061
54 Health Care Services Account
55
56 By chapter 54, section 1, of the laws of 2008, as amended by chapter
57 496, section 5, of the laws of 2008:
58 For grants to existing community service programs, as deemed
59 appropriate by the department of health, including but not limited
60 to community based organizations and other organizations providing
61 specialized AIDS-related services targeted to minority and other
62 high-risk populations. To ensure organizational viability, agency

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 administration may be supported subject to review and approval of
 2 the commissioner of health. Up to \$125,000 may be transferred to the
 3 general fund - state purposes account for the administration of this
 4 program. Notwithstanding any provision of law to the contrary, the
 5 commissioner of health shall be authorized to continue contracts
 6 with community service programs, multi-service agencies and
 7 community development initiatives for all such contracts which were
 8 executed on or before March 31, 2008, without any additional
 9 requirements that such contracts be subject to competitive bidding
 10 or a request for proposals process, provided, however, that the
 11 amount of this appropriation available for expenditure and
 12 disbursement on and after September 1, 2008 shall be reduced by six
 13 percent of the amount that was undisbursed as of August 15, 2008 ...
 14 20,131,000 (re. \$3,500,000)
 15 For suballocation to the office of temporary and disability assistance
 16 for operational support to the office of projects which have received capital
 17 grant awards through the homeless housing assistance program,
 18 provided, however, that the amount of this appropriation available
 19 for expenditure and disbursement on and after September 1, 2008
 20 shall be reduced by six percent of the amount that was undisbursed
 21 as of August 15, 2008 ... 975,000 (re. \$500,000)
 22

23 CENTER FOR COMMUNITY HEALTH PROGRAM
 24

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

28 By chapter 54, section 1, of the laws of 2008:
 29 For services and expenses of a study of racial disparities
 30 295,000 (re. \$295,000)
 31

32 By chapter 54, section 1, of the laws of 2008, as amended by chapter
 33 496, section 5, of the laws of 2008:
 34 For services and expenses of an obesity prevention program in support
 35 of healthy eating collaboratives. A portion of this appropriation
 36 may be transferred to state operations appropriations for
 37 administration of this program ... 145,000 (re. \$145,000)
 38 For services and expenses, including operating expenses related to
 39 providing nutritional services and nutrition education for hunger
 40 prevention and nutrition assistance. A portion of this appropriation
 41 may be transferred to state operations appropriations for
 42 administration of this program, provided, however, that the amount
 43 of this appropriation available for expenditure and disbursement on
 44 and after September 1, 2008 shall be reduced by six percent of the
 45 amount that was undisbursed as of August 15, 2008
 46 27,850,000 (re. \$2,500,000)
 47 For services and expenses related to providing nutritional services
 48 and to provide nutritional education to pregnant women, infants, and
 49 children, including suballocations to the department of agriculture
 50 and markets for the farmer's market nutrition program and migrant
 51 worker services and the office of temporary and disability
 52 assistance for prenatal care assistance program activities. A
 53 portion of this appropriation may be transferred to state operations
 54 appropriations for administration of this program, provided,
 55 however, that the amount of this appropriation available for
 56 expenditure and disbursement on and after September 1, 2008 shall be
 57 reduced by six percent of the amount that was undisbursed as of
 58 August 15, 2008 ... 21,600,000 (re. \$10,000,000)
 59 For services and expenses of the health and social services sexuality-
 60 related programs, provided, however, that the amount of this
 61 appropriation available for expenditure and disbursement on and

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 after September 1, 2008 shall be reduced by six percent of the
2 amount that was undisbursed as of August 15, 2008
3 5,890,000 (re. \$600,000)
4 For services and expenses of the public health management leaders of
5 tomorrow program, provided, however, that the amount of this
6 appropriation available for expenditure and disbursement on and
7 after September 1, 2008 shall be reduced by six percent of the
8 amount that was undisbursed as of August 15, 2008
9 588,000 (re. \$276,000)
10 For services and expenses of a shaken baby syndrome public educational
11 campaign, pursuant to chapter 110 of the laws of 2006. A portion of
12 this appropriation may be transferred to state operations
13 appropriations for administration of this program by the department
14 of health ... 180,000 (re. \$180,000)
15 For services and expenses of Ellenville Regional Hospital
16 188,000 (re. \$100,000)
17 For services and expenses of Catskill Regional Medical Center
18 282,000 (re. \$150,000)
19 For services and expenses of the Health Information Technology program
20 pursuant to chapter 58 of the laws of 2004
21 2,820,000 (re. \$1,500,000)
22 For services and expenses of the Primary Care Physician Training
23 Program ... 188,000 (re. \$100,000)
24 For services and expenses of Northeast Health GPS tracking device for
25 Home Care services ... 141,000 (re. \$75,000)
26 For services and expenses of comprehensive care centers for eating
27 disorders ... 282,000 (re. \$150,000)
28 For services and expenses of Northeast Health Electronic Medical
29 Records ... 376,000 (re. \$200,000)
30 For services and expenses of Saratoga Hospital Foundation
31 470,000 (re. \$250,000)
32 For services and expenses of Rome Hospital
33 216,200 (re. \$115,000)
34 For services and expenses of the Schenectady Health Care Practitioner
35 Volunteer Program ... 329,000 (re. \$175,000)
36 For services and expenses of the Northern Regional Federally Qualified
37 Community Health Centers ... 940,000 (re. \$500,000)
38 For services and expenses of the Lymphatic Research Foundation
39 94,000 (re. \$50,000)
40 For additional services and expenses of the American Red Cross
41 940,000 (re. \$500,000)
42 For services and expenses of Potsdam-Canton Hospital
43 235,000 (re. \$125,000)
44 For services and expenses of the Latino Commission on AIDs
45 141,000 (re. \$75,000)
46 For services and expenses of North Shore/Long Island Jewish Health
47 System-Returning Veteran's Program 188,000 (re. \$100,000)
48 For services and expenses for Health Information Technology for
49 Nursing Homes program ... 188,000 (re. \$100,000)
50 For services and expenses of the New York Organ Donor Network
51 23,500 (re. \$12,500)
52 For services and expenses of the Research Foundation of SUNY/HIV
53 Center for Women and Children @ SUNY Downstate
54 117,500 (re. \$62,500)
55 For services and expenses of the Brain Trauma Foundation
56 188,000 (re. \$100,000)
57 For services and expenses of Village Care of New York, Inc.
58 705,000 (re. \$375,000)
59 For services and expenses of the Long Island Health Network
60 94,000 (re. \$50,000)
61 For services and expenses of the Arthritis Foundation
62 94,000 (re. \$50,000)

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1 For services and expenses of a Medical Homes Demonstration Program ...
 2 211,500 (re. \$112,500)
 3 For services and expenses of Community Blood Services for Orange
 4 County Bloodmobile ... 94,000 (re. \$50,000)
 5 For services and expenses of New York State Ovarian Cancer Hotline ...
 6 150,400 (re. \$80,000)
 7 For services and expenses of Taconic IPA, Inc for an electronic
 8 prescribing and electronic medical records program in the Hudson
 9 Valley ... 470,000 (re. \$250,000)
 10 For services and expenses of Putnam Hospital Center
 11 470,000 (re. \$250,000)
 12 For services and expenses of Elizabethtown Hospital
 13 282,000 (re. \$150,000)
 14 For services and expenses of Alice Hyde Medical Center
 15 282,000 (re. \$150,000)
 16 For services and expenses of North Country Health Care Providers, LLC
 17 ... 282,000 (re. \$150,000)
 18 For services and expenses of Good Samaritan Hospital
 19 470,000 (re. \$250,000)
 20 For services and expenses Nyack Hospital Foundation
 21 141,000 (re. \$75,000)
 22 For services and expenses of the Rhoneix Pilot Program at Wadsworth
 23 Laboratory ... 188,000 (re. \$100,000)
 24 For services and expenses of the New York Wellness Program
 25 470,000 (re. \$250,000)
 26 For services and expenses of the Academic Health Centers Consortium ..
 27 470,000 (re. \$250,000)
 28 For services and expenses AIDs Testing and Prevention Initiatives
 29 540,500 (re. \$287,500)
 30 For services and expenses of Westchester Regional Emergency Services
 31 ... 103,400 (re. \$55,000)
 32 For services and expenses of the Catskill Area Hospice
 33 117,500 (re. \$62,500)
 34 For services and expenses Cortland Regional Medical Center
 35 117,500 (re. \$62,500)
 36 For services and expenses of Arnot Odgen Medical Center
 37 235,000 (re. \$125,000)
 38 For services and expenses of Universal Primary Care Center
 39 564,000 (re. \$300,000)
 40 For services and expenses of the Alzheimer's Association
 41 235,000 (re. \$125,000)
 42 For services and expenses of Rota Care ... 47,000 (re. \$25,000)
 43 For services and expenses of the Coalition for Community Well Being ..
 44 47,000 (re. \$25,000)
 45 For services and expenses of North Shore LIJ Huntington Hospital
 46 235,000 (re. \$125,000)
 47 For services and expenses of Glens Falls Hospital
 48 188,000 (re. \$100,000)
 49 For services and expenses of St. Luke's Cornwall Hospital
 50 470,000 (re. \$250,000)
 51 For services and expenses of The Children's Annex/Autism Support
 52 Center 235,000 (re. \$125,000)
 53 For additional state grants for a program of family planning services
 54 pursuant to article 2 of the public health law
 55 634,500 (re. \$337,500)
 56 For additional services and expenses of existing Alzheimer's disease
 57 assistance centers as established pursuant to chapter 586 of the
 58 laws of 1987 ... 94,000 (re. \$50,000)
 59 For additional state grants to improve access to infertility services,
 60 treatments, and procedures ... 940,000 (re. \$500,000)
 61 For additional services and expenses associated with new and existing
 62 school based health centers ... 634,500 (re. \$337,500)

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1	For additional services and expenses for the Alzheimer's Community	
2	Assistance Program as established pursuant to chapter 657 of the	
3	laws of 1997 ... 282,000	(re. \$150,000)
4	For services and expenses of a chernobyl thyroid cancer screening	
5	pilot project ... 507,600	(re. \$270,000)
6	For services and expenses related to perinatal care networks	
7	117,500	(re. \$62,500)
8	For services and expenses of a health care based literacy program	
9	94,000	(re. \$50,000)
10	For services and expenses of the Huntington's Disease Society of	
11	America related to Huntington's Disease centers of excellence	
12	47,000	(re. \$25,000)
13	For services and expenses related to the New York State breast cancer	
14	network ... 47,000	(re. \$25,000)
15	For additional state grants to the American Red Cross	
16	466,898	(re. \$248,350)
17	For services and expenses related to amyotrophic lateral sclerosis ...	
18	94,000	(re. \$50,000)
19	For services and expenses related to the statewide health and social	
20	services sexuality-related programs, notwithstanding any	
21	inconsistent provision of law to the contrary, funds shall be	
22	available for the statewide health and social services sexuality-	
23	related programs to establish health and social services and provide	
24	technical assistance pursuant to the following sub-schedule	
25	1,925,402	(re. \$1,024,150)
26		
27	sub-schedule	
28		
29	Ali Forney	14,020
30	Asian Pacific Islander Coali-	
31	tion of HIV/AIDS	
32	(Manhattan/Queens)	56,081
33	Audre Lorde Project	70,101
34	Bronx Lesbian and Gay Health	
35	Resource Consortium (BLGHRC)	
36	.....	70,101
37	Brooklyn AIDS Task Force -	
38	Shades of Lavender Project .	31,739
39	Callen-Lorde Community Health	
40	Center	56,081
41	CANDLE (Community Awareness	
42	Network for a Drug-Free life	
43	and Environment)	44,188
44	Capital District Gay and	
45	Lesbian Community Council ..	31,739
46	Center Lane, Westchester	
47	Jewish Community Services ..	43,426
48	Empire State Pride Agenda	94,356
49	Ferre Institute	25,236
50	Gay Alliance of the Genesee	
51	Valley	70,101
52	Gay & Lesbian Switchboard	14,020
53	Gay and Lesbian Youth Services	
54	of Western New York	70,101
55	Gay Men of African Descent ...	31,739
56	Gay Men's Health Crisis	56,081
57	Greenwich Village Youth Coun-	
58	cil - New Neutral Zone	38,094
59	Heights Hill Mental Health	
60	Service - LGBT Affirmative	
61	Program	31,739
62	Hetrick Martin Institute	70,101

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1	In Our Own Voices	67,297
2	Latino Commission on AIDS -	
3	Mano A Mano	31,739
4	Lesbian, Gay, Bisexual and	
5	Transgender Community Center	
6	.....	140,202
7	LGBT Wellness Program at	
8	Community Action Center	28,040
9	LOFT	33,323
10	Long Island Gay and Lesbian	
11	Youth	101,838
12	Men of Color Health Awareness	
13	Project	31,739
14	Metropolitan Community Church	
15	of New York	31,739
16	New York City Gay and Lesbian	
17	Anti-Violence Project	95,232
18	People of Color in Crisis	31,739
19	Planned Parenthood Health	
20	Services of Northeastern New	
21	York	28,040
22	Planned Parenthood of Niagara	
23	County	14,020
24	Positive Health Project	35,051
25	Pride Center of Western New	
26	York (Buffalo)	26,476
27	Pride for Youth/Long Island	
28	Crisis Center	71,101
29	Queens LGBT Pride Community	
30	Center	14,020
31	Queens Pride House	31,739
32	Rainbow Access Initiative	
33	Albany	21,031
34	Rainbow Seniors of Western New	
35	York	10,515
36	Safety Zone	14,020
37	SAGE Upstate	26,476
38	Senior Action in a Gay Envi-	
39	ronment (SAGE) - Rainbow	
40	Aging Awareness Program	121,976
41		
42	For services and expenses of the health and social services sexuality-	
43	related programs domestic violence network pursuant to the following	
44	sub-schedule ... 352,500	(re. \$187,500)
45		
46	sub-schedule	
47		
48	In Our Own Voices	23,500
49	Men of Color Health Awareness	
50	Project	23,500
51	Alternatives for Battered	
52	Women	23,500
53	Gay Alliance Of the Genesee	
54	Valley	23,500
55	Empire Justice Center	23,500
56	The New York City Gay & Lesbi-	
57	an Anti-Violence Project ...	47,000
58	Safe Horizon	23,500
59	Syracuse Area Domestic	
60	Violence & Sexual Violence	
61	Coalition, Vera House	23,500
62	Rockland Family Shelter	23,500

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1	Advocacy Center	23,500
2	Victim Assistance Services ...	23,500
3	NYS Coalition Against Domestic	
4	Violence	23,500
5	Lgbt Dv Committee Of Western	
6	NY	23,500
7	The Safe Homes Project	23,500
8		
9	For services and expenses of the New York University College of	
10	Dentistry - Mobile Dental Clinics ... 235,000	(re. \$125,000)
11	For services and expenses of the Coalition for the Institutionalized	
12	Aged and Disabled ... 94,000	(re. \$50,000)
13	For services and expenses of the School Based Health Coalition	
14	47,000	(re. \$25,000)
15	For services and expenses of the Primary Care Development Corporation	
16	... 493,500	(re. \$262,500)
17	For services and expenses of the Center for Health Care Access	
18	126,900	(re. \$67,500)
19		
20	By chapter 54, section 1, of the laws of 2007:	
21	For services and expenses related to providing nutritional services	
22	and to provide nutritional education to pregnant women, infants, and	
23	children, including suballocations to the department of agriculture	
24	and markets for the farmer's market nutrition program and migrant	
25	worker services and the office of temporary and disability assist-	
26	ance for prenatal care assistance program activities	
27	17,004,000	(re. \$2,000,000)
28	For state grants to improve access to infertility services, treat-	
29	ments, and procedures. Funds shall be allocated from this appropri-	
30	ation pursuant to a plan prepared by the commissioner of health and	
31	approved by the director of the budget	
32	4,000,000	(re. \$4,000,000)
33	For services and expenses of a study of racial disparities	
34	300,000	(re. \$300,000)
35	For services and expenses of Health Information Technology, pursuant	
36	to chapter 58 of the laws of 2004 ... 3,000,000 ...	(re. \$3,000,000)
37		
38	By chapter 54, section 1, of the laws of 2007, as amended by chapter	
39	54, section 1, of the laws of 2008:	
40	For services and expenses related to the palliative care education and	
41	training program pursuant to section 2807-n of the public health law	
42	as added by chapter 58 of the laws of 2007. Up to \$370,000 of this	
43	appropriation may be transferred to the general fund - state	
44	purposes account for administration of this program	
45	4,600,000	(re. \$4,600,000)
46		
47	By chapter 54, section 1, of the laws of 2006:	
48	For services and expenses of racial disparity study	
49	300,000	(re. \$300,000)
50	For services and expenses of health information technology	
51	3,000,000	(re. \$2,770,000)
52	For services and expenses of the safe patient handling demonstration	
53	program ... 500,000	(re. \$500,000)
54		
55	Special Revenue Funds - Federal / State Operations	
56	Federal USDA-Food and Nutrition Services Fund - 261	
57	Child and Adult Care Food Account	
58		
59	By chapter 54, section 1, of the laws of 2008:	
60	For various food and nutritional services	
61	9,195,000	(re. \$1,839,000)
62		

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2007:
2 For the grant period October 1, 2006 to September 30, 2007
3 3,251,000 (re. \$325,000)
4 For the grant period October 1, 2007 to September 30, 2008
5 4,207,000 (re. \$421,000)
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 By chapter 54, section 1, of the laws of 2008:
12 For various federal food and nutritional services. The moneys hereby
13 appropriated shall be available for payment of financial assistance
14 heretofore accrued ... 202,300,000 (re. \$12,138,000)
15
16 By chapter 54, section 1, of the laws of 2007:
17 For various federal food and nutritional services. The moneys hereby
18 appropriated shall be available for payment of financial assistance
19 heretofore accrued.
20 For the grant period October 1, 2006 to September 30, 2007
21 82,300,000 (re. \$3,292,000)
22 For the grant period October 1, 2007 to September 30, 2008
23 100,200,000 (re. \$4,008,000)
24
25 Special Revenue Funds - Federal / State Operations
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 2008:
30 For various food and nutritional services
31 56,970,000 (re. \$11,934,000)
32
33 By chapter 54, section 1, of the laws of 2007:
34 For various food and nutritional services.
35 For the grant period October 1, 2006 to September 30, 2007
36 21,013,000 (re. \$2,101,000)
37 For the grant period October 1, 2007 to September 30, 2008
38 26,288,000 (re. \$2,629,000)
39
40 Special Revenue Funds - Federal / Aid to Localities
41 Federal USDA-Food and Nutrition Services Fund - 261
42 Federal Food and Nutrition Services Account
43
44 By chapter 54, section 1, of the laws of 2008:
45 For various federal food and nutritional services. The moneys hereby
46 appropriated shall be available for payment of financial assistance
47 heretofore accrued ... 392,200,000 (re. \$31,376,000)
48
49 By chapter 54, section 1, of the laws of 2007:
50 For various federal food and nutritional services. The moneys hereby
51 appropriated shall be available for payment of financial assistance
52 heretofore accrued.
53 For the grant period October 1, 2006 to September 30, 2007
54 172,500,000 (re. \$8,625,000)
55 For the grant period October 1, 2007 to September 30, 2008
56 207,600,000 (re. \$10,380,000)
57
58 Special Revenue Funds - Federal / State Operations
59 Federal Health and Human Services Fund - 265
60
61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
2 For various health prevention, diagnostic, detection and treatment
3 services ... 29,819,000 (re. \$16,959,000)
4
5 By chapter 54, section 1, of the laws of 2007:
6 For various health prevention, diagnostic, detection and treatment
7 Services.
8 For grants beginning prior to April 1, 2007
9 16,959,000 (re. \$16,959,000)
10 For grants beginning on or after April 1, 2007
11 8,080,000 (re. \$8,080,000)
12
13 By chapter 54, section 1, of the laws of 2006:
14 For various health prevention, diagnostic, detection and treatment
15 services:
16 For grants beginning on or after April 1, 2006
17 7,671,000 (re. \$7,671,000)
18
19 Special Revenue Funds - Federal / Aid to Localities
20 Federal Health and Human Services Fund - 265
21
22 By chapter 54, section 1, of the laws of 2008:
23 For various health prevention, diagnostic, detection and treatment
24 services ... 41,938,000 (re. \$41,938,000)
25
26 By chapter 54, section 1, of the laws of 2007:
27 For various health prevention, diagnostic, detection and treatment
28 Services.
29 For grants beginning prior to April 1, 2007
30 75,000 (re. \$75,000)
31 For grants beginning on or after April 1, 2007
32 35,381,000 (re. \$35,381,000)
33
34 By chapter 54, section 1, of the laws of 2006:
35 For various health prevention, diagnostic, detection and treatment
36 services:
37 For grants beginning on or after April 1, 2006
38 35,381,000 (re. \$35,381,000)
39
40 Special Revenue Funds - Federal / State Operations
41 Federal Health and Human Services Fund - 265
42 Abstinence Education Account
43
44 By chapter 54, section 1, of the laws of 2007:
45 For the grant period October 1, 2006 to September 30, 2007
46 451,000 (re. \$451,000)
47 For the grant period October 1, 2007 to September 30, 2008
48 451,000 (re. \$451,000)
49
50 Special Revenue Funds - Federal / Aid to Localities
51 Federal Health and Human Services Fund - 265
52 Abstinence Education Account
53
54 By chapter 54, section 1, of the laws of 2007:
55 For the grant period October 1, 2007 to September 30, 2008
56 4,982,000 (re. \$4,982,000)
57
58 Special Revenue Funds - Federal / State Operations
59 Federal Health and Human Services Fund - 265
60 Federal Block Grant Account
61
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
2 For various health prevention, diagnostic, detection and treatment
3 services ... 22,299,000 (re. \$22,299,000)

4
5 Special Revenue Funds - Federal / Aid to Localities
6 Federal Health and Human Services Fund - 265
7 Federal Block Grant Account

8
9 By chapter 54, section 1, of the laws of 2008:
10 For various health prevention, diagnostic, detection and treatment
11 services.

12 The commissioner of health is hereby authorized to waive any provi-
13 sions of the public health law and regulations, to issue appropriate
14 operating certificates, and to enter into contracts with article 28
15 facilities, to provide funds, to establish, support and conduct
16 projects to provide improved and expanded school health services for
17 preschool and school-age children. No more than 10 per centum of the
18 amount appropriated for such purpose shall be expended for services
19 and expenses in connection with the administration and evaluation of
20 such grants. Grants awarded under this appropriation shall be dis-
21 tributed and administered in accordance with regulations established
22 by the commissioner of health ... 57,475,000 (re. \$57,475,000)

23
24 Special Revenue Funds - Federal / State Operations
25 Federal Department of Education Fund - 267
26 Individuals with Disabilities-Part C Account

27
28 By chapter 54, section 1, of the laws of 2008:
29 For activities related to a handicapped infants and toddlers program..
30 20,620,000 (re. \$20,286,000)

31
32 By chapter 54, section 1, of the laws of 2007:
33 For activities related to a handicapped infants and toddlers program.
34 For the grant period beginning on or after July 1, 2006
35 8,150,000 (re. \$8,150,000)
36 For the grant period beginning on or after July 1, 2007
37 9,780,000 (re. \$1,264,000)

38
39 By chapter 54, section 1, of the laws of 2006:
40 For activities related to a handicapped infants and toddlers program:
41 For the grant period beginning on or after July 1, 2005
42 8,150,000 (re. \$8,150,000)
43 For the grant period beginning on or after July 1, 2006
44 9,780,000 (re. \$9,780,000)

45
46 By chapter 54, section 1, of the laws of 2005:
47 For activities related to a handicapped infants and toddlers program:
48 For the grant period October 1, 2005 to September 30, 2006
49 9,780,000 (re. \$9,780,000)

50
51 Special Revenue Funds - Federal / Aid to Localities
52 Federal Department of Education Fund - 267
53 Individuals with Disabilities-Part C Account

54
55 By chapter 54, section 1, of the laws of 2008:
56 For activities related to a handicapped infants and toddlers program..
57 51,578,000 (re. \$51,578,000)

58
59 By chapter 54, section 1, of the laws of 2007:
60 For activities related to a handicapped infants and toddlers program.
61 For the grant period beginning on or after July 1, 2007
62 29,900,000 (re. \$27,938,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2006:
2 For activities related to a handicapped infants and toddlers program:
3 For the grant period beginning on or after July 1, 2006
4 29,220,000 (re. \$17,032,000)
5
6 By chapter 54, section 1, of the laws of 2005:
7 For activities related to a handicapped infants and toddlers program:
8 For the grant period October 1, 2005 to September 30, 2006
9 29,220,000 (re. \$21,399,000)
10
11 Special Revenue Funds - Federal / State Operations
12 Federal Block Grant Fund - 269
13
14 By chapter 54, section 1, of the laws of 2007:
15 For various health prevention, diagnostic, detection and treatment
16 services.
17 For the grant period October 1, 2006 to September 30, 2007
18 9,018,000 (re. \$9,018,000)
19 For the grant period October 1, 2007 to September 30, 2008
20 10,370,000 (re. \$10,370,000)
21
22 By chapter 54, section 1, of the laws of 2006:
23 For various health prevention, diagnostic, detection and treatment
24 services:
25 For the grant period October 1, 2006 to September 30, 2007
26 10,370,000 (re. \$10,370,000)
27
28 Special Revenue Funds - Federal / Aid to Localities
29 Federal Block Grant Fund - 269
30
31 By chapter 54, section 1, of the laws of 2007:
32 For various health prevention, diagnostic, detection and treatment
33 services.
34 The commissioner of health is hereby authorized to waive any
35 provisions of the public health law and regulations, to issue appro-
36 priate operating certificates, and to enter into contracts with
37 article 28 facilities, to provide funds, to establish, support and
38 conduct projects to provide improved and expanded school health
39 services for preschool and school-age children. No more than 10 per
40 centum of the amount appropriated for such purpose shall be expended
41 for services and expenses in connection with the administration and
42 evaluation of such grants. Grants awarded under this appropriation
43 shall be distributed and administered in accordance with regulations
44 established by the commissioner of health.
45 For the grant period October 1, 2006 to September 30, 2007
46 23,245,000 (re. \$23,245,000)
47 For the grant period October 1, 2007 to September 30, 2008
48 26,732,000 (re. \$26,732,000)
49
50 By chapter 54, section 1, of the laws of 2006:
51 For various health prevention, diagnostic, detection and treatment
52 services.
53 The commissioner of health is hereby authorized to waive any
54 provisions of the public health law and regulations, to issue appro-
55 priate operating certificates, and to enter into contracts with
56 article 28 facilities, to provide funds, to establish, support and
57 conduct projects to provide improved and expanded school health
58 services for preschool and school-age children. No more than 10 per
59 centum of the amount appropriated for such purpose shall be expended
60 for services and expenses in connection with the administration and
61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 evaluation of such grants. Grants awarded under this appropriation
2 shall be distributed and administered in accordance with regulations
3 established by the commissioner of health.
4 For the grant period October 1, 2006 to September 30, 2007
5 26,732,000 (re. \$26,732,000)
6
7 Special Revenue Funds - Other / State Operations
8 Combined Gifts, Grants and Bequests Fund - 020
9 Autism Awareness and Research Account
10
11 By chapter 54, section 1, of the laws of 2008:
12 For services and expenses related to autism awareness and research
13 pursuant to section 404-v of the vehicle and traffic law and section
14 95-e of the state finance law, as added by chapter 301 of the laws
15 of 2004.
16 Contractual services ... 20,000 (re. \$20,000)
17
18 Special Revenue Funds - Other / Aid to Localities
19 Combined Gifts, Grants and Bequests Fund - 020
20 NYS Prostate Cancer Research, Detection and Education Account
21
22 By chapter 54, section 1, of the laws of 2008:
23 For prostate cancer research, detection and education pursuant to
24 chapter 273 of the laws of 2004 ... 1,000,000 (re. \$1,000,000)
25
26 Special Revenue Funds - Other / Aid to Localities
27 HCRA Resources Fund - 061
28 Hospital Based Grants Program Account
29
30 By chapter 54, section 1, of the laws of 2008, as amended by chapter
31 496, section 5, of the laws of 2008:
32 For services and expenses related to providing nutritional services to
33 pregnant women, infants, and children. Notwithstanding any other
34 provision of law to the contrary, up to 5 percent of the amount
35 appropriated may be transferred to the general fund - state purposes
36 account for the administration of this program by the department of
37 health, provided, however, that the amount of this appropriation
38 available for expenditure and disbursement on and after September 1,
39 2008 shall be reduced by six percent of the amount that was
40 undisbursed as of August 15, 2008 ... 9,119,000 ... (re. \$2,100,000)
41
42 CENTER FOR ENVIRONMENTAL HEALTH PROGRAM
43
44 Special Revenue Funds - Federal / State Operations
45 Federal Health and Human Services Fund - 265
46
47 By chapter 54, section 1, of the laws of 2008:
48 For various health prevention, diagnostic, detection and treatment
49 services ... 1,673,000 (re. \$1,356,000)
50
51 By chapter 54, section 1, of the laws of 2007:
52 For various health prevention, diagnostic, detection and treatment
53 services.
54 For grants beginning prior to April 1, 2007
55 503,000 (re. \$503,000)
56 For grants beginning on or after April 1, 2007
57 1,218,000 (re. \$1,218,000)
58
59 Special Revenue Funds - Federal / State Operations
60 Federal Health and Human Services Fund - 265
61 Federal Block Grant Account
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
2 For services and expenses of various health prevention, diagnostic,
3 detection and treatment services ... 6,808,000 (re. \$6,808,000)
4
5 Special Revenue Funds - Federal / Aid to Localities
6 Federal Health and Human Services Fund - 265
7 Federal Block Grant Account
8
9 By chapter 54, section 1, of the laws of 2008:
10 For services and expenses of various health prevention, diagnostic,
11 detection and treatment services ... 3,687,000 (re. \$3,687,000)
12
13 Special Revenue Funds - Federal / State Operations
14 Federal Block Grant Fund - 269
15
16 By chapter 54, section 1, of the laws of 2007:
17 For various health prevention, diagnostic, detection and treatment
18 services.
19 For the grant period October 1, 2006 to September 30, 2007
20 2,754,000 (re. \$2,754,000)
21 For the grant period October 1, 2007 to September 30, 2008
22 3,166,000 (re. \$3,166,000)
23
24 By chapter 54, section 1, of the laws of 2006:
25 For services and expenses of various health prevention, diagnostic,
26 detection and treatment services:
27 For the grant period October 1, 2006 to September 30, 2007
28 3,166,000 (re. \$3,166,000)
29
30 Special Revenue Funds - Federal / Aid to Localities
31 Federal Block Grant Fund - 269
32
33 By chapter 54, section 1, of the laws of 2007:
34 For services and expenses of various health prevention, diagnostic,
35 detection and treatment services.
36 For the grant period October 1, 2006 to September 30, 2007
37 1,491,000 (re. \$1,491,000)
38 For the grant period October 1, 2007 to September 30, 2008
39 1,715,000 (re. \$1,715,000)
40
41 By chapter 54, section 1, of the laws of 2006:
42 For services and expenses of various health prevention, diagnostic,
43 detection and treatment services:
44 For the grant period October 1, 2006 to September 30, 2007
45 1,715,000 (re. \$1,715,000)
46
47 Special Revenue Funds - Federal / State Operations
48 Federal Operating Grants Fund - 290
49 Federal Environmental Protection Agency Grants Account
50
51 By chapter 54, section 1, of the laws of 2008:
52 For various environmental projects including suballocation for the
53 department of environmental conservation
54 9,624,000 (re. \$9,624,000)
55
56 By chapter 54, section 1, of the laws of 2007:
57 For various environmental projects including suballocation for the
58 department of environmental conservation.
59 For the grant period October 1, 2006 to September 30, 2007
60 3,703,000 (re. \$3,703,000)
61 For the grant period October 1, 2007 to September 30, 2008
62 4,334,000 (re. \$4,334,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2006:
 2 For various environmental projects including suballocation for the
 3 department of environmental conservation:
 4 For the grant period October 1, 2005 to September 30, 2006
 5 3,703,000 (re. \$3,703,000)
 6 For the grant period October 1, 2006 to September 30, 2007
 7 4,334,000 (re. \$4,334,000)

8
 9 By chapter 54, section 1, of the laws of 2005:
 10 For various environmental projects including suballocation for the
 11 department of environmental conservation:
 12 For the grant period October 1, 2004 to September 30, 2005
 13 3,873,000 (re. \$3,873,000)
 14 For the grant period October 1, 2005 to September 30, 2006
 15 4,164,000 (re. \$4,164,000)

16
 17 By chapter 54, section 1, of the laws of 2004:
 18 For various environmental projects including suballocation for the
 19 department of environmental conservation:
 20 For the grant period October 1, 2004 to September 30, 2005
 21 8,494,000 (re. \$8,494,000)

CHILD HEALTH INSURANCE PROGRAM

22
 23
 24
 25 Special Revenue Funds - Federal / State Operations
 26 Federal Health and Human Services Fund - 265
 27 Children's Health Insurance Account

28
 29 By chapter 54, section 1, of the laws of 2008:
 30 The money hereby appropriated is available for payment of aid hereto-
 31 fore accrued or hereafter accrued.
 32 For services and expenses related to the children's health insurance
 33 program provided pursuant to title XXI of the federal social secur-
 34 ity act.
 35 The money hereby appropriated is available for payment of aid hereto-
 36 fore accrued or hereafter accrued to municipalities.
 37 Notwithstanding any inconsistent provision of law and subject to a
 38 plan developed by the commissioner of health and approved by the
 39 director of the budget, local social services districts shall be
 40 reimbursed for additional administrative costs incurred for recipi-
 41 ent and applicant eligibility and other administrative costs related
 42 to the expansion of, or changes to, the medical assistance program
 43 for children under the age of 19 pursuant to P.L. 105-33 or chapter
 44 2 of the laws of 1998.
 45 Such reimbursement shall be made without any local share of costs.
 46 Such reimbursement shall not be subject to any aggregate statewide
 47 reimbursement limit which may otherwise limit reimbursement for the
 48 administrative costs of the local social services districts,
 49 provided, however, such reimbursement shall be subject to the
 50 limitation on certain payments for certain expenditures set forth in
 51 subsection (c) of section 2105 of the federal social security act...
 52 64,130,000 (re. \$64,130,000)

53
 54 Special Revenue Funds - Federal / Aid to Localities
 55 Federal Health and Human Services Fund - 265
 56 Children's Health Insurance Account

57
 58 The appropriation made by by chapter 54, section 1, of the laws of 2008
 59 is hereby amended and reappropriated to read:
 60 The money hereby appropriated is available for payment of aid hereto-
 61 fore accrued or hereafter accrued.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

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

11 Notwithstanding any inconsistent provision of law and subject to the
12 approval of the director of the budget, moneys hereby appropriated
13 may be suballocated to the office of temporary and disability
14 assistance for payment of local administrative costs related to the
15 expansion of, or changes to, the medical assistance program related
16 to children under the age of 19 pursuant to P.L. 105-33 or chapter 2
17 of the laws of 1998.

18 Notwithstanding any inconsistent provision of law and subject to a
19 plan developed by the commissioner of health and approved by the
20 director of the budget, local social services districts shall be
21 reimbursed for additional administrative costs incurred for recipi-
22 ent and applicant eligibility and other administrative costs related
23 to the expansion of, or changes to, the medical assistance program
24 for children under the age of 19 pursuant to P.L. 105-33 or chapter
25 2 of the laws of 1998.

26 Such reimbursement shall be made without any local share of costs.
27 Such reimbursement shall not be subject to any aggregate statewide
28 reimbursement limit which may otherwise limit reimbursement for the
29 administrative costs of the local social services districts,
30 provided, however, such reimbursement shall be subject to the
31 limitation on certain payments for certain expenditures set forth in
32 subsection (c) of section 2105 of the federal social security act.

33 [Notwithstanding any inconsistent provision of law, rule or
34 regulation, for purposes of premium payments required pursuant to
35 subdivision 9 of section 2510 of the public health law, the
36 following effective dates and amounts shall apply as follows:

- 37 (a) for the period September 1, 2008 through March 31, 2009:
 - 38 (i) no payments are required for eligible children whose family gross
39 household income is less than 160 percent of the non-farm federal
40 poverty level and no payments are required for eligible children who
41 are American Indians or Alaskan Natives, as defined by the U.S.
42 Department of Health and Human Services; and
 - 43 (ii) \$15 per month for each eligible child whose family gross
44 household income is between 160 percent and 222 percent of the non-
45 farm federal poverty level, but no more than \$45 per month per
46 family; and
 - 47 (iii) \$25 per month for each eligible child whose family gross
48 household income is between 223 percent and 250 percent of the non-
49 farm federal poverty level, but no more than \$75 per month per
50 family.

51 Provided, however, if this chapter appropriates sufficient additional
52 funds to continue premium payments required by subdivision 9 of
53 section 2510 of the public health law then this language shall not
54 take effect] ... 475,800,000 (re. \$449,000,000)

55
56 HEALTH CARE FINANCING PROGRAM

57
58 General Fund / State Operations
59 State Purposes Account - 003

60
61 By chapter 54, section 1, of the laws of 2007:
62 Contractual services ... 2,318,000 (re. \$500,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 Special Revenue Funds - Other / State Operations
2 Miscellaneous Special Revenue Fund - 339
3 1200 - Nursing Home Receivership Account
4
5 By chapter 50, section 1, of the laws of 1986:
6 For purposes of making payments pursuant to subdivision 3 of section
7 2810 of the public health law ... 2,000,000 (re. \$2,000,000)
8
9 HEALTH CARE REFORM ACT PROGRAM
10
11 Special Revenue Funds - Other / Aid to Localities
12 HCRA Resources Fund - 061
13 HCRA Program Account
14
15 By chapter 54, section 1, of the laws of 2007, as amended by chapter
16 496, section 5, of the laws of 2008:
17 For state grants for the long term care delivery demonstration
18 projects, provided, however, that the amount of this appropriation
19 available for expenditure and disbursement on and after September 1,
20 2008 shall be reduced by six percent of the amount that was undis-
21 bursed as of August 15, 2008 ... 1,000,000 (re. \$ 100,000)
22
23 By chapter 54, section 1, of the laws of 2006, as amended by chapter
24 496, section 5, of the laws of 2008:
25 For services and expenses related to studying pay for performance
26 initiatives, provided, however, that the amount of this appropri-
27 ation available for expenditure and disbursement on and after
28 September 1, 2008 shall be reduced by six percent of the amount that
29 was undisbursed as of August 15, 2008
30 10,000,000 (re. \$4,300,000)
31
32 Special Revenue Funds - Other / Aid to Localities
33 HCRA Resources Fund - 061
34 HCRA Transition Account
35
36 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
37 section 1, of the laws of 2006:
38 For services, expenses, grants and transfers necessary to continue
39 existing or planned contracts or other financing arrangements for
40 the purposes of implementing the health care reform act program in
41 accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, and
42 2807-v of the public health law and utilizing allocations authorized
43 prior to July 1, 2005. The moneys hereby appropriated shall be
44 available for payments heretofore accrued or hereafter to accrue.
45 Notwithstanding any inconsistent provision of law, the moneys hereby
46 appropriated may be increased or decreased by interchange or trans-
47 fer with any appropriation of the department of health or by trans-
48 fer or suballocation to any appropriation of the department of
49 insurance, the office of mental health or the state office for the
50 aging subject to the approval of the director of the budget, who
51 shall file such approval with the department of audit and control
52 and copies thereof with the chairman of the senate finance committee
53 and the chairman of the assembly ways and means committee
54 600,000,000 (re. \$100,000,000)
55
56 INSTITUTIONAL MANAGEMENT PROGRAM
57
58 Special Revenue Funds - Other / State Operations
59 Miscellaneous Special Revenue Fund - 339
60 Helen Hayes Hospital Account
61
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2005:
 2 For services and expenses of the Helen Hayes hospital account.
 3 Notwithstanding any other law, rule or regulation to the contrary,
 4 funds shall be available for distribution pursuant to a plan
 5 approved by the director of the budget
 6 8,000,000 (re. \$7,100,000)
 7

8 The appropriation made by chapter 54, section 1, of the laws of 2004, is
 9 hereby amended and reappropriated to read:
 10 For services and expenses of the Helen Hayes hospital account.
 11 Notwithstanding any other law, rule or regulation to the contrary,
 12 funds shall be available for distribution pursuant to a plan
 13 [aprove] approved by the director of the budget
 14 9,558,000 (re. \$2,500,000)
 15

16 OFFICE OF MEDICAID MANAGEMENT PROGRAM

17

18 General Fund / Aid to Localities
 19 Local Assistance Account - 001
 20

21 By chapter 54, section 1, of the laws of 2007:
 22 For transfer to the state office for the aging for the managed care
 23 consumer assistance program for the purpose of providing education,
 24 outreach, one-on-one counseling, monitoring of the implementation of
 25 medicare part D, and assistance with drug appeals and fair hearings
 26 related to medicare part D coverage for persons who are eligible for
 27 medical assistance and who are also beneficiaries under part D of
 28 title XVIII of the federal social security act and for participants
 29 of the elderly pharmaceutical insurance coverage program in accord-
 30 ance with the following sub-schedule
 31 2,000,000 (re. \$896,000)
 32

33 sub-schedule

34

35 Medicare Rights Center 900,000
 36 Statewide Senior Action Network 400,000
 37 New York Legal Assistance Group 125,000
 38 Legal Aid Society of New York 125,000
 39 Selfhelp Community Services, Inc. .. 125,000
 40 Empire Justice Center 175,000
 41 Community Service Society 150,000
 42

43 For services and expenses, including transfer to the state office for
 44 the aging, for evidence based prevention programs
 45 100,000 (re. \$15,000)
 46

47 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 48 section 1, of the laws of 2007:

49 For transfer to the office for the aging for the purpose of providing
 50 education, outreach, one-on-one counseling, monitoring of the imple-
 51 mentation of Medicare Part D, and assistance with drug appeals and
 52 fair hearings related to Medicare Part D coverage for persons who
 53 are eligible for medical assistance and who are also beneficiaries
 54 under Part D of title XVIII of the federal social security act and
 55 for participants of the elderly pharmaceutical insurance coverage
 56 program in accordance with the following sub- schedule
 57 2,000,000 (re. \$211,000)
 58

59 sub-schedule

60

61 Medicare Rights Center 900,000
 62 Statewide Senior Action Network 400,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

- 1 New York Legal Assistance Group 125,000
- 2 Legal Aid Society of New York 125,000
- 3 Selfhelp Community Services, Inc. .. 125,000
- 4 Empire Justice Center 175,000
- 5 Community Service Society 150,000

6
7 MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

- 8
- 9 General Fund / Aid to Localities
- 10 Local Assistance Account - 001

11
12 By chapter 54, section 1, of the laws of 1998, as amended by chapter 54,
13 section 1, of the laws of 2006:

14 The amount appropriated herein may be used in all or in part for
15 grants to those entities seeking certification to operate comprehen-
16 sive HIV special needs plans to aid in the development of the
17 systems, organizational structures and networks necessary to operate
18 a managed care program and for entities contracted to participate in
19 support of SNP development and for contractual services related to
20 medical necessity and quality of care reviews for medicaid recipi-
21 ents with HIV or who have AIDS enrolled in special needs plans.
22 Subject to the approval of the director of budget, all or part of
23 this appropriation may be transferred to the office of managed care,
24 general fund - state purposes account
25 30,000,000 (re. \$16,650,000)

- 26
- 27 Special Revenue Funds - Federal / Aid to Localities
- 28 Federal Health and Human Services Fund - 265
- 29 Medicaid Administration Transfer Account

30
31 By chapter 54, section 1, of the laws of 2008:

32 For reimbursement of local administrative expenses of medical assis-
33 tance programs provided pursuant to title XIX of the federal social
34 security act or its successor program.

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

45 Notwithstanding any other provision of law, the money hereby
46 appropriated may be increased or decreased by interchange, with any
47 appropriation of the department of health, and may be increased or
48 decreased by transfer or suballocation between these appropriated
49 amounts and appropriations of the office of mental health, the
50 office of mental retardation and developmental disabilities, the
51 office of alcoholism and substance abuse services, the department of
52 family assistance office of temporary and disability assistance and
53 office of children and family services with the approval of the
54 director of the budget, who shall file such approval with the
55 department of audit and control and copies thereof with the chairman
56 of the senate finance committee and the chairman of the assembly
57 ways and means committee.

58 Notwithstanding any inconsistent provision of law, in lieu of payments
59 authorized by the social services law, or payments of federal funds
60 otherwise due to the local social services districts for programs
61 provided under the federal social security act or the federal food
62 stamp act, funds herein appropriated, in amounts certified by the

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 state commissioner of temporary and disability assistance or the
 2 state commissioner of health as due from local social services
 3 districts each month as their share of payments made pursuant to
 4 section 367-b of the social services law may be set aside by the
 5 state comptroller in an interest-bearing account in order to ensure
 6 the orderly and prompt payment of providers under section 367-b of
 7 the social services law pursuant to an estimate provided by the
 8 commissioner of health of each local social services district's
 9 share of payments made pursuant to section 367-b of the social
 10 services law ... 481,800,000 (re. \$330,000,000)

11 For reimbursement of administrative expenses of the medical assistance
 12 program provided by the office of mental health, office of mental
 13 retardation and developmental disabilities, and office of alcoholism
 14 and substance abuse services provided pursuant to title XIX of the
 15 federal social security act. The money hereby appropriated is
 16 available for payment of aid heretofore accrued and hereafter to
 17 accrue. Notwithstanding any other provision of law, the money hereby
 18 appropriated may be increased or decreased by interchange with any
 19 other appropriation of the department of health with the approval of
 20 the director of budget ... 100,000,000 (re. \$75,000,000)

21
 22 By chapter 54, section 1, of the laws of 2007:
 23 For reimbursement of local administrative expenses of medical assist-
 24 ance programs provided pursuant to title XIX of the federal social
 25 security act or its successor program.

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

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

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

61 For the grant period October 1, 2007 to September 30, 2008
 62 240,900,000 (re. \$31,000,000)

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2006:

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

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

15 Notwithstanding any other provision of law, the money hereby appropri-
16 ated may be increased or decreased by interchange, with any appropri-
17 ation of the department of health, and may be increased or
18 decreased by transfer or suballocation between these appropriated
19 amounts and appropriations of the department of family assistance
20 office of temporary and disability assistance and office of children
21 and family services with the approval of the director of the budget,
22 who shall file such approval with the department of audit and
23 control and copies thereof with the chairman of the senate finance
24 committee and the chairman of the assembly ways and means committee.

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

40 For the grant period October 1, 2006 to September 30, 2007
41 240,900,000 (re. \$81,000,000)

42 By chapter 54, section 1, of the laws of 2005:

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

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

56 Notwithstanding any other provision of law, the money hereby appropri-
57 ated may be increased or decreased by interchange, with any appropri-
58 ation of the department of health medical assistance adminis-
59 tration program and/or medical assistance program, and may be
60 increased or decreased by transfer or suballocation between these
61 appropriated amounts and appropriations of the department of family
62 assistance office of temporary and disability assistance and office

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

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 of temporary and disability assistance or the
12 state commissioner of health as due from local social services
13 districts each month as their share of payments made pursuant to
14 section 367-b of the social services law may be set aside by the
15 state comptroller in an interest-bearing account with such interest
16 accruing to the credit of the locality in order to ensure the order-
17 ly and prompt payment of providers under section 367-b of the social
18 services law pursuant to an estimate provided by the commissioner of
19 health of each local social services district's share of payments
20 made pursuant to section 367-b of the social services law.

21 For the grant period October 1, 2005 to September 30, 2006
22 240,900,000 (re. \$95,000,000)
23

24 MEDICAL ASSISTANCE PROGRAM

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

29 By chapter 54, section 1, of the laws of 2008:

30 Notwithstanding any inconsistent provision of law, subject to the
31 approval of a plan by the director of the budget, up to the amount
32 appropriated herein, together with any available federal matching
33 funds, may be transferred to the general fund - state purposes
34 account or suballocated to the state office for the aging for
35 services and expenses related to making improvements in the long-
36 term care system including long-term care restructuring, the nursing
37 home transition and diversion waiver, and point-of-entry initiatives
38 for the purpose of expanding and promoting a more coordinated level
39 of care for the delivery of quality services in the community
40 16,000,000 (re. \$16,000,000)

41 Notwithstanding any inconsistent provision of law, subject to a plan
42 developed by the commissioner of health and approved by the director
43 of the budget, up to the amount appropriated herein, together with
44 any available federal matching funds, will be available for
45 demonstrations that develop and evaluate interventions targeted at
46 medicaid beneficiaries who are otherwise exempt or excluded from
47 mandatory Medicaid managed care and who have multiple comorbidities.

48 Notwithstanding section 112 and section 163 of the state finance law,
49 for chronic illness demonstration projects authorized by section
50 364-1 of the social services law, the commissioner of health may
51 allocate up to \$2,500,000 of the amount appropriated for contracts
52 without a request for proposal process or any other competitive
53 process ... 6,000,000 (re. \$6,000,000)

54 For services and expenses of the medical assistance program related to
55 residential health care facility rate increases for recruitment and
56 retention of health care workers ... 15,000,000 ... (re. \$7,500,000)

57 For additional services and expenses of the medical assistance program
58 related to free-standing diagnostic and treatment center rate
59 increases for recruitment and retention of health care workers
60 400,000 (re. \$400,000)
61

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008, as amended by chapter
 2 496, section 5, of the laws of 2008:
 3 For services and expenses for the medical assistance program including
 4 additional funding for emergency transportation services
 5 2,820,000 (re. \$1,500,000)
 6 For services and expenses for the medical assistance program including
 7 additional funding for rural home care services
 8 7,520,000 (re. \$4,000,000)
 9 For additional services and expenses of the medical assistance program
 10 related to support payments to community health centers for
 11 information technology and transition funding
 12 4,617,280 (re. \$2,456,000)

13
 14 The appropriation made by chapter 54, section 1, of the laws of 2007, is
 15 hereby amended and reappropriated to read:
 16 Notwithstanding any inconsistent [provision] provision of law, subject
 17 to the approval of a plan by the director of the budget, up to the
 18 amount appropriated herein, together with any available federal
 19 matching funds, may be [transferred] transferred to the general fund
 20 - state purposes account or suballocated to the state office for the
 21 aging for services and expenses related to making improvements in
 22 the long-term care system including long-term care restructuring,
 23 the nursing [hom] home transition and diversion waiver, and point-
 24 of-entry initiatives for the purpose of expanding and promoting a
 25 more coordinated level of care for the delivery of quality services
 26 in the community ... 14,800,000 (re. \$12,200,000)
 27

28 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 29 section 1, of the laws of 2008:
 30 Notwithstanding any inconsistent provision of law, subject to a plan
 31 developed by the commissioner of health and approved by the director
 32 of the budget, up to the amount appropriated herein, together with
 33 any available federal matching funds, will be available for demon-
 34 strations that develop and evaluate interventions targeted at medi-
 35 caid beneficiaries who are otherwise exempt or excluded from manda-
 36 tory Medicaid managed care and who have multiple comorbidities.
 37 Notwithstanding section 112 and section 163 of the state finance
 38 law, for chronic illness demonstration projects authorized by
 39 section 364-1 of the social services law, the commissioner of health
 40 may allocate up to \$2,500,000 of the amount appropriated for
 41 contracts without a request for proposal or any other competitive
 42 process ... 4,000,000 (re. \$4,000,000)
 43

44 By chapter 54, section 1, of the laws of 2006, as added by chapter 108,
 45 section 4, of the laws of 2006:
 46 Notwithstanding any inconsistent provision of law, subject to the
 47 approval of a plan by the director of the budget, up to the amount
 48 appropriated herein, together with any available federal matching
 49 funds, may be transferred to the general fund - state purposes
 50 account for services and expenses related to making improvements in
 51 the long-term care system for the purpose of expanding and promoting
 52 a more coordinated level of care for the delivery of quality
 53 services in the community ... 10,000,000 (re. \$2,400,000)
 54

55 Special Revenue Funds - Federal / Aid to Localities
 56 Federal Health and Human Services Fund - 265
 57 Medicaid Direct Account
 58

59 By chapter 54, section 1, of the laws of 2008:
 60 For services and expenses of the medical assistance program including
 61 hospital inpatient services
 62 4,816,106,000 (re. \$2,316,106,000)

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1 For services and expenses of the medical assistance program including
 2 hospital outpatient and emergency room services
 3 671,764,000 (re. \$371,764,000)
 4 For services and expenses of the medical assistance program including
 5 clinic services ... 792,156,000 (re. \$392,156,000)
 6 For services and expenses of the medical assistance program including
 7 nursing home services ... 3,637,247,000 (re. \$2,287,247,000)
 8 For services and expenses of the medical assistance program including
 9 pharmacy services ... 1,620,653,000 (re. \$620,653,000)
 10 For services and expenses of the medical assistance program including
 11 transportation services ... 213,019,000 (re. \$153,019,000)
 12 For services and expenses of the medical assistance program including
 13 dental services ... 150,776,000 (re. \$80,776,000)
 14 For services and expenses of the medical assistance program including
 15 a series of targeted chronic illness demonstration projects.
 16 Notwithstanding section 112 and section 163 of the state finance law,
 17 for chronic illness demonstration projects authorized by section
 18 364-1 of the social services law, the commissioner of health may
 19 allocate up to \$2,500,000 of the amount appropriated for contracts
 20 without a request for proposal process or any other competitive
 21 process ... 6,000,000 (re. \$6,000,000)
 22 Notwithstanding any other provision of law, the money herein appropri-
 23 ated, together with any available federal matching funds, is avail-
 24 able for transfer or suballocation to the state university of New
 25 York and its subsidiaries, or to contract without competition for
 26 services with the state university of New York research foundation,
 27 to provide support for the administration of the medical assistance
 28 program including activities such as dental prior approval, retro-
 29 spective and prospective drug utilization review, development of
 30 evidence based utilization thresholds, data analysis, clinical con-
 31 sultation and peer review, clinical support for the pharmacy and
 32 therapeutic committee, and other activities related to utilization
 33 management for the medicaid program
 34 4,000,000 (re. \$4,000,000)
 35 For services and expenses of the medical assistance program including
 36 medical services provided at state facilities operated by the office
 37 of mental health, the office of mental retardation and developmental
 38 disabilities and the office of alcoholism and substance abuse
 39 services ... 2,700,000,000 (re. \$1,100,000,000)
 40 For services and expenses of the medical assistance program related to
 41 residential health care facility rate increases for recruitment and
 42 retention of health care workers ... 15,000,000 ... (re. \$7,500,000)
 43 For additional services and expenses of the medical assistance program
 44 related to free-standing diagnostic and treatment center rate
 45 increases for recruitment and retention of health care workers
 46 400,000 (re. \$400,000)
 47
 48 By chapter 54, section 1, of the laws of 2008, as amended by chapter
 49 496, section 5, of the laws of 2008:
 50 For services and expenses for the medical assistance program, includ-
 51 ing administrative expenses for local social services districts,
 52 pursuant to title XIX of the federal social security act or its
 53 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, and for payment of state aid to municipalities
 58 and to providers of family care where payment systems through the
 59 fiscal intermediaries are not operational, shall be available to the
 60 department net of disallowances, refunds, reimbursements, and
 61 credits.

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1 Notwithstanding any other provision of law, the money hereby
2 appropriated may be increased or decreased by interchange, with any
3 appropriation of the department of health and the office of medicaid
4 inspector general and may be increased or decreased by transfer or
5 suballocation between these appropriated amounts and appropriations
6 of the office of mental health, office of mental retardation and
7 developmental disabilities, the office of alcoholism and substance
8 abuse services, the department of family assistance office of
9 temporary and disability assistance, office of children and family
10 services, and state office for the aging with the approval of the
11 director of the budget, who shall file such approval with the
12 department of audit and control and copies thereof with the chairman
13 of the senate finance committee and the chairman of the assembly
14 ways and means committee.

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

30 Notwithstanding any inconsistent provision of law, rule or regulation
31 to the contrary, for the period April 1, 2008 through March 31,
32 2009, payment under the family health plus program established under
33 title 11-D of the social services law for drugs which may not be
34 dispensed without a prescription as required by section 6810 of the
35 education law shall be made pursuant to the provisions of
36 subdivision 9 of section 367-a of the social services law; provided,
37 however, that payment for such drugs provided by medical
38 practitioners shall be included in the capitation payment for
39 services or supplies provided to persons eligible for health care
40 services under the family health plus program, and payment for such
41 drugs that are provided by an employer partnership for family health
42 plus plan authorized by section 369-ff of the social services law,
43 shall be included in the capitation payment for services or supplies
44 provided to persons eligible for health care services under such
45 plan; and provided further that, for such period, the provisions of
46 paragraph (d) of subdivision 7 of section 367-a of the social
47 services law shall apply to reimbursement of covered drugs dispensed
48 to persons eligible for services as a result of their eligibility
49 having been established under subdivision 2 of section 369-ee of the
50 social services law.

51 Notwithstanding any inconsistent provision of law, rule or regulation
52 to the contrary, including the provisions of sections 112 and 163 of
53 the state finance law, for the period October 1, 2008 through March
54 31, 2009, and subject to federal financial participation, the
55 department of health is authorized to implement a specialty pharmacy
56 program for the purpose of procuring certain specialty drugs at
57 reduced cost. For this purpose, the department is authorized to
58 enter into contracts with one or more contractors in order to obtain
59 certain specialty drugs from a limited number of sources at reduced
60 prices. For this purpose, specialty drugs include, but are not
61 limited to, chemotherapy agents, hydration therapy agents, pain
62 therapy agents, intravenous administration of antibiotics or other

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1 drugs, and total parenteral nutrition; provided, however, if this
2 chapter appropriates sufficient additional funds to reimburse
3 specialty pharmacy drugs as in effect for the period April 1, 2007
4 through March 31, 2008, then the provisions of this paragraph shall
5 not apply and shall be considered null and void as of March 31,
6 2008.

7 Notwithstanding any inconsistent provision of law, rule or regulation
8 to the contrary, for the period July 1, 2008 through March 31, 2009,
9 the commissioner of health may, upon recommendation by the pharmacy
10 and therapeutics committee, consider for inclusion in the preferred
11 drug program established pursuant to section 272 of the public
12 health law the therapeutic class of anti-depressants; provided,
13 however, if this chapter appropriates sufficient additional funds to
14 exclude anti-depressants from the preferred drug program then the
15 provisions of this paragraph shall not apply and shall be considered
16 null and void as of March 31, 2008.

17 Notwithstanding any inconsistent provision of law, rule or regulation
18 to the contrary, for the period July 1, 2008 through March 31, 2009,
19 no prior authorization under the preferred drug program shall be
20 required when a prescriber prescribes a drug on the preferred drug
21 list; provided, however, that the commissioner of health may iden-
22 tify such a drug for which prior authorization is required pursuant
23 to the provisions of the clinical drug review program established
24 under section 274 of the public health law; provided, however, if
25 this chapter appropriates sufficient additional funds to exclude
26 prior authorization pursuant to the provisions of the clinical drug
27 review program for drugs included on the preferred drug list then
28 the provisions of this paragraph shall not apply and shall be
29 considered null and void as of March 31, 2008.

30 Notwithstanding any inconsistent provision of law, rule or regulation
31 to the contrary, for the period April 1, 2008 through March 31,
32 2009, and subject to federal financial participation, the commis-
33 sioner of health is authorized to establish a medication therapy
34 management pilot program in one or more counties or regions of the
35 state for the purpose of improving compliance with drug therapies
36 and improving clinical outcomes. Payments under such program may be
37 made to retail pharmacies for the provision of one-on-one medication
38 regimen counseling services for persons determined by the commis-
39 sioner to be eligible to receive such services. The commissioner is
40 authorized to establish fees for such counseling services, subject
41 to the approval of the director of the division of the budget;
42 provided, however, if this chapter appropriates sufficient addi-
43 tional funds to eliminate the medication therapy management pilot
44 program then the provisions of this paragraph shall not apply and
45 shall be considered null and void as of March 31, 2008.

46 Notwithstanding any inconsistent provision of law, rule or regulation
47 to the contrary, for the period July 1, 2008 through March 31, 2009,
48 medical assistance payment for drugs which may not be dispensed
49 without a prescription shall be made at the following amounts: if
50 the drug dispensed is a multiple source prescription drug or a
51 brand-name prescription drug for which no specific upper limit has
52 been set by the federal centers for medicare and medicaid services,
53 the lower of the estimated acquisition cost of such drug to
54 pharmacies, or the dispensing pharmacy's usual and customary price
55 charged to the general public; for sole and multiple source brand
56 name drugs, estimated acquisition cost means the average wholesale
57 price of a prescription drug based upon the package size dispensed
58 from, as reported by the prescription drug pricing service used by
59 the department of health, less 17 percent thereof, and updated
60 monthly by the department; if the drug dispensed is a multiple
61 source prescription drug for which an upper limit has been set by
62 the federal centers for medicare and medicaid services, the lower

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1 of: (A) an amount equal to the specific upper limit set by such
2 federal agency for the multiple source prescription drug; (B) the
3 estimated acquisition cost of such drug to pharmacies which, for
4 this purpose, shall mean the average wholesale price of a
5 prescription drug based on the package size dispensed from, as
6 reported by the prescription drug pricing service used by the
7 department, less 25 percent thereof; (C) the maximum acquisition
8 cost, if any, established pursuant to paragraph (e) of subdivision 9
9 of section 367-a of the social services law; or (D) the dispensing
10 pharmacy's usual and customary price charged to the general public.

11 Notwithstanding any inconsistent provision of law, rule or regulation
12 to the contrary, for the period July 1, 2008 through March 31, 2009,
13 medical assistance payment to a specialized HIV pharmacy, as defined
14 in paragraph (f) of subdivision 9 of section 367-a of the social
15 services law, for drugs which may not be dispensed without a
16 prescription shall be made at the following amounts: if the drug
17 dispensed is a multiple source prescription drug or a brand-name
18 prescription drug for which no specific upper limit has been set by
19 the centers for medicare and medicaid services, the lower of the
20 estimated acquisition cost of such drug to pharmacies, or the
21 dispensing pharmacy's usual and customary price charged to the
22 general public; for sole and multiple source brand name drugs,
23 estimated acquisition cost means the average wholesale price of a
24 prescription drug based upon the package size dispensed from, as
25 reported by the prescription drug pricing service used by the
26 department of health, less 17 percent thereof, and updated monthly
27 by the department; for multiple source generic drugs, estimated
28 acquisition cost means the lower of the average wholesale price of a
29 prescription drug based on the package size dispensed from, as
30 reported by the prescription drug pricing service used by the
31 department, less 25 percent thereof, or the maximum acquisition
32 cost, if any, established pursuant to paragraph (e) of subdivision 9
33 of section 367-a of the social services law.

34 Notwithstanding any inconsistent provision of law, rule or regulation
35 to the contrary, for the period October 1, 2008 through March 31,
36 2009, the following services shall not be exempt from the system of
37 utilization controls authorized by section 365-g of the social
38 services law for the medical assistance program: mental health
39 continuing treatment, day treatment, partial hospitalization, and
40 intensive psychiatric rehabilitative treatment services provided
41 pursuant to paragraph (c) of subdivision 2 of section 365-a of the
42 social services law; alcoholism services and substance abuse ser-
43 vices provided in clinics certified under article 28 of the public
44 health law or article 22 or article 31 of the mental hygiene law;
45 services performed by an article 28 hospital or diagnostic and
46 treatment center on an ambulatory basis upon the order of a
47 qualified practitioner to test, diagnose or treat the recipient; and
48 psychiatric services and anesthesiology services provided by a
49 physician; provided, however, if this chapter appropriates suffi-
50 cient additional funds to support the exemptions from the system of
51 utilization controls authorized by section 365-g of the social
52 services law in existence prior to March 31, 2008 then the
53 provisions of this paragraph shall not apply and shall be considered
54 null and void as of March 31, 2008.

55 Notwithstanding any contrary provision of law, and contingent upon the
56 availability of federal financial participation, for the period July
57 1, 2008 through March 31, 2009, for the purpose of establishing the
58 operating cost component of case based rates of payments by
59 governmental agencies for general hospital inpatient services, with
60 75 percent of such rates reflecting the operating cost component of
61 rates of payment effective for December 31, 2007, as adjusted for
62 inflation by application of 75 percent of the inflation adjustment

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- 1 attributed to the period January 1, 2008 through December 31, 2008
2 computed pursuant to paragraph (c) of subdivision 10 of section
3 2807-c of the public health law and with 25 percent of such rates
4 reflecting the use of 2005 operating costs as reported by each
5 general hospital to the department of health prior to 2008 and as
6 computed in accordance with the following:
- 7 (a) 100 percent of such rates shall be based on each general hospi-
8 tal's group category average inpatient reimbursable operating cost
9 per discharge (price) determined in accordance with subdivision 7 of
10 section 2807-c of the public health law; and
- 11 (b) only those 2005 base year costs which relate to the cost of
12 services provided to Medicaid inpatients, as determined by the
13 applicable ratio of costs to charges methodology, shall be utilized
14 for ratesetting process, provided, however, that the costs of
15 providing services to inpatients enrolled in medicaid managed care
16 plans or in the family health plus program shall be excluded from
17 such ratesetting computations; and
- 18 (c) for the purposes of adjusting such rates to account for inflation
19 from the 2005 base period, the adjustment factor methodology set
20 forth in paragraph (c) of subdivision 10 of section 2807-c of the
21 public health law, as reduced by 25 percent, with regard to trend
22 projections attributable to the period January 1, 2008 through
23 December 31, 2008 shall be utilized, provided, however, that for
24 inflation attributable to the period January 1, 2006 through
25 December 31, 2007, the adjustment methodology utilized shall be the
26 hospital inpatient medicare market basket methodology as described
27 in applicable federal regulations and effective for periods from
28 October 1, 2005 through September 30, 2007; and
- 29 (d) such rates shall be deemed as excluding reimbursement for
30 physician services for inpatient services and claims for medicaid
31 fee payments for such physician services for such inpatient care may
32 be submitted separately from such rates in accordance with otherwise
33 applicable law; provided, however, if this chapter appropriates
34 sufficient additional funds to support payments for general hospital
35 inpatient services using the methodology in existence on June 30,
36 2008 as set forth in section 2807-c of the public health law the
37 provisions of this paragraph shall not apply and shall be considered
38 null and void as of March 31, 2008.
- 39 Notwithstanding any contrary provision of law, and contingent upon the
40 availability of federal financial participation, for the period
41 April 1, 2008 through March 31, 2009, the operating cost component
42 of rates of payment by governmental agencies to general hospitals
43 which are certified by the office of alcoholism and substance abuse
44 services to provide inpatient detoxification and withdrawal services
45 and, with regard to inpatient services provided to patients
46 discharges during such period who are determined to be in diagnosis-
47 related groups numbered 743, 744, 745, 746, 747, 748, 749, 750, or
48 751, as determined in accordance with applicable regulations, shall
49 be made on a per diem basis in accordance with the following:
- 50 (a) for each of the regions within the state as described in
51 subdivision (e) of this section the commissioner of health shall
52 determine the average per diem cost incurred by general hospitals in
53 that region subject to the provisions of this section with regard to
54 inpatients requiring medically managed detoxification services, as
55 defined by applicable regulations promulgated by the office of
56 alcoholism and substance abuse services. In determining such costs
57 the commissioner of health shall utilize 2006 costs and statistics
58 as reported by such hospitals to the department prior to 2008; and
- 59 (b) per diem payments for inpatients requiring medically managed
60 inpatient detoxification services shall reflect 100 percent of the
61 per diem amounts computed pursuant to subdivision (a) of this
62 section for the applicable region in which the facility is located

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1 and as trended forward to adjust for inflation, provided however,
2 that such payments shall be reduced by 50 percent for any such
3 services provided on or after the sixth day of services through the
4 tenth day of services, and further provided that no payments shall
5 be made for any services provided on or after the eleventh day; and
6 (c) per diem payments for inpatients requiring medically supervised
7 inpatient withdrawal services, as defined by applicable regulations
8 promulgated by the office of alcoholism and substance abuse
9 services, shall reflect 100 percent of the per diem amounts computed
10 pursuant to subdivision (a) of this section for the applicable
11 region in which the facility is located and as trended forward to
12 adjust for inflation, provided, however, that such payments shall be
13 reduced by 50 percent for any services provided on or after the
14 sixth day of services through the tenth day of services, and further
15 provided that no payments shall be made for any services provided on
16 and after the eleventh day; and
17 (d) per diem payments for inpatients placed in observation beds, as
18 defined by applicable regulations promulgated by the office of
19 alcoholism and substance abuse services, shall be at the same level
20 as would be paid pursuant to subdivision (a) of this section,
21 provided, however, that such payments shall not apply for more than
22 two days of care, after which payments for such inpatients shall
23 reflect their designation as requiring either medically managed
24 detoxification services or medically supervised withdrawal services,
25 and further provided that days of care provided in such observation
26 beds shall, for reimbursement purposes, be fully reflected in the
27 computation of the initial five days of care as set forth in
28 subdivisions (b) and (c) of this section; and
29 (e) for the purposes of this section, the regions of the state shall
30 be as follows:
31 (A) New York City, consisting of the counties of Bronx, New York,
32 Kings, Queens and Richmond;
33 (B) Long Island, consisting of the counties of Nassau and Suffolk;
34 (C) Northern metropolitan, consisting of the counties of Columbia,
35 Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and
36 Westchester;
37 (D) Northeast, consisting of the counties of Albany, Clinton, Essex,
38 Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga,
39 Schenectady, Schoharie, Warren and Washington;
40 (E) Utica/Watertown, consisting of the counties of Franklin, Herkimer,
41 Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison
42 and Oneida;
43 (F) Central, consisting of the counties of Broome, Cayuga, Chemung,
44 Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;
45 (G) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and
46 Yates;
47 (H) Western, consisting of the counties of Allegany, Cattaraugus,
48 Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming; provided,
49 however, if this chapter appropriates sufficient additional funds to
50 support payments for general hospitals which are certified by the
51 office of alcoholism and substance abuse services to provide
52 inpatient detoxification services and withdrawal services using the
53 methodology in existence on March 31, 2008 as set forth in section
54 2807-c of the public health law the provisions of this paragraph
55 shall not apply and shall be considered null and void as of March
56 31, 2008.
57 Notwithstanding any inconsistent provision of law, rule or regulation
58 to the contrary and contingent on the availability of federal
59 financial participation, for the period commencing July 1, 2008
60 through March 31, 2009, up to \$60,000,000 of this appropriation,
61 subject to the approval of the director of the budget, will be
62 available for the purpose of increasing outpatient medical

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1 assistance rates of payment for general hospital outpatient
2 services, general hospital emergency services, and ambulatory
3 surgery services provided by a hospital as defined by subdivision 1
4 of section 2801 of the public health law.
5 Notwithstanding any inconsistent provision of law, rule or regulation
6 to the contrary and contingent on the availability of federal
7 financial participation, for the period commencing July 1, 2008
8 through March 31, 2009, up to \$24,000,000 of this appropriation,
9 subject to the approval of the director of the budget, will be
10 available for the purpose of increasing medical assistance reim-
11 bursement for physician services, diagnostic and treatment centers,
12 and funding for primary care enhancements.
13 Notwithstanding any inconsistent provision of law, rule or regulation,
14 in determining rates of payment made by state governmental agencies
15 effective for services provided on and after April 1, 2008 through
16 March 31, 2009, for inpatient and outpatient services provided by
17 general hospitals and for inpatient services and adult day health
18 care outpatient services provided by residential health care
19 facilities pursuant to article 28 of the public health law, except
20 for residential health care facilities that provide extensive
21 nursing, medical, psychological and counseling support services to
22 children, for home health care services provided pursuant to article
23 36 of the public health law by certified home health agencies and
24 long term home health care programs, other than for services
25 provided to home care patients diagnosed with AIDS as determined by
26 applicable regulations, and personal care services provided pursuant
27 to section 365-a (2) (e) of the social services law, the commissioner
28 of health shall apply a trend factor projection equal to 65 percent
29 of the otherwise applicable trend factor projection attributable to
30 the period January 1, 2008 through December 31, 2008 in accordance
31 with paragraph (c) of subdivision 10 of section 2807-c of the public
32 health law; provided, however, the trend factor methodology set
33 forth in this section shall not be applicable to rates of payment
34 made by state governmental agencies for general hospital inpatient
35 services for discharges occurring on and after July 1, 2008 through
36 March 31, 2009, insofar as such rates of payment are based on
37 reported 2005 base year costs and insofar as such trend projections
38 pertain to inflation attributable to the period January 1, 2006
39 through December 31, 2007.
40 Notwithstanding any contrary provision of law, for the period April 1,
41 2008 through March 31, 2009, the operating cost component of rates
42 of payment by governmental agencies for inpatient services provided
43 by residential health care facilities shall reflect the operating
44 cost component of rates effective for October 1, 2006 for each
45 facility, as adjusted for inflation by application of 75 percent of
46 the inflation factor attributed to the period January 1, 2008
47 through December 31, 2008 computed in accordance with paragraph (c)
48 of subdivision 10 of section 2807-c of the public health law,
49 provided, however, that such rates shall be further adjusted by a
50 per diem add-on amount, as determined by the commissioner of health,
51 reflecting the proportional amount of each facility's projected
52 medicaid benefit to the total projected medicaid benefit for all
53 facilities of the imputed use of the rate-setting methodology set
54 forth in paragraph (b) of subdivision 2-b of section 2808 of the
55 public health law, provided, however, that the rates for those
56 facilities that do not qualify for such a per diem add-on adjustment
57 shall be further adjusted to include the proportionate benefit, as
58 determined by the commissioner of health, of the expiration of the
59 opening paragraph and paragraph (a) of subdivision 16 of section
60 2808 of the public health law and of paragraph (a) of subdivision 14
61 of section 2808 of the public health law, and provided further,
62 however, that the aggregate total of such per diem rate adjustments

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1 shall not exceed \$144,000,000, and provided further, however, that
2 revisions to 2006 rates occurring on and after January 1, 2007,
3 shall be incorporated into rates in effect for the period April 1,
4 2008 through March 31, 2009, and provided further, however, that the
5 capital cost component of such rates shall fully reflect the cost of
6 local property taxes and payments made in lieu of local property
7 taxes, as reported in each facility's applicable 2006 cost report,
8 and provided further, however, that for the period April 1, 2008
9 through March 31, 2009, voluntary facilities shall not be required
10 to deposit reimbursement received for depreciation expenses into a
11 segregated depreciation fund account, and provided further, however,
12 that to ensure that the quality of resident care is maintained and
13 improved no less than 65 percent of such diem add-on amount, as
14 received by each eligible facility, shall be allocated for the
15 purpose of recruitment and retention of non-supervisory workers or
16 any worker with direct resident care responsibility or for purposes
17 authorized under the nursing home quality improvement demonstration
18 program as established by section 2808-d of the public health law,
19 provided, however, that in no circumstance shall facilities be
20 required to spend more than 75 percent of such funds for these
21 purposes, and provided further, the commissioner of health is
22 authorized to audit each such facility for the purpose of ensuring
23 compliance with such allocation requirements and shall recoup any
24 amount determined to have been in contravention of the requirements
25 of this paragraph, provided, however, that, upon application of a
26 facility, the commissioner of health may, after determining that
27 other funds are not available, waive the application of this alloca-
28 tion requirement insofar as it is determined by the commissioner of
29 health that additional funds must be expended by such facility to
30 correct deficiencies that constitute a threat to resident safety;
31 provided however, if this chapter appropriates sufficient additional
32 funds to support reimbursement of nursing home rebasing for the
33 period April 1, 2008 through March 31, 2009, using the methodology
34 set forth in subdivision 2-b of section 2808 of the public health
35 law as in effect on March 31, 2008, such methodology shall continue
36 in effect for the period April 1, 2008 through March 31, 2009 and
37 the provisions of this section shall not apply and shall be
38 considered null and void as of March 31, 2008.

39 Notwithstanding any inconsistent provision of law, rule or regulation
40 to the contrary, for the period October 1, 2008 through March 31,
41 2009, the department of health is authorized to conduct a personal
42 care services demonstration project in the city of New York and is
43 authorized to contract with an entity to manage necessary assess-
44 ments and to authorize plans of care that meet the medical needs of
45 consumers of personal care services in the city of New York under
46 paragraph (e) of subdivision 2 of section 365-a of the social
47 services law; provided that such project shall apply to those
48 consumers who apply for such services on and after the date
49 specified in such contract and shall not apply to those consumers
50 who are in receipt of such services on such date and whose
51 authorization for services is uninterrupted after such date; pro-
52 vided, however, if this chapter appropriates sufficient additional
53 funds to support the continued management of personal care services
54 assessments and plans of care by the city of New York on and after
55 October 1, 2008 through March 31, 2009, then the provisions of this
56 section shall not apply and shall be considered null and void as of
57 March 31, 2008.

58 Notwithstanding any inconsistent provision of law, rule or regulation,
59 for purposes of establishing rates of payment for certified home
60 health agency services for the period April 1, 2008 through March
61 31, 2009, other than for services provided to patients diagnosed
62 with AIDS, as determined pursuant to applicable regulations, no

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1 amount shall be included in the rate for any community-based agency
2 that is in excess of 100 percent of the weighted average cost of all
3 community-based agencies in each such agency's group, or that, in
4 the case of hospital-based agencies, is in excess of 100 percent of
5 the weighted average cost of community based agencies in the area in
6 which such hospital-based agencies are located and, further, the
7 computation of such rates and associated group average cost ceilings
8 shall utilize cost and statistical data in the cost reports
9 submitted by such agencies to the department of health for the 2005
10 calendar year; provided however, if this chapter appropriates
11 sufficient additional funds to support reimbursement of certified
12 home health agency for the period April 1, 2008 through March 31,
13 2009, using the methodology set forth in subdivision 2-a of section
14 3614 of the public health law as in effect on March 31, 2008, such
15 methodology shall continue in effect for the period April 1, 2008
16 through March 31, 2009 and the provisions of this section shall not
17 apply and shall be considered null and void as of March 31, 2008.

18 Notwithstanding any inconsistent provision of law or regulation, for
19 purposes of establishing rates of payment by governmental agencies
20 for certified home health agencies for the period April 1, 2008
21 through March 31, 2009, the reimbursable base year administrative
22 and general costs for those certified home health agencies with
23 annual expenses in excess of \$10,000,000, as determined using the
24 reported base year cost data used to establish the statewide average
25 administrative and general cost ceiling for the applicable rate
26 year, shall not exceed the lower of such statewide average or 20
27 percent of each such agency's total reimbursable base year costs;
28 provided however, if this chapter appropriates sufficient additional
29 funds to support reimbursement of certified home health agency for
30 the period April 1, 2008 through March 31, 2009, using the
31 methodology set forth in subdivision 2-a of section 3614 of the
32 public health law as in effect on March 31, 2008, such methodology
33 shall continue in effect for the period April 1, 2008 through March
34 31, 2009 and the provisions of this section shall not apply and
35 shall be considered null and void as of March 31, 2008.

36 Notwithstanding any inconsistent provision of law, rule or regulation,
37 for purposes of establishing rates of payment by governmental
38 agencies for long term home health care programs for the period
39 April 1, 2008 through March 31, 2009, the reimbursable base year
40 administrative and general costs for those providers with annual
41 expenses in excess of \$10,000,000, as determined using the reported
42 base year cost data used to establish the statewide average
43 administrative and general ceiling for the applicable rate year,
44 shall not exceed the lower of such statewide average or 20 percent
45 of each such provider's total reimbursable base year costs; provided
46 however, if this chapter appropriates sufficient additional funds to
47 support reimbursement of certified home health agency administrative
48 and general costs for the period April 1, 2008 through March 31,
49 2009, using the methodology set forth in subdivision 7-a of section
50 3614 of the public health law as in effect on March 31, 2008, such
51 methodology shall continue in effect for the period April 1, 2008
52 through March 31, 2009 and the provisions of this section shall not
53 apply and shall be considered null and void as of March 31, 2008.

54 Notwithstanding any inconsistent provision of law, rule or regulation
55 to the contrary, for the period October 1, 2008 through March 31,
56 2009, the commissioner of health is authorized to assume some or all
57 of the activities from a local social services official for the
58 provision and reimbursement of transportation costs set forth in
59 section 365-h of the social services law. If the commissioner elects
60 to assume such responsibility, the commissioner shall notify the
61 local social services official in writing as to the election, the
62 date upon which the election shall be effective and such information

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1 as to transition of responsibilities as the commissioner deems
2 prudent. The commissioner is authorized to contract with a trans-
3 portation manager to implement such election; provided, however, if
4 this chapter appropriates sufficient additional funds to support
5 transportation costs set forth in section 365-h of the social
6 services law then the provisions of this paragraph shall not apply
7 and shall be deemed null and void as of March 31, 2008.

8 For services and expenses of the medical assistance program including
9 other long term care services
10 2,865,953,000 (re. \$1,659,853,000)

11 For services and expenses of the medical assistance program including
12 managed care services ... 3,472,795,000 (re. \$1,722,795,000)

13 For services and expenses of the medical assistance program including
14 noninstitutional and other spending
15 4,237,131,000 (re. \$2,857,131,000)

16 For services and expenses for the medical assistance program including
17 additional funding for emergency transportation services
18 2,820,000 (re. \$1,500,000)

19 For services and expenses for the medical assistance program including
20 additional funding for rural home care services
21 7,520,000 (re. \$4,000,000)

22 For additional services and expenses of the medical assistance program
23 related to support payments to community health centers for
24 information technology and transition funding
25 4,617,280 (re. \$2,456,000)

26

27 By chapter 54, section 1, of the laws of 2007:

28 For services and expenses for the medical assistance program, includ-
29 ing administrative expenses for local social services districts,
30 pursuant to title XIX of the federal social security act or its
31 successor program.

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

40 Notwithstanding any other provision of law, the money hereby appropri-
41 ated may be increased or decreased by interchange, with any appro-
42 priation of the department of health and the office of medicaid
43 inspector general and may be increased or decreased by transfer or
44 suballocation between these appropriated amounts and appropriations
45 of the office of mental health, office of mental retardation and
46 developmental disabilities, the office of alcoholism and substance
47 abuse services, the department of family assistance office of tempo-
48 rary and disability assistance, office of children and family
49 services, and state office for the aging with the approval of the
50 director of the budget, who shall file such approval with the
51 department of audit and control and copies thereof with the chairman
52 of the senate finance committee and the chairman of the assembly
53 ways and means committee.

54 Notwithstanding any inconsistent provision of law, in lieu of payments
55 authorized by the social services law, or payments of federal funds
56 otherwise due to the local social services districts for programs
57 provided under the federal social security act or the federal food
58 stamp act, funds herein appropriated, in amounts certified by the
59 state commissioner of temporary and disability assistance or the
60 state commissioner of health as due from local social services
61 districts each month as their share of payments made pursuant to
62 section 367-b of the social services law may be set aside by the

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

7 Notwithstanding any inconsistent provision of law, rule or regulation,
8 and contingent on the availability of federal financial partic-
9 ipation, for the period commencing April 1, 2007 through March 31,
10 2008, in order to reimburse public and non-public general hospitals
11 for graduate medical education costs, the commissioner of health
12 shall adjust such hospitals' inpatient medical assistance rates of
13 payment established pursuant to section 2807-c of the public health
14 law, including discrete rates of payment calculated pursuant to
15 paragraph (a-3) of subdivision 1 of section 2807-c of the public
16 health law, in accordance with the methodology set forth in subpara-
17 graph (ii) of paragraph (d) of subdivision 25 of section 2807-c of
18 the public health law used to calculate rate adjustments for non-
19 public general hospitals for periods prior to April 1, 2007;
20 provided, however, the 75 percent limit set forth in clause (C) of
21 subparagraph (ii) of paragraph (d) of subdivision 25 of section
22 2807-c of the public health law shall not apply to rate decreases
23 calculated pursuant to this paragraph and no public general hospital
24 shall receive a rate increase calculated pursuant to this paragraph.
25 Provided however, if this chapter appropriates sufficient additional
26 funds to support reimbursement of graduate medical education for the
27 period April 1, 2007 through March 31, 2008, using the methodology
28 set forth in paragraph (d) of subdivision 25 of section 2807-c of
29 the public health law as in effect on March 31, 2007, such methodol-
30 ogy shall continue in effect for the period April 1, 2007 through
31 March 31, 2008 and the provisions of this paragraph shall not apply
32 and shall be considered null and void as of March 31, 2007.

33 Notwithstanding any inconsistent provision of law or regulation to the
34 contrary, residential health care facility rates of payment deter-
35 mined pursuant to article 28 of the public health law for services
36 provided on and after April 1, 2007 through March 31, 2008, except
37 for the establishment of any statewide or any peer group base, mean,
38 or ceiling prices per day, shall be calculated utilizing only the
39 number of residents properly assessed and reported in each patient
40 classification group and eligible for medical assistance pursuant to
41 title 11 of article 5 of the social services law. Provided, howev-
42 er, if this chapter appropriates sufficient additional funds to
43 support fully for the period of April 1, 2007, through March 31,
44 2008, using the methodology for computing the operating component of
45 such rates of payment as in effect on March 31, 2007, such methodol-
46 ogy for computing the operating component shall continue in effect
47 for the period April 1, 2007, through March 31, 2008, and the
48 provisions of this appropriation as set forth in this paragraph
49 shall not be utilized.

50 Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of
51 the public health law, subdivision 2-b of section 2808 of the public
52 health law, and section 21 of chapter 1 of the laws of 1999 and any
53 other inconsistent provision of law or regulation to the contrary,
54 in determining rates of payment by state governmental agencies
55 effective for services provided on and after April 1, 2007 through
56 March 31, 2008 and thereafter for inpatient and outpatient services
57 provided by general hospitals and for inpatient services and outpa-
58 tient adult day health care services provided by residential health
59 care facilities pursuant to article 28 of the public health law, the
60 commissioner of health shall apply no trend factor projections
61

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1 attributable to the period January 1, 2007 through December 31,
2 2007. The commissioner of health shall adjust rates of payment to
3 reflect the exclusion of such specified trend factor projections or
4 adjustments.

5 Notwithstanding any inconsistent provision of law, rule or regulation
6 to the contrary, for the period April 1, 2007 through March 31,
7 2008, no prior authorization shall be required under the preferred
8 drug program for: atypical anti-psychotics; anti-retrovirals used in
9 the treatment of HIV/AIDS; anti-rejection drugs used for the treat-
10 ment of organ and tissue transplants; or any other therapeutic class
11 for the treatment of mental illness or HIV/AIDS, recommended by the
12 committee and approved by the commissioner under section 272 of the
13 public health law. The committee may consider and recommend the
14 inclusion of the therapeutic class of anti-depressants in the
15 preferred drug program. Such recommendation may be adopted by the
16 commissioner only after consultation with, and consideration of the
17 recommendation of, the commissioner of the office of mental health.
18 Provided, however, if this chapter appropriates sufficient addi-
19 tional funds to support a preferred drug program as defined pursuant
20 to the exemptions set forth in subdivision 12 of section 272 of the
21 public health law as in effect on March 31, 2007, such exemptions
22 for the preferred drug program shall continue in effect for the
23 period April 1, 2007 through March 31, 2008 and the provisions of
24 this paragraph shall not apply and shall be considered null and void
25 as of March 31, 2007.

26 Notwithstanding any inconsistent provision of law, rule or regulation
27 to the contrary, for the period April 1, 2007 through March 31,
28 2008, the commissioner of health shall provide 10 days public notice
29 on the department of health's website prior to any meeting of the
30 pharmacy and therapeutics committee to develop recommendations
31 concerning the preferred drug program; the commissioner shall
32 provide notice of any recommendations developed by such committee
33 regarding the preferred drug program, at least 10 days before any
34 final determination by the commissioner, by making such information
35 available on the department's website; within a reasonable time
36 after a final determination regarding the preferred drug program,
37 the commissioner shall provide public notice on the department's
38 website of such determinations, including: the nature of the deter-
39 mination; an analysis of the impact of the commissioner's determi-
40 nation on state public health plan populations and providers; and
41 the projected fiscal impact to the state public health plan programs
42 of the commissioner's determination. Provided, however, if this
43 chapter appropriates sufficient additional funds to support a
44 preferred drug program as defined pursuant to the public notice
45 requirements set forth in subdivisions 7, 8 and 9 of section 272 of
46 the public health law as in effect on March 31, 2007, such public
47 notice requirements for the preferred drug program shall continue in
48 effect for the period April 1, 2007 through March 31, 2008 and the
49 provisions of this paragraph shall not apply and shall be considered
50 null and void as of March 31, 2007.

51 Notwithstanding any inconsistent provision of law, rule or regulation
52 to the contrary, for the period April 1, 2007 through March 31,
53 2008, in establishing a prior authorization requirement for a drug
54 under the clinical drug review program, the commissioner shall, in
55 addition to any other factor required by law to be considered,
56 consider the cost of the drug compared to other drug therapies for
57 the same disease. Provided, however, if this chapter appropriates
58 sufficient additional funds to support a clinical drug program as
59 defined pursuant to criteria for determining prior authorization set
60 forth in subdivision 3 of section 274 of the public health law as in
61 effect on March 31, 2007, such criteria for the clinical drug review
62

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1 program shall continue in effect for the period April 1, 2007
2 through March 31, 2008 and the provisions of this paragraph shall
3 not apply and shall be considered null and void as of March 31,
4 2007.

5 Notwithstanding any inconsistent provision of law, rule or regulation
6 to the contrary, for the period July 1, 2007 through March 31, 2008,
7 medical assistance payment for drugs which may not be dispensed
8 without a prescription shall be made at the following amounts: if
9 the drug dispensed is a multiple source prescription drug or a
10 brand-name prescription drug for which no specific upper limit has
11 been set by the federal centers for medicare and medicaid services,
12 the lower of the estimated acquisition cost of such drug to pharma-
13 cies, or the dispensing pharmacy's usual and customary price charged
14 to the general public; (i) for sole and multiple source brand name
15 drugs, estimated acquisition cost means the average wholesale price
16 of a prescription drug based upon the package size dispensed from,
17 as reported by the prescription drug pricing service used by the
18 department of health, less 15 percent thereof, and updated monthly
19 by the department; for a specialized HIV pharmacy, as defined in
20 paragraph (f) of subdivision 9 of section 367-a of the social
21 services law, acquisition cost means the average wholesale price of
22 a prescription drug based upon the package size dispensed from, as
23 reported by the prescription drug pricing service used by the
24 department, less 14 percent thereof, and updated monthly by the
25 department; (ii) for multiple source generic drugs, estimated acqui-
26 sition cost means the lower of the average wholesale price of a
27 prescription drug based on the package size dispensed from, as
28 reported by the prescription drug pricing service used by the
29 department, less 30 percent thereof, or the maximum acquisition
30 cost, if any, established pursuant to paragraph (e) of such subdivi-
31 sion; or, for a specialized HIV pharmacy, acquisition cost means the
32 lower of the average wholesale price of a prescription drug based on
33 the package size dispensed from, as reported by the prescription
34 drug pricing service used by the department, less 22 percent there-
35 of, or the maximum acquisition cost, if any, established pursuant to
36 such paragraph (e).

37 Notwithstanding any inconsistent provision of law, rule or regulation
38 to the contrary, for the period April 1, 2007 through March 31,
39 2008, no supplemental medical assistance payments shall be made to
40 providers of emergency medical transportation services that relate
41 to such services provided during calendar year 2007.

42 Notwithstanding paragraph (c) of subdivision 3 of section 2807-c of
43 the public health law and any inconsistent provision of law, rule or
44 regulation to the contrary, for the period January 1, 2008 through
45 March 31, 2008, adjustments to medical assistance rates of payment
46 for rate periods on and after January 1, 2008, made pursuant to
47 paragraph (c) of subdivision 3 of section 2807-c of the public
48 health law shall, upon a determination by the commissioner of health
49 and the director of the budget that such adjustments shall result in
50 an aggregate increase in total medicaid payments to general hospi-
51 tals for inpatient services, make such proportional adjustments to
52 such rates of payments as are necessary to reduce such total aggre-
53 gate payments to an aggregate total that reflects no such increase,
54 provided, however, if this chapter appropriates sufficient addi-
55 tional funds to fully fund such increase, the provisions of this
56 paragraph shall not apply and shall be considered null and void as
57 of January 1, 2008.

58 For services and expenses of the medical assistance program including
59 hospital inpatient services.

60 For the grant period October 1, 2006 to September 30, 2007
61 2,057,382,000 (re. \$527,400,000)
62

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1 For the grant period October 1, 2007 to September 30, 2008
 2 3,102,074,000 (re. \$322,800,000)
 3 For services and expenses of the medical assistance program including
 4 hospital outpatient and emergency room services.
 5 For the grant period October 1, 2006 to September 30, 2007
 6 259,801,000 (re. \$79,900,000)
 7 For the grant period October 1, 2007 to September 30, 2008
 8 389,702,000 (re. \$91,700,000)
 9 For services and expenses of the medical assistance program including
 10 clinic services.
 11 For the grant period October 1, 2006 to September 30, 2007
 12 344,352,000 (re. \$134,000,000)
 13 For the grant period October 1, 2007 to September 30, 2008
 14 516,529,000 (re. \$126,000,000)
 15 For services and expenses of the medical assistance program including
 16 nursing home services.
 17 For the grant period October 1, 2006 to September 30, 2007
 18 1,447,430,000 (re. \$325,700,000)
 19 For the grant period October 1, 2007 to September 30, 2008
 20 2,171,145,000 (re. \$826,000,000)
 21 For services and expenses of the medical assistance program including
 22 other long term care services.
 23 For the grant period October 1, 2006 to September 30, 2007
 24 1,041,109,000 (re. \$600,400,000)
 25 For the grant period October 1, 2007 to September 30, 2008
 26 1,561,664,000 (re. \$447,100,000)
 27 For services and expenses of the medical assistance program including
 28 managed care services.
 29 For the grant period October 1, 2006 to September 30, 2007
 30 1,354,444,000 (re. \$312,200,000)
 31 For the grant period October 1, 2007 to September 30, 2008
 32 2,031,666,000 (re. \$235,500,000)
 33 For services and expenses of the medical assistance program including
 34 pharmacy services.
 35 For the grant period October 1, 2006 to September 30, 2007
 36 754,766,000 (re. \$41,000,000)
 37 For the grant period October 1, 2007 to September 30, 2008
 38 1,125,248,000 (re. \$28,000,000)
 39 For services and expenses of the medical assistance program including
 40 transportation services.
 41 For the grant period October 1, 2006 to September 30, 2007
 42 78,361,000 (re. \$78,361,000)
 43 For the grant period October 1, 2007 to September 30, 2008
 44 117,541,000 (re. \$64,000,000)
 45 For services and expenses of the medical assistance program including
 46 dental services.
 47 For the grant period October 1, 2006 to September 30, 2007
 48 60,361,000 (re. \$38,400,000)
 49 For the grant period October 1, 2007 to September 30, 2008
 50 90,542,000 (re. \$17,000,000)
 51 For services and expenses of the medical assistance program including
 52 noninstitutional and other spending.
 53 For the grant period October 1, 2006 to September 30, 2007
 54 1,749,193,000 (re. \$477,700,000)
 55 For the grant period October 1, 2007 to September 30, 2008
 56 2,623,790,000 (re. \$1,723,800,000)
 57
 58 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 59 section 1, of the laws of 2008:
 60 For services and expenses of the medical assistance program including
 61 a series of targeted chronic illness demonstration projects.
 62

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1 Notwithstanding section 112 and section 163 of the state finance law,
 2 for chronic illness demonstration projects authorized by section
 3 364-1 of the social services law, the commissioner of health may
 4 allocate up to \$2,500,000 of the amount appropriated for contracts
 5 without a request for proposal or any other competitive process.
 6 For the grant period October 1, 2006 to September 30, 2007
 7 1,600,000 (re. \$1,600,000)
 8 For the grant period October 1, 2007 to September 30, 2008
 9 2,400,000 (re. \$2,400,000)

10
 11 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 12 section 1, of the laws of 2007:

13 For services and expenses for the medical assistance program, includ-
 14 ing administrative expenses for local social services districts,
 15 pursuant to title XIX of the federal social security act or its
 16 successor program.

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

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

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

51 Notwithstanding any inconsistent provision of law, up to \$500,000,000
 52 of the moneys hereby appropriated may be used for services and
 53 expenses including grants related to the federal-state health reform
 54 partnership program and/or its successor program and may be trans-
 55 ferred to the miscellaneous special revenue fund federal-state
 56 health reform partnership program account and/or other state agen-
 57 cies, provided, however, that the section 1115 waiver demonstration
 58 which is entitled the federal-state health reform partnership, is in
 59 effect in accordance with the terms and conditions approved by the
 60 secretary of the federal department of health and human services and
 61

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1 accepted by the state, and further provided that funds appropriated
2 for the federal-state health reform partnership program are
3 disbursed only in accordance with those terms and conditions.
4 Notwithstanding any inconsistent provision of law, rule or regulation
5 to the contrary, for the period January 1, 2007 through March 31,
6 2007, persons who are eligible for medical assistance and who are
7 also beneficiaries under part D of title XVIII of the federal social
8 security act, shall not be eligible for medical assistance coverage
9 of drugs which are denominated as "covered part D drugs" under
10 section 1860D-2(e) of such act; provided however that, for purposes
11 of this paragraph, "covered part D drugs" shall not mean atypical
12 anti-psychotics, anti-depressants, anti-retrovirals used in the
13 treatment of HIV/AIDS, or anti-rejection drugs used for the treat-
14 ment of organ and tissue transplants.
15 Notwithstanding any inconsistent provision of law, rule or regulation
16 to the contrary, up to \$20,000,000 may be used for the purpose of
17 rebasing residential health care facilities effective January 1,
18 2007 through March 31, 2007 in accordance with this paragraph, and
19 as provided pursuant to a chapter of the laws of 2006. Notwithstand-
20 ing any inconsistent provision of this section, or any other contra-
21 ry provision of law and subject to the availability of federal
22 financial participation, the operating cost component of rates of
23 payment by governmental agencies for inpatient services provided for
24 the period of January 1, 2007 through March 31, 2007, by residential
25 health care facilities shall be in accordance with a chapter of the
26 laws of 2006 which shall provide that for this period: (a) the oper-
27 ating cost component of rates of payment shall reflect the operating
28 cost component of rates effective for October 1, 2006, as adjusted
29 for inflation in accordance with the chapter amendment pursuant to
30 the laws of 2006; (b) the rate shall be further adjusted by a per
31 diem add-on amount, as determined by the commissioner, reflecting
32 the proportional amount of each facility's projected Medicaid benef-
33 it to the total projected Medicaid benefit for all facilities of
34 the imputed use of the rate-setting methodology set forth in this
35 subdivision, provided, however, that for those facilities that do
36 not receive a per diem adjustment shall have their rates further
37 adjusted to include the proportionate benefit, as determined by the
38 commissioner of health, of the expiration of the opening paragraph
39 and paragraph (a) of subdivision 16 and paragraph (a) of subdivision
40 14 of section 2808 of the public health law, provided, however, that
41 the aggregate total of such adjustments shall not exceed
42 \$137,500,000 for this rate period; (c) rates for the period of Janu-
43 ary 1 through March 31, 2007 shall fully reflect the cost of local
44 property taxes and payments made in lieu of local property taxes, as
45 reported in each facility's cost report submitted for the year two
46 years prior to the rate year; (d) rates for the period of January 1
47 through March 31, 2007, as computed pursuant to this paragraph,
48 shall not be subject to case mix adjustment, provided, however, that
49 a facility may, in accordance with its existing full house schedule
50 of submission of patient review instruments, submit data in support
51 of a request for a rate adjustment to reflect an increased facility
52 case mix equal to or greater than .05, provided further, however,
53 that such a facility will be required to continue to make such full
54 house submissions in accordance with its existing submission sched-
55 ule and in accordance with a chapter of the laws of 2006; (e) For
56 the period January 1 through March 31, 2007, notwithstanding any
57 contrary provision of law or regulation, voluntary facilities shall
58 not be required to deposit reimbursement received for depreciation
59 expenses into a segregated depreciation fund account.
60 Notwithstanding any inconsistent provision of law, rule or regulation
61 to the contrary, for the period April 1, 2006 through March 31,
62 2007, persons who are eligible for medical assistance shall not be

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1 eligible for medical assistance coverage of drugs for the treatment
2 of sexual or erectile dysfunction, unless such drugs are used to
3 treat a condition, other than sexual or erectile dysfunction, for
4 which the drugs have been approved by the federal food and drug
5 administration.

6 Notwithstanding any inconsistent provision of law, rule or regulation
7 to the contrary, for the period April 1, 2006 through March 31,
8 2007, "health care services" under the family health plus program
9 shall not include drugs for the treatment of sexual or erectile
10 dysfunction, unless such drugs are used to treat a condition, other
11 than sexual or erectile dysfunction, for which the drugs have been
12 approved by the federal food and drug administration.

13 Notwithstanding any inconsistent provision of law, rule or regulation
14 to the contrary, for the period April 1, 2006 through March 31,
15 2007, medical assistance payment for drugs which may not be
16 dispensed without a prescription shall be made at the following
17 amounts: if the drug dispensed is a multiple source prescription
18 drug or a brand-name prescription drug for which no specific upper
19 limit has been set by the federal centers for medicare and medicaid
20 services, the lower of the estimated acquisition cost of such drug
21 to pharmacies, or the dispensing pharmacy's usual and customary
22 price charged to the general public; (i) for sole and multiple
23 source brand name drugs, estimated acquisition cost means the aver-
24 age wholesale price of a prescription drug based upon the package
25 size dispensed from, as reported by the prescription drug pricing
26 service used by the department of health, less 13.25 percent there-
27 of, and updated monthly by the department; (ii) for multiple source
28 generic drugs, estimated acquisition cost means the lower of the
29 average wholesale price of a prescription drug based on the package
30 size dispensed from, as reported by the prescription drug pricing
31 service used by the department, less 20 percent thereof, or the
32 maximum acquisition cost, if any, established pursuant to paragraph
33 (e) of subdivision 9 of section 367-a of the social services law.

34 Notwithstanding any inconsistent provision of law, rule or regulation
35 to the contrary, rates of payment by state governmental agencies
36 effective for services provided on and after April 1, 2006 through
37 March 31, 2007 and thereafter for inpatient and outpatient services
38 provided by general hospitals and for inpatient services and outpa-
39 tient adult day health care services provided by residential health
40 care facilities pursuant to article 28 of the public health law, the
41 commissioner of health shall apply a trend factor of 2.25 percent
42 attributable to the period January 1, 2006 through December 31,
43 2006, provided, however, that on reconciliation of the trend factor
44 for the period January 1, 2006 through December 31, 2006 pursuant to
45 paragraph (c) of subdivision 10 of section 2807-c of the public
46 health law, such trend factor shall be the final U.S. consumer price
47 index (CPI) for all urban consumers, as published by the U.S.
48 Department of Labor, Bureau of Labor Statistics less twenty-five
49 hundredths of a percentage point. The commissioner of health shall
50 adjust rates of payment to reflect the exclusion of such specified
51 trend factor projections or adjustments.

52 Notwithstanding any inconsistent provision of law, rule or regulation
53 to the contrary, for the period April 1, 2006 through March 31,
54 2007, for purposes of establishing rates of payment by governmental
55 agencies for residential health care facilities licensed pursuant to
56 the public health law, the operating component of the rate for any
57 residential health care facility that has not achieved 90 percent or
58 greater occupancy for any year within 5 calendar years from the date
59 of commencing operation, shall be re-calculated utilizing the facil-
60 ity's most recently available reported allowable costs divided by
61 patient days imputed at 90 percent occupancy; provided further that
62 such rates paid for this period shall not contain a payment factor

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1 for interest on current indebtedness if the residential health care
2 facility cost report utilized to determine such payment factor also
3 shows a withdrawal of equity, a transfer of assets, or a positive
4 net income. The annual cost report filed by each residential health
5 care facility for the 2005 calendar year shall be examined and in
6 the event the operating costs reported by each such facility in such
7 cost report is less than 90 percent of the operating costs reported
8 in the cost report which is being utilized to set such facility's
9 rates of payment for the period April 1, 2006 through March 31,
10 2007, then such rates of payment shall be recalculated utilizing the
11 operating cost data for 2005.

12 Notwithstanding any inconsistent provision of law, rule or regulation
13 to the contrary for the period April 1, 2006 through March 31, 2007,
14 for transfers made on or after February 8, 2006; "assets" means all
15 income and resources of an individual and of the individual's
16 spouse, including income and resources to which the individual or
17 the individual's spouse is entitled but which are not received
18 because of action by: the individual or the individual's spouse; a
19 person with legal authority to act in place of or on behalf of the
20 individual or the individual's spouse; a person acting at the direc-
21 tion or upon the request of the individual or the individual's
22 spouse; or by a court or administrative body with legal authority to
23 act in place of or on behalf of the individual or the individual's
24 spouse or at the direction or upon the request of the individual or
25 the individual's spouse; "blind" has the same meaning given to such
26 term in section 1614(a)(2) of the federal social security act;
27 "disabled" has the same meaning given to such term in section
28 1614(a)(3) of the federal social security act; "income" has the same
29 meaning given to such term in section 1612 of the federal social
30 security act; "resources" has the same meaning given to such term in
31 section 1613 of the federal social security act, without regard to
32 the exclusion provided for in subsection (a)(1) of such section;
33 "look-back period" means the sixty-month period immediately preced-
34 ing the date that an institutionalized individual is both institu-
35 tionalized and has applied for medical assistance; "institutional-
36 ized individual" means any individual who is an inpatient in a
37 nursing facility, including an intermediate care facility for the
38 mentally retarded, or who is an in-patient in a medical facility and
39 is receiving a level of care provided in a nursing facility, or who
40 is receiving care, services or supplies pursuant to a waiver granted
41 pursuant to subsection (c) of section 1915 of the federal social
42 security act; "intermediate care facility for the mentally retarded"
43 means a facility certified under article sixteen of the mental
44 hygiene law and which has a valid agreement with the department for
45 providing intermediate care facility services and receiving payment
46 therefor under title XIX of the federal social security act; "nurs-
47 ing facility" means a nursing home as defined by section twenty-
48 eight hundred one of the public health law and an intermediate care
49 facility for the mentally retarded; "nursing facility services"
50 means nursing care and health related services provided in a nursing
51 facility; a level of care provided in a hospital which is equivalent
52 to the care which is provided in a nursing facility; and care,
53 services or supplies provided pursuant to a waiver granted pursuant
54 to subsection (c) of section 1915 of the federal social security
55 act.

56 Notwithstanding any inconsistent provision of law, rule or regulation
57 to the contrary for the period April 1, 2006 through March 31, 2007,
58 the uncompensated value of an asset is the fair market value of such
59 asset at the time of transfer less any outstanding loans, mortgages,
60 or other encumbrances on the asset, minus the amount of the compen-
61 sation received in exchange for the asset.
62

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1 Notwithstanding any inconsistent provision of law, rule or regulation
2 to the contrary, in determining the medical assistance eligibility
3 of an institutionalized individual for the period April 1, 2006
4 through March 31, 2007, any transfer of an asset by the individual
5 or the individual's spouse for less than fair market value made
6 within or after the look-back period shall render the individual
7 ineligible for nursing facility services for the period of time
8 specified in law. The purchase of an annuity shall be treated as the
9 disposal of an asset for less than fair market value unless: the
10 state is named as the beneficiary in the first position for at least
11 the total amount of medical assistance paid on behalf of the annui-
12 tant, or the state is named in the second position after a community
13 spouse or minor or disabled child and is named in the first position
14 if such spouse or a representative of such child disposes of any
15 such remainder for less than fair market value; and the annuity
16 meets the requirements of section 1917(c)(1)(G) of the federal
17 social security act. The purchase of a life estate interest in
18 another person's home shall be treated as the disposal of an asset
19 for less than fair market value unless the purchaser resided in such
20 home for a period of at least one year after the date of purchase.
21 The purchase of a promissory note, loan, or mortgage shall be treat-
22 ed as the disposal of an asset for less than fair market value
23 unless such note, loan, or mortgage meets the requirements of
24 section 1917(c)(1)(I) of the federal social security act.

25 Notwithstanding any inconsistent provision of law, rule or regulation
26 to the contrary for the period April 1, 2006 through March 31, 2007,
27 an individual shall not be ineligible for services solely by reason
28 of any such transfer to the extent that the asset transferred was a
29 home and title to the home was transferred to: (A) the spouse of the
30 individual; or (B) a child of the individual who is under the age of
31 twenty-one years or blind or disabled; or (C) a sibling of the indi-
32 vidual who has an equity interest in such home and who resided in
33 such home for a period of at least one year immediately before the
34 date the individual became an institutionalized individual; or (D) a
35 child of the individual who was residing in such home for a period
36 of at least two years immediately before the date the individual
37 became an institutionalized individual, and who provided care to the
38 individual which permitted the individual to reside at home rather
39 than in an institution or facility; or the assets (A) were trans-
40 ferred to the individual's spouse, or to another for the sole bene-
41 fit of the individual's spouse; or (B) were transferred from the
42 individual's spouse to another for the sole benefit of the individ-
43 ual's spouse; or (C) were transferred to the individual's child who
44 is blind or disabled, or to a trust established solely for the bene-
45 fit of such child; or (D) were transferred to a trust established
46 solely for the benefit of an individual under sixty-five years of
47 age who is disabled; or a satisfactory showing is made that: (A) the
48 individual or the individual's spouse intended to dispose of the
49 assets either at fair market value, or for other valuable consider-
50 ation; or (B) the assets were transferred exclusively for a purpose
51 other than to qualify for medical assistance; or (C) all assets
52 transferred for less than fair market value have been returned to
53 the individual; or denial of eligibility would cause an undue hard-
54 ship, such that application of the transfer of assets provision
55 would deprive the individual of medical care such that the individ-
56 ual's health or life would be endangered, or would deprive the indi-
57 vidual of food, clothing, shelter, or other necessities of life.

58 The commissioner of health shall develop a hardship waiver process
59 which shall include a timely process for determining whether an
60 undue hardship waiver will be granted and a timely process under
61 which an adverse determination can be appealed. The commissioner of
62 health shall provide notice of the hardship waiver process in writ-

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1 ing to those individuals who are required to comply with the trans-
 2 fer of assets provision under this section. If such an individual is
 3 an institutionalized individual, the facility in which he or she is
 4 residing shall be permitted to file an undue hardship waiver appli-
 5 cation on behalf of such individual with the consent of the individ-
 6 ual or the personal representative of the individual.

7 Notwithstanding any inconsistent provision of law, rule or regulation
 8 to the contrary for the period April 1, 2006 through March 31, 2007,
 9 any transfer made by an individual or the individual's spouse for
 10 less than fair market value shall cause the person to be ineligible
 11 for services for a period equal to the total, cumulative uncompen-
 12 sated value of all assets transferred during or after the look-back
 13 period, divided by the average monthly costs of nursing facility
 14 services provided to a private patient for a given period of time at
 15 the time of application, as determined pursuant to the regulations
 16 of the department. The average monthly costs of nursing facility
 17 services to a private patient for a given period of time at the time
 18 of application shall be presumed to be one hundred twenty percent of
 19 the average medical assistance rate of payment as of the first day
 20 of January of each year for nursing facilities within the region
 21 where the applicant resides, as established pursuant to paragraph
 22 (b) of subdivision sixteen of section twenty-eight hundred seven-c
 23 of the public health law. The period of ineligibility shall begin
 24 the first day of a month during or after which assets have been
 25 transferred for less than fair market value, or the first day the
 26 otherwise eligible individual is receiving services for which
 27 medical assistance coverage would be available based on an approved
 28 application for such care but for the transfer of assets for less
 29 than fair market value, whichever is later, and which does not occur
 30 in any other periods of ineligibility under this paragraph.

31 Notwithstanding any inconsistent provision of law, rule or regulation
 32 to the contrary for the period April 1, 2006 through March 31, 2007,
 33 in the case of an asset held by an individual in common with another
 34 person or persons in a joint tenancy, tenancy in common, or similar
 35 arrangement, the asset, or the affected portion of the asset, shall
 36 be considered transferred by such individual when any action is
 37 taken, either by such individual or by any other person, that
 38 reduces or eliminates such individual's ownership or control of such
 39 asset.

40 Notwithstanding any inconsistent provision of law, rule or regulation
 41 to the contrary for the period April 1, 2006 through March 31, 2007,
 42 in the case of a trust established by the individual, as determined
 43 pursuant to the regulations of the department, any payment, other
 44 than a payment to or for the benefit of the individual, from a revo-
 45 cable trust is considered to be a transfer of assets by the individ-
 46 ual and any payment, other than to or for the benefit of the indi-
 47 vidual, from the portion of an irrevocable trust which, under any
 48 circumstance, could be made available to the individual is consid-
 49 ered to be a transfer of assets by the individual and, further, the
 50 value of any portion of an irrevocable trust from which no payment
 51 could be made to the individual under any circumstances is consid-
 52 ered to be a transfer of assets by the individual as of the date of
 53 establishment of the trust, or, if later, the date on which the
 54 payment is foreclosed.

55 For the grant period October 1, 2006 to September 30, 2007
 56 12,985,613,000 (re. \$170,902,000)

57
 58 By chapter 54, section 1, of the laws of 2005:
 59 For the grant period October 1, 2005 to September 30, 2006
 60 12,119,290,000 (re. \$4,349,700,000)

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1 By chapter 54, section 1, of the laws of 2004:
 2 For services and expenses for the medical assistance program, exclud-
 3 ing administrative expenses, pursuant to title XIX of the federal
 4 social security act or its successor program.

5 The moneys hereby appropriated are to be available for payment of aid
 6 heretofore accrued or hereafter to accrue to municipalities, and to
 7 providers of medical services pursuant to section 367-b of the
 8 social services law, and for payment of state aid to municipalities
 9 and to providers of family care where payment systems through the
 10 fiscal intermediaries are not operational, shall be available to the
 11 department net of disallowances, refunds, reimbursements, and cred-
 12 its.

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

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

40 For the grant period October 1, 2004 to September 30, 2005
 41 10,435,451,000 (re. \$3,107,900,000)
 42

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

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

55 Notwithstanding any other provision of law, the money hereby appropri-
 56 ated may be increased or decreased by interchange, with any appro-
 57 priation of the department of health medical assistance adminis-
 58 tration program and/or medical assistance program, and may be
 59 increased or decreased by transfer or suballocation between these
 60 appropriated amounts and appropriations of the department of family
 61 assistance office of temporary and disability assistance and office
 62 of children and family services with the approval of the director of

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 the budget, who shall file such approval with the department of
2 audit and control and copies thereof with the chairman of the senate
3 finance committee and the chairman of the assembly ways and means
4 committee.

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

20 For the grant period October 1, 2003 to September 30, 2004
21 10,845,488,000 (re. \$3,600,900,000)

22
23 Special Revenue Funds - Other / Aid to Localities
24 HCRA Resources Fund - 061
25 Medical Assistance Account
26

27 By chapter 54, section 1, of the laws of 2008:

28 For services and expenses of the medical assistance program related to
29 the priority restoration program ... 24,000,000 .. (re. \$24,000,000)

30 For services and expenses of the medical assistance program related to
31 non-public general hospital rate increases for recruitment and
32 retention of health care workers ... 41,300,000 .. (re. \$41,300,000)

33 For services and expenses of the medical assistance program related to
34 non-public residential health care facility rate increases for
35 recruitment and retention of health care workers
36 21,600,000 (re. \$21,600,000)

37 For services and expenses of the medical assistance program related to
38 supporting rate increases for certified home health agencies, long
39 term home health care programs, AIDS home care programs, hospice
40 programs, managed long term care plans and approved managed long
41 term care operating demonstrations for recruitment and retention of
42 health care workers ... 50,000,000 (re. \$50,000,000)

43 For additional services and expenses of the medical assistance
44 program. The moneys hereby appropriated shall be available for non-
45 public general hospitals located in a city with a population of more
46 than one million persons to ensure meaningful access to the hospi-
47 tal's services and reasonable accommodation for all Medicaid
48 patients that need language assistance
49 19,000,000 (re. \$19,000,000)

50
51 The appropriation made by chapter 54, section 1, of the laws of 2008, is
52 hereby amended and reappropriated to read:

53 For services and expenses of the medical assistance program related to
54 rate adjustments made to public hospitals in accordance with
55 paragraph (i) of subdivision 1 of section 2807-c of the public
56 health law pursuant to [a] chapter 58 of the laws of 2007
57 24,000,000 (re. \$24,000,000)

58 For additional services and expenses of the medical assistance
59 program. The moneys hereby appropriated shall be available for
60 general hospitals located in the counties of Nassau and Suffolk for
61

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1 distributions pursuant to paragraph (k) of subdivision 1 of section
2 2807-c of the public health law, as added by [a] chapter 58 of the
3 laws of 2007 ... 2,500,000 (re. \$2,500,000)

4
5 Special Revenue Funds - Other / Aid to Localities
6 Miscellaneous Special Revenue Fund - 339
7 CHCCDP Transfer Account

8
9 By chapter 54, section 1, of the laws of 2005:
10 Notwithstanding any other provision of law, the money appropriated
11 herein shall be made available for grants related to the community
12 care conversion demonstration project
13 518,000,000 (re. \$24,000,000)

14
15 OFFICE OF HEALTH INSURANCE PROGRAMS

16
17 General Fund / State Operations
18 State Purposes Account - 003

19
20 The appropriation made by chapter 54, section 1, of the laws of 2007, to
21 the office of medicaid management program is hereby transferred and
22 reappropriated to the office of health insurance programs:
23 For services and expenses related to an analysis of proposals for
24 achieving universal health coverage in New York. The commissioner of
25 health shall contract with an independent entity, in accordance with
26 applicable law, to conduct the analysis and report on its results.
27 All records of the entity and the department relating to the method-
28 ology, findings and recommendations of the analysis shall be subject
29 to article six of the public officers law. Proposals to be analyzed
30 shall include, but not be limited to: proposals for providing or
31 promoting universal health coverage through variations on existing
32 private and public health coverage mechanisms; proposals for provid-
33 ing universal health coverage through publicly-sponsored health
34 coverage financed entirely or predominantly through broad-based
35 public financing; and combinations of such mechanisms. When evaluat-
36 ing different proposals, the entity shall consider, among other
37 factors, how each proposal advances the goal of universal health
38 coverage; controls the cost of health coverage and health care;
39 affects the scope of benefits, the quality of care, and choice of
40 providers for consumers; overcomes the obstacles to universal health
41 coverage; fairly and equitably distributes the cost of health cover-
42 age and health care; deals with the level and distribution of costs
43 as a barrier to health coverage or health care; affects employers
44 and employment, particularly small business, the self-employed,
45 sole-proprietors, collective bargaining arrangements, people with
46 multiple, seasonal or sporadic employment and people who are under-
47 employed or unable to work; and promotes the economic viability of
48 hospitals, community health centers, health care professionals, and
49 other health care providers. The entity may, with the approval of
50 the commissioner, accept grants or other assistance from any govern-
51 ment agency or not-for-profit entity to support or assist it in
52 carrying out the analysis ... 200,000 (re. \$200,000)

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

56
57 By chapter 54, section 1, of the laws of 2008, as amended by chapter
58 496, section 5, of the laws of 2008:
59 For grants to a New York state based not-for-profit organization with
60 expertise in the New York state medicaid program for collaborative
61 studies, reviews and analysis, to be performed in conjunction with
62 the department of health, on medicaid policy, operational and other

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1 issues as defined by the department, provided, however, that the
 2 amount of this appropriation available for expenditure and
 3 disbursement on and after September 1, 2008 shall be reduced by six
 4 percent of the amount that was undisbursed as of August 15, 2008 ...
 5 1,480,000 (re. \$1,391,200)
 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 2008:
 11 For services and expenses for the medical assistance program and
 12 administration of the medical assistance program and survey and
 13 certification program, provided pursuant to title XIX of the federal
 14 social security act.

15 Notwithstanding any inconsistent provision of law and subject to the
 16 approval of the director of the budget, moneys hereby appropriated
 17 may be increased or decreased by transfer or suballocation between
 18 these appropriated amounts and appropriations of other state agen-
 19 cies and appropriations of the department of health. Notwithstanding
 20 any inconsistent provision of law and subject to approval of the
 21 director of the budget, moneys hereby appropriated may be trans-
 22 ferred or suballocated to other state agencies for reimbursement to
 23 local government entities for services and expenses related to
 24 administration of the medical assistance program
 25 846,697,000 (re. \$839,000,000)
 26

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

30 The appropriation made by chapter 54, section 1, of the laws of 2007, to
 31 the office of medicaid management program is hereby transferred and
 32 reappropriated to the office of health insurance programs:

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 agen-
 41 cies and appropriations of the department of health. Notwithstand-
 42 ing any inconsistent provision of law and subject to approval of the
 43 director of the budget, moneys hereby appropriated may be trans-
 44 ferred or suballocated to other state agencies for reimbursement to
 45 local government entities for services and expenses related to
 46 administration of the medical assistance program.

47 For the grant period October 1, 2007 to September 30, 2008
 48 1,859,816,000 (re. \$1,600,000,000)
 49

50 The appropriation made by chapter 54, section 1, of the laws of 2006, to
 51 the office of medicaid management program is hereby transferred and
 52 reappropriated to the office of health insurance programs:

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

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

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1 director of the budget, moneys hereby appropriated may be trans-
2 ferred or suballocated to other state agencies for reimbursement to
3 local government entities for services and expenses related to
4 administration of the medical assistance program.

5 For the grant period October 1, 2006 to September 30, 2007
6 1,867,679,500 (re. \$600,000,000)
7

8 The appropriation made by chapter 54, section 1, of the laws of 2005, to
9 the office of medicaid management program is hereby transferred and
10 reapportioned to the office of health insurance programs:

11 For services and expenses for the medical assistance program and
12 administration of the medical assistance program and survey and
13 certification program, provided pursuant to title XIX of the federal
14 social security act.

15 Notwithstanding any inconsistent provision of law and subject to the
16 approval of the director of the budget, moneys hereby appropriated
17 may be increased or decreased by transfer or suballocation between
18 these appropriated amounts and appropriations of other state agen-
19 cies and appropriations of the department of health. Notwithstanding
20 any inconsistent provision of law and subject to approval of the
21 director of the budget, moneys hereby appropriated may be trans-
22 ferred or suballocated to other state agencies for reimbursement to
23 local government entities for services and expenses related to
24 administration of the medical assistance program.

25 For the grant period October 1, 2005 to September 30, 2006
26 1,836,697,000 (re. \$400,000,000)
27

28 The appropriation made by chapter 54, section 1, of the laws of 2004, to
29 the office of medicaid management program is hereby transferred and
30 reapportioned to the office of health insurance programs:

31 For services and expenses for the medical assistance program and
32 administration of the medical assistance program and survey and
33 certification program, provided pursuant to title XIX of the federal
34 social security act.

35 Notwithstanding any inconsistent provision of law and subject to the
36 approval of the director of the budget, moneys hereby appropriated
37 may be increased or decreased by transfer or suballocation between
38 these appropriated amounts and appropriations of other state agen-
39 cies and appropriations of the department of health.

40 Notwithstanding any inconsistent provision of law and subject to
41 approval of the director of the budget, moneys hereby appropriated
42 may be transferred or suballocated to other state agencies for
43 reimbursement to local government entities for services and expenses
44 related to administration of the medical assistance program.

45 For the grant period October 1, 2004 to September 30, 2005
46 1,863,395,000 (re. \$400,000,000)
47

48 Special Revenue Funds - Other / Aid to Localities
49 Miscellaneous Special Revenue Fund - 339
50 Federal State Health Reform Partnership Account
51

52 By chapter 54, section 1, of the laws of 2008:

53 Notwithstanding any inconsistent provision of law, the money
54 appropriated herein shall be available for services and expenses
55 including grants related to the federal-state health reform
56 partnership program and/or its successor program, provided, however,
57 that the section 1115 waiver demonstration which is entitled the
58 federal-state health reform partnership, is in effect in accordance
59 with the terms and conditions approved by the secretary of the
60 federal department of health and human services, and further
61 provided that funds appropriated for the federal-state health reform
62 partnership program are disbursed only in accordance with those

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1 terms and conditions. Subject to the approval of the director of the
2 budget, moneys appropriated herein may be transferred or
3 suballocated to the state office for the aging and other state
4 agencies ... 300,000,000 (re. \$300,000,000)
5

6 The appropriation made by chapter 54, section 1, of the laws of 2007, to
7 the office of medicaid management program is hereby transferred and
8 reappropriated to the office of health insurance programs:

9 Notwithstanding any inconsistent provision of the law, the money
10 appropriated herein shall be available for services and expenses
11 including grants related to the federal-state health reform partner-
12 ship program and/or its successor program, provided, however, that
13 the section 1115 waiver demonstration which is entitled the feder-
14 al-state health reform partnership, is in effect in accordance with
15 the terms and conditions approved by the secretary of the federal
16 department of health and human services, and further provided that
17 funds appropriated for the federal-state health reform partnership
18 program are disbursed only in accordance with those terms and condi-
19 tions. Subject to the approval of the director of the budget, moneys
20 appropriated herein may be transferred or suballocated to the state
21 office for the aging and other state agencies
22 300,000,000 (re. \$300,000,000)
23

24 [Special Revenue Funds - Other / Aid to Localities
25 Miscellaneous Special Revenue Fund - 339
26 Federal-State Health Reform Partnership Program Account]
27

28 The appropriation made by chapter 54, section 1, of the laws of 2006, as
29 amended by chapter 54, section 1, of the laws of 2007, to the
30 medical assistance program is hereby transferred and reappropriated
31 to the office of health insurance programs:

32 Notwithstanding any inconsistent provision of law, the money appropri-
33 ated herein shall be available for services and expenses including
34 grants related to the federal-state health reform partnership
35 program and/or its successor program, provided, however, that the
36 section 1115 waiver demonstration which is entitled federal-state
37 health reform partnership, is in effect in accordance with the terms
38 and conditions approved by the secretary of the federal department
39 of health and human services and accepted by the state, and further
40 provided that funds appropriated for the federal-state health reform
41 partnership program are disbursed only in accordance with those
42 terms and conditions. Subject to the approval of the director of the
43 budget, moneys appropriated herein may be transferred or suballo-
44 cated to the state office for the aging and other state agencies ...
45 500,000,000 (re. \$411,000,000)
46

47 OFFICE OF HEALTH SYSTEMS MANAGEMENT

48
49 General Fund / State Operations
50 State Purposes Account - 003
51

52 By chapter 54, section 1, of the laws of 2008:
53 For services and expenses of the health e-link.
54 Contractual services ... 750,000 (re. 750,000)
55

56 The appropriation made by chapter 54, section 1, of the laws of 2007, to
57 the health care standards and surveillance program is hereby
58 transferred and reappropriated to the office of health systems
59 management:

60 For services and expenses of the health e-link.
61 Contractual services ... 750,000 (re. \$329,800)
62

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1 General Fund / Aid to Localities
2 Local Assistance Account - 001
3
4 By chapter 54, section 1, of the laws of 2008, as amended by chapter
5 496, section 5, of the laws of 2008:
6 For grants for patient safety awards, provided, however, that the
7 amount of this appropriation available for expenditure and
8 disbursement on and after September 1, 2008 shall be reduced by six
9 percent of the amount that was undisbursed as of August 15, 2008 ...
10 1,176,000(re. \$1,105,440)
11
12 The appropriation made by chapter 54, section 1, of the laws of 2007, to
13 the health care standards and surveillance program is hereby
14 transferred and reappropriated to the office of health systems
15 management:
16 For grants for patient safety awards ... 1,200,000 .. (re. \$1,200,000)
17
18 The appropriation made by chapter 54, section 1, of the laws of 2005, to
19 the health care standards and surveillance program is hereby
20 transferred and reappropriated to the office of health systems
21 management:
22 For services and expenses of the health information technology program
23 ... 3,000,000 (re. \$1,197,000)
24
25 Special Revenue Funds - Federal / Aid to Localities
26 Federal Operating Grants Fund - 290
27 United States Department of Justice Account
28
29 By chapter 54, section 1, of the laws of 2008:
30 For expenses incurred in the administration of the prescription drug
31 monitoring program relating to the prescribing and dispensing of
32 controlled substances ... 400,000 (re. \$400,000)
33
34 The appropriation made by chapter 54, section 1, of the laws of 2007, to
35 the health care standards and surveillance program is hereby
36 transferred and reappropriated to the office of health systems
37 management:
38 For expenses incurred in the administration of the prescription drug
39 monitoring program relating to the prescribing and dispensing of
40 controlled substances.
41 For grants beginning on or after November 1, 2007
42 400,000 (re. \$400,000)
43
44 The appropriation made by chapter 54, section 1, of the laws of 2006, to
45 the health care standards and surveillance program is hereby
46 transferred and reappropriated to the office of health systems
47 management:
48 For expenses incurred in the administration of Harold Rogers
49 prescription drug monitoring program relating to the prescribing and
50 dispensing of controlled substances:
51 For the grant period June 1, 2006 to May 31, 2007
52 400,000 (re. \$341,000)
53
54 The appropriation made by chapter 54, section 1, of the laws of 2005, to
55 the health care standards and surveillance program is hereby
56 transferred and reappropriated to the office of health systems
57 management:
58 For expenses incurred in the administration of Harold Rogers
59 prescription drug monitoring program relating to the prescribing and
60 dispensing of controlled substances:
61 For the grant period June 1, 2005 to May 31, 2006
62 350,000 (re. \$1,500)

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1 The appropriation made by chapter 54, section 1, of the laws of 2004, to
 2 the health care standards and surveillance program is hereby
 3 transferred and reappropriated to the office of health systems
 4 management:
 5 For expenses incurred in the administration of Harold Rogers
 6 prescription drug monitoring program relating to the prescribing and
 7 dispensing of controlled substances:
 8 For the grant period October 1, 2003 to September 30, 2004
 9 300,000 (re. \$241,000)

11 OFFICE OF LONG TERM CARE

12
 13 General Fund / State Operations
 14 State Purposes Account - 003

15
 16 By chapter 54, section 1, of the laws of 2008:
 17 Contractual Services ... 14,674,000 (re. \$3,000,000)

18
 19 General Fund / Aid to Localities
 20 Local Assistance Account - 001

21
 22 By chapter 54, section 1, of the laws of 2008, as amended by chapter
 23 496, section 5, of the laws of 2008:

24 For services and expenses of the quality incentive payment program,
 25 provided, however, that the amount of this appropriation available
 26 for expenditure and disbursement on and after September 1, 2008
 27 shall be reduced by six percent of the amount that was undisbursed
 28 as of August 15, 2008 ... 2,710,000 (re. 2,547,400)
 29 For additional services and expenses of the quality incentive payment
 30 program ... 2,750,000 (re. \$1,375,000)

31 The monies hereby appropriated shall be available for the cost of
 32 housing subsidies to certain participants in the nursing home
 33 transition and diversion waiver program as authorized by chapters
 34 615 and 627 of the laws of 2004. A portion of such funds may be used
 35 for administration of the housing subsidies, either by state staff
 36 or a not-for-profit agency. A portion of this appropriation may be
 37 transferred to state operations appropriations. Up to 100 percent of
 38 this appropriation may be suballocated to the division of housing
 39 and community renewal, provided, however, that the amount of this
 40 appropriation available for expenditure and disbursement on and
 41 after September 1, 2008 shall be reduced by six percent of the
 42 amount that was undisbursed as of August 15, 2008
 43 2,450,000 (re. \$2,303,000)

44 For additional services and expenses for the enhancing abilities and
 45 life experience (EnAbLE) program for the purpose of providing air
 46 conditioning in resident rooms. In distributing such funds, the
 47 department shall give priority to those applicants whose residents
 48 demonstrate the highest level of need, including but not limited to,
 49 those with psychiatric disabilities and the elderly, and
 50 consideration to applicants in the greatest financial need of such
 51 assistance ... 1,800,000 (re. \$900,000)

52
 53 The appropriation made by chapter 54, section 1, of the laws of 2007, to
 54 the health care standards and surveillance program is hereby
 55 transferred and reappropriated to the office of long term care:
 56 For services and expenses of the quality incentive payment program ...
 57 2,750,000 (re. \$2,750,000)

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1 The appropriation made by chapter 54, section 1, of the laws of 2007, as
2 amended by chapter 54, section 1, of the laws of 2008, to the health
3 care standards and surveillance program is hereby transferred and
4 reappropriated to the office of long term care:

5 The monies hereby appropriated shall be available for the cost of
6 housing subsidies to certain participants in the nursing home tran-
7 sition and diversion waiver program as authorized by chapters 615
8 and 627 of the laws of 2004. A portion of such funds may be used for
9 administration of the housing subsidies, either by state staff or a
10 not-for-profit agency. A portion of this appropriation may be trans-
11 ferred to state operations appropriations. Up to 100 percent of this
12 appropriation may be suballocated to the division of housing and
13 community renewal ... 2,500,000 (re. \$2,500,000)
14

15 Special Revenue Funds - Other / Aid to Localities
16 HCRA Resources Fund - 061
17 Health Services Account
18

19 By chapter 54, section 1, of the laws of 2008, as amended by chapter
20 496, section 5, of the laws of 2008:

21 For services and expenses related to adult home initiatives including
22 but not limited to, social and recreational services; programs to
23 support wellness including smoking cessation; falls prevention;
24 maintaining or improving physical mobility, cognitive functioning or
25 overall health; and advocacy and legal support.

26 Notwithstanding any inconsistent provision of law and subject to the
27 approval of the director of the budget, moneys hereby appropriated
28 may be transferred to the office of mental health, the office for
29 the aging, and the commission on quality of care and advocacy for
30 persons with disabilities. Moneys herein appropriated may be used
31 for the purpose of awarding grants to operators of adult homes,
32 enriched housing programs and residences through the enhancing
33 abilities and life experience (EnABLE) program to improve the
34 quality of life and independence for residents. Use of program funds
35 may include, but shall not be limited to, independent living skills
36 training, vocational or educational programs; peer specialists;
37 employment specialist; or services and supports to allow residents
38 to maintain independence in their activities of daily living. Such
39 grants shall be made pursuant to criteria established by the
40 department of health. A preference in funding shall be granted to
41 applicants for use of program funds which would serve residents
42 receiving supplemental security income and/or safety net. No grants
43 shall be made unless the department of health receives satisfactory
44 documentation that the resident council of any facility for which
45 funds are requested has endorsed the proposed use of funds as set
46 forth in the grant application, provided, however, that the amount
47 of this appropriation available for expenditure and disbursement on
48 and after September 1, 2008 shall be reduced by six percent of the
49 amount that was undisbursed as of August 15, 2008
50 2,636,000 (re. \$2,478,000)

51 For additional services and expenses for the enhancing abilities and
52 life experience (EnABLE) program to improve the quality of life of
53 residents. Use of program funds may include, but shall not be
54 limited to, providing air conditioning in resident rooms, providing
55 generators to facilities, improving the quality of food services and
56 other quality of life activities. In distributing such funds, the
57 department shall give priority to those applicants whose residents
58 demonstrate the highest level of need, including but not limited to,
59 those with psychiatric disabilities and the elderly, and
60 consideration to applicants in the greatest financial need of such
61 assistance, provided, however, that the amount of this appropriation

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1 available for expenditure and disbursement on and after September 1,
2 2008 shall be reduced by six percent of the amount that was
3 undisbursed as of August 15, 2008 ... 1,951,000 ... (re. \$1,834,000)
4

5 The appropriation made by chapter 54, section 1, of the laws of 2007, to
6 the health care standards and surveillance program is hereby
7 transferred and reappropriated to the office of long term care:

8 For services and expenses related to adult home initiatives including
9 but not limited to, social and recreational services; programs to
10 support wellness including smoking cessation; falls prevention;
11 maintaining or improving physical mobility, cognitive functioning or
12 overall health; and advocacy and legal support.

13 Notwithstanding any inconsistent provision of law and subject to the
14 approval of the director of the budget, moneys hereby appropriated
15 may be transferred to the office of mental health, the office for
16 the aging, and the commission on quality of care and advocacy for
17 persons with disabilities. Moneys herein appropriated may be used
18 for the purpose of awarding grants to operators of adult homes,
19 enriched housing programs and residences through the enhancing abil-
20 ities and life experience (EnAbLE) program to improve the quality of
21 life and independence for residents. Use of program funds may
22 include, but shall not be limited to, independent living skills
23 training, vocational or educational programs; peer specialists;
24 employment specialist; or services and supports to allow residents
25 to maintain independence in their activities of daily living. Such
26 grants shall be made pursuant to criteria established by the depart-
27 ment of health. A preference in funding shall be granted to appli-
28 cants for use of program funds which would serve residents receiving
29 supplemental security income and/or safety net. No grants shall be
30 made unless the department of health receives satisfactory documen-
31 tation that the resident council of any facility for which funds are
32 requested has endorsed the proposed use of funds as set forth in the
33 grant application ... 2,750,000 (re. \$2,690,000)

34 For additional services and expenses for the enhancing abilities and
35 life experience (EnAbLE) program for the purpose of providing air
36 conditioning in resident rooms. In distributing such funds, the
37 department shall give priority to those applicants whose residents
38 demonstrate the highest level of need, including but not limited to,
39 those with psychiatric disabilities and the elderly, and consider-
40 ation to applicants in the greatest financial need of such assistance
41 ... 2,000,000 (re. \$2,000,000)
42

43 WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

44
45 Special Revenue Funds - Federal / State Operations
46 Federal Health and Human Services Fund - 265
47

48 By chapter 54, section 1, of the laws of 2008:
49 For health prevention, diagnostic, detection and treatment services...
50 1,556,000 (re. \$1,297,000)
51

52 By chapter 54, section 1, of the laws of 2007:
53 For health prevention, diagnostic, detection and treatment services.
54 For the grant period October 1, 2006 to September 30, 2007
55 778,000 (re. \$778,000)
56 For the grant period October 1, 2007 to September 30, 2008
57 778,000 (re. \$778,000)
58

59 By chapter 54, section 1, of the laws of 2006:
60 For health prevention, diagnostic, detection and treatment services:
61 For the grant period October 1, 2005 to September 30, 2006
62 778,000 (re. \$778,000)

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1 For the grant period October 1, 2006 to September 30, 2007

2 778,000 (re. \$778,000)

3

4 Special Revenue Funds - Federal / State Operations

5 Federal Health and Human Services Fund - 265

6 Federal Block Grant Account

7

8 By chapter 54, section 1, of the laws of 2008:

9 For health prevention, diagnostic, detection and treatment services...

10 11,376,000 (re. \$11,376,000)

11

12 Special Revenue Funds - Federal / Aid to Localities

13 Federal Health and Human Services Fund - 265

14 Federal Block Grant Account

15

16 By chapter 54, section 1, of the laws of 2008:

17 For services and expenses of the various health prevention, diag-

18 nostic, detection and treatment services

19 3,682,000 (re. \$3,682,000)

20

21 Special Revenue Funds - Federal / State Operations

22 Federal Block Grant Fund - 269

23

24 By chapter 54, section 1, of the laws of 2007:

25 For health prevention, diagnostic, detection and treatment services.

26 For the grant period October 1, 2006 to September 30, 2007

27 4,601,000 (re. \$4,601,000)

28 For the grant period October 1, 2007 to September 30, 2008

29 5,291,000 (re. \$5,291,000)

30

31 By chapter 54, section 1, of the laws of 2006:

32 For health prevention, diagnostic, detection and treatment services:

33 For the grant period October 1, 2006 to September 30, 2007

34 5,291,000 (re. \$5,291,000)

35

36 Special Revenue Funds - Federal / Aid to Localities

37 Federal Block Grant Fund - 269

38

39 By chapter 54, section 1, of the laws of 2007:

40 For services and expenses of the various health prevention, diagnos-

41 tic, detection and treatment services.

42 For the grant period October 1, 2006 to September 30, 2007

43 1,489,000 (re. \$1,489,000)

44 For the grant period October 1, 2007 to September 30, 2008

45 1,712,000 (re. \$1,712,000)

46

47 By chapter 54, section 1, of the laws of 2006:

48 For services and expenses of the various health prevention, diagnos-

49 tic, detection and treatment services:

50 For the grant period October 1, 2006 to September 30, 2007

51 1,712,000 (re. \$1,712,000)

52

53 Special Revenue Funds - Other / State Operations

54 Combined Gifts, Grants and Bequests Fund - 020

55 Breast Cancer Research and Education Account

56

57 By chapter 54, section 1, of the laws of 2005:

58 For breast cancer research and education pursuant to section 97-yy of

59 the state finance law as amended by chapter 550 of the laws of 2000

60 ... 2,600,000 (re. \$2,250,000)

61

62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 Special Revenue Fund - Other / State Operations
2 Miscellaneous Special Revenue Fund - 339
3 Empire State Stem Cell Research Account
4
5 By chapter 54, section 1, of the laws of 2008:
6 For services and expenses, including grants, related to stem cell
7 research pursuant to chapter 58 of the laws of 2007:
8 Contractual services ... 50,000,000 (re. \$49,750,000)
9
10 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
11 section 1, of the laws of 2008:
12 For services and expenses, including grants, related to stem cell
13 research pursuant to chapter 58 of the laws of 2007:
14 Contractual services ... 100,000,000 (re. \$99,437,000)
15
16 Special Revenue Funds - Other / State Operations
17 Miscellaneous Special Revenue Fund - 339
18 Spinal Cord Injury Research Fund Account
19
20 By chapter 54, section 1, of the laws of 2008:
21 For services and expenses related to spinal cord injury research
22 pursuant to chapter 338 of the laws of 1998, in accordance with the
23 following.
24 Contractual services ... 7,860,800 (re. \$7,860,800)
25
26 By chapter 54, section 1, of the laws of 2007:
27 For services and expenses related to spinal cord injury research
28 pursuant to chapter 338 of the laws of 1998, in accordance with the
29 following.
30 Contractual services ... 8,004,794 (re. \$6,231,000)
31
32 By chapter 54, section 1, of the laws of 2006:
33 For expenses related to spinal cord injury research pursuant to chap-
34 ter 338 of the laws of 1998 ... 8,500,000 (re. \$4,385,000)
35
36 By chapter 54, section 1, of the laws of 2005:
37 For expenses related to spinal cord injury research pursuant to chap-
38 ter 338 of the laws of 1998 ... 8,500,000 (re. \$3,750,000)
39
40 By chapter 54, section 1, of the laws of 2004:
41 For expenses related to spinal cord injury research pursuant to chap-
42 ter 338 of the laws of 1998 ... 8,500,000 (re. \$2,642,000)
43
44 By chapter 54, section 1, of the laws of 2003:
45 For expenses related to spinal cord injury research pursuant to chap-
46 ter 338 of the laws of 1998 ... 8,500,000 (re. \$3,511,000)
47
48 By chapter 54, section 1, of the laws of 2002:
49 For expenses related to spinal cord injury research pursuant to chap-
50 ter 338 of the laws of 1998 ... 8,500,000 (re. \$675,000)
51
52 By chapter 54, section 1, of the laws of 2001:
53 For expenses related to spinal cord injury research pursuant to chap-
54 ter 338 of the laws of 1998 ... 8,500,000 (re. \$785,000)
55
56 By chapter 54, section 1, of the laws of 2000:
57 For expenses related to spinal cord injury research pursuant to chap-
58 ter 338 of the laws of 1998 ... 8,500,000 (re. \$233,000)
59
60 Total reappropriations for state operations and aid to
61 localities38,721,611,140
62 =====

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 General Fund
2 Community Projects Fund - 007
3 Account GG
4
5 By chapter 54, section 1, of the laws of 2000, as added by chapter 53,
6 section 6, of the laws of 2000:
7 For services and expenses of cancer permanency planning - legal and
8 family counseling services ... 500,000 (re. \$30,000)
9

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2009-10

1 For the comprehensive construction programs, purposes and
 2 projects as herein specified in accordance with the
 3 following:
 4
 5 Capital Projects Fund 232,600,000
 6 Federal Capital Projects Fund 9,980,000
 7 -----
 8 All Funds 242,580,000
 9 =====
 10
 11 HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-
 12 ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP) 217,000,000
 13 -----
 14
 15 Capital Projects Fund
 16
 17 Health Care System Improvement Purpose
 18
 19 For payments and grants in accordance with
 20 section 2818 of the public health law
 21 establishing the health care system
 22 improvement capital grant program,
 23 including necessary support to facili-
 24 tate closures, conversions and consol-
 25 idations within the health care delivery
 26 system including operational support
 27 intended to maintain facility viability
 28 the retirement of health care facility
 29 indebtedness, provided, however, that no
 30 expenditures may be made from this
 31 appropriation until a comprehensive plan
 32 of projects has been approved by the
 33 director of the budget. For purposes of
 34 HEAL NY, all such activities are deemed
 35 to constitute a capital expenditure.
 36 The moneys hereby appropriated shall be
 37 for payment of financial assistance
 38 heretofore accrued or hereafter to
 39 accrue (12HE09HE) 192,000,000
 40
 41 For transfer to the Roswell park cancer
 42 institute corporation to support capital
 43 projects in accordance with section 2818
 44 of the public health law establishing
 45 the health care system improvement capi-
 46 tal grant program (12RP09HE) 25,000,000
 47
 48 LABORATORIES AND RESEARCH (CCP) 8,000,000
 49 -----
 50
 51 Capital Projects Fund
 52
 53 Preservation of Facilities Purpose
 54
 55 To maintain and improve existing facili-
 56 ties including preparation of plans and
 57 for payment to the design and
 58 construction management account of the
 59 centralized services fund of the New
 60 York state office of general services.
 61 Upon the request of the commissioner of
 62 the department of health and approval of

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2009-10

1 the director of the division of the
2 budget, funds of this appropriation may
3 be transferred to the dormitory authori-
4 ty of the state of New York for capital
5 projects (12590903) 8,000,000
6
7 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP). 7,600,000
8 -----
9
10 Capital Projects Fund
11
12 Preservation of Facilities Purpose
13
14 For minor alterations, improvements and
15 preventive maintenance of St. Albans
16 Nursing Home, Helen Hayes Hospital,
17 Oxford Nursing Home, Batavia Nursing
18 Home, and Montrose Nursing Home includ-
19 ing preparation of plans and for payment
20 to the design and construction manage-
21 ment account of the centralized services
22 fund of the New York state office of
23 general services. Upon the request of
24 the commissioner of the department of
25 health and approval of the director of
26 the division of the budget, funds of
27 this appropriation may be transferred to
28 the dormitory authority of the state of
29 New York for capital projects (12590903)
30 7,600,000
31
32 WATER RESOURCES (CCP) 9,980,000
33 -----
34
35 Federal Capital Projects Fund
36
37 Water Resources Purpose
38
39 For federal grants for the safe drinking
40 water revolving fund (12020957) 9,980,000
41

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2009-10

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

4	Capital Projects Fund - Advances	108,000,000
5		-----
6	All Funds	108,000,000
7		=====

9
10 Capital Projects Fund

11	HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-	
12	13 ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)	108,000,000
13		-----

14
15 Health Care System Improvement Purpose

16
17
18 An advance for payments and grants in
19 accordance with section 2818 of the
20 public health law establishing the
21 health care system improvement capital
22 grant program, provided, however, that
23 no expenditures may be made from this
24 appropriation until a comprehensive plan
25 of projects has been approved by the
26 director of the budget. The moneys
27 hereby appropriated shall be for payment
28 of financial assistance heretofore
29 accrued or hereafter to accrue
30 (12BD09HE) 108,000,000

31

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

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
15 HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY)
16 CAPITAL GRANT PROGRAM (CCP)

17
18 Capital Projects Fund

19
20 Health Care System Improvement Purpose

21
22 By chapter 54, section 1, of the laws of 2008:

23 For payments and grants in accordance with section 2818 of the public
24 health law establishing the health care system improvement capital
25 grant program, including necessary support to facilitate closures,
26 conversions and consolidations within the health care delivery
27 system including operational support intended to maintain facility
28 viability the retirement of health care facility indebtedness,
29 provided, however, that no expenditures may be made from this
30 appropriation until a comprehensive plan of projects has been
31 approved by the director of the budget. For purposes of HEAL NY, all
32 such activities are deemed to constitute a capital expenditure. The
33 moneys hereby appropriated shall be for payment of financial
34 assistance heretofore accrued or hereafter to accrue (12HE08HE)
35 133,000,000 (re. \$133,000,000)

36 For services and expenses related to local health care planning
37 including but not limited to: examining racial and ethnic
38 disparities in the provision of health care; developing a process to
39 measure and integrate consumer needs for health care services as the
40 basis for health care provider planning; assessing future long term
41 care needs taking into account consumer preferences for care; and
42 reviewing the impact of the migration of services from hospitals to
43 ambulatory care providers on the cost, quality and availability of
44 services. Notwithstanding section one hundred twelve or section one
45 hundred sixty-three of the state finance law, the commissioner of
46 health, at his or her discretion, may award, without a competitive
47 process, grants up to \$2 million to qualified health planning
48 agencies for such purposes. For the purposes of HEAL NY, such
49 activities are deemed to constitute a capital expenditure (12HE08HE)
50 ... 7,000,000 (re. \$7,000,000)

51 For transfer to the Roswell park cancer institute corporation to
52 support capital projects in accordance with section 2818 of the
53 public health law establishing the health care system improvement
54 capital grant program (12RP08HE) ... 25,000,000 ... (re. \$6,250,000)
55

56 The appropriation made by chapter 54, section 1, of the laws of 2007, as
57 amended by chapter 54, section 1, of the laws of 2008 is hereby
58 amended and reappropriated to read:

59 For payments and grants in accordance with section 2818 of the public
60 health law establishing the health care system improvement capital
61 grant program, including necessary support to facilitate closures,
62 conversions and consolidations within the health care delivery

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 system including the retirement of health care facility indebt-
 2 edness, provided, however, that no expenditures may be made from
 3 this appropriation until a comprehensive plan of projects has been
 4 approved by the director of the budget. For purposes of HEAL NY, all
 5 such activities are deemed to constitute a capital expenditure. The
 6 moneys hereby appropriated shall be for payment of financial
 7 assistance heretofore accrued or hereafter to accrue (12HE07HE) ...
 8 140,000,000 (re. \$140,000,000)
 9

10 The appropriation made by chapter 54, section 1, of the laws of 2006, as
 11 amended by chapter 54, section 1, of the laws of 2008 is hereby
 12 amended and reappropriated to read:

13 For payments and grants in accordance with section 2818 of the public
 14 health law establishing the health care system improvement capital
 15 grant program, including necessary support to facilitate closures,
 16 conversions and consolidations within the health care delivery
 17 system including the retirement of health care facility indebt-
 18 edness, provided, however, that no expenditures may be made from
 19 this appropriation until a comprehensive plan of projects has been
 20 approved by the director of the budget. For purposes of HEAL NY, all
 21 such activities are deemed to constitute a capital expenditure. The
 22 moneys hereby appropriated shall be for payment of financial
 23 assistance heretofore accrued or hereafter to accrue (12HE06HE)
 24 140,000,000 (re. \$51,250,000)
 25

26 The appropriation made by chapter 54, section 1, of the laws of 2005, as
 27 amended by chapter 54, section 1, of the laws of 2008 is hereby
 28 amended and reappropriated to read:

29 For payments and grants in accordance with section 2818 of the public
 30 health law establishing the health care system improvement capital
 31 grant program, including necessary support to facilitate closures,
 32 conversions and consolidations within the health care delivery
 33 system including the retirement of health care facility indebt-
 34 edness, provided, however, that no expenditures may be made from
 35 this appropriation until a comprehensive plan of projects has been
 36 approved by the director of the budget. For purposes of HEAL NY,
 37 all such activities are deemed to constitute a capital expenditure.
 38 The moneys hereby appropriated shall be for payment of financial
 39 assistance heretofore accrued or hereafter to accrue (12HE05HE)
 40 65,000,000 (re. \$24,851,000)
 41

42 LABORATORIES AND RESEARCH (CCP)

43
44 Capital Projects Fund

45
46 Preservation of Facilities Purpose

47
48 By chapter 54, section 1, of the laws of 2008:

49 To maintain and improve existing facilities including preparation of
 50 plans and for payment to the design and construction management
 51 account of the centralized services fund of the New York state
 52 office of general services. Upon the request of the commissioner of
 53 the department of health and approval of the director of the
 54 division of the budget, funds of this appropriation may be
 55 transferred to the dormitory authority of the state of New York for
 56 capital projects (12590803) ... 10,000,000 (re. \$9,650,000)
 57

58 By chapter 54, section 1, of the laws of 2007:

59 To maintain and improve existing facilities including preparation of
 60 plans and for payment to the design and construction management
 61 account of the centralized services fund of the New York state
 62 office of general services. Upon the request of the commissioner of

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 the department of health and approval of the director of the divi-
 2 sion of the budget, funds of this appropriation may be transferred
 3 to the dormitory authority of the state of New York for capital
 4 projects (12590703) ... 10,000,000 (re. \$3,923,000)
 5

6 By chapter 54, section 1, of the laws of 2006:
 7 To maintain and improve existing facilities including preparation of
 8 plans and for payment to the design and construction management
 9 account of the centralized services fund of the New York state
 10 office of general services. Upon the request of the commissioner of
 11 the department of health and approval of the director of the divi-
 12 sion of the budget, funds of this appropriation may be transferred
 13 to the dormitory authority of the state of New York for capital
 14 projects (12590603) ... 10,000,000 (re. \$4,718,000)
 15

16 By chapter 54, section 1, of the laws of 2005:
 17 To maintain and improve existing facilities including preparation of
 18 plans and for payment to the design and construction management
 19 account of the centralized services fund of the New York state
 20 office of general services (12590503)
 21 4,000,000 (re. \$794,000)
 22

23 By chapter 54, section 1, of the laws of 2004:
 24 To maintain and improve existing facilities including preparation of
 25 plans and for payment to the design and construction management
 26 account of the centralized services fund of the New York state
 27 office of general services (12590403)
 28 4,000,000 (re. \$380,000)
 29

30 By chapter 54, section 1, of the laws of 2003:
 31 To maintain and improve existing facilities including preparation of
 32 plans and for payment to the design and construction management
 33 account of the centralized services fund of the New York state
 34 office of general services (12590303)
 35 4,000,000 (re. \$1,988,000)
 36

37 Umbilical Cord Blood Bank Purpose
 38

39 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 40 section 1, of the laws of 2007:
 41 For payments and grants for the design and construction of an umbili-
 42 cal cord blood bank facility in Syracuse, New York. Upon the request
 43 of the Commissioner of the department of health and approval of the
 44 Director of the division of the budget, these funds may be available
 45 and are authorized for transfer to the state university of New York
 46 construction fund (125906BB)
 47 5,000,000 (re. \$5,000,000)
 48

49 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)
 50

51 Capital Projects Fund
 52

53 Preservation of Facilities Purpose
 54

55 By chapter 54, section 1, of the laws of 2008:
 56 For minor alterations, improvements and preventive maintenance of St.
 57 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
 58 Batavia Nursing Home, and Montrose Nursing Home including
 59 preparation of plans and for payment to the design and construction
 60 management account of the centralized services fund of the New York
 61 state office of general services. Upon the request of the
 62 commissioner of the department of health and approval of the

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 director of the division of the budget, funds of this appropriation
 2 may be transferred to the dormitory authority of the state of New
 3 York for capital projects (12600803)
 4 7,600,000 (re. \$7,600,000)
 5

6 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 7 section 1, of the laws of 2008:

8 For minor alterations, improvements and preventive maintenance of the
 9 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
 10 Batavia Nursing Home, and Montrose Nursing Home including prepara-
 11 tion of plans and for payment to the design and construction manage-
 12 ment account of the centralized services fund of the New York state
 13 office of general services. Upon the request of the commissioner of
 14 the department of health and approval of the director of the divi-
 15 sion of the budget, funds of this appropriation may be transferred
 16 to the dormitory authority of the state of New York for capital
 17 projects (12600703) ... 7,600,000 (re. \$3,465,000)
 18

19 By chapter 54, section 1, of the laws of 2006:

20 For minor alterations, improvements and preventive maintenance of the
 21 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
 22 Batavia Nursing Home and Montrose Nursing Home including preparation
 23 of plans and for payment to the design and construction management
 24 account of the centralized services fund of the New York state
 25 office of general services. Upon the request of the commissioner of
 26 the department of health and approval of the director of the divi-
 27 sion of the budget, funds of this appropriation may be transferred
 28 to the dormitory authority of the state of New York for capi-
 29 tal projects (12600603) ... 7,600,000 (re. \$1,755,000)
 30

31 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
 32 section 1, of the laws of 2006:

33 For minor alterations, improvements and preventive maintenance of the
 34 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
 35 Batavia Nursing Home, and Montrose Nursing Home including prepara-
 36 tion of plans and for payment to the design and construction manage-
 37 ment account of the centralized services fund of the New York state
 38 office of general services. (12600503)
 39 7,600,000 (re. \$2,003,000)
 40

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

42 For minor alterations, improvements and preventive maintenance of the
 43 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home
 44 and Batavia Nursing Home including preparation of plans and for
 45 payment to the design and construction management account of the
 46 centralized services fund of the New York state office of general
 47 services (12600403) ... 7,600,000 (re. \$2,363,000)
 48

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

50 For minor alterations, improvements and preventive maintenance of St.
 51 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and
 52 Batavia Nursing Home including preparation of plans and for payment
 53 to the design and construction management account of the centralized
 54 services fund of the New York state office of general services
 55 (12600303) ... 7,600,000 (re. \$2,556,000)
 56

57 WATER RESOURCES (CCP)
 58
 59 Federal Capital Projects Fund
 60
 61 Water Resources Purpose
 62

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
2 For federal grants for the safe drinking water revolving fund
3 (12020857) ... 9,980,000 (re. \$9,980,000)
4
5 By chapter 54, section 1, of the laws of 2007:
6 For federal grants for the safe drinking water revolving fund
7 (12020757) ... 36,812,000 (re. \$36,447,000)
8
9 By chapter 54, section 1, of the laws of 2006:
10 For federal grants for the safe drinking water revolving fund
11 (12020657) ... 32,937,000 (re. \$28,747,000)
12
13 By chapter 54, section 1, of the laws of 2005:
14 For federal grants for the safe drinking water revolving fund
15 (12010557) ... 65,000,000 (re. \$1,480,000)
16
17 By chapter 54, section 1, of the laws of 2004:
18 For federal grants for the safe drinking water revolving fund
19 (12020457) ... 65,000,000 (re. \$626,000)
20
21 HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY)
22 CAPITAL GRANT PROGRAM (CCP)
23
24 Capital Projects Fund
25
26 Health Care System Improvement Purpose
27
28 By chapter 54, section 1, of the laws of 2008:
29 An advance for payments and grants in accordance with section 2818 of
30 the public health law establishing the health care system
31 improvement capital grant program, provided, however, that no
32 expenditures may be made from this appropriation until a
33 comprehensive plan of projects has been approved by the director of
34 the budget. The moneys hereby appropriated shall be for payment of
35 financial assistance heretofore accrued or hereafter to accrue
36 (12BD08HE) ... 85,000,000 (re. \$85,000,000)
37
38 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
39 section 1, of the laws of 2008:
40 An advance for payments and grants in accordance with section 2818 of
41 the public health law establishing the health care system improve-
42 ment capital grant program, provided, however, that no expenditures
43 may be made from this appropriation until a comprehensive plan of
44 projects has been approved by the director of the budget. The
45 moneys hereby appropriated shall be for payment of financial
46 assistance heretofore accrued or hereafter to accrue
47 (12BD07HE) ... 85,000,000 (re. \$85,000,000)
48
49 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
50 section 1, of the laws of 2008:
51 An advance for payments and grants in accordance with section 2818 of
52 the public health law establishing the health care system improve-
53 ment capital grant program, provided, however, that no expenditures
54 may be made from this appropriation until a comprehensive plan of
55 projects has been approved by the director of the budget. The moneys
56 hereby appropriated shall be for payment of financial assistance
57 heretofore accrued or hereafter to accrue
58 (12BD06HE) ... 85,000,000 (re. \$43,593,000)
59
60 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
61 section 1, of the laws of 2008:
62 An advance for payments in accordance with section 2817 of the public

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 health law establishing the community health care centers capital
2 program, provided, however, that no expenditures may be made from
3 this appropriation until a comprehensive plan of projects has been
4 approved by the director of the budget. The moneys hereby appropri-
5 ated shall be for payment of financial assistance heretofore accrued
6 or hereafter to accrue (12BD05CH)
7 10,000,000 (re. \$10,000,000)
8 An advance for payments and grants in accordance with section 2818 of
9 the public health law establishing the health care system improve-
10 ment capital grant program, provided, however, that no expenditures
11 may be made from this appropriation until a comprehensive plan of
12 projects has been approved by the director of the budget. The moneys
13 hereby appropriated shall be for payment of financial assistance
14 heretofore accrued or hereafter to accrue (12BD05HE)
15 175,000,000 (re. \$120,184,000)
16

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local	35,187,000	0
6	Special Revenue Funds - Federal	52,284,000	50,610,000
7	Special Revenue Funds - Other	5,274,000	0
8		-----	-----
9	All Funds	92,745,000	50,610,000
10		=====	=====

11
12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

13					
14		State	Aid to	Capital	
15	Fund Type	Operations	Localities	Projects	Total
16	-----	-----	-----	-----	-----
17	GF-St/Local	35,187,000	0	0	35,187,000
18	SR-Federal	52,284,000	0	0	52,284,000
19	SR-Other	5,274,000	0	0	5,274,000
20		-----	-----	-----	-----
21	All Funds	92,745,000	0	0	92,745,000
22		=====	=====	=====	=====

23
24 SCHEDULE

25
26 MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM 91,090,000

27 -----
28
29 General Fund / State Operations
30 State Purposes Account - 003

31
32 Notwithstanding any other provision of law,
33 the money hereby appropriated may be
34 increased or decreased by interchange,
35 with any appropriation of the office of
36 medicaid inspector general, and may be
37 increased or decreased by transfer or
38 suballocation between these appropriated
39 amounts and appropriations of the depart-
40 ment of health, office of mental health,
41 office of mental retardation and develop-
42 mental disabilities and office of alcohol-
43 ism and substance abuse services with the
44 approval of the director of the budget,
45 who shall file such approval with the
46 department of audit and control and copies
47 thereof with the chairman of the senate
48 finance committee and the chairman of the
49 assembly ways and means committee.

50
51 PERSONAL SERVICE

52		
53	Personal service--regular	23,363,000
54	Temporary service	23,000
55	Holiday/overtime compensation	120,000
56		-----
57	Amount available for personal service	23,506,000
58		-----

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials	984,000
4	Travel	299,000
5	Contractual services	9,653,000
6	Equipment	3,500,000
7		-----
8	Amount available for nonpersonal service..	14,436,000
9		-----

10
11 MAINTENANCE UNDISTRIBUTED

12

13 For transfer to the state university of New
14 York and its subsidiaries, with any avail-
15 able federal matching funds, or to
16 contract without competition for services
17 with the state university of New York
18 research foundation, to provide support
19 for the medical assistance program;
20 including but not limited to, providing
21 clinical and medical expertise, maximizing
22 the recovery of unclaimed federal medicaid
23 reimbursement funds, performing audits of
24 facility ordered services and physicians,
25 reviewing requests for medical prior
26 approvals, resolving medical and/or surgi-
27 cal claims pending, and conducting clinical
28 eligibility reviews for disabled individ-
29 uals or for services and expenses, togeth-
30 er with any available federal matching
31 funds, for contracts or other expenditures
32 supporting medicaid audit and fraud activ-
33 ities.

34		
35	Contractual services	500,000
36		-----
37	Program account subtotal	38,442,000
38		-----

39
40 Special Revenue Funds - Federal / State Operations
41 Federal Health and Human Services Fund - 265
42

43 Notwithstanding any other provision of law,
44 the money hereby appropriated may be
45 increased or decreased by interchange,
46 with any appropriation of the office of
47 medicaid inspector general, and may be
48 increased or decreased by transfer or
49 suballocation between these appropriated
50 amounts and appropriations of the depart-
51 ment of health, office of mental health,
52 office of mental retardation and develop-
53 mental disabilities and office of alcohol-
54 ism and substance abuse services with the
55 approval of the director of the budget,
56 who shall file such approval with the
57 department of audit and control and copies
58 thereof with the chairman of the senate
59 finance committee and the chairman of the
60 assembly ways and means committee.
61

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For services and expenses related to the
2 medicaid fraud and abuse program 52,284,000
3 -----
4 Program fund subtotal 52,284,000
5 -----
6
7 Special Revenue Funds - Other / State Operations
8 Miscellaneous Special Revenue Fund - 339
9 Quality Assurance and Audit Revenue Activities Account
10
11 Notwithstanding any other provision of law,
12 the money hereby appropriated may be
13 increased or decreased by interchange,
14 with any appropriation of the office of
15 medicaid inspector general, and may be
16 increased or decreased by transfer or
17 suballocation between these appropriated
18 amounts and appropriations of the depart-
19 ment of health, office of mental health,
20 office of mental retardation and develop-
21 mental disabilities and office of alcohol-
22 ism and substance abuse services with the
23 approval of the director of the budget,
24 who shall file such approval with the
25 department of audit and control and copies
26 thereof with the chairman of the senate
27 finance committee and the chairman of the
28 assembly ways and means committee.
29 For additional administrative expenses of
30 medicaid audit and fraud prevention.
31
32 PERSONAL SERVICE
33
34 Personal service--regular 245,000
35 -----
36
37 NONPERSONAL SERVICE
38
39 Fringe benefits 109,000
40 Indirect costs 10,000
41 -----
42 Amount available for nonpersonal service.. 119,000
43 -----
44 Program account subtotal 364,000
45 -----
46
47 MAINTENANCE UNDISTRIBUTED 0
48 -----
49
50 General Fund / State Operations
51 State Purposes Account - 003
52
53 Less the amount appropriated as an offset
54 from the special revenue funds - other,
55 miscellaneous special revenue fund - 339,
56 recoveries and revenue account. Notwith-
57 standing any contrary provision of law,
58 this offset shall reduce general fund
59 appropriations within the medicaid audit
60

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	and fraud prevention program of the office	
2	of medicaid inspector general funded from	
3	the state purposes account	(3,700,000)
4		-----
5	Program account subtotal	(3,700,000)
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Miscellaneous Special Revenue Fund - 339	
10	Recoveries and Revenue Account	
11		
12	Amount appropriated as an offset to the	
13	general fund - state purposes account of	
14	the office of medicaid inspector general.	
15	The director of the budget is hereby	
16	authorized to apportion funds to the medi-	
17	caid audit and fraud prevention program of	
18	this agency from this appropriation by	
19	certificate of approval	3,700,000
20		-----
21	Program account subtotal	3,700,000
22		-----
23		
24	OFFICE OF WELFARE INSPECTOR GENERAL PROGRAM	1,655,000
25		-----
26		
27	General Fund / State Operations	
28	State Purposes Account - 003	
29		
30	For services and expenses associated with	
31	the office of the welfare inspector gener-	
32	al:	
33		
34	PERSONAL SERVICE	
35		
36	Personal service--regular	445,000
37		-----
38	Program account subtotal	445,000
39		-----
40		
41	Special Revenue Funds - Other / State Operations	
42	Miscellaneous Special Revenue Fund - 339	
43	Administrative Reimbursement Account	
44		
45	For services and expenses associated with	
46	the office of the welfare inspector gener-	
47	al:	
48		
49	PERSONAL SERVICE	
50		
51	Personal service--regular	479,000
52		-----
53		
54	NONPERSONAL SERVICE	
55		
56	Supplies and materials	25,000
57	Travel	28,000
58	Contractual services	408,000
59	Equipment	39,000
60		

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Fringe benefits	211,000	
2	Indirect costs	20,000	
3		-----	
4	Amount available for nonpersonal service..	731,000	
5		-----	
6	Program account subtotal	1,210,000	
7		-----	
8			
9	Total new appropriations for state operations and aid to		
10	localities		92,745,000
11			=====
12			

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 MEDICAID AUDIT AND FRAUD PREVENTION 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 2008:
7 Notwithstanding any other provision of law, the money hereby
8 appropriated may be increased or decreased by interchange, with any
9 appropriation of the office of medicaid inspector general, and may
10 be increased or decreased by transfer or suballocation between these
11 appropriated amounts and appropriations of the department of health,
12 office of mental health, office of mental retardation and develop-
13 mental disabilities and office of alcoholism and substance abuse
14 services with the approval of the director of the budget, who shall
15 file such approval with the department of audit and control and
16 copies thereof with the chairman of the senate finance committee and
17 the chairman of the assembly ways and means committee.
18 For services and expenses related to the medicaid fraud and abuse
19 program ... 50,610,000 (re. \$50,610,000)
20
21 Total reappropriations for state operations and aid to
22 localities 50,610,000
23 =====
24

DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	Special Revenue Funds - Other	600,000,000	0
6		-----	-----
7	All Funds	600,000,000	0
8		=====	=====

9
10 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

11					
12		State	Aid to	Capital	
13	Fund Type	Operations	Localities	Projects	Total
14	-----	-----	-----	-----	-----
15	SR-Other	600,000,000	0	0	600,000,000
16		-----	-----	-----	-----
17	All Funds	600,000,000	0	0	600,000,000
18		=====	=====	=====	=====

19
20 SCHEDULE

21
22 Special Revenue Funds - Other / State Operations
23 Miscellaneous Special Revenue Fund - 339
24 Mental Hygiene Patient Income Account
25

26 Amount appropriated for the various offices
27 of the department of mental hygiene and
28 for employee fringe benefits of any other
29 state agency. The director of the budget
30 is hereby authorized to transfer funds to
31 the office of mental health, office of
32 mental retardation and developmental dis-
33 abilities, and office of alcoholism and
34 substance abuse services of the department,
35 or to the general fund from this appro-
36 priation by certificate of approval 300,000,000
37 -----
38 Program account subtotal 300,000,000
39 -----
40

41 Special Revenue Funds - Other / State Operations
42 Miscellaneous Special Revenue Fund - 339
43 Mental Hygiene Program Fund Account
44

45 Amount appropriated for the various offices
46 of the department of mental hygiene and
47 for employee fringe benefits of any other
48 state agency. The director of the budget
49 is hereby authorized to transfer funds to
50 the office of mental health, office of
51 mental retardation and developmental dis-
52 abilities, and office of alcoholism and
53 substance abuse services of the depart-
54 ment, or to the general fund from this
55 appropriation by certificate of approval.. 300,000,000
56 -----
57 Program account subtotal 300,000,000
58 -----
59

60 Total new appropriations for state operations and aid to
61 localities 600,000,000
62 =====

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
2		
3		
4		
5	General Fund - State and Local	422,500
6	Special Revenue Funds - Federal	197,915,000
7	Special Revenue Funds - Other	0
8	Capital Projects Funds	328,454,000
9		-----
10	All Funds	526,791,500
11		=====

12
13 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
17	-----	-----	-----	-----
18	GF-St/Local	0	141,780,000	0
19	SR-Federal	6,445,000	135,473,000	0
20	SR-Other	128,271,000	184,079,000	0
21	Cap Proj	0	0	98,883,000
22		-----	-----	-----
23	All Funds	134,716,000	461,332,000	98,883,000
24		=====	=====	=====

25
26 SCHEDULE

27
28 COMMUNITY TREATMENT SERVICES PROGRAM 374,398,000
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 2009 or July 1, 2009 and for advances for
52 the period beginning January 1, 2010.

53 Notwithstanding the mental hygiene law or
54 any other provision of law, rule or regu-
55 lation to the contrary, the commissioner,
56 with the approval of the director of the
57 budget, may contract directly with volun-
58 tary agencies that are receiving, or are
59 eligible to receive, state aid from this
60 appropriation, and/or provide state aid

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 from this appropriation to such voluntary
2 agencies through a state aid funding
3 authorization letter with local govern-
4 mental units. The commissioner, pursuant
5 to such contract and/or funding authori-
6 zation letter, may pay from this appropri-
7 ation all or a portion of the expenses
8 incurred by such voluntary agencies aris-
9 ing out of loans obtained from the
10 proceeds of bonds and notes issued by the
11 dormitory authority of the state of New
12 York or another authorized entity approved
13 by the division of the budget. Such
14 expenses may include, but shall not be
15 limited to, amounts relating to principal
16 and interest and any other fees and charg-
17 es arising from such loans.

18 Notwithstanding any other provision of law,
19 subject to the approval of the director of
20 the budget, a portion of the money appro-
21 priated herein may be made available for
22 obligations and payments heretofore or
23 hereafter accrued by the department of
24 health for community alcoholism, chemical
25 dependence, and substance abuse treatment
26 services, including the state share of
27 medical assistance payments.

28 Notwithstanding any inconsistent provision
29 of law, a portion of the money appropri-
30 ated herein may be made available for
31 transfer to the department of health for
32 the state share of disproportionate share
33 payments to voluntary nonprofit general
34 hospitals pursuant to chapter 119 of the
35 laws of 1997, as amended.

36 Notwithstanding any inconsistent provisions
37 of law, moneys from this appropriation may
38 be used for expenses of localities,
39 nonprofit and for-profit agencies that may
40 arise from the assumption of operational
41 responsibilities for programs when operat-
42 ing certificates for such programs cease
43 to be in effect and/or programs are placed
44 into receivership pursuant to section
45 19.41 of the mental hygiene law.

46 Notwithstanding any contrary provision of
47 law, a portion of the amounts appropriated
48 herein shall be available for expenditure
49 in accordance with the provisions of part
50 C of chapter 57 of the laws of 2006, for
51 those programs eligible under paragraph
52 (iii) of subdivision 4 of section 1 of
53 such part.

54 Notwithstanding any contrary provision of
55 law, a portion of the amounts appropriated
56 herein shall be available for services and
57 expenses to assist parolees in obtaining
58 substance abuse treatment, housing and
59 employment pursuant to a plan prepared by
60 the executive director of the division of

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 parole and the commissioner of the office
2 of alcoholism and substance abuse services
3 and approved by the director of the budg-
4 et, and may be transferred to any other
5 state agency for implementing such plan.
6 Notwithstanding any inconsistent provision
7 of law, including section 1 of part C of
8 chapter 57 of the laws of 2006, as amended
9 by section 2 of part I of chapter 58 of
10 the laws of 2008, for the period
11 commencing on January 1, 2009 the
12 commissioner shall: (i) apply a one
13 percent reduction to the amount in effect
14 on December 31, 2008 for the purpose of
15 establishing rates of payments, contracts
16 or any other form of reimbursement, and
17 (ii) not apply any cost of living
18 adjustment for the period beginning April
19 1, 2009 and ending March 31, 2010 for the
20 purpose of establishing rates of payments,
21 contracts or any other form of
22 reimbursement.
23 Notwithstanding any inconsistent provision
24 of law, including section 41.23 of the
25 mental hygiene law, no unified services
26 plan shall be approved and no funding
27 shall be available for unified services
28 for the period beginning January 1, 2009
29 and ending March 31, 2010.
30 No expenditure shall be made for such
31 program until a certificate of allocation
32 has been approved by the director of the
33 budget and copies thereof filed with the
34 state comptroller and chairs of the senate
35 finance committee and the assembly ways
36 and means committee.
37 Notwithstanding any provision of law to the
38 contrary, the commissioner of the office
39 of alcoholism and substance abuse services
40 shall be authorized to continue contracts
41 which were executed on or before March 31,
42 2009 with entities providing services for
43 problem gambling and chemical dependency
44 prevention, treatment and recovery
45 services, without any additional require-
46 ments that such contracts be subject to
47 competitive bidding, a request for
48 proposal process or other administrative
49 procedures.
50 Notwithstanding any other provision of law,
51 the money hereby appropriated may be
52 transferred to state operations and/or
53 any appropriation of the office of alco-
54 holism and substance abuse services, with
55 the approval of the director of the budget
56 who shall file such approval with the
57 department of audit and control and copies
58 thereof with the chairman of the senate
59 finance committee and the chairman of the
60 assembly ways and means committee.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 The state comptroller is hereby authorized
2 to receive funds from the office of alco-
3 holism and substance abuse services that
4 were returned from providers in the
5 current fiscal year in respect of a
6 settlement of local assistance funds from
7 prior fiscal years and is authorized to
8 refund such moneys to the credit of the
9 local assistance account of the general
10 fund for the purpose of reimbursing the
11 2009-10 appropriation.
12 Funds appropriated herein shall be available
13 in accordance with the following:
14 For services and expenses related to problem
15 gambling and chemical dependence
16 outpatient and chemotherapy services 105,500,000
17 For services and expenses of chemical
18 dependence treatment and case management
19 services for the diversion of felony
20 offenders from prison to treatment,
21 distributed through a competitive process
22 in consultation with the division of
23 criminal justice services 3,500,000
24 For the state share of medical assistance
25 payments for outpatient services and the
26 state share of disproportionate share
27 payments 32,780,000
28 -----
29 Program account subtotal 141,780,000
30 -----
31
32 Special Revenue Funds - Federal / Aid to Localities
33 Federal Health and Human Services Fund - 265
34
35 For services and expenses of prevention,
36 intervention, and treatment programs
37 provided by the SAPT block grants.
38 Notwithstanding any inconsistent provision
39 of law, a portion of the funds hereby
40 appropriated may, subject to the approval
41 of the director of the budget, be trans-
42 ferred to state operations and/or any
43 appropriation of the office of alcoholism
44 and substance abuse services consistent
45 with the terms and conditions of the SAPT
46 block grant award.
47 Notwithstanding any provision of law to the
48 contrary, the commissioner of the office
49 of alcoholism and substance abuse services
50 shall be authorized to continue contracts
51 which were executed on or before March 31,
52 2009 with entities providing services for
53 problem gambling and chemical dependency
54 prevention, treatment and recovery
55 services, without any additional require-
56 ments that such contracts be subject to
57 competitive bidding, a request for
58 proposal process or other administrative
59 procedures 81,058,000
60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For services and expenses associated with
 2 federal grant awards yet to be allocated
 3 by the federal department of health and
 4 human services. Notwithstanding any incon-
 5 sistent provision of law, the director of
 6 the budget is hereby authorized to trans-
 7 fer appropriation authority contained
 8 herein to state operations and/or any
 9 appropriation of the office of alcoholism
 10 and substance abuse services 5,000,000
 11 -----
 12 Program fund subtotal 86,058,000
 13 -----

14
 15 Special Revenue Funds - Federal / Aid to Localities
 16 Federal Operating Grants Fund - 290
 17

18 For services and expenses related to home-
 19 less grants. Subject to a plan approved by
 20 the director of the budget, the amount
 21 appropriated herein may be made available
 22 to other state agencies for services and
 23 expenses related to federal homeless
 24 grants. The director of the budget is
 25 hereby authorized to transfer appropri-
 26 ation authority contained herein to state
 27 operations and/or any appropriation of the
 28 office of alcoholism and substance abuse
 29 services and/or any other federal fund in
 30 which federal homeless grants are actually
 31 received 11,000,000

32 For services and expenses associated with
 33 federal grant awards yet to be allocated.
 34 Notwithstanding any inconsistent provision
 35 of law, the director of the budget is
 36 hereby authorized to transfer appropri-
 37 ation authority contained herein to state
 38 operations and/or any appropriation of the
 39 office of alcoholism and substance abuse
 40 services 5,000,000

41 For services and expenses related to enforc-
 42 ing the underage drinking laws program
 43 grant. Notwithstanding any inconsistent
 44 provision of law, a portion of the funds
 45 hereby appropriated may, subject to the
 46 approval of the director of the budget, be
 47 transferred to state operations and/or any
 48 appropriation of the office of alcoholism
 49 and substance abuse services consistent
 50 with the terms of the federal award 360,000
 51 -----

52 Program fund subtotal 16,360,000
 53 -----

54
 55 Special Revenue Funds - Other / Aid to Localities
 56 Miscellaneous Special Revenue Fund - 339
 57 Mental Hygiene Program Fund Account
 58

59 For payment, net of disallowances, of state
 60 financial assistance in accordance with

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 the mental hygiene law related to treat-
2 ment services.
3 Notwithstanding any other provisions of law,
4 no payment shall be made from this appro-
5 priation until the recipient agency has
6 demonstrated that it has applied for and
7 received, or received formal notification
8 of refusal of, all forms of third-party
9 reimbursement, including federal aid and
10 patient fees. The moneys hereby appropri-
11 ated are available to reimburse or advance
12 to localities and voluntary nonprofit
13 agencies for expenditures heretofore
14 accrued or hereafter to accrue during
15 local fiscal periods commencing January 1,
16 2009 or July 1, 2009 and for advances for
17 the period beginning January 1, 2010.
18 Notwithstanding the mental hygiene law or
19 any other provision of law, rule or regu-
20 lation to the contrary, the commissioner,
21 with the approval of the director of the
22 budget, may contract directly with volun-
23 tary agencies that are receiving, or are
24 eligible to receive, state aid from this
25 appropriation, and/or provide state aid
26 from this appropriation to such voluntary
27 agencies through a state aid funding
28 authorization letter with local govern-
29 mental units. The commissioner, pursuant
30 to such contract and/or funding authori-
31 zation letter, may pay from this appropri-
32 ation all or a portion of the expenses
33 incurred by such voluntary agencies aris-
34 ing out of loans obtained from the
35 proceeds of bonds and notes issued by the
36 dormitory authority of the state of New
37 York or another authorized entity approved
38 by the division of the budget. Such
39 expenses may include, but shall not be
40 limited to, amounts relating to principal
41 and interest and any other fees and charg-
42 es arising from such loans.
43 Notwithstanding any inconsistent provisions
44 of law, moneys from this appropriation may
45 be used for expenses of localities,
46 nonprofit and for-profit agencies that may
47 arise from the assumption of operational
48 responsibilities for programs when operat-
49 ing certificates for such programs cease
50 to be in effect and/or programs are placed
51 into receivership pursuant to section
52 19.41 of the mental hygiene law.
53 Notwithstanding any contrary provision of
54 law, a portion of the amounts appropriated
55 herein shall be available for expenditure
56 in accordance with the provisions of part
57 C of chapter 57 of the laws of 2006, for
58 those programs eligible under paragraph
59 (iii) of subdivision 4 of section 1 of
60 such part.

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Notwithstanding any contrary provision of
2 law, a portion of the amounts appropriated
3 herein shall be available for services and
4 expenses to assist parolees in obtaining
5 substance abuse treatment, housing and
6 employment pursuant to a plan prepared by
7 the executive director of the division of
8 parole and the commissioner of the office
9 of alcoholism and substance abuse services
10 and approved by the director of the budg-
11 et, and may be transferred to any other
12 state agency for implementing such plan.

13 Notwithstanding any inconsistent provision
14 of law, including section 1 of part C of
15 chapter 57 of the laws of 2006, as amended
16 by section 2 of part I of chapter 58 of
17 the laws of 2008, for the period
18 commencing on January 1, 2009 the
19 commissioner shall: (i) apply a one
20 percent reduction to the amount in effect
21 on December 31, 2008 for the purpose of
22 establishing rates of payments, contracts
23 or any other form of reimbursement, and
24 (ii) not apply any cost of living
25 adjustment for the period beginning April
26 1, 2009 and ending March 31, 2010 for the
27 purpose of establishing rates of payments,
28 contracts or any other form of
29 reimbursement.

30 No expenditure shall be made for such
31 program until a certificate of allocation
32 has been approved by the director of the
33 budget and copies thereof filed with the
34 state comptroller and chairs of the senate
35 finance committee and the assembly ways
36 and means committee.

37 Notwithstanding any provision of law to the
38 contrary, the commissioner of the office
39 of alcoholism and substance abuse services
40 shall be authorized to continue contracts
41 which were executed on or before March 31,
42 2009 with entities providing services for
43 problem gambling and chemical dependency
44 prevention, treatment and recovery
45 services, without any additional require-
46 ments that such contracts be subject to
47 competitive bidding, a request for
48 proposal process or other administrative
49 procedures.

50 Notwithstanding any other provision of law,
51 the money hereby appropriated may be
52 transferred to state operations and/or any
53 appropriation of the office of alcoholism
54 and substance abuse services, with the
55 approval of the director of the budget who
56 shall file such approval with the depart-
57 ment of audit and control and copies ther-
58 eof with the chairman of the senate
59 finance committee and the chairman of the
60 assembly ways and means committee.

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 The state comptroller is hereby authorized
 2 and directed to loan money in accordance
 3 with the provisions set forth in subdivi-
 4 sion 5 of section 4 of the state finance
 5 law to the mental hygiene program fund
 6 account.

7 The state comptroller is hereby authorized
 8 to receive funds from the office of alco-
 9 holism and substance abuse services that
 10 were returned from providers in the
 11 current fiscal year in respect of a
 12 settlement of local assistance funds from
 13 prior fiscal years and is authorized to
 14 refund such moneys to the credit of this
 15 fund for the purpose of reimbursing the
 16 2009-10 appropriation.

17 Funds appropriated herein shall be available
 18 in accordance with the following:

19 For services and expenses related to inpa-	
20 tient rehabilitation services	200,000
21 For services and expenses related to resi-	
22 dential services.....	89,500,000
23 For services and expenses related to crisis	
24 services	16,000,000
25 For services and expenses of chemical	
26 dependence treatment and case management	
27 services for the diversion of felony	
28 offenders from prison to treatment,	
29 distributed through a competitive process	
30 in consultation with the division of	
31 criminal justice services	500,000
32 For expenses related to debt service	
33 payments for capital projects funded by	
34 the proceeds of bonds and notes issued by	
35 the dormitory authority of the state of	
36 New York	24,000,000
37	-----
38 Program account subtotal	130,200,000
39	-----
40	
41 EXECUTIVE DIRECTION PROGRAM	62,976,000
42	-----
43	
44 Special Revenue Funds - Federal / State Operations	
45 Federal Health and Human Services Fund - 265	
46	
47 For services and expenses associated with	
48 administering the substance abuse	
49 prevention and treatment (SAPT) block	
50 grant.	
51 Notwithstanding any inconsistent provision	
52 of law, a portion of the funds hereby	
53 appropriated may, subject to the approval	
54 of the director of the budget, be trans-	
55 ferred to local assistance and/or any	
56 appropriation of the office of alcoholism	
57 and substance abuse services consistent	
58 with the terms and conditions of the SAPT	
59 block grant award.	
60	

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Personal service	3,578,000
2	Nonpersonal service	977,000
3		-----
4	Program fund subtotal	4,555,000
5		-----
6		
7	Special Revenue Funds - Federal / State Operations	
8	Federal Department of Education Fund - 267	
9		
10	For services and expenses associated with	
11	the administration of the federal safe and	
12	drug free schools and communities act	
13	consistent with the terms and conditions	
14	of the federal award.	
15	Notwithstanding any inconsistent provision	
16	of law, a portion of the funds hereby	
17	appropriated may, subject to the approval	
18	of the director of the budget, be trans-	
19	ferred to local assistance and/or any	
20	appropriation of the office of alcoholism	
21	and substance abuse services consistent	
22	with the terms of the federal award	147,000
23		-----
24	Program fund subtotal	147,000
25		-----
26		
27	Special Revenue Funds - Federal / State Operations	
28	Federal Operating Grants Fund - 290	
29	Statewide Data Collection Account	
30		
31	For services and expenses related to the	
32	statewide data collection program as	
33	mandated in the 1988 federal anti-drug	
34	abuse act.	
35	Notwithstanding any inconsistent provision	
36	of law, moneys hereby appropriated may,	
37	subject to the approval of the director of	
38	the budget, be transferred to local	
39	assistance and/or any appropriation of the	
40	office of alcoholism and substance abuse	
41	services	543,000
42		-----
43	Program account subtotal	543,000
44		-----
45		
46	Special Revenue Funds - Other / State Operations	
47	Miscellaneous Special Revenue Fund - 339	
48	Credentialing Services Account	
49		
50	For services and expenses related to the	
51	credentialing of prevention, alcohol and	
52	substance abuse, and problem gambling	
53	counselors.	
54	Notwithstanding any inconsistent provision	
55	of law, moneys hereby appropriated may,	
56	subject to the approval of the director of	
57	the budget, be transferred to local	
58	assistance and/or any appropriation of the	
59	office of alcoholism and substance abuse	
60	services.	

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1		
2	PERSONAL SERVICE	
3		
4	Personal service--regular	626,000
5	Holiday/overtime compensation	5,000
6		-----
7	Amount available for personal service	631,000
8		-----
9		
10	NONPERSONAL SERVICE	
11		
12	Fringe benefits	303,000
13	Indirect costs	25,000
14	Contractual services	3,000
15		-----
16	Amount available for nonpersonal service..	331,000
17		-----
18	Program account subtotal	962,000
19		-----

20
 21 Special Revenue Funds - Other / State Operations
 22 Miscellaneous Special Revenue Fund - 339
 23 Mental Hygiene Program Fund Account
 24

25 Notwithstanding any other provision of law,
 26 the money hereby appropriated may be
 27 transferred to local assistance and/or any
 28 appropriation of the office of alcoholism
 29 and substance abuse services, and may be
 30 increased or decreased by transfer or
 31 suballocation between these appropriated
 32 amounts and appropriations of the depart-
 33 ment of health, the office of medicaid
 34 inspector general, the office of mental
 35 health, and the office of mental retarda-
 36 tion and developmental disabilities with
 37 the approval of the director of the budget
 38 who shall file such approval with the
 39 department of audit and control and copies
 40 thereof with the chairman of the senate
 41 finance committee and the chairman of the
 42 assembly ways and means committee.

43 The state comptroller is hereby authorized
 44 and directed to loan money in accordance
 45 with the provisions set forth in subdivi-
 46 sion 5 of section 4 of the state finance
 47 law to the mental hygiene program fund
 48 account.

49 Notwithstanding section 11 of title A of
 50 article 2 of the civil service law, this
 51 appropriation and all positions funded by
 52 it shall be exempt from the provisions of
 53 said section pertaining to the assessment,
 54 computation and payment of the fractional
 55 share of administration expenses charged
 56 by the state department of civil service,
 57 nor shall the office of alcoholism and
 58 substance abuse services make payments for
 59 any such assessment of expenses of

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 administration from funds available on or
2 after April 1, 2009.

PERSONAL SERVICE

3		
4		
5		
6	Personal service--regular	25,795,000
7	Temporary service	130,000
8	Holiday/overtime compensation	75,000
9		-----
10	Amount available for personal service	26,000,000
11		-----

NONPERSONAL SERVICE

12		
13		
14		
15	Supplies and materials	1,200,000
16	Travel	750,000
17	Contractual services	8,352,000
18	Equipment	300,000
19	Indirect costs	1,100,000
20	Fringe benefits	16,697,000
21		-----
22	Amount available for nonpersonal service..	28,399,000
23		-----
24	Program account subtotal	54,399,000
25		-----

26
27 Special Revenue Funds - Other / State Operations
28 Miscellaneous Special Revenue Fund - 339
29 Methadone Registry Services Account

30
31 For services and expenses related to the
32 operation of methadone services and a
33 patient registry for the prevention of
34 simultaneous enrollment in multiple metha-
35 done treatment programs.
36 Notwithstanding any inconsistent provision
37 of law, moneys hereby appropriated may,
38 subject to the approval of the director of
39 the budget, be transferred to local
40 assistance and/or any appropriation of the
41 office of alcoholism and substance abuse
42 services.

NONPERSONAL SERVICE

43		
44		
45		
46	Contractual services	300,000
47		-----
48	Program account subtotal	300,000
49		-----

50
51 Special Revenue Funds - Other / State Operations
52 Miscellaneous Special Revenue Fund - 339
53 Special Projects Account

54
55 For services and expenses related to special
56 projects.
57 Notwithstanding any inconsistent provision
58 of law, moneys hereby appropriated may,
59 subject to the approval of the director of
60 the budget, be transferred to local

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 assistance and/or any appropriation of the
 2 office of alcoholism and substance abuse
 3 services.
 4 Notwithstanding any other provision of law,
 5 up to \$2,000,000 of this appropriation
 6 shall be made available for services and
 7 expenses to support amounts for adminis-
 8 tration, research associates, equipment,
 9 travel, conference expenses, contractual
 10 services, grant writers to increase income
 11 from non-state sources, and other research
 12 initiatives. Funding will be provided
 13 through research foundation for mental
 14 hygiene, inc. resources, including, but
 15 not limited to, indirect costs recoveries,
 16 direct grant reimbursement, interest earn-
 17 ings and operating balances.

18
 19 NONPERSONAL SERVICE

20		
21	Supplies and materials	15,000
22	Travel	5,000
23	Contractual services	2,050,000
24		-----
25	Program account subtotal	2,070,000
26		-----

27
 28 INSTITUTIONAL SERVICES 71,740,000
 29 -----
 30

31 Special Revenue Funds - Federal / State Operations
 32 Federal Health and Human Services Fund - 265
 33

34 For services and expenses associated with
 35 administering the substance abuse
 36 prevention and treatment (SAPT) block
 37 grant.

38 Notwithstanding any inconsistent provision
 39 of law, a portion of the funds hereby
 40 appropriated may, subject to the approval
 41 of the director of the budget, be trans-
 42 ferred to local assistance and/or any
 43 appropriation of the office of alcoholism
 44 and substance abuse services consistent
 45 with the terms and conditions of the SAPT
 46 block grant award.

47		
48	Personal service	865,000
49	Nonpersonal service	335,000
50		-----
51	Program fund subtotal	1,200,000
52		-----

53
 54 Special Revenue Funds - Other / State Operations
 55 Miscellaneous Special Revenue Fund - 339
 56 Mental Hygiene Program Fund Account
 57

58 Notwithstanding any other provision of law,
 59 the money hereby appropriated may be
 60 transferred to local assistance and/or any

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 appropriation of the office of alcoholism
 2 and substance abuse services, with the
 3 approval of the director of the budget who
 4 shall file such approval with the depart-
 5 ment of audit and control and copies ther-
 6 eof with the chairman of the senate
 7 finance committee and the chairman of the
 8 assembly ways and means committee. The
 9 state comptroller is hereby authorized and
 10 directed to loan money in accordance with
 11 the provisions set forth in subdivision 5
 12 of section 4 of the state finance law to
 13 the mental hygiene program fund account.
 14 Notwithstanding section 11 of title A of
 15 article 2 of the civil service law, this
 16 appropriation and all positions funded by
 17 it shall be exempt from the provisions of
 18 said section pertaining to the assessment,
 19 computation and payment of the fractional
 20 share of administration expenses charged
 21 by the state department of civil service,
 22 nor shall the office of alcoholism and
 23 substance abuse services make payments for
 24 any such assessment of expenses of
 25 administration from funds available on or
 26 after April 1, 2009.

PERSONAL SERVICE

30	Personal service--regular	19,736,000
31	Temporary service	575,000
32	Holiday/overtime compensation	689,000
33		-----
34	Amount available for personal service	21,000,000
35		-----

NONPERSONAL SERVICE

39	Supplies and materials	5,900,000
40	Travel	290,000
41	Contractual services	9,400,000
42	Equipment	410,000
43	Indirect costs	840,000
44	Fringe benefits	10,500,000
45		-----
46	Amount available for nonpersonal service..	27,340,000
47		-----
48	Program account subtotal	48,340,000
49		-----

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

54
 55 Notwithstanding any other provision of law,
 56 the money hereby appropriated may be
 57 transferred to local assistance and/or any
 58 appropriation of the office of alcoholism
 59 and substance abuse services, with the
 60 approval of the director of the budget who

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 shall file such approval with the depart-
 2 ment of audit and control and copies ther-
 3 eof with the chairman of the senate
 4 finance committee and the chairman of the
 5 assembly ways and means committee. The
 6 state comptroller is hereby authorized and
 7 directed to loan money in accordance with
 8 the provisions set forth in subdivision 5
 9 of section 4 of the state finance law to
 10 the mental hygiene patient income account.
 11 Notwithstanding section 11 of title A of
 12 article 2 of the civil service law, this
 13 appropriation and all positions funded by
 14 it shall be exempt from the provisions of
 15 said section pertaining to the assessment,
 16 computation and payment of the fractional
 17 share of administration expenses charged
 18 by the state department of civil service,
 19 nor shall the office of alcoholism and
 20 substance abuse services make payments for
 21 any such assessment of expenses of
 22 administration from funds available on or
 23 after April 1, 2009.

PERSONAL SERVICE

27 Personal service--regular 15,000,000

28 -----

NONPERSONAL SERVICE

32 Indirect costs 600,000

33 Fringe benefits 6,600,000

34 -----

35 Amount available for nonpersonal service.. 7,200,000

36 -----

37 Program account subtotal 22,200,000

38 -----

40 PREVENTION AND PROGRAM SUPPORT 86,934,000

41 -----

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

46 For services and expenses related to
 47 prevention, intervention and treatment
 48 programs provided by the substance abuse
 49 prevention and treatment (SAPT) block
 50 grant.

51 Notwithstanding any inconsistent provision
 52 of law, a portion of the funds hereby
 53 appropriated may, subject to the approval
 54 of the director of the budget, be trans-
 55 ferred to state operations and/or any
 56 appropriation of the office of alcoholism
 57 and substance abuse services consistent
 58 with the terms and conditions of the SAPT
 59 block grant award.

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Notwithstanding any provision of law to the
2 contrary, the commissioner of the office
3 of alcoholism and substance abuse services
4 shall be authorized to continue contracts
5 which were executed on or before March 31,
6 2009 with entities providing services for
7 problem gambling and chemical dependency
8 prevention, treatment and recovery
9 services, without any additional require-
10 ments that such contracts be subject to
11 competitive bidding, a request for
12 proposal process or other administrative
13 procedures 28,300,000

14 -----
15 Program fund subtotal 28,300,000
16 -----
17

18 Special Revenue Funds - Federal / Aid to Localities
19 Federal Department of Education Fund - 267

20
21 For services and expenses related to
22 prevention from the federal safe and drug-
23 free schools and communities act consist-
24 ent with the terms and conditions of the
25 federal award.

26 Notwithstanding any inconsistent provision
27 of law, moneys hereby appropriated may,
28 subject to the approval of the director of
29 the budget, be transferred to state
30 operations and/or any appropriation of the
31 office of alcoholism and substance abuse
32 services.

33 Notwithstanding any provision of law to the
34 contrary, the commissioner of the office
35 of alcoholism and substance abuse services
36 shall be authorized to continue contracts
37 which were executed on or before March 31,
38 2009 with entities providing services for
39 problem gambling and chemical dependency
40 prevention, treatment and recovery
41 services, without any additional require-
42 ments that such contracts be subject to
43 competitive bidding, a request for
44 proposal process or other administrative
45 procedures 4,755,000

46 -----
47 Program fund subtotal 4,755,000
48 -----
49

50 Special Revenue Funds - Other / Aid to Localities
51 Miscellaneous Special Revenue Fund - 339
52 Mental Hygiene Program Fund Account

53
54 For payment, net of disallowances, of state
55 financial assistance in accordance with
56 the mental hygiene law related to problem
57 gambling and chemical dependency school
58 and community-based prevention, education,
59 and recovery programs, and program
60 support.

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Notwithstanding any other provisions of law,
2 no payment shall be made from this appro-
3 priation until the recipient agency has
4 demonstrated it has applied for and
5 received, or received formal notification
6 of refusal of, all forms of third-party
7 reimbursement, including federal aid and
8 patient fees. The moneys hereby appropri-
9 ated are available to reimburse or advance
10 to localities and voluntary nonprofit
11 agencies for expenditures heretofore
12 accrued or hereafter to accrue during
13 local fiscal periods commencing January 1,
14 2009 or July 1, 2009 and for advances for
15 the period beginning January 1, 2010.

16 Notwithstanding the mental hygiene law or
17 any other provision of law, rule or regu-
18 lation to the contrary, the commissioner,
19 with the approval of the director of the
20 budget, may contract directly with volun-
21 tary agencies that are receiving, or are
22 eligible to receive state aid from this
23 appropriation, and/or provide state aid
24 from this appropriation to such voluntary
25 agencies through a state aid funding
26 authorization letter with local govern-
27 mental units.

28 No expenditure shall be made for such
29 program until a certificate of allocation
30 has been approved by the director of the
31 budget and copies thereof filed with the
32 state comptroller and chairs of the senate
33 finance committee and the assembly ways
34 and means committee.

35 Notwithstanding any other provision of law,
36 the money hereby appropriated may be
37 transferred to state operations and/or any
38 appropriation of the office of alcoholism
39 and substance abuse services, with the
40 approval of the director of the budget who
41 shall file such approval with the depart-
42 ment of audit and control and copies ther-
43 eof with the chairman of the senate
44 finance committee and the chairman of the
45 assembly ways and means committee. The
46 state comptroller is hereby authorized and
47 directed to loan money in accordance with
48 the provisions set forth in subdivision 5
49 of section 4 of the state finance law to
50 the mental hygiene program fund account.

51 The state comptroller is hereby authorized
52 to receive funds from the office of alco-
53 holism and substance abuse services that
54 were returned from providers in the
55 current fiscal year in respect of a
56 settlement of local assistance funds from
57 prior fiscal years and is authorized to
58 refund such moneys to the credit of this
59 fund for the purpose of reimbursing the
60 2009-10 appropriation.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Notwithstanding any contrary provision of
 2 law, a portion of the amounts appropriated
 3 herein shall be available for expenditure
 4 in accordance with the provisions of part
 5 C of chapter 57 of the laws of 2006, for
 6 those programs eligible under paragraph
 7 (iii) of subdivision 4 of section 1 of
 8 such part.

9 Notwithstanding any inconsistent provision
 10 of law, including section 1 of part C of
 11 chapter 57 of the laws of 2006, as amended
 12 by section 2 of part I of chapter 58 of
 13 the laws of 2008, for the period
 14 commencing on January 1, 2009 the
 15 commissioner shall: (i) apply a one
 16 percent reduction to the amount in effect
 17 on December 31, 2008 for the purpose of
 18 establishing rates of payments, contracts
 19 or any other form of reimbursement, and
 20 (ii) not apply any cost of living
 21 adjustment for the period beginning April
 22 1, 2009 and ending March 31, 2010 for the
 23 purpose of establishing rates of payments,
 24 contracts or any other form of
 25 reimbursement.

26 Notwithstanding any provision of law to the
 27 contrary, the commissioner of the office
 28 of alcoholism and substance abuse services
 29 shall be authorized to continue contracts
 30 which were executed on or before March 31,
 31 2009 with entities providing services for
 32 problem gambling and chemical dependency
 33 prevention and treatment services, without
 34 any additional requirements that such
 35 contracts be subject to competitive
 36 bidding, a request for proposal process or
 37 other administrative procedures 46,000,000

38 -----
 39 Program account subtotal 46,000,000
 40 -----

41
 42 Special Revenue Fund - Other / Aid to Localities
 43 Miscellaneous Special Revenue Fund - 339
 44 License Plate Account

45
 46 For services and expenses related to
 47 prevention efforts targeted at youth.
 48 Notwithstanding any inconsistent provision
 49 of law, moneys hereby appropriated may,
 50 subject to the approval of the director of
 51 the budget, be transferred to state
 52 operations and/or any appropriation of the
 53 office of alcoholism and substance abuse
 54 services 39,000

55 -----
 56 Program account subtotal 39,000
 57 -----
 58

DEPARTMENT OF MENTAL HYGIENE
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1		
2	Special Revenue Funds - Other / Aid to Localities	
3	Chemical Dependence Service Fund - 346	
4		
5	For services and expenses of community chem-	
6	ical dependence treatment and prevention	
7	services programs including services and	
8	expenses related to staff training, evalu-	
9	ation, and workforce development activ-	
10	ities.	
11	Notwithstanding any provision of law, rule	
12	or regulation to the contrary, a portion	
13	of this appropriation related to enforce-	
14	ment action fine and/or levy moneys may be	
15	made available to localities and nonprofit	
16	and for-profit agencies for payment of	
17	expenses for facilities operating under a	
18	receivership pursuant to section 19.41 of	
19	the mental hygiene law. Such funds may	
20	also be transferred to state operations	
21	and/or any appropriation of the office of	
22	alcoholism and substance abuse services	
23	and appropriations of the department of	
24	health, the office of medicaid inspector	
25	general, the office of mental health, and	
26	the office of mental retardation and	
27	developmental disabilities with the	
28	approval of the director of the budget who	
29	shall file such approval with the depart-	
30	ment of audit and control and copies ther-	
31	eof with the chairman of the senate	
32	finance committee and the chairman of the	
33	assembly ways and means committee	7,840,000
34		-----
35	Program fund subtotal	7,840,000
36		-----
37		
38	Total new appropriations for state operations and aid to	
39	localities	596,048,000
40		=====
41		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 COMMUNITY TREATMENT SERVICES PROGRAM

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48
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59
60

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008, is hereby amended and reappropriated to read:

For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:

- North Country Behavioral Network, Inc. [117,500] 62,500 (re. \$62,500)
- Cattaraugus County Council on Alcoholism and Substance Abuse [70,500] 37,500 (re. \$37,500)
- New York Council on Problem Gambling [112,800] 60,000 (re. \$60,000)
- Alcohol and Drug Dependency Services, Inc. [188,000] 100,000 (re. \$100,000)
- Our Lady of Lourdes Memorial Hospital, Inc. [282,000] 150,000 (re. \$150,000)
- Institute for the Professional Development in the Addictions [23,500] 12,500 (re. \$12,500)

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

By chapter 54, section 1, of the laws of 2008:

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services 5,000,000 (re. \$5,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2008, is hereby amended and reappropriated to read:

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

[Notwithstanding any inconsistent provision of law, up to \$2,800,000 of this appropriation may be transferred and/or suballocated, pursuant to memoranda of understanding between the office of alcoholism and substance abuse services and the department of health and the department of correctional services, respectively, which addresses how such funds contribute to required set-asides of the block grant, to the following agencies: up to \$1,400,000 to the AIDS institute of the department of health for the provision of primary health care services for persons enrolled in drug treatment programs; and up to \$1,400,000 to the department of correctional services for treatment and counseling costs.]

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 gambling and chemical dependency prevention and treatment services,
 2 without any additional requirements that such contracts be subject
 3 to competitive bidding, a request for proposal process or other
 4 administrative procedures ... 81,058,000 (re. \$72,137,000)
 5

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

9 By chapter 54, section 1, of the laws of 2007:
 10 For services and expenses of prevention, intervention, and treatment
 11 programs provided by the SAPT block grants.

12 Notwithstanding any inconsistent provision of law, up to \$2,800,000 of
 13 this appropriation may be transferred, pursuant to memoranda of
 14 understanding between the office of alcoholism and substance abuse
 15 services and the department of health and the department of correc-
 16 tional services, respectively, which addresses how such funds
 17 contribute to required set-asides of the block grant, to the follow-
 18 ing agencies: up to \$1,400,000 to the AIDS institute of the depart-
 19 ment of health for the provision of primary health care services for
 20 persons enrolled in drug treatment programs; and up to \$1,400,000 to
 21 the department of correctional services for treatment and counseling
 22 costs.

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

30 Notwithstanding any provision of law to the contrary, the commissioner
 31 of the office of alcoholism and substance abuse services shall be
 32 authorized to continue contracts which were executed on or before
 33 March 31, 2007 with entities providing services for compulsive
 34 gambling and chemical dependency prevention and treatment services,
 35 without any additional requirements that such contracts be subject
 36 to competitive bidding, a request for proposal process or other
 37 administrative procedures.

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

41 For grants beginning prior to April 1, 2007
 42 57,553,000 (re. \$372,000)
 43 For grants beginning on or after April 1, 2007
 44 23,500,000 (re. \$23,500,000)

45 For services and expenses associated with federal block grant awards
 46 yet to be allocated by the federal department of health and human
 47 services. Notwithstanding any inconsistent provision of law, the
 48 director of the budget is hereby authorized to transfer appropri-
 49 ation authority contained herein to any other federal fund or
 50 program within the office of alcoholism and substance abuse services
 51 for aid to localities, administrative and support services, includ-
 52 ing fringe benefits, associated with the federal block grant.

53 For grants beginning prior to April 1, 2007
 54 5,000,000 (re. \$4,996,000)
 55
 56

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

3
4 By chapter 54, section 1, of the laws of 2008:

5 For services and expenses related to homeless grants. Subject to a
6 plan approved by the director of the budget, the amount appropriated
7 herein may be made available to other state agencies for services
8 and expenses related to federal homeless grants. The director of the
9 budget is hereby authorized to transfer appropriation authority
10 contained herein to any other federal fund in which federal homeless
11 grants are actually received ... 11,000,000 (re. \$10,940,000)

12 For services and expenses associated with federal grant awards yet to
13 be allocated. Notwithstanding any inconsistent provision of law, the
14 director of the budget is hereby authorized to transfer
15 appropriation authority contained herein to state operations and/or
16 any appropriation of the office of alcoholism and substance abuse
17 services ... 5,000,000 (re. \$5,000,000)

18 For services and expenses related to enforcing the underage drinking
19 laws program grant.

20 Notwithstanding any inconsistent provision of law, a portion of the
21 funds hereby appropriated may, subject to the approval of the
22 director of the budget, be transferred to state operations and/or
23 any appropriation of the office of alcoholism and substance abuse
24 services consistent with the terms of the federal award
25 360,000 (re. \$350,000)

26
27 By chapter 54, section 1, of the laws of 2007:

28 For services and expenses related to homeless grants. Subject to a
29 plan approved by the director of the budget, the amount appropriated
30 herein may be made available to other state agencies for services
31 and expenses related to federal homeless grants. The director of the
32 budget is hereby authorized to transfer appropriation authority
33 contained herein to any other federal fund in which federal homeless
34 grants are actually received.

35 For grants beginning prior to April 1, 2007
36 11,000,000 (re. \$8,806,000)

37 For services and expenses related to enforcing the underage drinking
38 laws program grant.

39 Notwithstanding any inconsistent provision of law, a portion of the
40 funds hereby appropriated may, subject to the approval of the direc-
41 tor of the budget, be transferred to state operations in the office
42 of alcoholism and substance abuse services consistent with the terms
43 of the federal award for administrative and support services,
44 including fringe benefits, associated with this grant.

45 For grants beginning on or after April 1, 2007
46 360,000 (re. \$350,000)

47
48 By chapter 54, section 1, of the laws of 2006:

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, 2005 to September 30, 2010
57 11,000,000 (re. \$6,799,000)

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

60

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 Notwithstanding any inconsistent provision of law, a portion of the
 2 funds hereby appropriated may, subject to the approval of the direc-
 3 tor of the budget, be transferred to state operations in the office
 4 of alcoholism and substance abuse services consistent with the terms
 5 of the federal award for administrative and support services,
 6 including fringe benefits, associated with this grant.
 7 For the grant period June 1, 2006 to May 31, 2008
 8 360,000 (re. \$91,000)

9
 10 By chapter 54, section 1, of the laws of 2005:
 11 For services and expenses related to homeless grants. Subject to a
 12 plan approved by the director of the budget, the amount appropriated
 13 herein may be made available to other state agencies for services
 14 and expenses related to federal homeless grants. The director of the
 15 budget is hereby authorized to transfer appropriation authority
 16 contained herein to any other federal fund in which federal homeless
 17 grants are actually received.
 18 For the grant period October 1, 2004 to September 30, 2009
 19 11,000,000 (re. \$6,603,000)

20
 21 By chapter 54, section 1, of the laws of 2004:
 22 For services and expenses related to homeless grants. Subject to a
 23 plan approved by the director of the budget, the amount appropriated
 24 herein may be made available to other state agencies for services
 25 and expenses related to federal homeless grants. The director of the
 26 budget is hereby authorized to transfer appropriation authority
 27 contained herein to any other federal fund in which federal homeless
 28 grants are actually received.
 29 For the grant period October 1, 2003 to September 30, 2008
 30 11,000,000 (re. \$6,085,000)

31
 32 By chapter 54, section 1, of the laws of 2003:
 33 For services and expenses related to homeless grants
 34 For the grant period October 1, 1998 to September 30, 2007
 35 11,000,000 (re. \$6,812,000)

36
 37 EXECUTIVE DIRECTION PROGRAM
 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 2008:
 43 For services and expenses associated with administering the substance
 44 abuse prevention and treatment (SAPT) block grant.
 45 Personal service ... 3,578,000 (re. \$2,800,000)
 46 Nonpersonal service ... 977,000 (re. \$484,000)
 47
 48 Special Revenue Funds - Federal / State Operations
 49 Federal Department of Education Fund - 267

50
 51 By chapter 54, section 1, of the laws of 2008:
 52 For services and expenses associated with the administration of the
 53 federal safe and drug free schools and communities act consistent
 54 with the terms and conditions of the federal award
 55 147,000 (re. \$147,000)
 56
 57 Special Revenue Funds - Federal / State Operations
 58 Federal Operating Grants Fund - 290
 59 Statewide Data Collection Account

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
 2 For services and expenses related to the statewide data collection
 3 program as mandated in the 1988 federal anti-drug abuse act
 4 543,000 (re. \$543,000)
 5

6 INSTITUTIONAL SERVICES

7
 8 Special Revenue Funds - Federal / State Operations
 9 Federal Health and Human Services Fund - 265
 10

11 By chapter 54, section 1, of the laws of 2008:
 12 For services and expenses associated with administering the substance
 13 abuse prevention and treatment (SAPT) block grant.
 14 Personal service ... 865,000 (re. \$600,000)
 15 Nonpersonal service ... 335,000 (re. \$192,000)
 16

17 PREVENTION AND PROGRAM SUPPORT

18
 19 Special Revenue Funds - Federal / Aid to Localities
 20 Federal Health and Human Services Fund - 265
 21

22 By chapter 54, section 1, of the laws of 2008:
 23 For services and expenses related to prevention, intervention and
 24 treatment programs provided by the substance abuse prevention and
 25 treatment (SAPT) block grant. Notwithstanding any inconsistent
 26 provision of law, moneys hereby appropriated may, subject to the
 27 approval of the director of the budget, be transferred to state
 28 operations and/or any appropriation of the office of alcoholism and
 29 substance abuse services.
 30 Notwithstanding any provision of law to the contrary, the commissioner
 31 of the office of alcoholism and substance abuse services shall be
 32 authorized to continue contracts which were executed on or before
 33 March 31, 2008 with entities providing services for compulsive
 34 gambling and chemical dependency prevention and treatment services,
 35 without any additional requirements that such contracts be subject
 36 to competitive bidding, a request for proposal process or other
 37 administrative procedures ... 28,300,000 (re. \$21,462,000)
 38

39 By chapter 54, section 1, of the laws of 2007:
 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. Notwithstanding any incon-
 43 sistent provision of law, the director of the budget is hereby
 44 authorized to transfer appropriation authority contained herein to
 45 any other federal fund or program within the office of alcoholism
 46 and substance abuse services for aid to localities, administrative
 47 and support services, including fringe benefits, associated with the
 48 awarded grant.
 49 For grants beginning prior to April 1, 2007
 50 5,000,000 (re. \$4,633,000)
 51

52 Special Revenue Funds - Federal / Aid to Localities
 53 Federal Department of Education Fund - 267
 54

55 By chapter 54, section 1, of the laws of 2008:
 56 For services and expenses related to prevention from the federal safe
 57 and drug-free schools and communities act consistent with the terms
 58 and conditions of the federal award.
 59

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 Notwithstanding any provision of law to the contrary, the commissioner
 2 of the office of alcoholism and substance abuse services shall be
 3 authorized to continue contracts which were executed on or before
 4 March 31, 2008 with entities providing services for compulsive
 5 gambling and chemical dependency prevention and treatment services,
 6 without any additional requirements that such contracts be subject
 7 to competitive bidding, a request for proposal process or other
 8 administrative procedures ... 4,755,000 (re. \$4,755,000)
 9

10 By chapter 54, section 1, of the laws of 2007:
 11 For services and expenses related to prevention from the federal safe
 12 and drug-free schools and communities act consistent with the terms
 13 and conditions of the federal award.
 14 Notwithstanding any provision of law to the contrary, the commissioner
 15 of the office of alcoholism and substance abuse services shall be
 16 authorized to continue contracts which were executed on or before
 17 March 31, 2007 with entities providing services for compulsive
 18 gambling and chemical dependency prevention and treatment services,
 19 without any additional requirements that such contracts be subject
 20 to competitive bidding, a request for proposal process or other
 21 administrative procedures.
 22 For grants beginning on or after April 1, 2007
 23 4,755,000(re. \$3,888,000)
 24
 25 Special Revenue Funds - Federal / Aid to Localities
 26 Federal Block Grant Fund - 269
 27

28 By chapter 54, section 1, of the laws of 2007:
 29 For services and expenses related to prevention, intervention and
 30 treatment programs provided by the substance abuse prevention and
 31 treatment (SAPT) block grant. Notwithstanding any inconsistent
 32 provision of law, moneys hereby appropriated may, subject to the
 33 approval of the director of the budget, be transferred to the commu-
 34 nity treatment services program of the office of alcoholism and
 35 substance abuse services.
 36 Notwithstanding any provision of law to the contrary, the commissioner
 37 of the office of alcoholism and substance abuse services shall be
 38 authorized to continue contracts which were executed on or before
 39 March 31, 2007 with entities providing services for compulsive
 40 gambling and chemical dependency prevention and treatment services,
 41 without any additional requirements that such contracts be subject
 42 to competitive bidding, a request for proposal process or other
 43 administrative procedures.
 44 For grants beginning on or after April 1, 2007
 45 2,200,000 (re. \$570,000)
 46

47 Total reappropriations for state operations and aid to
 48 localities 198,337,500
 49 =====
 50

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 CAPITAL PROJECTS 2009-10

1 For the comprehensive construction programs, purposes and
 2 projects as herein specified in accordance with the
 3 following:
 4

5 Capital Projects Fund	10,837,000
6 Mental Hygiene Capital Improvement Fund - 389	88,046,000
7	-----
8 All Funds	98,883,000
9	=====
10	
11 ADMINISTRATION PROGRAM (CCP)	1,277,000
12	-----
13	
14 Capital Projects Fund	
15	
16 Administration Purpose	
17	
18 For payment of personal service and	
19 nonpersonal service including fringe	
20 benefits related to the administration	
21 of capital projects provided by the	
22 office of alcoholism and substance abuse	
23 services from new and reappropriated	
24 funds (53A10950).....	1,277,000
25	
26 COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP) .	89,356,000
27	-----
28	
29 Capital Projects Fund	
30	
31 Minor Rehabilitation Purpose	
32	
33 For minor alterations and improvements to	
34 various facilities, including the	
35 payment of liabilities incurred prior to	
36 April 1, 2009, provided, however, that	
37 no expenditures may be made from this	
38 appropriation until a comprehensive plan	
39 of projects has been approved by the	
40 director of the budget (53030989)	4,810,000
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 acquisi-	
49 tion 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 (53030903) ..	42,273,000
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,	

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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 (53AA0907)..... 42,273,000
9
10 DESIGN AND CONSTRUCTION SUPERVISION (CCP) 3,500,000
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 (53A60930)..... 3,000,000
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 (53060930) 500,000
46
47 INSTITUTIONAL SERVICES PROGRAM (CCP) 4,000,000
48 -----
49
50 Capital Projects Fund
51
52 Minor Rehabilitation Purpose
53
54 For minor alterations and improvements to
55 various facilities, including the
56 payment of liabilities incurred prior to
57 April 1, 2009, provided, however, that
58 no expenditures may be made from this
59 appropriation until a comprehensive plan
60

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 CAPITAL PROJECTS 2009-10

1	of projects has been approved by the		
2	director of the budget (53HD0989).....		1,000,000
3			
4	Mental Hygiene Capital Improvement Fund - 389		
5			
6	Preservation of Facilities Purpose		
7			
8	For alterations and improvements for pres-		
9	ervation of various facilities including		
10	rehabilitation projects, provided,		
11	however, that no expenditures may be		
12	made from this appropriation until a		
13	comprehensive plan of projects has been		
14	approved by the director of the budget.		
15	This appropriation may be used for the		
16	cost of potential claims against		
17	contracts awarded by the dormitory		
18	authority of the state of New York. Upon		
19	request of the commissioner of the		
20	office of alcoholism and substance abuse		
21	services and approval by the director of		
22	the budget, this appropriation may be		
23	transferred to the dormitory authority		
24	of the state of New York (53A20903)		3,000,000
25			
26	NON-BONDABLE PROJECTS (CCP)		750,000
27			-----
28			
29	Capital Projects Fund		
30			
31	Non-Bondable Purpose		
32			
33	For transfer to the Mental Hygiene Capital		
34	Improvement Fund for reimbursement of		
35	the non-bondable cost of community		
36	facilities authorized by appropriations		
37	or reappropriations funded from the		
38	Mental Hygiene Capital Improvement Fund		
39	including liabilities incurred prior to		
40	April 1, 2009 or for payment to the		
41	dormitory authority of the state of New		
42	York for defeasance of bonds. Upon		
43	request of the commissioner of the		
44	office of alcoholism and substance abuse		
45	services and approval by the director of		
46	the budget, this appropriation may be		
47	transferred to the dormitory authority		
48	of the state of New York (53NB09NB)		750,000
49			

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

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 2008:

8 For minor alterations and improvements to various facilities,
9 including the payment of liabilities incurred prior to April 1,
10 2008, provided, however, that no expenditures may be made from this
11 appropriation until a comprehensive plan of projects has been
12 approved by the director of the budget (53030889)
13 4,810,000 (re. \$4,810,000)

14

15 By chapter 54, section 1, of the laws of 2007:

16 For minor alterations and improvements to various facilities, includ-
17 ing the payment of liabilities incurred prior to April 1, 2007,
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 (53030789)
21 4,810,000 (re. \$4,810,000)

22

23 By chapter 54, section 1, of the laws of 2006:

24 For minor alterations and improvements to various facilities, includ-
25 ing the payment of liabilities incurred prior to April 1, 2006,
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 (53030689)
29 4,810,000 (re. \$4,810,000)

30

31 By chapter 54, section 1, of the laws of 2005:

32 For minor alterations and improvements to various facilities, includ-
33 ing the payment of liabilities incurred prior to April 1, 2005,
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 (53030589)
37 5,310,000 (re. \$5,310,000)

38

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

40 For minor alterations and improvements to various facilities, includ-
41 ing the payment of liabilities incurred prior to April 1, 2004,
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 (53030489)
45 5,310,000 (re. \$3,292,000)

46

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

48 For minor alterations and improvements to various facilities, includ-
49 ing the payment of liabilities incurred prior to April 1, 2003,
50 provided, however, that no expenditures may be made from this appro-
51 priation until a comprehensive plan of projects has been approved by
52 the director of the budget (53030389)
53 5,310,000 (re. \$443,000)

54

55

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 Mental Hygiene Capital Improvement Fund - 389
2
3 Preservation of Facilities Purpose
4
5 By chapter 54, section 1, of the laws of 2008:
6 For alterations and improvements for preservation of various
7 facilities including rehabilitation projects and the acquisition of
8 property, provided, however, that no expenditures may be made from
9 this appropriation until a comprehensive plan of projects has been
10 approved by the director of the budget (53030803)
11 42,273,000 (re. \$42,273,000)
12
13 By chapter 54, section 1, of the laws of 2007:
14 For alterations and improvements for preservation of various facili-
15 ties including rehabilitation projects and the acquisition of prop-
16 erty, provided, however, that no expenditures may be made from this
17 appropriation until a comprehensive plan of projects has been
18 approved by the director of the budget (53030703)
19 27,423,000 (re. \$26,668,000)
20
21 By chapter 54, section 1, of the laws of 2006:
22 For alterations and improvements for preservation of various facili-
23 ties including rehabilitation projects and the acquisition of prop-
24 erty, provided, however, that no expenditures may be made from this
25 appropriation until a comprehensive plan of projects has been
26 approved by the director of the budget (53030603)
27 17,243,000 (re. \$10,343,000)
28
29 By chapter 54, section 1, of the laws of 2005:
30 For alterations and improvements for preservation of various facili-
31 ties including rehabilitation projects and the acquisition of prop-
32 erty, provided, however, that no expenditures may be made from this
33 appropriation until a comprehensive plan of projects has been
34 approved by the director of the budget (53030503)
35 13,125,000 (re. \$6,800,000)
36
37 New Facilities Purpose
38
39 By chapter 54, section 1, of the laws of 2008:
40 For the acquisition of property, design, construction and extensive
41 rehabilitation of facilities for the purpose of delivering chemical
42 dependence services, pursuant to the mental hygiene law. No
43 expenditure shall be made from this appropriation until a spending
44 plan for proposed projects has been submitted by the commissioner of
45 the office of alcoholism and substance abuse services and approved
46 by the director of the budget (53AA0807)
47 66,273,000 (re. \$66,273,000)
48
49 By chapter 54, section 1, of the laws of 2007:
50 For the acquisition of property, design, construction and extensive
51 rehabilitation of facilities for the purpose of delivering chemical
52 dependence services, pursuant to the mental hygiene law. No expendi-
53 ture shall be made from this appropriation until a spending plan for
54 proposed projects has been submitted by the commissioner of the
55 office of alcoholism and substance abuse services and approved by
56 the director of the budget (53AA0707)
57 27,423,000 (re. \$19,492,000)
58 For the acquisition of property, design, construction and rehabili-
59 tation of 100 community residential treatment beds in Suffolk and
60 Nassau counties, to be developed for operation by voluntary-operated

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 or local government operated chemical dependency treatment provid-
 2 ers. Notwithstanding any other inconsistent provision of law, the
 3 moneys hereby appropriated may support up to 100 percent of approved
 4 capital costs of such chemical dependency facilities. Notwithstand-
 5 ing any other inconsistent provision of law, and subject to approval
 6 of the director of the budget, funds from this appropriation may be
 7 paid to the dormitory authority of the state of New York or the
 8 office of general services to the design and construction management
 9 account pursuant to one or more certificates approved by the direc-
 10 tor of the budget for purposes of carrying out the projects provided
 11 for herein. No expenditure shall be made from this appropriation
 12 until a spending plan for the proposed projects has been submitted
 13 by the commissioner of the office of alcoholism and substance abuse
 14 services and approved by the director of the budget (53010707)
 15 26,600,000 (re. \$26,600,000)

16 For the acquisition of property, design, construction and rehabili-
 17 tation of 100 intensive residential and/or community residential
 18 beds for veterans, to be developed for operation by voluntary-oper-
 19 ated or local government operated chemical dependency treatment
 20 providers. Notwithstanding any other inconsistent provision of law,
 21 the moneys hereby appropriated may support up to 100 percent of
 22 approved capital costs of such chemical dependency facilities. Notwith-
 23 standing any other inconsistent provision of law, and subject
 24 to approval of the director of the budget, funds from this appropri-
 25 ation may be paid to the dormitory authority of the state of New
 26 York or the office of general services to the design and
 27 construction management account pursuant to one or more certificates
 28 approved by the director of the budget for purposes of carrying out
 29 the projects provided for herein. No expenditure shall be made from
 30 this appropriation until a spending plan for the proposed projects
 31 has been submitted by the commissioner of the office of alcoholism
 32 and substance abuse services and approved by the director of the
 33 budget (53020707) ... 25,400,000 (re. \$25,400,000)
 34

35 By chapter 54, section 1, of the laws of 2006:

36 For the acquisition of property, design, construction and extensive
 37 rehabilitation of facilities for the purpose of delivering chemical
 38 dependence services, pursuant to the mental hygiene law. No expendi-
 39 ture shall be made from this appropriation until a spending plan for
 40 proposed projects has been submitted by the commissioner of the
 41 office of alcoholism and substance abuse services and approved by
 42 the director of the budget (53AA0607)
 43 17,243,000 (re. \$12,371,000)

44 For the acquisition of property design, construction and rehabili-
 45 tation of 108 beds for adolescents and/or women and their children,
 46 to be developed for operation by voluntary-operated or local govern-
 47 ment operated chemical dependency treatment providers. Notwith-
 48 standing any other inconsistent provision of the law, the moneys
 49 hereby appropriated may support up to 100 percent of approved capi-
 50 tal costs of such chemical dependency facilities. Notwithstanding
 51 any other inconsistent provision of the law, and subject to approval
 52 of the director of the budget, funds from this appropriation may be
 53 paid to the dormitory authority of the state of New York or the
 54 office of general services to the design and construction management
 55 account pursuant to one or more certificates approved by the direc-
 56 tor of the budget for purposes of carrying out the projects provided
 57 for herein. No expenditure shall be made from this appropriation
 58 until a spending plan for the proposed projects has been submitted
 59 by the commissioner of the office of alcoholism and substance abuse
 60

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1 services and approved by the director of the budget (53010607)
2 24,900,000 (re. \$22,899,000)

3
4 By chapter 54, section 1, of the laws of 2005:

5 For the acquisition of property, design, construction and extensive
6 rehabilitation of facilities for the purpose of delivering chemical
7 dependence services, pursuant to the mental hygiene law. No expendi-
8 ture shall be made from this appropriation until a spending plan for
9 proposed projects has been submitted by the commissioner of the
10 office of alcoholism and substance abuse services and approved by
11 the director of the budget (53AA0507)
12 13,125,000 (re. \$5,636,000)

13
14 By chapter 54, section 1, of the laws of 2004:

15 For the acquisition of property, design, construction and extensive
16 rehabilitation of facilities for the purpose of delivering chemical
17 dependence services, pursuant to the mental hygiene law. No expendi-
18 ture shall be made from this appropriation until a spending plan for
19 proposed projects has been submitted by the commissioner of the
20 office of alcoholism and substance abuse services and approved by
21 the director of the budget (53AA0407)
22 12,970,000 (re. \$8,844,000)

23
24 By chapter 54, section 1, of the laws of 2003:

25 For the acquisition of property, design, construction and extensive
26 rehabilitation of facilities for the purpose of delivering chemical
27 dependence services, pursuant to the mental hygiene law. No expendi-
28 ture shall be made from this appropriation until a spending plan for
29 proposed projects has been submitted by the commissioner of the
30 office of alcoholism and substance abuse services and approved by
31 the director of the budget (53AA0307)
32 12,970,000 (re. \$4,549,000)

33
34 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

35
36 Capital Projects Fund

37
38 Preparation of Plans Purpose

39
40 By chapter 54, section 1, of the laws of 2008:

41 For payment to the design and construction management account of the
42 centralized services fund of the New York state office of general
43 services or to the dormitory authority of the state of New York for
44 the purpose of preparation and review of plans, specifications,
45 estimates, services, construction management and supervision,
46 inspection, studies, appraisals, surveys, testing and environmental
47 impact statements for new projects (53A60830)
48 2,000,000 (re. \$2,000,000)

49
50 By chapter 54, section 1, of the laws of 2007:

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 (53A60730)
58 2,000,000 (re. \$412,000)

59 For: (1) the payment of all claims for personal injury, death or prop-
60 erty damage for which the New York State Medical Care Facilities

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1 Finance Agency, the facilities development corporation, or the
 2 dormitory authority of the state of New York might be liable occur-
 3 ring upon, in or about any projects covered by the Agreement of
 4 Lease entered into by the facilities development corporation, the
 5 department of mental hygiene and the New York State Medical Care
 6 Facilities Finance Agency under date of October 1, 1987 as from time
 7 to time amended and supplemented and any and all penalties, costs,
 8 including attorneys' fees, claims, demands and causes of action due
 9 directly or indirectly to the use, disuse, misuse or interest in
 10 such projects; (2) in the case of damage, loss or destruction of any
 11 such project, or any part of any such project, the payment of the
 12 costs of repairing, restoring, rebuilding or replacing the same in
 13 accordance with the obligations of the facilities development corpo-
 14 ration so to do from the proceeds of insurance under the provisions
 15 of paragraph (b) of section 3.04 of the Agreement of Lease; and (3)
 16 payments to the New York State Medical Care Facilities Finance Agen-
 17 cy of moneys at the times and in the amounts that annual rentals
 18 would be due with respect to each project during such time or times
 19 as each such project may be damaged or destroyed and not available
 20 for use by the department of mental hygiene in accordance with the
 21 terms of the Agreement of Lease.

22 Notwithstanding the provisions of any general or special law, the
 23 facilities development corporation may assign to the New York State
 24 Medical Care Facilities Finance Agency all or any portion of the
 25 moneys hereby appropriated for the purposes hereinabove set forth.
 26 Notwithstanding the foregoing, in the event the appropriation is
 27 insufficient to cover the losses, upon notification from the facili-
 28 ties development corporation, the director of the budget shall
 29 submit a request for additional appropriations to cover the addi-
 30 tional losses. Upon approval by the director of the budget, funds
 31 from this appropriation may be transferred to the office of mental
 32 health and the office of mental retardation and developmental disa-
 33 bilities for payment to the dormitory authority of the state of New
 34 York for the preparation of plans purpose (53WC0730)
 35 2,000,000 (re. \$2,000,000)
 36

37 By chapter 54, section 1, of the laws of 2006:
 38 For payment to the design and construction management account of the
 39 centralized services fund of the New York state office of general
 40 services or to the dormitory authority of the state of New York for
 41 the purpose of preparation and review of plans, specifications,
 42 estimates, services, construction management and supervision,
 43 inspection, studies, appraisals, surveys, testing and environmental
 44 impact statements for new projects (53A60630)
 45 2,000,000 (re. \$48,000)
 46

47 Mental Hygiene Capital Improvement Fund - 389

48
49 Preparation of Plans Purpose

50
51 By chapter 54, section 1, of the laws of 2008:
 52 For payment to the design and construction management account of the
 53 centralized services fund of the New York state office of general
 54 services or to the dormitory authority of the state of New York for
 55 the purpose of preparation and review of plans, specifications,
 56 estimates, services, construction management and supervision,
 57 inspection, studies, appraisals, surveys, testing and environmental
 58 impact statements for new projects (53060830)
 59 500,000 (re. \$500,000)
 60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

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 2008:

8 For minor alterations and improvements to various facilities,
9 including the payment of liabilities incurred prior to April 1,
10 2008, provided, however, that no expenditures may be made from this
11 appropriation until a comprehensive plan of projects has been
12 approved by the director of the budget (53HD0889)
13 500,000 (re. \$500,000)

14

15 By chapter 54, section 1, of the laws of 2007:

16 For minor alterations and improvements to various facilities, includ-
17 ing the payment of liabilities incurred prior to April 1, 2007,
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 (53HD0789)
21 500,000 (re. \$500,000)

22

23 By chapter 54, section 1, of the laws of 2006:

24 For minor alterations and improvements to various facilities, includ-
25 ing the payment of liabilities incurred prior to April 1, 2006,
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 (53HD0689)
29 500,000 (re. \$500,000)

30

31 By chapter 54, section 1, of the laws of 2005:

32 For minor alterations and improvements to various facilities, includ-
33 ing the payment of liabilities incurred prior to April 1, 2005,
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 (53HD0589)
37 500,000 (re. \$323,000)

38

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

40 For minor alterations and improvements to various facilities, includ-
41 ing the payment of liabilities incurred prior to April 1, 2004,
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 (53HD0489)
45 500,000 (re. \$352,000)

46

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

48 For minor alterations and improvements to various facilities, includ-
49 ing the payment of liabilities incurred prior to April 1, 2003,
50 provided, however, that no expenditures may be made from this appro-
51 priation until a comprehensive plan of projects has been approved by
52 the director of the budget (53HD0389)
53 500,000 (re. \$73,000)

54

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

56 For minor alterations and improvements to various facilities, includ-
57 ing the payment of liabilities incurred prior to April 1, 2002,
58 provided, however, that no expenditures may be made from this appro-
59 priation until a comprehensive plan of projects has been approved by

60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 the director of the budget (53HD0289)
2 500,000 (re. \$120,000)

3
4 By chapter 54, section 1, of the laws of 2001:

5 For minor alterations and improvements to various facilities, includ-
6 ing the payment of liabilities incurred prior to April 1, 2001,
7 provided, however, that no expenditures may be made from this appro-
8 priation until a comprehensive plan of projects has been approved by
9 the director of the budget (53HD0189)
10 500,000 (re. \$38,000)

11
12 By chapter 54, section 1, of the laws of 1999:

13 For minor alterations and improvements to various facilities, includ-
14 ing the payment of liabilities incurred prior to April 1, 1999,
15 provided, however, that no expenditures may be made from this appro-
16 priation until a comprehensive plan of projects has been approved by
17 the director of the budget (53HD9989)
18 1,000,000 (re. \$409,000)

19
20 Mental Hygiene Capital Improvement Fund - 389

21
22 Preservation of Facilities Purpose

23
24 By chapter 54, section 1, of the laws of 2008:

25 For alterations and improvements for preservation of various
26 facilities including rehabilitation projects, provided, however,
27 that no expenditures may be made from this appropriation until a
28 comprehensive plan of projects has been approved by the director of
29 the budget. This appropriation may be used for the cost of potential
30 claims against contracts awarded by the dormitory authority of the
31 state of New York. Upon request of the commissioner of the office of
32 alcoholism and substance abuse services and approval by the director
33 of the budget, this appropriation may be transferred to the
34 dormitory authority of the state of New York (53A20803)
35 3,000,000 (re. \$3,000,000)

36
37 By chapter 54, section 1, of the laws of 2007:

38 For alterations and improvements for preservation of various facili-
39 ties including rehabilitation projects, provided, however, that no
40 expenditures may be made from this appropriation until a comprehen-
41 sive plan of projects has been approved by the director of the budg-
42 et. This appropriation may be used for the cost of potential claims
43 against contracts awarded by the dormitory authority of the state of
44 New York. Upon request of the commissioner of the office of alcohol-
45 ism and substance abuse services and approval by the director of the
46 budget, this appropriation may be transferred to the dormitory
47 authority of the state of New York (53A20703)
48 1,000,000 (re. \$1,000,000)

49
50 By chapter 54, section 1, of the laws of 2006:

51 For alterations and improvements for preservation of various facili-
52 ties including rehabilitation projects, provided, however, that no
53 expenditures may be made from this appropriation until a comprehen-
54 sive plan of projects has been approved by the director of the budg-
55 et. This appropriation may be used for the cost of potential claims
56 against contracts awarded by the dormitory authority of the state of
57 New York. Upon request of the commissioner of the office of alcohol-
58 ism and substance abuse services and approval by the director of the
59 budget, this appropriation may be transferred to the dormitory
60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 authority of the state of New York (53A20603)
2 7,800,000 (re. \$7,800,000)
3

4 By chapter 54, section 1, of the laws of 2005:

5 For alterations and improvements for preservation of various facili-
6 ties including rehabilitation projects, provided, however, that no
7 expenditures may be made from this appropriation until a comprehen-
8 sive plan of projects has been approved by the director of the budg-
9 et. This appropriation may be used for the cost of potential claims
10 against contracts awarded by the dormitory authority of the state of
11 New York. Upon request of the commissioner of the office of alcohol-
12 ism and substance abuse services and approval by the director of the
13 budget, this appropriation may be transferred to the dormitory
14 authority of the state of New York (53A20503)
15 2,700,000 (re. \$1,855,000)
16

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

18 For alterations and improvements for preservation of various facili-
19 ties including rehabilitation projects, provided, however, that no
20 expenditures may be made from this appropriation until a comprehen-
21 sive plan of projects has been approved by the director of the budg-
22 et. This appropriation may be used for the cost of potential claims
23 against contracts awarded by the dormitory authority of the state of
24 New York or the facilities development corporation. Upon request of
25 the commissioner of the office of alcoholism and substance abuse
26 services and approval by the director of the budget, this appropri-
27 ation may be transferred to the dormitory authority of the state of
28 New York (53A20403) ... 1,000,000 (re. \$779,000)
29

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

31 For alterations and improvements for preservation of various facili-
32 ties including rehabilitation projects, provided, however, that no
33 expenditures may be made from this appropriation until a comprehen-
34 sive plan of projects has been approved by the director of the budg-
35 et. This appropriation may be used for the cost of potential claims
36 against contracts awarded by the dormitory authority of the state of
37 New York or the facilities development corporation. Upon request of
38 the commissioner of the office of alcoholism and substance abuse
39 services and approval by the director of the budget, this appropri-
40 ation may be transferred to the dormitory authority of the state of
41 New York (53PR0303) ... 1,000,000 (re. \$936,000)
42

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

44 For alterations and improvements for preservation of various facili-
45 ties including rehabilitation projects, provided, however, that no
46 expenditures may be made from this appropriation until a comprehen-
47 sive plan of projects has been approved by the director of the budg-
48 et. This appropriation may be used for the cost of potential claims
49 against contracts awarded by the dormitory authority of the state of
50 New York or the facilities development corporation. Upon request of
51 the commissioner of the office of alcoholism and substance abuse
52 services and approval by the director of the budget, this appropri-
53 ation may be transferred to the dormitory authority of the state of
54 New York (53PR0203) ... 2,000,000 (re. \$1,837,000)
55

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

57 For alterations and improvements for preservation of various facili-
58 ties including rehabilitation projects, provided, however, that no
59 expenditures may be made from this appropriation until a comprehen-
60 sive plan of projects has been approved by the director of the budg-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 et. This appropriation may be used for the cost of potential claims
 2 against contracts awarded by the dormitory authority of the state of
 3 New York or the facilities development corporation. Upon request of
 4 the commissioner of the office of alcoholism and substance abuse
 5 services and approval by the director of the budget, this appropri-
 6 ation may be transferred to the dormitory authority of the state of
 7 New York (53PR0103) ... 2,000,000 (re. \$1,063,000)

8
 9 By chapter 54, section 1, of the laws of 2000:
 10 For alterations and improvements for preservation of various facili-
 11 ties including rehabilitation projects, provided, however, that no
 12 expenditures may be made from this appropriation until a comprehen-
 13 sive plan of projects has been approved by the director of the budg-
 14 et. This appropriation may be used for the cost of potential claims
 15 against contracts awarded by the dormitory authority of the state of
 16 New York or the facilities development corporation. Upon request of
 17 the commissioner of the office of alcoholism and substance abuse
 18 services and approval by the director of the budget, this appropri-
 19 ation may be transferred to the dormitory authority of the state of
 20 New York (53PR0003) ... 1,937,000 (re. \$786,000)

21

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local	557,292,000	5,220,000
6	Special Revenue Funds - Federal	45,197,000	30,805,000
7	Special Revenue Funds - Other	2,620,378,000	0
8	Capital Projects Funds	576,543,000	1,553,418,000
9	Enterprise Funds	8,578,000	0
10	Internal Service Funds	2,782,000	0
11		-----	-----
12	All Funds	3,810,770,000	1,589,443,000
13		=====	=====

14

15 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

16					
17		State	Aid to	Capital	
18	Fund Type	Operations	Localities	Projects	Total
19	-----	-----	-----	-----	-----
20	GF-St/Local	0	557,292,000	0	557,292,000
21	SR-Federal	1,358,000	43,839,000	0	45,197,000
22	SR-Other	2,033,140,000	587,238,000	0	2,620,378,000
23	Cap Proj	0	0	576,543,000	576,543,000
24	Enterprise	8,578,000	0	0	8,578,000
25	Internal Srv	2,782,000	0	0	2,782,000
26		-----	-----	-----	-----
27	All Funds	2,045,858,000	1,188,369,000	576,543,000	3,810,770,000
28		=====	=====	=====	=====

29

30 SCHEDULE

31		
32	ADMINISTRATION AND FINANCE PROGRAM	117,011,000
33		-----
34		
35	Special Revenue Funds - Federal / State Operations	
36	Federal Health and Human Services Fund - 265	
37		
38	Personal service	814,000
39	Nonpersonal service	178,000
40	Fringe benefits	366,000
41		-----
42	Program fund subtotal	1,358,000
43		-----
44		
45	Special Revenue Funds - Other / State Operations	
46	Mental Hygiene Gifts and Donations Fund - 019	
47	Office of Mental Health Gifts and Donations Account	
48		
49	For nonpersonal service expenditures to	
50	benefit patients or for other purposes	
51	from investment income, private donations	
52	and other contributions.	
53		
54	NONPERSONAL SERVICE	
55		
56	Supplies and materials	200,000
57	Travel	35,000
58	Contractual services	125,000
59		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Equipment	140,000
2		-----
3	Program account subtotal	500,000
4		-----

5
6 Special Revenue Funds - Other / State Operations
7 Combined Gifts, Grants and Bequests Fund - 020
8 Office of Mental Health Grants and Bequests Account
9

10 For nonpersonal service expenditures to
11 benefit patients from bequests from
12 patients' families.

NONPERSONAL SERVICE

13		
14		
15		
16	Supplies and materials	70,000
17		-----
18	Program account subtotal	70,000
19		-----

20
21 Special Revenue Fund - Other / State Operations
22 Miscellaneous Special Revenue Fund - 339
23 Cook/Chill Account
24

25 For services and expenses related to the
26 operation of the cook/chill production
27 center at the Rockland psychiatric center.
28

NONPERSONAL SERVICE

29		
30		
31	Supplies and materials	1,650,000
32	Contractual services	1,650,000
33		-----
34	Program account subtotal	3,300,000
35		-----

36
37 Special Revenue Funds - Other / State Operations
38 Miscellaneous Special Revenue Fund - 339
39 Mental Hygiene Program Fund Account
40

41 Notwithstanding any other provision of law,
42 the money hereby appropriated may be
43 increased or decreased by interchange,
44 with any appropriation of the office of
45 mental health, and may be increased or
46 decreased by transfer or suballocation
47 between these appropriated amounts and
48 appropriations of the department of
49 health, the office of medicaid inspector
50 general, the office of mental retardation
51 and developmental disabilities, and the
52 office of alcoholism and substance abuse
53 services with the approval of the director
54 of the budget who shall file such approval
55 with the department of audit and control
56 and copies thereof with the chairman of
57 the senate finance committee and the
58 chairman of the assembly ways and means
59 committee. Notwithstanding any other
60 provision of law to the contrary, a

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 portion of this appropriation shall be
 2 available to the Research Foundation for
 3 Mental Hygiene, Inc. pursuant to a
 4 contract, subject to the approval of the
 5 director of the budget, to continue a
 6 study of the restructuring of financing of
 7 community-based mental health programs.

8 Notwithstanding any other provision of law,
 9 the money hereby appropriated may be
 10 transferred to local assistance and/or any
 11 appropriation of the office of mental
 12 health, with the approval of the director
 13 of the budget who shall file such approval
 14 with the department of audit and control
 15 and copies thereof with the chairman of
 16 the senate finance committee and the
 17 chairman of the assembly ways and means
 18 committee. Notwithstanding section 11 of
 19 title A of article 2 of the civil service
 20 law, this appropriation and all positions
 21 funded by it shall be exempt from the
 22 provisions of said section pertaining to
 23 the assessment, computation and payment of
 24 the fractional share of administration
 25 expenses charged by the state department
 26 of civil service, nor shall the office of
 27 mental health make payments for any such
 28 assessment of expenses of administration
 29 from funds available on or after April 1,
 30 2009. Notwithstanding any other provision
 31 of law to the contrary, funds appropriated
 32 under this program shall not be used for
 33 the payment of tolls at the Robert F.
 34 Kennedy bridge, for vehicles driven by
 35 persons commuting to and from work who are
 36 employed at facilities located on Ward's
 37 island operated by the department of
 38 mental hygiene. Notwithstanding any
 39 inconsistent provision of law, this
 40 appropriation is not available to support
 41 the development or production of separate
 42 reports pursuant to: (i) subdivisions (h)
 43 and (I) of section 41.55 of the mental
 44 hygiene law; (ii) section 20 of chapter
 45 723 of the laws of 1989; or (iii)
 46 subdivision (c) of section 7.15 of the
 47 mental hygiene law, for the period
 48 beginning April 1, 2009 and ending March
 49 31, 2010.

50 The state comptroller is hereby authorized
 51 and directed to loan money in accordance
 52 with the provisions set forth in
 53 subdivision 5 of section 4 of the state
 54 finance law to the mental hygiene program
 55 fund account.

56
 57 PERSONAL SERVICE

58

59 Personal service--regular	46,541,000
60 Temporary service	1,005,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Holiday/overtime compensation	288,000
2		-----
3	Amount available for personal service	47,834,000
4		-----
5		
6	NONPERSONAL SERVICE	
7		
8	Supplies and materials	2,088,000
9	Travel	1,717,000
10	Contractual services	23,158,000
11	Equipment	3,355,000
12	Fringe benefits	21,601,000
13	Indirect costs	670,000
14		-----
15	Amount available for nonpersonal service..	52,589,000
16		-----
17	Program account subtotal	100,423,000
18		-----
19		
20	Enterprise Funds / State Operations	
21	Mental Health Sheltered Workshop Account - 351	
22		
23	PERSONAL SERVICE	
24		
25	Temporary service	2,045,000
26		-----
27		
28	NONPERSONAL SERVICE	
29		
30	Supplies and materials	757,000
31	Travel	123,000
32	Contractual services	2,657,000
33	Equipment	257,000
34		-----
35	Amount available for nonpersonal service..	3,794,000
36		-----
37	Program account subtotal	5,839,000
38		-----
39		
40	Enterprise Funds / State Operations	
41	Mental Hygiene Community Stores Account - 353	
42		
43	PERSONAL SERVICE	
44		
45	Personal service--regular	587,000
46		-----
47		
48	NONPERSONAL SERVICE	
49		
50	Supplies and materials	1,679,000
51	Equipment	154,000
52	Fringe benefits	299,000
53	Indirect costs	20,000
54		-----
55	Amount available for nonpersonal service..	2,152,000
56		-----
57	Program account subtotal	2,739,000
58		-----
59		
60		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Internal Service Funds / State Operations	
2	Mental Hygiene Revolving Account - 343	
3		
4		
5		
6	PERSONAL SERVICE	
7	Personal service--regular	1,103,000
8		-----
9		
10	NONPERSONAL SERVICE	
11	Supplies and materials	461,000
12	Travel	7,000
13	Contractual services	388,000
14	Equipment	236,000
15	Fringe benefits	561,000
16	Indirect costs	26,000
17		-----
18	Amount available for nonpersonal service..	1,679,000
19		-----
20	Program account subtotal	2,782,000
21		-----
22		
23	ADULT SERVICES PROGRAM	2,324,042,000
24		-----
25		
26	General Fund / Aid to Localities	
27	Local Assistance Account - 001	
28		
29	For services and expenses of various adult	
30	community mental health services, includ-	
31	ing transfer to the department of health	
32	to reimburse the department for the state	
33	share of medical assistance for various	
34	community mental health services.	
35	For payment of state financial assistance,	
36	net of disallowances, for community mental	
37	health programs pursuant to article 41 and	
38	other provisions of the mental hygiene	
39	law. The moneys hereby appropriated for	
40	allocation to local governments and volun-	
41	tary agencies for services are available	
42	to reimburse or advance funds to local	
43	governments and voluntary agencies for	
44	expenditures made or to be made during	
45	local program years commencing January 1,	
46	2009 or July 1, 2009 and for advances for	
47	the period beginning January 1, 2010 for	
48	local governments and voluntary agencies	
49	with program years beginning January 1.	
50	Notwithstanding any other provision of law,	
51	and except for transfers to the department	
52	of health to reimburse the department for	
53	the state share of medical assistance	
54	payments and as modified below, this	
55	appropriation shall be available for obli-	
56	gations for the period commencing July 1,	
57	2009 and ending June 30, 2010 and shall be	
58	available for expenditure from July 1,	
59	2009 through September 15, 2010.	
60	An amount of this appropriation shall be	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 available for the development of a demon-
2 stration program pursuant to section 41.35
3 of the mental hygiene law, and notwith-
4 standing the provisions of any other law
5 to the contrary, for the purpose of test-
6 ing and evaluating new methods or arrange-
7 ments for organizing, financing, staffing
8 and providing services for persons with
9 serious mental illness, in one or more of
10 Chautauqua, Erie, Genesee, Monroe, Ononda-
11 ga and Wyoming counties.

12 Notwithstanding any provision of law to the
13 contrary, an amount of this appropriation
14 shall be available for expenditure,
15 including transfer to the department of
16 health to reimburse the department for the
17 state share of medical assistance payments
18 for various community mental health
19 services, in accordance with the
20 provisions of part C of chapter 57 of the
21 laws of 2006, for those programs eligible
22 under paragraph (i) of subdivision 4 of
23 section 1 of such part.

24 Notwithstanding any provision of law to the
25 contrary, the commissioner of the office
26 of mental health shall be authorized to
27 continue contracts which were executed on
28 or before March 31, 2009 with entities
29 providing services to persons with mental
30 illness, without any additional require-
31 ments that such contracts be subject to
32 competitive bidding, a request for
33 proposals process or other administrative
34 procedures.

35 No expenditures shall be made for such
36 program prior to the approval of a method-
37 ology for allocation in accordance with a
38 plan approved by the commissioner and the
39 director of the budget with copies to be
40 filed with the chairpersons of the senate
41 finance committee and assembly ways and
42 means committee. Furthermore, no expendi-
43 ture shall be made until a certificate of
44 allocation has been approved by the direc-
45 tor of the budget with copies to be filed
46 with the chairpersons of the senate
47 finance committee and the assembly ways
48 and means committee. The state comptroller
49 is hereby authorized to receive funds from
50 the office of mental health that were
51 returned from providers in the current
52 fiscal year in respect of a settlement of
53 local assistance funds from prior fiscal
54 years, and is authorized to refund such
55 moneys to the credit of the local assist-
56 ance account of the general fund for the
57 purpose of reimbursing the 2009-10 appro-
58 priation.

59 Notwithstanding any inconsistent provision
60 of law, including section 1 of part C of

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 chapter 57 of the laws of 2006, as amended
 2 by section 2 of part I of chapter 58 of
 3 the laws of 2008, for the period
 4 commencing on January 1, 2009 the
 5 commissioner shall (i) apply a one percent
 6 reduction to the amount in effect on
 7 December 31, 2008 for the purpose of
 8 establishing rates of payments, contracts
 9 or any other form of reimbursement and
 10 (ii) not apply any cost of living
 11 adjustment for the period beginning April
 12 1, 2009 and ending March 31, 2010, for the
 13 purpose of establishing rates of payments,
 14 contracts, or any other form of
 15 reimbursement.

16 Notwithstanding any inconsistent provision
 17 of law, including section 41.23 of the
 18 mental hygiene law, no unified services
 19 plan may be approved and no funding shall
 20 be available for unified services for the
 21 period beginning January 1, 2009 and
 22 ending March 31, 2010. Notwithstanding any
 23 other provision of law, the money hereby
 24 appropriated may be transferred to state
 25 operations and/or any appropriation of the
 26 office of mental health, and to other
 27 state agencies, authorities, or accounts
 28 for expenditures incurred in the operation
 29 of such programs with the approval of the
 30 director of the budget who shall file such
 31 approval with the department of audit and
 32 control and copies thereof with the
 33 chairman of the senate finance committee
 34 and the chairman of the assembly ways and
 35 means committee:

36 For services and expenses of various commu-
 37 nity mental health non-residential
 38 programs, pursuant to article 41 of the
 39 mental hygiene law, including but not
 40 limited to sections 41.13, 41.18, and
 41 41.47 74,932,000

42 For services and expenses of various commu-
 43 nity mental health emergency programs,
 44 including comprehensive psychiatric emer-
 45 gency programs pursuant to section 41.51
 46 of the mental hygiene law 6,889,000

47 For transfer to the department of health to
 48 reimburse the department for the state
 49 share of medical assistance payments for
 50 various mental health services. Notwith-
 51 standing any inconsistent provision of
 52 law, a portion of the money herein appro-
 53 priated may be made available for transfer
 54 to the department of health for the state
 55 share of disproportionate share payments
 56 to voluntary nonprofit general hospitals
 57 pursuant to chapter 119 of the laws of
 58 1997 as amended. Notwithstanding any
 59 inconsistent provision of law, an amount
 60 up to \$600,000 of this appropriation may

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<p>1 be available for transfer to the depart- 2 ment of health to reimburse the department 3 for the state share of medical assistance 4 payments related to certain hospitals with 5 an increase in psychiatric inpatient 6 volume of 5 percent or more during their 7 participation in the alternate rate meth- 8 odology (ARMS) through 1993</p>	<p>322,202,000</p>

<p>9 10 Program account subtotal</p>	<p>404,023,000</p>

<p>11 12 13 Special Revenue Funds - Federal / Aid to Localities 14 Federal Health and Human Services Fund - 265 15</p>	
<p>16 For programs to assist and transition from 17 homelessness (PATH) grants. Notwithstand- 18 ing any inconsistent provision of law, a 19 portion of this appropriation, consistent 20 with the terms and conditions of the PATH 21 grant, may be transferred to other 22 programs within the office of mental 23 health for aid to localities, administra- 24 tive and support services, including 25 fringe benefits, associated with the grant</p>	<p>4,800,000</p>
<p>26 For services and expenses related to adult 27 mental health services funded by the 28 community mental health services block 29 grant. Notwithstanding any inconsistent 30 provision of law, a portion of this appro- 31 priation, consistent with the terms and 32 conditions of the block grant, may be 33 transferred to other programs within the 34 office of mental health for aid to locali- 35 ties, administrative and support services, 36 including fringe benefits, associated with 37 the federal block grant</p>	<p>16,777,000</p>
<p>38 For services and expenses associated with 39 federal grant awards yet to be allocated 40 by the federal department of health and 41 human services. Notwithstanding any incon- 42 sistent provision of law, the director of 43 the budget is hereby authorized to trans- 44 fer appropriation authority contained 45 herein to any other federal fund or 46 program within the office of mental health 47 services for aid to localities, adminis- 48 trative and support services, including 49 fringe benefits, associated with the 50 awarded grant</p>	<p>1,200,000</p>
<p>51 For services and expenses associated with 52 the federal New York makes work pay grant 53 allocated by the federal department of 54 health and human services. Notwithstanding 55 any inconsistent provision of law, the 56 director of the budget is hereby autho- 57 rized to transfer appropriation authority 58 contained herein to any other federal fund 59 or program within the office of mental 60 health services and aid to localities,</p>	

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1 administrative and support services,
 2 including fringe benefits, associated with
 3 the awarded grant 6,000,000
 4 -----
 5 Program fund subtotal28,777,000
 6 -----

7
 8 Special Revenue Funds - Federal / Aid to Localities
 9 Federal Operating Grants Fund - 290

10
 11 For services and expenses related to home-
 12 less and shelter plus care grants. Subject
 13 to a plan approved by the director of the
 14 budget, the amount appropriated herein may
 15 be made available to other state agencies
 16 for services and expenses related to
 17 federal homeless and shelter plus care
 18 grants 8,000,000
 19 -----
 20 Program fund subtotal 8,000,000
 21 -----

22
 23 Special Revenue Fund - Other / State Operations
 24 Miscellaneous Special Revenue Fund - 339
 25 Mental Hygiene Patient Income Account
 26

27 Notwithstanding any other provision of law,
 28 the money hereby appropriated may be
 29 transferred to local assistance and/or any
 30 appropriation of the office of mental
 31 health, with the approval of the director
 32 of the budget who shall file such approval
 33 with the department of audit and control
 34 and copies thereof with the chairman of
 35 the senate finance committee and the
 36 chairman of the assembly ways and means
 37 committee. Notwithstanding section 11 of
 38 title A of article 2 of the civil service
 39 law, this appropriation and all positions
 40 funded by it shall be exempt from the
 41 provisions of said section pertaining to
 42 the assessment, computation and payment of
 43 the fractional share of administration
 44 expenses charged by the state department
 45 of civil service, nor shall the office of
 46 mental health make payments for any such
 47 assessment of expenses of administration
 48 from funds available on or after April 1,
 49 2009. Notwithstanding any other provision
 50 of law to the contrary, funds appropriated
 51 under this program shall not be used for
 52 the payment of tolls at the Robert F.
 53 Kennedy bridge, for vehicles driven by
 54 persons commuting to and from work who are
 55 employed at facilities located on Ward's
 56 island operated by the department of
 57 mental hygiene. Notwithstanding any
 58 inconsistent provision of law, including
 59 subdivision (e) of section 7.17 or section
 60 41.55 of the mental hygiene law, this

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 appropriation is available to facilitate
 2 the closure or restructuring of wards
 3 designated by the commissioner of mental
 4 health for the period beginning April 1,
 5 2009 and ending March 31, 2010, and shall
 6 not be available for the continued
 7 operation of such facilities or wards.
 8 The state comptroller is hereby authorized
 9 and directed to loan money in accordance
 10 with the provisions set forth in
 11 subdivision 5 of section 4 of the state
 12 finance law to the mental hygiene patient
 13 income account.

14
 15 PERSONAL SERVICE

16		
17	Personal service--regular	525,915,000
18	Temporary service	3,780,000
19	Holiday/overtime compensation	39,300,000
20		-----
21	Amount available for personal service	568,995,000
22		-----

23
 24 NONPERSONAL SERVICE

25		
26	Supplies and materials	68,656,000
27	Travel	2,512,000
28	Contractual services	64,004,000
29	Equipment	2,732,000
30	Fringe benefits	254,099,000
31	Indirect costs	17,603,000
32		-----
33	Amount available for nonpersonal service..	409,606,000
34		-----
35	Program account subtotal	978,601,000
36		-----

37
 38 Special Revenue Funds - Other / State Operations
 39 Miscellaneous Special Revenue Fund - 339
 40 Mental Hygiene Program Fund Account
 41

42 Notwithstanding any other provision of law,
 43 the money hereby appropriated may be
 44 transferred to local assistance and/or any
 45 appropriation of the office of mental
 46 health, with the approval of the director
 47 of the budget who shall file such approval
 48 with the department of audit and control
 49 and copies thereof with the chairman of
 50 the senate finance committee and the
 51 chairman of the assembly ways and means
 52 committee. Notwithstanding section 11 of
 53 title A of article 2 of the civil service
 54 law, this appropriation and all positions
 55 funded by it shall be exempt from the
 56 provisions of said section pertaining to
 57 the assessment, computation and payment of
 58 the fractional share of administration
 59 expenses charged by the state department
 60 of civil service, nor shall the office of

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 mental health make payments for any such
 2 assessment of expenses of administration
 3 from funds available on or after April 1,
 4 2009. Notwithstanding any other provision
 5 of law to the contrary, funds appropriated
 6 under this program shall not be used for
 7 the payment of tolls at the Robert F.
 8 Kennedy bridge, for vehicles driven by
 9 persons commuting to and from work who are
 10 employed at facilities located on Ward's
 11 island operated by the department of
 12 mental hygiene. Notwithstanding any
 13 inconsistent provision of law, including
 14 subdivision (e) of section 7.17 or section
 15 41.55 of the mental hygiene law, this
 16 appropriation is available to facilitate
 17 the closure or restructuring of wards
 18 designated by the commissioner of mental
 19 health for the period beginning April 1,
 20 2009 and ending March 31, 2010, and shall
 21 not be available for the continued
 22 operation of such facilities or wards.

23 The state comptroller is hereby authorized
 24 and directed to loan money in accordance
 25 with the provisions set forth in
 26 subdivision 5 of section 4 of the state
 27 finance law to the mental hygiene program
 28 fund account.

30 PERSONAL SERVICE

31
 32 Personal service--regular 174,294,000
 33 Temporary service 917,000
 34 Holiday/overtime compensation 24,000,000
 35 -----
 36 Amount available for personal service 199,211,000
 37 -----

39 NONPERSONAL SERVICE

40
 41 Supplies and materials 49,412,000
 42 Travel 1,802,000
 43 Contractual services 50,486,000
 44 Equipment 1,708,000
 45 Fringe benefits 85,718,000
 46 Indirect costs 9,082,000
 47 -----
 48 Amount available for nonpersonal service.. 198,208,000
 49 -----

51 MAINTENANCE UNDISTRIBUTED

52
 53 For transfer to the department of health
 54 medical assistance local assistance
 55 program for payments for outside hospital
 56 care 3,165,000
 57 -----
 58 Program account subtotal 400,584,000
 59 -----

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Special Revenue Funds - Other / Aid to Localities
2 Miscellaneous Special Revenue Fund - 339
3 Mental Hygiene Program Fund Account
4

5 The state comptroller is hereby authorized
6 and directed to loan money in accordance
7 with the provisions set forth in subdivi-
8 sion 5 of section 4 of the state finance
9 law to the mental hygiene program fund
10 account.

11 For payment of state financial assistance,
12 net of disallowances, for community mental
13 health programs pursuant to article 41 and
14 other provisions of the mental hygiene
15 law. The moneys hereby appropriated for
16 allocation to local governments and volun-
17 tary agencies for services are available
18 to reimburse or advance funds to local
19 governments and voluntary agencies for
20 expenditures made or to be made during
21 local program years commencing January 1,
22 2009 or July 1, 2009 and for advances for
23 the period beginning January 1, 2010 for
24 local governments and voluntary agencies
25 with program years beginning January 1.

26 Notwithstanding any other provision of law,
27 and except for transfers to the department
28 of health to reimburse the department for
29 the state share of medical assistance
30 payments and as modified below, this
31 appropriation shall be available for obli-
32 gations for the period commencing July 1,
33 2009 and ending June 30, 2010 and shall be
34 available for expenditure from July 1,
35 2009 through September 15, 2010.

36 An amount of this appropriation shall be
37 available for the development of a demon-
38 stration program pursuant to section 41.35
39 of the mental hygiene law, and notwith-
40 standing the provisions of any other law
41 to the contrary, for the purpose of test-
42 ing and evaluating new methods or arrange-
43 ments for organizing, financing, staffing
44 and providing services for persons with
45 serious mental illness, in one or more of
46 Chautauqua, Erie, Genesee, Monroe, Ononda-
47 ga and Wyoming counties.

48 Notwithstanding any provision of law to the
49 contrary, an amount of this appropriation
50 shall be available for expenditure, for
51 various community mental health services,
52 in accordance with the provisions of part
53 C of chapter 57 of the laws of 2006, for
54 those programs eligible under paragraph
55 (i) of subdivision 4 of section 1 of such
56 part.

57 Notwithstanding any provision of law to the
58 contrary, the commissioner of the office
59 of mental health shall be authorized to
60 continue contracts which were executed on

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1 or before March 31, 2009 with entities
2 providing services to persons with mental
3 illness, without any additional require-
4 ments that such contracts be subject to
5 competitive bidding, a request for
6 proposals process or other administrative
7 procedures.

8 No expenditures shall be made for such
9 program prior to the approval of a method-
10 ology for allocation in accordance with a
11 plan approved by the commissioner and the
12 director of the budget with copies to be
13 filed with the chairpersons of the senate
14 finance committee and assembly ways and
15 means committee. Furthermore, no expendi-
16 ture shall be made until a certificate of
17 allocation has been approved by the direc-
18 tor of the budget with copies to be filed
19 with the chairpersons of the senate
20 finance committee and the assembly ways
21 and means committee. The state comptroller
22 is hereby authorized to receive funds from
23 the office of mental health that were
24 returned from providers in the current
25 fiscal year in respect of a settlement of
26 local assistance funds from prior fiscal
27 years, and is authorized to refund such
28 moneys to the credit of the mental hygiene
29 program fund account for the purpose of
30 reimbursing the 2009-10 appropriation.

31 Notwithstanding any inconsistent provision
32 of law, including section 1 of part C of
33 chapter 57 of the laws of 2006, as amended
34 by section 2 of part I of chapter 58 of
35 the laws of 2008, for the period
36 commencing on January 1, 2009 the
37 commissioner shall (i) apply a one percent
38 reduction to the amount in effect on
39 December 31, 2008 for the purpose of
40 establishing rates of payments, contracts
41 or any other form of reimbursement and
42 (ii) not apply any cost of living
43 adjustment for the period beginning April
44 1, 2009 and ending March 31, 2010, for the
45 purpose of establishing rates of payments,
46 contracts, or any other form of
47 reimbursement. Notwithstanding any other
48 provision of law, the money hereby
49 appropriated may be transferred to state
50 operations and/or any appropriation of the
51 office of mental health, and to other
52 state agencies, authorities, or accounts
53 for expenditures incurred in the operation
54 of such programs with the approval of the
55 director of the budget who shall file such
56 approval with the department of audit and
57 control and copies thereof with the
58 chairman of the senate finance committee
59 and the chairman of the assembly ways and
60 means committee:

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For services and expenses of various commu-
2 nity mental health non-residential
3 programs, pursuant to article 41 of the
4 mental hygiene law, including but not
5 limited to sections 41.13, 41.18, and
6 41.47. Notwithstanding any other provision
7 of law to the contrary, up to \$1,500,000
8 of this appropriation shall be made
9 available to the Research Foundation for
10 Mental Hygiene, Inc. pursuant to a
11 contract with the office of mental health
12 for two mental health managed care demon-
13 stration programs. One program shall be
14 located in one or more of Chautauqua,
15 Erie, Genesee, Monroe, Onondaga and Wyom-
16 ing counties, and the other program shall
17 be located in the city of New York. An
18 amount from this appropriation when
19 combined with the appropriation for the
20 miscellaneous special revenue fund - 339
21 medication reimbursement account shall
22 provide up to \$15,000,000 for grants to
23 the counties and city of New York to
24 provide medication, and other services
25 necessary to prescribe and administer
26 medication pursuant to a plan approved by
27 the commissioner of mental health, as
28 authorized under chapter 408 of the laws
29 of 1999 as amended 184,200,000

30 For services and expenses of various commu-
31 nity mental health residential programs,
32 including but not limited to community
33 residences pursuant to sections 41.44 and
34 41.38 of the mental hygiene law. Notwith-
35 standing the provisions of section 31.03
36 of the mental hygiene law and any other
37 inconsistent provision of law, moneys
38 appropriated for family care shall be
39 available for, but not limited to, the
40 purchase of substitute caretakers up to a
41 maximum of 14 days and payments limited to
42 \$680 per year based upon financial need
43 for the personal needs of each client
44 residing in the family care home 312,277,000

45 -----
46 Program account subtotal 496,477,000
47 -----

48
49 Special Revenue Funds - Other / Aid to Localities
50 Miscellaneous Special Revenue Fund - 339
51 Medication Reimbursement Account
52

53 For services and expenses related to adult
54 mental health services, including assisted
55 outpatient treatment pursuant to article 9
56 and other provisions of the mental hygiene
57 law. Notwithstanding any other provision
58 of law, this appropriation may be made
59

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1	available upon the approval of the direc-	
2	tor of the budget	7,580,000
3		-----
4	Program account subtotal	7,580,000
5		-----
6		
7	CHILDREN AND YOUTH SERVICES PROGRAM	455,506,000
8		-----

9
 10 General Fund / Aid to Localities
 11 Local Assistance Account - 001

12
 13 For services and expenses of various chil-
 14 dren and families community mental health
 15 services, including transfer to the
 16 department of health to reimburse the
 17 department for the state share of medical
 18 assistance for various community mental
 19 health services.

20 This appropriation anticipates the transfer
 21 of funds from the state education
 22 department to the office of mental health
 23 of tuition funds advanced in previous
 24 years and reimbursed by the child's school
 25 district of origin to the state of New
 26 York pursuant to chapter 810 of the laws
 27 of 1986 and applicable provisions of the
 28 education law.

29 For payment of state financial assistance,
 30 net of disallowances, for community mental
 31 health programs pursuant to article 41 and
 32 other provisions of the mental hygiene
 33 law. The moneys hereby appropriated for
 34 allocation to local governments and volun-
 35 tary agencies for services are available
 36 to reimburse or advance funds to local
 37 governments and voluntary agencies for
 38 expenditures made or to be made during
 39 local program years commencing January 1,
 40 2009 or July 1, 2009 and for advances for
 41 the period beginning January 1, 2010 for
 42 local governments and voluntary agencies
 43 with program years beginning January 1.

44 Notwithstanding any other provision of law,
 45 and except for transfers to the department
 46 of health to reimburse the department for
 47 the state share of medical assistance
 48 payments and as modified below, this
 49 appropriation shall be available for obli-
 50 gations for the period commencing July 1,
 51 2009 and ending June 30, 2010 and shall be
 52 available for expenditure from July 1,
 53 2009 through September 15, 2010.

54 Notwithstanding any provision of law to the
 55 contrary, an amount of this appropriation
 56 shall be available for expenditure,
 57 including transfer to the department of
 58 health to reimburse the department for the
 59 state share of medical assistance payments
 60 for various community mental health

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 services, in accordance with the
2 provisions of part C of chapter 57 of the
3 laws of 2006, for those programs eligible
4 under paragraph (i) of subdivision 4 of
5 section 1 of such part.

6 Notwithstanding any provision of law to the
7 contrary, the commissioner of the office
8 of mental health shall be authorized to
9 continue contracts which were executed on
10 or before March 31, 2009 with entities
11 providing services to persons with mental
12 illness, without any additional require-
13 ments that such contracts be subject to
14 competitive bidding, a request for
15 proposals process or other administrative
16 procedures.

17 No expenditures shall be made for such
18 program prior to the approval of a method-
19 ology for allocation in accordance with a
20 plan approved by the commissioner and the
21 director of the budget with copies to be
22 filed with the chairpersons of the senate
23 finance committee and assembly ways and
24 means committee. Furthermore, no expendi-
25 ture shall be made until a certificate of
26 allocation has been approved by the direc-
27 tor of the budget with copies to be filed
28 with the chairpersons of the senate
29 finance committee and the assembly ways
30 and means committee. The state comptroller
31 is hereby authorized to receive funds from
32 the office of mental health that were
33 returned from providers in the current
34 fiscal year in respect of a settlement of
35 local assistance funds from prior fiscal
36 years, and is authorized to refund such
37 moneys to the credit of the local assist-
38 ance account of the general fund for the
39 purpose of reimbursing the 2009-10 appro-
40 priation.

41 Notwithstanding any inconsistent provision
42 of law, including section 1 of part C of
43 chapter 57 of the laws of 2006, as amended
44 by section 2 of part I of chapter 58 of
45 the laws of 2008, for the period
46 commencing on January 1, 2009 the
47 commissioner shall (i) apply a one percent
48 reduction to the amount in effect on
49 December 31, 2008 for the purpose of
50 establishing rates of payments, contracts
51 or any other form of reimbursement and
52 (ii) not apply any cost of living
53 adjustment for the period beginning April
54 1, 2009 and ending March 31, 2010, for the
55 purpose of establishing rates of payments,
56 contracts, or any other form of
57 reimbursement.

58 Notwithstanding any inconsistent provision
59 of law, including section 41.23 of the
60 mental hygiene law, no unified services

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1 plan may be approved and no funding shall
2 be available for unified services for the
3 period beginning January 1, 2009 and
4 ending March 31, 2010. Notwithstanding any
5 other provision of law, the money hereby
6 appropriated may be transferred to state
7 operations and/or any appropriation of the
8 office of mental health, and to other
9 state agencies, authorities, or accounts
10 for expenditures incurred in the operation
11 of such programs with the approval of the
12 director of the budget who shall file such
13 approval with the department of audit and
14 control and copies thereof with the
15 chairman of the senate finance committee
16 and the chairman of the assembly ways and
17 means committee:

18 For services and expenses of various commu-
19 nity mental health non-residential
20 programs, pursuant to article 41 of the
21 mental hygiene law, including but not
22 limited to sections 41.13 and 41.18 17,217,000

23 For services and expenses of various commu-
24 nity mental health emergency programs. 2,437,000

25 For transfer to the department of health to
26 reimburse the department for the state
27 share of medical assistance payments for
28 various mental health services. Notwith-
29 standing any inconsistent provision of
30 law, a portion of the money herein appro-
31 priated may be made available for transfer
32 to the department of health for the state
33 share of disproportionate share payments
34 to voluntary nonprofit general hospitals
35 pursuant to chapter 119 of the laws of
36 1997 as amended 133,615,000

37 -----

38 Program account subtotal 153,269,000

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 chil-
45 dren's mental health services funded by
46 the community mental health services block
47 grant. Notwithstanding any inconsistent
48 provision of law, a portion of this appro-
49 priation, consistent with the terms and
50 conditions of the block grant, may be
51 transferred to other programs within the
52 office of mental health for aid to locali-
53 ties, administrative and support services,
54 including fringe benefits, associated with
55 the federal block grant 7,062,000

56 -----

57 Program fund subtotal 7,062,000

58 -----

59

60

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OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Special Revenue Funds - Other / State Operations
 2 Miscellaneous Special Revenue Fund - 339
 3 Mental Hygiene Program Fund Account
 4

5 Notwithstanding any other provision of law,
 6 the money hereby appropriated may be
 7 transferred to local assistance and/or any
 8 appropriation of the office of mental
 9 health, with the approval of the director
 10 of the budget who shall file such approval
 11 with the department of audit and control
 12 and copies thereof with the chairman of
 13 the senate finance committee and the
 14 chairman of the assembly ways and means
 15 committee. Notwithstanding section 11 of
 16 title A of article 2 of the civil service
 17 law, this appropriation and all positions
 18 funded by it shall be exempt from the
 19 provisions of said section pertaining to
 20 the assessment, computation and payment of
 21 the fractional share of administration
 22 expenses charged by the state department
 23 of civil service, nor shall the office of
 24 mental health make payments for any such
 25 assessment of expenses of administration
 26 from funds available on or after April 1,
 27 2009. Notwithstanding any other provision
 28 of law to the contrary, funds appropriated
 29 under this program shall not be used for
 30 the payment of tolls at the Robert F.
 31 Kennedy bridge, for vehicles driven by
 32 persons commuting to and from work who are
 33 employed at facilities located on Ward's
 34 island operated by the department of
 35 mental hygiene. The state comptroller is
 36 hereby authorized and directed to loan
 37 money in accordance with the provisions
 38 set forth in subdivision 5 of section 4 of
 39 the state finance law to the mental
 40 hygiene program fund account.
 41

42 PERSONAL SERVICE

43

44 Personal service--regular	121,328,000
45 Temporary service	2,367,000
46 Holiday/overtime compensation	9,200,000
47	-----
48 Amount available for personal service	132,895,000
49	-----

50

51 NONPERSONAL SERVICE

52

53 Supplies and materials	11,426,000
54 Travel	673,000
55 Contractual services	11,029,000
56 Equipment	854,000
57 Fringe benefits	59,136,000
58 Indirect costs	4,198,000
59	-----

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OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Amount available for nonpersonal service..	87,316,000
2		-----
3	Program account subtotal	220,211,000
4		-----

5
 6 Special Revenue Funds- Other / Aid to Localities
 7 Miscellaneous Special Revenue Fund - 339
 8 Mental Hygiene Program Fund Account
 9

10 The state comptroller is hereby authorized
 11 and directed to loan money in accordance
 12 with the provisions set forth in subdivi-
 13 sion 5 of section 4 of the state finance
 14 law to the mental hygiene program fund
 15 account.

16 For services and expenses of various chil-
 17 dren and families community mental health
 18 services, including transfer to the
 19 department of health to reimburse the
 20 department for the state share of medical
 21 assistance for various community mental
 22 health services. This appropriation
 23 anticipates the transfer of funds from the
 24 state education department to the office
 25 of mental health of tuition funds advanced
 26 in previous years and reimbursed by the
 27 child's school district of origin to the
 28 state of New York pursuant to chapter 810
 29 of the laws of 1986 and applicable
 30 provisions of the education law.

31 For payment of state financial assistance,
 32 net of disallowances, for community mental
 33 health programs pursuant to article 41 and
 34 other provisions of the mental hygiene
 35 law. The moneys hereby appropriated for
 36 allocation to local governments and volun-
 37 tary agencies for services are available
 38 to reimburse or advance funds to local
 39 governments and voluntary agencies for
 40 expenditures made or to be made during
 41 local program years commencing January 1,
 42 2009 or July 1, 2009 and for advances for
 43 the period beginning January 1, 2010 for
 44 local governments and voluntary agencies
 45 with program years beginning January 1.

46 Notwithstanding any other provision of law,
 47 and except for transfers to the department
 48 of health to reimburse the department for
 49 the state share of medical assistance
 50 payments and as modified below, this
 51 appropriation shall be available for obli-
 52 gations for the period commencing July 1,
 53 2009 and ending June 30, 2010 and shall be
 54 available for expenditure from July 1,
 55 2009 through September 15, 2010.

56 Notwithstanding any provision of law to the
 57 contrary, an amount of this appropriation
 58 shall be available for expenditure,
 59 including transfer to the department of
 60 health to reimburse the department for the

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 state share of medical assistance payments
2 for various community mental health
3 services, in accordance with the
4 provisions of part C of chapter 57 of the
5 laws of 2006, for those programs eligible
6 under paragraph (i) of subdivision 4 of
7 section 1 of such part.

8 Notwithstanding any provision of law to the
9 contrary, the commissioner of the office
10 of mental health shall be authorized to
11 continue contracts which were executed on
12 or before March 31, 2009 with entities
13 providing services to persons with mental
14 illness, without any additional require-
15 ments that such contracts be subject to
16 competitive bidding, a request for
17 proposals process or other administrative
18 procedures.

19 No expenditures shall be made for such
20 program prior to the approval of a method-
21 ology for allocation in accordance with a
22 plan approved by the commissioner and the
23 director of the budget with copies to be
24 filed with the chairpersons of the senate
25 finance committee and assembly ways and
26 means committee. Furthermore, no expendi-
27 ture shall be made until a certificate of
28 allocation has been approved by the direc-
29 tor of the budget with copies to be filed
30 with the chairpersons of the senate
31 finance committee and the assembly ways
32 and means committee. The state comptroller
33 is hereby authorized to receive funds from
34 the office of mental health that were
35 returned from providers in the current
36 fiscal year in respect of a settlement of
37 local assistance funds from prior fiscal
38 years, and is authorized to refund such
39 moneys to the credit of the mental hygiene
40 program fund account for the purpose of
41 reimbursing the 2009-10 appropriation.

42 Notwithstanding any inconsistent provision
43 of law, including section 1 of part C of
44 chapter 57 of the laws of 2006, as amended
45 by section 2 of part I of chapter 58 of
46 the laws of 2008, for the period
47 commencing on January 1, 2009 the
48 commissioner shall (i) apply a one percent
49 reduction to the amount in effect on
50 December 31, 2008 for the purpose of
51 establishing rates of payments, contracts
52 or any other form of reimbursement and
53 (ii) not apply any cost of living
54 adjustment for the period beginning April
55 1, 2009 and ending March 31, 2010, for the
56 purpose of establishing rates of payments,
57 contracts, or any other form of
58 reimbursement. Notwithstanding any other
59 provision of law, the money hereby
60 appropriated may be transferred to state

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 operations and/or any appropriation of the
2 office of mental health, and to other
3 state agencies, authorities, or accounts
4 for expenditures incurred in the operation
5 of such programs with the approval of the
6 director of the budget who shall file such
7 approval with the department of audit and
8 control and copies thereof with the
9 chairman of the senate finance committee
10 and the chairman of the assembly ways and
11 means committee:
12 For services and expenses of various commu-
13 nity mental health non-residential
14 programs, pursuant to article 41 of the
15 mental hygiene law, including but not
16 limited to sections 41.13 and 41.18 .. 59,251,000
17 For services and expenses of various commu-
18 nity mental health emergency programs 13,826,000
19 For services and expenses of various commu-
20 nity mental health residential programs,
21 including but not limited to community
22 residences pursuant to sections 41.44 and
23 41.38 of the mental hygiene law 1,887,000
24 -----
25 Program account subtotal 74,964,000
26 -----
27
28 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT
29 PROGRAM 7,717,000
30 -----
31
32 Special Revenue Funds - Other / Aid to Localities
33 Miscellaneous Special Revenue Fund - 339
34 Mental Hygiene Program Fund Account
35
36 The state comptroller is hereby authorized
37 and directed to loan money in accordance
38 with the provisions set forth in subdivi-
39 sion 5 of section 4 of the state finance
40 law to the mental hygiene program fund
41 account.
42 For services and expenses of community
43 mental health support and workforce rein-
44 vestment services pursuant to chapter 62
45 of the laws of 2003, including transfer to
46 the department of health to reimburse the
47 department for the state share of medical
48 assistance for various community mental
49 health services.
50 Notwithstanding chapter 62 of the laws of
51 2003 or any provision of law to the
52 contrary, this special revenue appropri-
53 ation shall represent the full and
54 complete obligation of the state and the
55 office of mental health community mental
56 health support workforce reinvestment
57 program in fiscal year 2009-10.
58 For payment of state financial assistance,
59 net of disallowances, for community mental
60 health programs pursuant to article 41 and

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 other provisions of the mental hygiene
2 law. The moneys hereby appropriated for
3 allocation to local governments and volun-
4 tary agencies for services are available
5 to reimburse or advance funds to local
6 governments and voluntary agencies for
7 expenditures made or to be made during
8 local program years commencing January 1,
9 2009 or July 1, 2009 and for advances for
10 the period beginning January 1, 2010 for
11 local governments and voluntary agencies
12 with program years beginning January 1.

13 Notwithstanding any other provision of law,
14 and except for transfers to the department
15 of health to reimburse the department for
16 the state share of medical assistance
17 payments and as modified below, this
18 appropriation shall be available for obli-
19 gations for the period commencing July 1,
20 2009 and ending June 30, 2010 and shall be
21 available for expenditure from July 1,
22 2009 through September 15, 2010.

23 Notwithstanding any provision of law to the
24 contrary, an amount of this appropriation
25 shall be available for expenditure,
26 including transfer to the department of
27 health to reimburse the department for the
28 state share of medical assistance payments
29 for various community mental health
30 services, in accordance with the
31 provisions of part C of chapter 57 of the
32 laws of 2006, for those programs eligible
33 under paragraph (i) of subdivision 4 of
34 section 1 of such part.

35 Notwithstanding any provision of law to the
36 contrary, the commissioner of the office
37 of mental health shall be authorized to
38 continue contracts which were executed on
39 or before March 31, 2009 with entities
40 providing services to persons with mental
41 illness, without any additional require-
42 ments that such contracts be subject to
43 competitive bidding, a request for
44 proposals process or other administrative
45 procedures.

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 2009-10

1 the office of mental health that were
 2 returned from providers in the current
 3 fiscal year in respect of a settlement of
 4 local assistance funds from prior fiscal
 5 years, and is authorized to refund such
 6 moneys to the credit of the mental hygiene
 7 program fund account for the purpose of
 8 reimbursing the 2009-10 appropriation.
 9 Notwithstanding any inconsistent provision
 10 of law, including section 1 of part C of
 11 chapter 57 of the laws of 2006, as amended
 12 by section 2 of part I of chapter 58 of
 13 the laws of 2008, for the period
 14 commencing on January 1, 2009 the
 15 commissioner shall (i) apply a one percent
 16 reduction to the amount in effect on
 17 December 31, 2008 for the purpose of
 18 establishing rates of payments, contracts
 19 or any other form of reimbursement and
 20 (ii) not apply any cost of living
 21 adjustment for the period beginning April
 22 1, 2009 and ending March 31, 2010, for the
 23 purpose of establishing rates of payments,
 24 contracts, or any other form of
 25 reimbursement. Notwithstanding any other
 26 provision of law, the money hereby
 27 appropriated may be transferred to state
 28 operations and/or any appropriation of the
 29 office of mental health, and to other
 30 state agencies, authorities, or accounts
 31 for expenditures incurred in the operation
 32 of such programs with the approval of the
 33 director of the budget who shall file such
 34 approval with the department of audit and
 35 control and copies thereof with the
 36 chairman of the senate finance committee
 37 and the chairman of the assembly ways and
 38 means committee:
 39 For services and expenses of various adult
 40 community mental health residential
 41 programs 7,717,000
 42 -----
 43 Program account subtotal 7,717,000
 44 -----
 45
 46 ENHANCED COMMUNITY SERVICES PROGRAM 500,000
 47 -----
 48
 49 Special Revenue Funds - Other / Aid to Localities
 50 HCRA Resources Fund - 061
 51 Enhanced Community Services Account
 52
 53 For transfer to the department of health
 54 comprehensive care center for eating
 55 disorders development fund 500,000
 56 -----
 57 Program account subtotal 500,000
 58 -----
 59
 60

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 FORENSIC SERVICES PROGRAM 243,575,000
 2 -----

3
 4 Special Revenue Funds - Other / State Operations
 5 Miscellaneous Special Revenue Fund - 339
 6 Mental Hygiene Program Fund Account
 7

8 Notwithstanding any other provision of law,
 9 the money hereby appropriated may be
 10 transferred to local assistance and/or any
 11 appropriation of the office of mental
 12 health, with the approval of the director
 13 of the budget who shall file such approval
 14 with the department of audit and control
 15 and copies thereof with the chairman of
 16 the senate finance committee and the
 17 chairman of the assembly ways and means
 18 committee. Notwithstanding section 11 of
 19 title A of article 2 of the civil service
 20 law, this appropriation and all positions
 21 funded by it shall be exempt from the
 22 provisions of said section pertaining to
 23 the assessment, computation and payment of
 24 the fractional share of administration
 25 expenses charged by the state department
 26 of civil service, nor shall the office of
 27 mental health make payments for any such
 28 assessment of expenses of administration
 29 from funds available on or after April 1,
 30 2009. Notwithstanding any other provision
 31 of law to the contrary, funds appropriated
 32 under this program shall not be used for
 33 the payment of tolls at the Robert F.
 34 Kennedy bridge, for vehicles driven by
 35 persons commuting to and from work who are
 36 employed at facilities located on Ward's
 37 island operated by the department of
 38 mental hygiene. The state comptroller is
 39 hereby authorized and directed to loan
 40 money in accordance with the provisions
 41 set forth in subdivision 5 of section 4 of
 42 the state finance law to the mental
 43 hygiene program fund account.
 44

45 PERSONAL SERVICE

46
 47 Personal service--regular 129,560,000
 48 Temporary service 2,384,000
 49 Holiday/overtime compensation 15,400,000
 50 -----
 51 Amount available for personal service 147,344,000
 52 -----

53
 54 NONPERSONAL SERVICE

55
 56 Supplies and materials 12,259,000
 57 Travel 925,000
 58 Contractual services 6,193,000
 59 Equipment 458,000
 60 Fringe benefits 65,504,000

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STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Indirect costs	10,892,000	
2		-----	
3	Amount available for nonpersonal service..	96,231,000	
4		-----	
5	Program account subtotal	243,575,000	
6		-----	
7			
8	RESEARCH IN MENTAL ILLNESS PROGRAM		85,876,000
9			-----

10
 11 Special Revenue Funds - Other / State Operations
 12 Miscellaneous Special Revenue Fund - 339
 13 OMH-Research Recovery Account
 14

15 For services and expenses to support central
 16 administration, research associates,
 17 equipment provided through external
 18 grants, travel, conference expenses,
 19 including the annual research conference,
 20 contractual services, grant writers to
 21 increase income from non-state sources,
 22 and other research initiatives. Funding
 23 will be provided through research
 24 foundation for mental hygiene, inc.
 25 resources, including, but not limited to,
 26 indirect costs recoveries, direct grant
 27 reimbursement, interest earnings and
 28 operating balances.
 29

PERSONAL SERVICE

30			
31			
32	Personal service--regular	1,915,000	
33		-----	

NONPERSONAL SERVICE

34			
35			
36			
37	Contractual services	4,665,000	
38	Fringe benefits	650,000	
39		-----	
40	Amount available for nonpersonal service..	5,315,000	
41		-----	
42	Program account subtotal	7,230,000	
43		-----	

44
 45 Special Revenue Funds - Other / State Operations
 46 Miscellaneous Special Revenue Fund - 339
 47 Mental Hygiene Program Fund Account
 48

49 Notwithstanding any other provision of law,
 50 the money hereby appropriated may be
 51 transferred to local assistance and/or any
 52 appropriation of the office of mental
 53 health, with the approval of the director
 54 of the budget who shall file such approval
 55 with the department of audit and control
 56 and copies thereof with the chairman of
 57 the senate finance committee and the
 58 chairman of the assembly ways and means
 59 committee. Notwithstanding section 11 of
 60 title A of article 2 of the civil service

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1 law, this appropriation and all positions
 2 funded by it shall be exempt from the
 3 provisions of said section pertaining to
 4 the assessment, computation and payment of
 5 the fractional share of administration
 6 expenses charged by the state department
 7 of civil service, nor shall the office of
 8 mental health make payments for any such
 9 assessment of expenses of administration
 10 from funds available on or after April 1,
 11 2009. Notwithstanding any other provision
 12 of law to the contrary, funds appropriated
 13 under this program shall not be used for
 14 the payment of tolls at the Robert F.
 15 Kennedy bridge, for vehicles driven by
 16 persons commuting to and from work who are
 17 employed at facilities located on Ward's
 18 island operated by the department of
 19 mental hygiene. The state comptroller is
 20 hereby authorized and directed to loan
 21 money in accordance with the provisions
 22 set forth in subdivision 5 of section 4 of
 23 the state finance law to the mental
 24 hygiene program fund account.

25
 26 PERSONAL SERVICE

27

28 Personal service--regular	45,430,000
29 Temporary service	65,000
30 Holiday/overtime compensation	884,000
31	-----
32 Amount available for personal service	46,379,000
33	-----

34
 35 NONPERSONAL SERVICE

36

37 Supplies and materials	3,676,000
38 Travel	113,000
39 Contractual services	4,669,000
40 Equipment	102,000
41 Fringe benefits	20,185,000
42 Indirect costs	3,522,000
43	-----
44 Amount available for nonpersonal service..	32,267,000
45	-----
46 Program account subtotal	78,646,000
47	-----

48
 49 Total new appropriations for state operations and aid to
 50 localities 3,234,227,000
 51 =====
 52

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 ADMINISTRATION AND FINANCE 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 2008:

7 Personal service ... 814,000 (re. \$814,000)
8 Nonpersonal service ... 178,000 (re. \$178,000)
9 Fringe benefits ... 366,000 (re. \$366,000)

10

11 ADULT SERVICES PROGRAM

12

13 General Fund / Aid to Localities
14 Local Assistance Account - 001

15

16 The appropriation made by chapter 54, section 1, of the laws of 2008, as
17 amended by chapter 496, section 5, of the laws of 2008, is hereby
18 amended and reappropriated to read:

19 For services and expenses of the Mental Health Association in Rockland
20 County ... [94,000] 50,000 (re. \$50,000)
21 For services and expenses of the Mental Health Association in Orange
22 County ... [65,800] 35,000 (re. \$35,000)
23 For services and expenses of contracts with municipalities,
24 educational institutions and/or not-for-profit agencies:
25 Relief Resources [282,000] 150,000 (re. \$150,000)
26 NASW-NYS Training Initiative on Veteran's Mental Health
27 [235,000] 125,000 (re. \$125,000)
28 Health Care Enhancements for direct care workers
29 [282,000] 150,000 (re. \$150,000)
30 Hospital Audiences ... [141,000] 75,000 (re. \$75,000)
31 Farm Net ... [141,000] 75,000 (re. \$75,000)

32

33 By chapter 54, section 1, of the laws of 2007:

34 For services and expenses to support a public awareness and education
35 campaign specifically focused on suicide prevention among young
36 Latina and elderly Asian women. The office of mental health shall
37 contract through a request for proposal process with organizations
38 with demonstrated experience in outreach to non-English speaking
39 communities. The selected organizations shall partner with communi-
40 ty-based organizations with experience providing mental health
41 services to Latina, East Asian, South Asian, Southeast Asian, and
42 Pacific Islander communities ... 1,000,000 (re. \$750,000)

43 For grants to community-based organizations providing support to
44 parents with psychiatric disabilities. The office of mental health
45 shall contract through a request for proposal process with communi-
46 ty-based organizations for services and expenses of the following
47 programs: (a) programs offering counseling services and parenting
48 skills that enable individuals to be more effective parents and (b)
49 programs providing training for legal professionals to recognize
50 psychiatric disabilities in parents and connect such parents to
51 services that enhance their parenting skills in an effort to prevent
52 their children from entering the child welfare system. Of the amount
53 appropriated herein no less than \$200,000 and up to \$350,000 shall
54 be made available for transfer to the Commission on Quality of Care
55 and Advocacy for Persons with Disabilities to increase legal
56 services for parents with psychiatric disabilities through a request
57 for proposal process ... 850,000 (re. \$850,000)

58 For services and expenses associated with a needs based request for
59 proposals initiative assist community recovery providers efforts in
60

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OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 critical physical plant improvements, transportation amelioration
2 and/or renovation and rehabilitation enhancements
3 500,000 (re. \$500,000)
4

5 By chapter 54, section 1, of the laws of 2006:

6 For services and expenses related to the addition of a minimum of 55
7 scattered site supported apartments and attendant services to
8 provide independent housing for persons with serious mental illness
9 currently residing in impacted adult homes
10 810,000 (re. \$810,000)

11 For services and expenses of contracts with municipalities, educa-
12 tional institutions and/or not-for-profit agencies:
13 Eating Disorders program initiatives ... 300,000 (re. \$85,000)
14

15 By chapter 54, section 1, of the laws of 2005:

16 For services and expenses of contracts with municipalities and/or
17 not-for-profit agencies:
18 Hospital audiences ... 175,000 (re. \$10,000)
19 Mental Health Projects ... 350,000 (re. \$5,000)
20

21 Special Revenue Funds - Federal / Aid to Localities
22 Federal Health and Human Services Fund - 265
23

24 By chapter 54, section 1, of the laws of 2008:

25 For programs to assist and transition from homelessness (PATH) grants.
26 Notwithstanding any inconsistent provision of law, a portion of this
27 appropriation, consistent with the terms and conditions of the PATH
28 grant, may be transferred to other programs within the office of
29 mental health for aid to localities, administrative and support
30 services, including fringe benefits, associated with the grant
31 4,287,000 (re. \$3,767,000)

32 For services and expenses related to adult mental health services
33 funded by the community mental health services block grant.
34 Notwithstanding any inconsistent provision of law, a portion of this
35 appropriation, consistent with the terms and conditions of the block
36 grant, may be transferred to other programs within the office of
37 mental health for aid to localities, administrative and support
38 services, including fringe benefits, associated with the federal
39 block grant ... 24,077,000 (re. \$5,563,000)

40 For services and expenses associated with federal grant awards yet to
41 be allocated by the federal department of health and human services.
42 Notwithstanding any inconsistent provision of law, the director of
43 the budget is hereby authorized to transfer appropriation authority
44 contained herein to any other federal fund or program within the
45 office of mental health services for aid to localities,
46 administrative and support services, including fringe benefits,
47 associated with the awarded grant ... 1,200,000 ... (re. \$1,200,000)

48 For services and expenses related to homeless and shelter plus care
49 grants. Subject to a plan approved by the director of the budget,
50 the amount appropriated herein may be made available to other state
51 agencies for services and expenses related to federal homeless and
52 shelter plus care grants ... 8,000,000 (re. \$8,000,000)
53

54 By chapter 54, section 1, of the laws of 2007:

55 For programs to assist and transition from homelessness (PATH) grants.
56 Notwithstanding any inconsistent provision of law, a portion of this
57 appropriation, consistent with the terms and conditions of the PATH
58 grant, may be transferred to other programs within the office of
59 mental health for aid to localities, administrative and support
60 services, including fringe benefits, associated with the grant:

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OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 For the grant period September 1, 2007 to August 31, 2008
2 4,287,000 (re. \$3,798,000)

3
4 By chapter 54, section 1, of the laws of 2006:
5 For programs to assist and transition from homelessness (PATH) grants.
6 Notwithstanding any inconsistent provision of law, a portion of this
7 appropriation, consistent with the terms and conditions of the PATH
8 grant, may be transferred to other programs within the office of
9 mental health for aid to localities, administrative and support
10 services, including fringe benefits, associated with the grant:
11 For the grant period September 1, 2006 to August 31, 2007
12 3,887,000 (re. \$1,692,000)

13
14 CHILDREN AND YOUTH SERVICES PROGRAM

15
16 General Fund / Aid to Localities
17 Local Assistance Account - 001

18
19 The appropriation made by chapter 54, section 1, of the laws of 2008, as
20 amended by chapter 496, section 1, of the laws of 2008, is hereby
21 amended and reappropriated to read:
22 North Country Children's Mental Health Programs
23 [94,000] 50,000 (re. \$50,000)

24
25 By chapter 54, section 1, of the laws of 2006:
26 For new and existing family support providers to work with and
27 strengthen families of children being admitted to and/or currently
28 receiving treatment from or soon to be discharged from mental health
29 services, including but not limited to residential treatment facili-
30 ties, community residences, hospitals, day treatment programs and
31 home and community-based waiver programs
32 1,000,000 (re. \$1,000,000)

33 For services and expenses related to two pilot projects and joint
34 pilot project known as the New York state/New York local transi-
35 tional housing task force for children. An amount up to \$350,000 of
36 this appropriation will be used to establish two transitional living
37 housing pilot projects. An amount up to \$75,000 of this appropri-
38 ation will be used to establish and fund the taskforce and a report.
39 An amount up to \$75,000 of this appropriation will be used to fund
40 outreach and education presentations to municipal and county offi-
41 cials about the feasibility of joint cooperative agreements on tran-
42 sitional living housing projects
43 500,000 (re. \$500,000)

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

47
48 By chapter 54, section 1, of the laws of 2008:
49 For services and expenses related to children's mental health services
50 funded by the community mental health services block grant.
51 Notwithstanding any inconsistent provision of law, a portion of this
52 appropriation, consistent with the terms and conditions of the block
53 grant, may be transferred to other programs within the office of
54 mental health for aid to localities, administrative and support
55 services, including fringe benefits, associated with the federal
56 block grant ... 7,062,000 (re. \$5,427,000)

57
58 Total reappropriations for state operations and aid to
59 localities 36,025,000
60 =====

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

1 For the comprehensive construction programs, purposes and
 2 projects as herein specified in accordance with the
 3 following:
 4
 5 Capital Projects Fund 38,010,000
 6 Mental Hygiene Capital Improvement Fund 538,533,000
 7 -----
 8 All Funds 576,543,000
 9 =====
 10
 11 COMMUNITY MENTAL HEALTH FACILITIES (CCP) 11,630,000
 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. Notwithstanding
 26 any inconsistent provision of law, with-
 27 in the amounts hereby appropriated, the
 28 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 (50100989) 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 (50120950) 630,000
 51
 52 Preservation of Facilities Purpose
 53
 54 For the acquisition of property, constru-
 55 ction and rehabilitation of new faci-
 56 lities 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, ap-
 60 proved by the commissioner of the office

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

1 of mental health, pursuant to article 41
 2 of the mental hygiene law (50230903) ... 5,000,000
 3
 4 DESIGN AND CONSTRUCTION SUPERVISION (CCP) 14,000,000
 5 -----

6
7 Capital Projects Fund

8
9 Preparation of Plans Purpose

10
 11 For payment to the design and construction
 12 management account of the centralized
 13 services fund of the New York state
 14 office of general services or to the
 15 dormitory authority of the state of New
 16 York for the purpose of preparation and
 17 review of plans, specifications, esti-
 18 mates, services, construction management
 19 and supervision, inspection, studies,
 20 appraisals, surveys, testing and envi-
 21 ronmental impact statements for new and
 22 existing projects. Upon approval of the
 23 director of the budget, funds from this
 24 appropriation may be transferred to the
 25 office of mental retardation and devel-
 26 opmental disabilities and the office of
 27 alcoholism and substance abuse services
 28 for payment to the dormitory authority
 29 of the state of New York for preparation
 30 of plans purpose (50DC0930) 2,000,000
 31

32 Mental Hygiene Capital Improvement Fund - 389

33
34 Preparation of Plans Purpose

35
 36 For payment to the design and construction
 37 management account of the centralized
 38 services fund of the New York state
 39 office of general services or to the
 40 dormitory authority of the state of New
 41 York for the purpose of preparation and
 42 review of plans, specifications, esti-
 43 mates, services, construction management
 44 and supervision, inspection, studies,
 45 appraisals, surveys, testing and envi-
 46 ronmental impact statements for new and
 47 existing projects. Upon request of the
 48 commissioner of mental health and
 49 approval by the director of the budget,
 50 this appropriation may be transferred to
 51 the dormitory authority of the state of
 52 New York. Upon approval of the director
 53 of the budget, funds from this appropri-
 54 ation may be transferred to the office
 55 of mental retardation and developmental
 56 disabilities and the office of alcohol-
 57 ism and substance abuse services for
 58 payment to the dormitory authority of
 59 the state of New York for preparation of
 60 plans purpose (50310930) 12,000,000

DEPARTMENT OF MENTAL HYGIENE

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CAPITAL PROJECTS 2009-10

1		
2	EXECUTIVE DIRECTION (CCP)	3,717,000
3		-----
4		
5	Mental Hygiene Capital Improvement Fund - 389	
6		
7	Administration Purpose	
8		
9	For payment of personal service and	
10	nonpersonal service, including fringe	
11	benefits, related to the administration	
12	of the capital programs provided by the	
13	office of mental health for new and	
14	reappropriated state operated institu-	
15	tional capital projects. Upon request of	
16	the commissioner of mental health and	
17	approval by the director of the budget,	
18	this appropriation may be transferred to	
19	the dormitory authority of the state of	
20	New York (50990950)	3,717,000
21		
22	MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) ..	546,196,000
23		-----
24		
25	Capital Projects Fund	
26		
27	Energy Conservation Purpose	
28		
29	For payment of the cost of construction,	
30	reconstruction and improvements, includ-	
31	ing the preparation of designs, plans,	
32	specifications and estimates for energy	
33	conservation improvements to existing	
34	facilities and programs. Upon request of	
35	the commissioner of mental health and	
36	approval by the director of the budget,	
37	this appropriation may be transferred to	
38	the dormitory authority of the state of	
39	New York (50050905)	4,500,000
40		
41	Environmental Protection or Improvements Purpose	
42		
43	For payment of the cost of construction,	
44	reconstruction and improvements, includ-	
45	ing the preparation of designs, plans,	
46	specifications and estimates for envi-	
47	ronmental protection (50EP0906)	4,100,000
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.	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

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	(50HS0901)	8,410,000
7		
8	Preservation of Facilities Purpose	
9		
10	For payment of the cost of construction,	
11	reconstruction and improvements, includ-	
12	ing the preparation of designs, plans,	
13	specifications and estimates to existing	
14	facilities and programs, provided,	
15	however, that no expenditures may be	
16	made from this appropriation until a	
17	comprehensive plan of projects has been	
18	approved by the director of the budget	
19	(50PF0903)	12,000,000
20		
21	Mental Hygiene Capital Improvement Fund - 389	
22		
23	Accreditation Purpose	
24		
25	For payment of the cost of land acquisi-	
26	tion, construction, reconstruction and	
27	improvements, including the preparation	
28	of designs, plans, specifications and	
29	estimates related to accreditation	
30	improvements to existing facilities and	
31	programs. This appropriation may be used	
32	for payment of personal service, indi-	
33	rect cost recovery, and fringe benefit	
34	costs associated with New York State	
35	employees assigned to such capital	
36	projects. Upon request of the commis-	
37	sioner of mental health and approval by	
38	the director of the budget, this appro-	
39	priation may be transferred to the	
40	dormitory authority of the state of New	
41	York (50060902)	347,480,000
42		
43	Environmental Protection or Improvements Purpose	
44		
45	For payment of the cost of construction,	
46	reconstruction and improvements, includ-	
47	ing the preparations of designs, plans,	
48	specifications and estimates for envi-	
49	ronmental protection. Upon request of	
50	the commissioner of mental health and	
51	approval by the director of the budget,	
52	this appropriation may be transferred to	
53	the dormitory authority of the state of	
54	New York (50060906)	1,000,000
55		
56	Health and Safety Purpose	
57		
58	For payment of the cost of construction,	
59	reconstruction and improvements, includ-	
60	ing the preparation of designs, plans,	

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1 specifications and estimates, for health
 2 and safety improvements to existing
 3 facilities and programs, provided,
 4 however, that no expenditures may be
 5 made from this appropriation until a
 6 comprehensive plan of projects has been
 7 approved by the director of the budget.
 8 This appropriation may be used for
 9 payment of personal service, indirect
 10 cost recovery, and fringe benefit costs
 11 associated with New York State employees
 12 assigned to such capital projects. Upon
 13 request of the commissioner of mental
 14 health and approval by the director of
 15 the budget, this appropriation may be
 16 transferred to the dormitory authority
 17 of the state of New York (50010901) 38,125,000

18
19 Preservation of Facilities Purpose

20
21 For payment of the cost of construction,
 22 reconstruction and improvements, includ-
 23 ing the preparation of designs, plans,
 24 specifications and estimates, and minor
 25 rehabilitation and improvements for the
 26 preservation of existing facilities and
 27 programs, provided, however, that no
 28 expenditures may be made from this
 29 appropriation until a comprehensive plan
 30 of projects has been approved by the
 31 director of the budget. This appropri-
 32 ation may be used for payment of
 33 personal service, indirect cost recov-
 34 ery, and fringe benefit costs associated
 35 with New York State employees assigned
 36 to such capital projects. Upon request
 37 of the commissioner of mental health and
 38 approval by the director of the budget,
 39 this appropriation may be transferred to
 40 the dormitory authority of the state of
 41 New York (50030903)
 42 45,396,000

43
44 Program Improvement or Program Change Purpose

45
46 For payment of the cost of construction,
 47 reconstruction and improvements, includ-
 48 ing the preparation of designs, plans,
 49 specifications and estimates related to
 50 improvements or changes to existing
 51 facilities and programs. Upon request of
 52 the commissioner of mental health and
 53 approval by the director of the budget,
 54 this appropriation may be transferred to
 55 the dormitory authority of the state of
 56 New York (50080908) 85,185,000
 57

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1	NON-BONDABLE PROJECTS (CCP)	1,000,000
2		-----
3		
4	Capital Projects Fund	
5		
6	Non-Bondable Purpose	
7		
8	For transfer to the Mental Hygiene Capital	
9	Improvement Fund for reimbursement of	
10	the non-bondable cost of projects for	
11	community facilities authorized by	
12	appropriations or reappropriations fund-	
13	ed from the Mental Hygiene Capital	
14	Improvement Fund including liabilities	
15	incurred prior to April 1, 2008 or for	
16	payment to the dormitory authority of	
17	the state of New York for defeasance of	
18	bonds. Upon request of the commissioner	
19	of mental health and approval by the	
20	director of the budget, this appropri-	
21	ation may be transferred to the dormito-	
22	ry authority of the state of New York	
23	(502909NB)	1,000,000
24		

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 COMMUNITY MENTAL HEALTH FACILITIES (CCP)

2

3 Capital Projects Fund

4

5 Minor Rehabilitation Purpose

6

7 By chapter 54, section 1, of the laws of 2008:

8 State aid to municipalities and other public and not-for-profit
9 agencies for acquisition, rehabilitation, and/or improvements to
10 existing community mental health facilities as required to address
11 code violations, health and safety issues, and/or structural/
12 mechanical deficiencies. Notwithstanding any inconsistent provision
13 of law, within the amounts hereby appropriated, the commissioner of
14 the office of mental health may provide state aid grants of up to
15 100 per centum of reasonable capital costs associated with the
16 acquisition, rehabilitation, and/or improvements (50100889)
17 6,000,000 (re. \$6,000,000)

18

19 By chapter 54, section 1, of the laws of 2007:

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 (50100789)
29 6,000,000 (re. \$6,000,000)

30

31 By chapter 54, section 1, of the laws of 2006:

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 (50100689)
41 6,000,000 (re. \$6,000,000)

42

43 By chapter 54, section 1, of the laws of 2005:

44 State aid to municipalities and other public and not-for-profit agen-
45 cies for acquisition, rehabilitation, and/or improvements to exist-
46 ing community mental health facilities as required to address code
47 violations, health and safety issues, and/or structural/mechanical
48 deficiencies. Notwithstanding any inconsistent provision of law,
49 within the amounts hereby appropriated, the commissioner of the
50 office of mental health may provide state aid grants of up to 100
51 per centum of reasonable capital costs associated with the acquisi-
52 tion, rehabilitation, and/or improvements (50100589)
53 6,000,000 (re. \$4,308,000)

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. \$3,083,000)

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. \$3,537,000)

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. \$1,199,000)

30
31 New Facilities Purpose

32
 33 By chapter 54, section 1, of the laws of 1998:
 34 State aid to not-for-profit agencies for acquisition of property,
 35 construction and rehabilitation of 200 supported/SRO beds, approved
 36 by the commissioner of the office of mental health, pursuant to
 37 Article 41 of the mental hygiene law. The moneys hereby appropriated
 38 shall be available for payment of state aid grants for up to 50 per
 39 centum of the reasonable capital costs of those premises acquired,
 40 constructed or rehabilitated for the purpose of housing mentally ill
 41 persons (3/99) (50139807) ... 8,000,000 (re. \$3,062,000)

42
 43 By chapter 54, section 1, of the laws of 1994, for:
 44 State aid to municipalities and other public and not-for-profit
 45 private agencies for acquisition of property, design, construction
 46 and rehabilitation of community mental health facilities and associ-
 47 ated programs including, but not limited to, article 28 or article
 48 31 community mental health facilities or supported housing beds, and
 49 for state aid grants for facilities intended to serve mentally ill
 50 persons (50239407) ... 16,070,000 (re. \$588,000)

51
52 Mental Hygiene Capital Improvement Fund - 389

53
54 New Facilities Purpose

55
 56 By chapter 54, section 1, of the laws of 2008:
 57 For payment to municipalities and not-for-profit community providers
 58 for the acquisition of property, design, construction and rehabi-
 59 litation of housing for mentally ill persons. To the extent that any
 60 portion of such appropriation is utilized to develop housing in any

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1 city having a population of one million or more, that portion of the
2 appropriation shall be matched on a 50/50 basis (50VY0807) ...
3 145,000,000 (re. \$145,000,000)
4

5 By chapter 54, section 1, of the laws of 2007:

6 For payment to municipalities and not-for-profit community providers
7 for the acquisition of property, design, construction and rehabili-
8 tation of housing for mentally ill persons. To the extent that any
9 portion of such appropriation is utilized to develop housing in any
10 city having a population of one million or more, that portion of the
11 appropriation shall be matched on a 50/50 basis (50VY0707)
12 200,000,000 (re. \$200,000,000)
13

14 By chapter 54, section 1, of the laws of 2006:

15 For payment to municipalities and other public and not-for-profit
16 community providers approved by the commissioner of the office of
17 mental health, pursuant to mental hygiene law, for the acquisition
18 of property, construction and rehabilitation of supportive housing
19 for mentally ill homeless persons (50VY0607)
20 211,000,000 (re. \$193,938,000)
21

22 By chapter 54, section 1, of the laws of 2005:

23 For payment to municipalities and not-for-profit community providers
24 for the acquisition of property, design, construction and rehabili-
25 tation of housing for mentally ill persons. Of such appropriation up
26 to eighty percent shall be matched on a 50/50 basis (50VY0507)
27 75,000,000 (re. \$59,047,000)
28

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

30 For payment to municipalities and not-for-profit community providers
31 for the acquisition of property, design, construction and rehabili-
32 tation of housing for mentally ill persons. Of such appropriation up
33 to eighty percent shall be matched on a 50/50 basis (50VY0307)
34 65,000,000 (re. \$33,930,000)
35

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

37 For payment to municipalities and not-for-profit community providers
38 for the acquisition of property, design, construction and rehabili-
39 tation of housing for mentally ill persons. Of such appropriation
40 eighty percent shall be matched on a 50/50 basis and twenty percent
41 shall not require a match (50VY9907)
42 50,000,000 (re. \$21,998,000)
43

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

45 For payment to municipalities and not-for-profit community providers
46 for the acquisition of property, design, construction and rehabili-
47 tation of SRO/supportive housing for mentally ill homeless persons,
48 to be matched on a 50/50 basis (50279807)
49 40,000,000 (re. \$1,112,000)
50

51 By chapter 54, section 1, of the laws of 1993, as amended by chapter 54,
52 section 1, of the laws of 1996:

53 For the acquisition of property, construction and rehabilitation of
54 article 31 community mental health facilities and associated
55 programs and facilities under the auspice of municipalities and
56 other public and not-for-profit private agencies, approved by the
57 commissioner of the office of mental health, pursuant to article 41
58 of the mental hygiene law. The funds hereby appropriated shall be
59 used for the acquisition of property, construction and rehabili-
60

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1 tation of community facilities (50149307)
 2 42,000,000 (re. \$1,211,000)
 3 For acquisition of property, design, construction and rehabilitation
 4 of community facilities under the auspice of municipalities and
 5 other public and not-for-profit private agencies approved by the
 6 commissioner of the office of mental health, pursuant to article 41
 7 of the mental hygiene law. The funds hereby appropriated shall be
 8 available for the costs of those portions of acquired, constructed
 9 or rehabilitated facilities intended to house mentally ill persons.
 10 All disbursements from funds apportioned from this appropriation
 11 shall, for bonding purposes, be considered disbursements of the
 12 Mental Hygiene Capital Improvement Fund (50139307)
 13 13,000,000 (re. \$594,000)
 14

15 By chapter 54, section 1, of the laws of 1990:
 16 For the acquisition of property, construction and rehabilitation of
 17 article 31 community mental health facilities under the auspice of
 18 municipalities and other public and not-for-profit private agencies
 19 approved by the commissioner of the office of mental health, pursu-
 20 ant to article 41 of the Mental Hygiene Law. Notwithstanding any
 21 inconsistent provision of law to the contrary, these funds may be
 22 expended for personal service and non-personal service, including
 23 fringe benefits, related to the administration of projects financed
 24 through the issuance of medical care facilities finance agency
 25 mental health services facilities improvement bonds authorized by
 26 this appropriation or any prior appropriation in force. The funds
 27 hereby appropriated shall be made available in accordance with a
 28 comprehensive plan for proposed projects approved by the director of
 29 the budget, and pursuant to a certificate of approval of availabili-
 30 ty issued by the director of the budget with copies of the certifi-
 31 cate filed with the state comptroller, the chairperson of the
 32 senate finance committee and the chairperson of the assembly ways
 33 and means committee (50109007) ... 30,000,000 (re. \$2,338,000)
 34

35 Preservation of Facilities Purpose

36
 37 By chapter 54, section 1, of the laws of 2008:
 38 For the acquisition of property, construction and rehabilitation of
 39 new facilities and/or relocation of existing community mental health
 40 facilities under the auspice of municipalities and other public and
 41 not-for-profit agencies, approved by the commissioner of the office
 42 of mental health, pursuant to article 41 of the mental hygiene law
 43 (50230803) ... 28,000,000 (re. \$28,000,000)
 44

45 By chapter 54, section 1, of the laws of 2007:
 46 For the acquisition of property, construction and rehabilitation of
 47 new facilities and/or relocation of existing community mental health
 48 facilities under the auspice of municipalities and other public and
 49 not-for-profit agencies, approved by the commissioner of the office
 50 of mental health, pursuant to article 41 of the mental hygiene law
 51 (50230703) ... 112,000,000 (re. \$103,139,000)
 52

53 By chapter 54, section 1, of the laws of 2006:
 54 For the acquisition of property, construction and rehabilitation of
 55 new facilities and/or relocation of existing community mental health
 56 facilities under the auspice of municipalities and other public and
 57 not-for-profit agencies, approved by the commissioner of the office
 58 of mental health, pursuant to article 41 of the mental hygiene law
 59 (50230603) ... 15,000,000 (re. \$11,814,000)
 60

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2003:
 2 For the acquisition of property, construction and rehabilitation of
 3 new facilities and/or relocation of existing community mental health
 4 facilities under the auspice of municipalities and other public and
 5 not-for-profit agencies, approved by the commissioner of the office
 6 of mental health, pursuant to article 41 of the mental hygiene law
 7 (50230303) ... 5,000,000 (re. \$409,000)

8
 9 By chapter 54, section 1, of the laws of 2001:
 10 For the acquisition of property, construction, rehabilitation and/or
 11 relocation of existing community mental health facilities under the
 12 auspice of municipalities and other public and not-for-profit agen-
 13 cies, approved by the commissioner of the office of mental health,
 14 pursuant to article 41 of the mental hygiene law (50230103)
 15 5,000,000 (re. \$595,000)

16
17 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

18
19 Capital Projects Fund

20
21 Preparation of Plans Purpose

22
 23 By chapter 54, section 1, of the laws of 2008:
 24 For payment to the design and construction management account of the
 25 centralized services fund of the New York state office of general
 26 services or to the dormitory authority of the state of New York for
 27 the purpose of preparation and review of plans, specifications,
 28 estimates, services, construction management and supervision, inspe-
 29 ction, studies, appraisals, surveys, testing and environmental
 30 impact statements for new and existing projects. Upon approval of
 31 the director of the budget, funds from this appropriation may be
 32 transferred to the office of mental retardation and developmental
 33 disabilities and the office of alcoholism and substance abuse ser-
 34 vices for payment to the dormitory authority of the state of New
 35 York for preparation of plans purpose (50DC0830)
 36 2,000,000 (re. \$2,000,000)

37
38 Mental Hygiene Capital Improvement Fund - 389

39
40 Preparation of Plans Purpose

41
 42 By chapter 54, section 1, of the laws of 2008:
 43 For payment to the design and construction management account of the
 44 centralized services fund of the New York state office of general
 45 services or to the dormitory authority of the state of New York for
 46 the purpose of preparation and review of plans, specifications,
 47 estimates, services, construction management and supervision,
 48 inspection, studies, appraisals, surveys, testing and environmental
 49 impact statements for new and existing projects. Upon request of the
 50 commissioner of mental health and approval by the director of the
 51 budget, this appropriation may be transferred to the dormitory
 52 authority of the state of New York. Upon approval of the director of
 53 the budget, funds from this appropriation may be transferred to the
 54 office of mental retardation and developmental disabilities and the
 55 office of alcoholism and substance abuse services for payment to the
 56 dormitory authority of the state of New York for preparation of
 57 plans purpose (50310830) ... 12,000,000 (re. \$12,000,000)

58
 59 By chapter 54, section 1, of the laws of 2007:
 60 For payment to the design and construction management account of the

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 centralized services fund of the New York state office of general
 2 services or to the dormitory authority of the state of New York for
 3 the purpose of preparation and review of plans, specifications,
 4 estimates, services, construction management and supervision,
 5 inspection, studies, appraisals, surveys, testing and environmental
 6 impact statements for new and existing projects. Upon request of the
 7 commissioner of mental health and approval by the director of the
 8 budget, this appropriation may be transferred to the dormitory
 9 authority of the state of New York. Upon approval of the director of
 10 the budget, funds from this appropriation may be transferred to the
 11 office of mental retardation and developmental disabilities and the
 12 office of alcoholism and substance abuse services for payment to the
 13 dormitory authority of the state of New York for preparation of
 14 plans purpose (50310730) ... 12,000,000 (re. \$5,457,000)

15
 16 By chapter 54, section 1, of the laws of 2006:
 17 For payment to the design and construction management account of the
 18 centralized services fund of the New York state office of general
 19 services or to the dormitory authority of the state of New York for
 20 the purpose of preparation and review of plans, specifications,
 21 estimates, services, construction management and supervision,
 22 inspection, studies, appraisals, surveys, testing and environmental
 23 impact statements for new and existing projects. Upon request of the
 24 commissioner of mental health and approval by the director of the
 25 budget, this appropriation may be transferred to the dormitory
 26 authority of the state of New York. Upon approval of the director of
 27 the budget, funds from this appropriation may be transferred to the
 28 office of mental retardation and developmental disabilities and the
 29 office of alcoholism and substance abuse services for payment to the
 30 dormitory authority of the state of New York for preparation of
 31 plans purpose (50310630) ... 8,000,000 (re. \$2,000,000)

32
 33 By chapter 54, section 1, of the laws of 2005:
 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 request of the
 41 commissioner of mental health and approval by the director of the
 42 budget, this appropriation may be transferred to the dormitory
 43 authority of the state of New York. Upon approval of the director of
 44 the budget, funds from this appropriation may be transferred to the
 45 office of mental retardation and developmental disabilities and the
 46 office of alcoholism and substance abuse services for payment to the
 47 dormitory authority of the state of New York for preparation of
 48 plans purpose (50310530) ... 8,000,000 (re. \$2,000,000)

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 and existing projects. Upon request of the
 58 commissioner of mental health and approval by the director of the
 59 budget, this appropriation may be transferred to the dormitory
 60 authority of the state of New York. Upon approval of the director of

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1 the budget, funds from this appropriation may be transferred to the
 2 office of mental retardation and developmental disabilities and the
 3 office of alcoholism and substance abuse services for payment to the
 4 dormitory authority of the state of New York for preparation of
 5 plans purpose (50310430) ... 8,000,000 (re. \$2,635,000)
 6

7 By chapter 54, section 1, of the laws of 2003:
 8 For payment to the design and construction management account of the
 9 centralized services fund of the New York state office of general
 10 services or to the dormitory authority of the state of New York for
 11 the purpose of preparation and review of plans, specifications,
 12 estimates, services, construction management and supervision,
 13 inspection, studies, appraisals, surveys, testing and environmental
 14 impact statements for new and existing projects. Upon request of the
 15 commissioner of mental health and approval by the director of the
 16 budget, this appropriation may be transferred to the dormitory
 17 authority of the state of New York. Upon approval of the director of
 18 the budget, funds from this appropriation may be transferred to the
 19 office of mental retardation and developmental disabilities and the
 20 office of alcoholism and substance abuse services for payment to the
 21 dormitory authority of the state of New York for preparation of
 22 plans purpose (50310330) ... 8,000,000 (re. \$300,000)
 23

24 EXECUTIVE DIRECTION (CCP)

25
26 Mental Hygiene Capital Improvement Fund - 389

27
28 Administration Purpose

29
30 By chapter 54, section 1, of the laws of 2008:
 31 For payment of personal service and nonpersonal service, including
 32 fringe benefits, related to the administration of the capital
 33 programs provided by the office of mental health for new and
 34 reappropriated state operated institutional capital projects. Upon
 35 request of the commissioner of mental health and approval by the
 36 director of the budget, this appropriation may be transferred to the
 37 dormitory authority of the state of New York (50990850)
 38 3,717,000 (re. \$3,717,000)
 39

40 By chapter 54, section 1, of the laws of 2007:
 41 For payment of personal service and nonpersonal service, including
 42 fringe benefits, related to the administration of the capital
 43 programs provided by the office of mental health for new and reap-
 44 propriated state operated institutional capital projects. Upon
 45 request of the commissioner of mental health and approval by the
 46 director of the budget, this appropriation may be transferred to the
 47 dormitory authority of the state of New York (50990750)
 48 3,717,000 (re. \$2,396,000)
 49

50 By chapter 54, section 1, of the laws of 2004, as amended by chapter 54,
 51 section 1, of the laws of 2005, as supplemented by a certificate of
 52 transfer:
 53 For payment of personal service and nonpersonal service, including
 54 fringe benefits, related to the administration of the capital
 55 programs provided by the office of mental health for new and reap-
 56 propriated state operated institutional capital projects. Upon
 57 request of the commissioner of mental health and approval by the
 58 director of the budget, this appropriation may be transferred to the
 59 dormitory authority of the state of New York (50990450)
 60 3,591,000 (re. \$428,000)

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MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Energy Conservation Purpose

By chapter 54, section 1, of the laws of 2008:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050805) ... 4,500,000 (re. \$4,500,000)

By chapter 54, section 1, of the laws of 2007:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050705) ... 4,200,000 (re. \$1,132,000)

Environmental Protection or Improvements Purpose

By chapter 54, section 1, of the laws of 2008:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0806) 4,100,000 (re. \$4,100,000)

By chapter 54, section 1, of the laws of 2007:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0706) 8,010,000 (re. \$4,524,000)

By chapter 54, section 1, of the laws of 2006:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0606) 6,550,000 (re. \$990,000)

By chapter 54, section 1, of the laws of 2005:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0506) 7,450,000 (re. \$263,000)

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2008:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, 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. 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 (50HS0801) ...
4 7,010,000 (re. \$5,602,000)
5

6 By chapter 54, section 1, of the laws of 2007:
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 (50HS0701)
16 4,000,000 (re. \$788,000)
17

18 Minor Rehabilitation Purpose

19
20 By chapter 54, section 1, of the laws of 2007:
21 For minor alterations and improvements to various facilities, includ-
22 ing the payment of liabilities incurred prior to April 1, 2007,
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 (50380789)
26 4,000,000 (re. \$339,000)
27

28 Preservation of Facilities Purpose

29
30 By chapter 54, section 1, of the laws of 2008:
31 For payment of the cost of construction, reconstruction and improve-
32 ments, including the preparation of designs, plans, specifications
33 and estimates to existing facilities and programs, provided,
34 however, that no expenditures may be made from this appropriation
35 until a comprehensive plan of projects has been approved by the
36 director of the budget (50PF0803)
37 18,400,000 (re. \$18,273,000)
38

39 By chapter 54, section 1, of the laws of 2007:
40 For payment of the cost of construction, reconstruction and improve-
41 ments, including the preparation of designs, plans, specifications
42 and estimates to existing facilities and programs, provided, howev-
43 er, that no expenditures may be made from this appropriation until a
44 comprehensive plan of projects has been approved by the director of
45 the budget (50PF0703) ... 13,800,000 (re. \$8,209,000)
46

47 By chapter 54, section 1, of the laws of 2006:
48 For payment for the renovation, improvements, space management and/or
49 utilization activities at the St. Lawrence Psychiatric Center
50 (50SL0603) ... 5,000,000 (re. \$5,000,000)
51

52 Mental Hygiene Capital Improvement Fund - 389

53
54 Accreditation Purpose

55
56 By chapter 54, section 1, of the laws of 2008:
57 For payment of the cost of land acquisition, construction, recon-
58 struction and improvements, including the preparation of designs,
59 plans, specifications and estimates related to accreditation imp-
60 rovements to existing facilities and programs. This appropriation

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1 may be used for payment of personal service, indirect cost recovery,
2 and fringe benefit costs associated with New York State employees
3 assigned to such capital projects. Upon request of the commissioner
4 of mental health and approval by the director of the budget, this
5 appropriation may be transferred to the dormitory authority of the
6 state of New York (50060802) ... 95,624,000 (re. \$95,624,000)
7

8 By chapter 54, section 1, of the laws of 2007:
9 For payment of the cost of land acquisition, construction, recon-
10 struction and improvements, including the preparation of designs,
11 plans, specifications and estimates related to accreditation
12 improvements to existing facilities and programs. Upon request of
13 the commissioner of mental health and approval by the director of
14 the budget, this appropriation may be transferred to the dormitory
15 authority of the state of New York (50060702)
16 164,153,000 (re. \$159,202,000)
17

18 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
19 section 1, of the laws of 2008:
20 For payment of the cost of land acquisition, construction, recon-
21 struction and improvements, including the preparation of designs,
22 plans, specifications and estimates related to accreditation
23 improvements to existing facilities and programs. Upon request of
24 the commissioner of mental health and approval by the director of
25 the budget, this appropriation may be transferred to the dormitory
26 authority of the state of New York (50060602)
27 70,352,000 (re. \$52,441,000)
28

29 By chapter 54, section 1, of the laws of 2005:
30 For payment of the cost of land acquisition, construction, recon-
31 struction and improvements, including the preparation of designs,
32 plans, specifications and estimates related to accreditation
33 improvements to existing facilities and programs. Upon request of
34 the commissioner of mental health and approval by the director of
35 the budget, this appropriation may be transferred to the dormitory
36 authority of the state of New York (50060502)
37 45,212,000 (re. \$19,791,000)
38

39 By chapter 54, section 1, of the laws of 2004:
40 For payment of the cost of land acquisition, construction, recon-
41 struction and improvements, including the preparation of designs,
42 plans, specifications and estimates related to accreditation
43 improvements to existing facilities and programs. Upon request of
44 the commissioner of mental health and approval by the director of
45 the budget, this appropriation may be transferred to the dormitory
46 authority of the state of New York (50060402)
47 8,500,000 (re. \$1,371,000)
48

49 By chapter 54, section 1, of the laws of 2003, as amended by chapter 54,
50 section 1, of the laws of 2008, as supplemented by a certificate of
51 transfer:
52 For payment of the cost of land acquisition, construction, recon-
53 struction and improvements, including the preparation of designs,
54 plans, specifications and estimates related to accreditation
55 improvements to existing facilities and programs. Upon request of
56 the commissioner of mental health and approval by the director of
57 the budget, this appropriation may be transferred to the dormitory
58 authority of the state of New York (50060302)
59 6,900,000 (re. \$979,000)
60

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1 Environmental Protection or Improvements Purpose

2

3 By chapter 54, section 1, of the laws of 2008:

4 For payment of the cost of construction, reconstruction and improve-
 5 ments, including the preparations of designs, plans, specifications
 6 and estimates for environmental protection. Upon request of the
 7 commissioner of mental health and approval by the director of the
 8 budget, this appropriation may be transferred to the dormitory
 9 authority of the state of New York (50060806)
 10 1,000,000 (re. \$1,000,000)

11

12 By chapter 54, section 1, of the laws of 2007:

13 For payment of the cost of construction, reconstruction and improve-
 14 ments, including the preparations of designs, plans, specifications
 15 and estimates for environmental protection. Upon request of the
 16 commissioner of mental health and approval by the director of the
 17 budget, this appropriation may be transferred to the dormitory
 18 authority of the state of New York (50060706)
 19 500,000 (re. \$241,000)

20

21 By chapter 54, section 1, of the laws of 2006:

22 For payment of the cost of construction, reconstruction and improve-
 23 ments, including the preparations of designs, plans, specifications
 24 and estimates for environmental protection. 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 (50060606)
 28 500,000 (re. \$104,000)

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 preparations of designs, plans, specifications
 33 and estimates for environmental protection. Upon request of the
 34 commissioner of mental health and approval by the director of the
 35 budget, this appropriation may be transferred to the dormitory
 36 authority of the state of New York (50160306)
 37 2,000,000 (re. \$610,000)

38

39 Health and Safety Purpose

40

41 By chapter 54, section 1, of the laws of 2008:

42 For payment of the cost of construction, reconstruction and improve-
 43 ments, including the preparation of designs, plans, specifications
 44 and estimates, for health and safety improvements to existing
 45 facilities and programs, provided, however, that no expenditures may
 46 be made from this appropriation until a comprehensive plan of
 47 projects has been approved by the director of the budget. This
 48 appropriation may be used for payment of personal service, indirect
 49 cost recovery, and fringe benefit costs associated with New York
 50 State employees assigned to such capital projects. Upon request of
 51 the commissioner of mental health and approval by the director of
 52 the budget, this appropriation may be transferred to the dormitory
 53 authority of the state of New York (50010801)
 54 60,276,000 (re. \$60,276,000)

55

56 By chapter 54, section 1, of the laws of 2007:

57 For payment of the cost of construction, reconstruction and improve-
 58 ments, including the preparation of designs, plans, specifications
 59 and estimates, for health and safety improvements to existing facil-
 60 ities and programs, provided, however, that no expenditures may be

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1 made from this appropriation until a comprehensive plan of projects
 2 has been approved by the director of the budget. Upon request of the
 3 commissioner of mental health and approval by the director of the
 4 budget, this appropriation may be transferred to the dormitory
 5 authority of the state of New York (50010701)
 6 28,963,000 (re. \$20,912,000)

7
 8 By chapter 54, section 1, of the laws of 2006:
 9 For payment of the cost of construction, reconstruction and improve-
 10 ments, including the preparation of designs, plans, specifications
 11 and estimates, for health and safety improvements to existing facil-
 12 ities and programs, provided, however, that no expenditures may be
 13 made from this appropriation until a comprehensive plan of projects
 14 has been approved by the director of the budget. Upon request of the
 15 commissioner of mental health and approval by the director of the
 16 budget, this appropriation may be transferred to the dormitory
 17 authority of the state of New York (50010601)
 18 19,130,000 (re. \$2,413,000)

19
 20 By chapter 54, section 1, of the laws of 2005:
 21 For payment of the cost of construction, reconstruction and improve-
 22 ments, including the preparation of designs, plans, specifications
 23 and estimates, for health and safety improvements to existing facil-
 24 ities and programs, provided, however, that no expenditures may be
 25 made from this appropriation until a comprehensive plan of projects
 26 has been approved by the director of the budget. 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 (50010501)
 30 43,797,000 (re. \$5,672,000)

31
 32 By chapter 54, section 1, of the laws of 2004:
 33 For payment of the cost of construction, reconstruction and improve-
 34 ments, including the preparation of designs, plans, specifications
 35 and estimates, for health and safety improvements to existing facil-
 36 ities and programs, provided, however, that no expenditures may be
 37 made from this appropriation until a comprehensive plan of projects
 38 has been approved by the director of the budget. Upon request of the
 39 commissioner of mental health and approval by the director of the
 40 budget, this appropriation may be transferred to the dormitory
 41 authority of the state of New York (50010401)
 42 29,350,000 (re. \$1,525,000)

43
 44 By chapter 54, section 1, of the laws of 2003:
 45 For payment of the cost of construction, reconstruction and improve-
 46 ments, including the preparation of designs, plans, specifications
 47 and estimates, for health and safety improvements to existing facil-
 48 ities and programs, provided, however, that no expenditures may be
 49 made from this appropriation until a comprehensive plan of projects
 50 has been approved by the director of the budget. Upon request of the
 51 commissioner of mental health and approval by the director of the
 52 budget, this appropriation may be transferred to the dormitory
 53 authority of the state of New York (50010301)
 54 45,000,000 (re. \$1,374,000)

55
56 Preservation of Facilities Purpose

57
 58 By chapter 54, section 1, of the laws of 2008:
 59 For payment of the cost of construction, reconstruction and improve-
 60 ments, including the preparation of designs, plans, specifications

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1 and estimates, and minor rehabilitation and improvements for the
 2 preservation of existing facilities and programs, provided, however,
 3 that no expenditures may be made from this appropriation until a
 4 comprehensive plan of projects has been approved by the director of
 5 the budget. This appropriation may be used for payment of personal
 6 service, indirect cost recovery, and fringe benefit costs associated
 7 with New York State employees assigned to such capital projects.
 8 Upon request of the commissioner of mental health and approval by
 9 the director of the budget, this appropriation may be transferred to
 10 the dormitory authority of the state of New York (50030803)
 11 24,688,000 (re. \$24,688,000)
 12

13 By chapter 54, section 1, of the laws of 2007:
 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 (50030703) ... 34,946,000 (re. \$27,675,000)
 24

25 By chapter 54, section 1, of the laws of 2006:
 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 (50030603) ... 21,804,000 (re. \$8,516,000)
 36

37 By chapter 54, section 1, of the laws of 2005:
 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 (50030503) ... 25,045,000 (re. \$6,182,000)
 48

49 By chapter 54, section 1, of the laws of 2004:
 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 (50030403) ... 29,350,000 (re. \$6,889,000)
 60

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1 By chapter 54, section 1, of the laws of 2003:
 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 (50030303) ... 21,700,000 (re. \$1,432,000)
 12

13 Program Improvement or Program Change Purpose

14
 15 By chapter 54, section 1, of the laws of 2008:
 16 For payment of the cost of construction, reconstruction and improve-
 17 ments, including the preparation of designs, plans, specifications
 18 and estimates related to improvements or changes to existing
 19 facilities and programs. Upon request of the commissioner of mental
 20 health and approval by the director of the budget, this appropri-
 21 ation may be transferred to the dormitory authority of the state of
 22 New York (50080808) ... 32,952,000 (re. \$32,952,000)
 23

24 By chapter 54, section 1, of the laws of 2007:
 25 For payment of the cost of construction, reconstruction and improve-
 26 ments, including the preparation of designs, plans, specifications
 27 and estimates related to improvements or changes to existing facili-
 28 ties and programs. Upon request of the commissioner of mental health
 29 and approval by the director of the budget, this appropriation may
 30 be transferred to the dormitory authority of the state of New York
 31 (50080708) ... 46,208,000 (re. \$41,675,000)
 32

33 By chapter 54, section 1, of the laws of 2006:
 34 For payment of the cost of construction, reconstruction and improve-
 35 ments, including the preparation of designs, plans, specifications
 36 and estimates related to improvements or changes to existing facili-
 37 ties and programs, including for costs associated with the civil
 38 commitment of persons convicted of sexually violent offenses in
 39 accordance with the mental hygiene law directly upon their release
 40 or conditional release from a correctional facility. Upon request of
 41 the commissioner of mental health and approval by the director of
 42 the budget, this appropriation may be transferred to the dormitory
 43 authority of the state of New York (50080608)
 44 85,473,000 (re. \$44,694,000)
 45

46 By chapter 54, section 1, of the laws of 2005:
 47 For payment of the cost of construction, reconstruction and improve-
 48 ments, including the preparation of designs, plans, specifications
 49 and estimates related to improvements or changes to existing facili-
 50 ties and programs, provided, however, that no expenditures may be
 51 made from this appropriation until a comprehensive plan of projects
 52 has been approved by the director of the budget. Upon request of the
 53 commissioner of mental health and approval by the director of the
 54 budget, this appropriation may be transferred to the dormitory
 55 authority of the state of New York (50080508)
 56 14,146,000 (re. \$2,301,000)
 57

58 By chapter 54, section 1, of the laws of 2003:
 59 For payment of the cost of construction, reconstruction and improve-
 60 ments, including the preparation of designs, plans, specifications

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1 and estimates related to improvements or changes to existing facili-
 2 ties and programs, provided, however, that no expenditures may be
 3 made from this appropriation until a comprehensive plan of projects
 4 has been approved by the director of the budget. Upon request of the
 5 commissioner of mental health and approval by the director of the
 6 budget, this appropriation may be transferred to the dormitory
 7 authority of the state of New York (50080308)
 8 18,000,000 (re. \$1,834,000)
 9

10 NON-BONDABLE PROJECTS (CCP)

11
12 Capital Projects Fund

13
14 Non-Bondable Purpose

15
16 By chapter 54, section 1, of the laws of 2000:

17 For transfer to the Mental Hygiene Capital Improvement Fund for
 18 reimbursement of the non-bondable cost of institutional projects
 19 authorized by appropriations or reappropriations funded from the
 20 Mental Hygiene Capital Improvement Fund including liabilities
 21 incurred prior to April 1, 2000 or for payment to the dormitory
 22 authority of the state of New York for defeasance of bonds. Upon
 23 request of the commissioner of mental health and approval by the
 24 director of the budget, this appropriation may be transferred to the
 25 dormitory authority of the state of New York (50FO00NB)
 26 8,000,000 (re. \$5,045,000)
 27

28 (APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

29
30 EXECUTIVE DIRECTION (CCP)

31
32 Capital Projects Fund

33
34 Preservation of Facilities Purpose

35
36 By chapter 1, section 8, of the laws of 1965, as amended by chapter 54,
37 section 1, of the laws of 2006:

38 (1) The payment of all claims for personal injury, death or property
 39 damage for which the New York State Medical Care Facilities Finance
 40 Agency or the facilities development corporation or the dormitory
 41 authority might be liable occurring upon, in or about any projects
 42 covered by the Agreement of Lease entered into by the facilities
 43 development corporation, the department of mental hygiene and the
 44 New York State Medical Care Facilities Finance Agency under date of
 45 October 1, 1987 as from time to time amended and supplemented and
 46 any and all penalties, costs, including attorneys' fees, claims,
 47 demands and causes of action due directly or indirectly to the use,
 48 disuse, misuse or interest in such projects; (2) in the case of
 49 damage, loss or destruction of any such project, or any part of any
 50 such project, the payment of the costs of repairing, restoring,
 51 rebuilding or replacing the same in accordance with the obligations
 52 of the facilities development corporation so to do from the proceeds
 53 of insurance under the provisions of paragraph (b) of section 3.04
 54 of the Agreement of Lease; and (3) payments to the New York State
 55 Medical Care Facilities Finance Agency of moneys at the times and in
 56 the amounts that annual rentals would be due with respect to each
 57 project during such time or times as each such project may be
 58 damaged or destroyed and not available for use by the department of
 59 mental hygiene in accordance with the terms of the Agreement of
 60 Lease.

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1 Notwithstanding the provisions of any general or special law, the
2 facilities development corporation may assign to the New York State
3 Medical Care Facilities Finance Agency all or any portion of the
4 moneys hereby appropriated for the purposes hereinabove set forth.
5 Notwithstanding the foregoing, in the event the appropriation is
6 insufficient to cover the losses, upon notification from the Facili-
7 ties Development Corporation, the director of the division of the
8 budget shall submit a request for additional appropriations to cover
9 the additional losses. Upon approval by the director of the budget,
10 funds from this appropriation may be transferred to the office of
11 mental retardation and developmental disabilities and the office of
12 alcoholism and substance abuse services for payment to the dormitory
13 authority of the state of New York (00638103)
14 4,000,000 (re. \$2,445,000)
15

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS	
2			
3			
4			
5	General Fund - State and Local	1,491,249,000	2,289,500
6	Special Revenue Funds - Federal	751,000	3,141,000
7	Special Revenue Funds - Other	2,897,403,000	0
8	Capital Projects Funds	127,315,000	318,910,000
9	Enterprise Funds	2,669,000	0
10	Internal Service Funds	350,000	0
11		-----	-----
12	All Funds	4,519,737,000	324,340,500
13		=====	=====

14
15 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

16	17	State	Aid to	Capital	
18	Fund Type	Operations	Localities	Projects	Total
19	-----	-----	-----	-----	-----
20	GF-St/Local	0	1,491,249,000	0	1,491,249,000
21	SR-Federal	751,000	0	0	751,000
22	SR-Other	2,167,640,000	729,763,000	0	2,897,403,000
23	Cap Proj	0	0	127,315,000	127,315,000
24	Enterprise	2,669,000	0	0	2,669,000
25	Internal Srv	350,000	0	0	350,000
26	-----	-----	-----	-----	-----
27	All Funds	2,171,410,000	2,221,012,000	127,315,000	4,519,737,000
28		=====	=====	=====	=====

29
30 SCHEDULE

31
32 CENTRAL COORDINATION AND SUPPORT PROGRAM 118,624,000

33
34
35 Special Revenue Funds - Federal / State Operations
36 Federal Operating Grants Fund - 290

37
38 Notwithstanding any other provision of law,
39 the money hereby appropriated may be
40 transferred to local assistance and/or any
41 appropriation of the office of mental
42 retardation and developmental disabili-
43 ties, with the approval of the director of
44 the budget who shall file such approval
45 with the department of audit and control
46 and copies thereof with the chairman of
47 the senate finance committee and the
48 chairman of the assembly ways and means
49 committee.

50 For services and expenses related to the
51 administration of the federal senior
52 companions program 333,000
53 For services and expenses associated with
54 housing counseling assistance and training
55 programs 418,000
56 -----
57 Program fund subtotal 751,000
58 -----

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Special Revenue Funds - Other / State Operations
 2 Miscellaneous Special Revenue Fund - 339
 3 Mental Hygiene Patient Income Account
 4

5 Notwithstanding any other provision of law,
 6 the money hereby appropriated may be
 7 transferred to local assistance and/or any
 8 appropriation of the office of mental
 9 retardation and developmental disabili-
 10 ties, and may be increased or decreased by
 11 transfer or suballocation between these
 12 appropriated amounts and appropriations of
 13 the department of health, the office of
 14 medicaid inspector general, the office of
 15 mental health, and the office of alcohol-
 16 ism and substance abuse services with the
 17 approval of the director of the budget who
 18 shall file such approval with the depart-
 19 ment of audit and control and copies ther-
 20 eof with the chairman of the senate
 21 finance committee and the chairman of the
 22 assembly ways and means committee. The
 23 state comptroller is hereby authorized and
 24 directed to loan money in accordance with
 25 the provisions set forth in subdivision 5
 26 of section 4 of the state finance law to
 27 the mental hygiene patient income account.

28 Notwithstanding section 11 of title A of
 29 article 2 of the civil service law, this
 30 appropriation and all positions funded by
 31 it shall be exempt from the provisions of
 32 said section pertaining to the assessment,
 33 computation and payment of the fractional
 34 share of administration expenses charged
 35 by the state department of civil service,
 36 nor shall the office of mental retardation
 37 and developmental disabilities make
 38 payments for any such assessment of
 39 expenses of administration from funds
 40 available on or after April 1, 2009.
 41

42 PERSONAL SERVICE

43

44 Personal service--regular	60,107,000
45 Temporary service	548,000
46 Holiday/overtime compensation	194,000
47	-----
48 Amount available for personal service	60,849,000
49	-----

50

51 NONPERSONAL SERVICE

52

53 Supplies and materials	681,000
54 Travel	2,309,000
55 Contractual services	20,393,000
56 Equipment	3,986,000
57 Fringe benefits	26,871,000

58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Indirect costs	2,434,000
2		-----
3	Amount available for nonpersonal service..	56,674,000
4		-----
5	Program account subtotal	117,523,000
6		-----
7		
8	Internal Service Fund / State Operations	
9	Miscellaneous Internal Service Fund - 334	
10	OMRDD Copy Center Account	
11		
12	For services and expenses associated with	
13	the office of mental retardation and	
14	developmental disabilities copy center.	
15	Notwithstanding any other provision of law,	
16	the money hereby appropriated may be	
17	transferred to local assistance and/or any	
18	appropriation of the office of mental	
19	retardation and developmental disabili-	
20	ties, with the approval of the director of	
21	the budget who shall file such approval	
22	with the department of audit and control	
23	and copies thereof with the chairman of	
24	the senate finance committee and the	
25	chairman of the assembly ways and means	
26	committee.	
27		
28		
29		
30	Contractual services	350,000
31		-----
32	Program account subtotal	350,000
33		-----
34		
35	COMMUNITY SERVICES PROGRAM	3,538,048,000
36		-----

37

38 General Fund / Aid to Localities

39 Local Assistance Account - 001

40

41 For services and expenses of the community

42 services program, net of disallowances,

43 for community mental retardation and

44 developmental disabilities programs pursu-

45 ant to article 41 of the mental hygiene

46 law, and/or chapter 620 of the laws of

47 1974, chapter 660 of the laws of 1977,

48 chapter 412 of the laws of 1981, chapter

49 27 of the laws of 1987, chapter 729 of the

50 laws of 1989, chapter 329 of the laws of

51 1993 and other provisions of the mental

52 hygiene law.

53 Notwithstanding any other provision of law,

54 advances and reimbursement made pursuant

55 to subdivision (d) of section 41.15 and

56 section 41.18 of the mental hygiene law

57 shall be allocated pursuant to a plan and

58 in a manner prescribed by the agency head

59 and approved by the director of the budg-

60 et. No expenditure shall be made until a

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 certificate of allocation has been
2 approved by the director of the budget and
3 copies thereof filed with the state comp-
4 troller, and the chairs of the senate
5 finance and assembly ways and means
6 committees. The moneys hereby appropriated
7 are available to reimburse or advance
8 localities and voluntary non-profit agen-
9 cies for expenditures made during local
10 fiscal periods commencing January 1, 2009,
11 April 1, 2009 or July 1, 2009, and for
12 advances for the 3 month period beginning
13 January 1, 2010.

14 Notwithstanding the provisions of article 41
15 of the mental hygiene law or any other
16 inconsistent provision of law, rule or
17 regulation, the commissioner, with the
18 approval of the director of the budget,
19 may contract with voluntary agencies that
20 are receiving, or are eligible to receive,
21 state aid directly or through written
22 agreements with local governments pursuant
23 to article 41 of the mental hygiene law.
24 The commissioner, pursuant to such
25 contract and in the manner provided there-
26 in, may pay all or a portion of the
27 expenses incurred by such voluntary agen-
28 cies arising out of loans which are funded
29 from the proceeds of bonds and notes
30 issued by the dormitory authority of the
31 state of New York. Such expenses may
32 include, but shall not be limited to,
33 amounts relating to principal and interest
34 and any other fees and charges arising
35 from such loans.

36 Notwithstanding any inconsistent provision
37 of law, reimbursement from this appropri-
38 ation for services delivered under the
39 medical assistance program shall be pursu-
40 ant to economic and efficient rates of
41 payments, which recognize consumer choice,
42 established by the commissioner, and
43 approved by the director of the budget.

44 Notwithstanding any inconsistent provision
45 of law, the director of the budget is
46 authorized to make suballocations from
47 this appropriation to the department of
48 health medical assistance program.

49 Notwithstanding any other provision of law,
50 the money hereby appropriated may be
51 transferred to state operations and/or any
52 appropriation of the office of mental
53 retardation and developmental disabilities
54 with the approval of the director of the
55 budget who shall file such approval with
56 the department of audit and control and
57 copies thereof with the chairman of the
58 senate finance committee and the chairman
59 of the assembly ways and means committee.
60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Notwithstanding any inconsistent provision
2 of law, moneys from this appropriation may
3 be used for state aid of up to 100 percent
4 of the net deficit costs of day training
5 programs.

6 Notwithstanding any inconsistent provision
7 of law, with the approval of the director
8 of the budget, moneys from this
9 appropriation may be used for expenses
10 incurred by the office of mental
11 retardation and developmental disabilities
12 that may arise from the assumption of
13 operational responsibility for programs
14 when operating certificates for such
15 programs cease to be in effect.

16 Notwithstanding any inconsistent provision
17 of law, including section 1 of part C of
18 chapter 57 of the laws of 2006, as amended
19 by section 2 of part I of chapter 58 of
20 the laws of 2008, for the period
21 commencing on January 1, 2009 the
22 commissioner shall: (i) apply a one
23 percent reduction to the amount in effect
24 on December 31, 2008 for the purpose of
25 establishing rates of payments, contracts
26 or any other form of reimbursement, and
27 (ii) not apply any cost of living
28 adjustment for the period beginning April
29 1, 2009 and ending March 31, 2010 for the
30 purpose of establishing rates of payments,
31 contracts or any other form of
32 reimbursement.

33 Notwithstanding any inconsistent provision
34 of law, including section 41.23 of the
35 mental hygiene law, no unified services
36 plan shall be approved and no funding
37 shall be available for unified services
38 for the period beginning January 1, 2009
39 and ending March 31, 2010.

40 Notwithstanding any inconsistent provision
41 of law, including section 31 of part E of
42 chapter 58 of the laws of 1998, no income
43 shall be considered exempt for the period
44 beginning April 1, 2009 and ending March
45 31, 2010 to the long term sheltered
46 workshop employment program for purposes
47 of determining state aid.

48 Notwithstanding any inconsistent provision
49 of law, and pursuant to criteria estab-
50 lished by the commissioner of the office
51 of mental retardation and developmental
52 disabilities and approved by the director
53 of the budget, expenditures may be made
54 from this appropriation for residential
55 facilities which are pending recertif-
56 ication as intermediate care facilities
57 for the developmentally disabled.

58 Notwithstanding any inconsistent provision
59 of law, moneys from this appropriation may
60 be used for state aid of up to 100 percent

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 of the net operating costs related to the
2 provision of family support services,
3 including services to persons with
4 epilepsy.

5 Notwithstanding the provisions of section
6 41.36 of the mental hygiene law and any
7 other inconsistent provision of law,
8 moneys from this appropriation may be used
9 for payment up to \$250 per year per
10 client, at such times and in such manner
11 as determined by the commissioner on the
12 basis of financial need for the personal
13 needs of each client residing in voluntar-
14 y-operated community residences and volun-
15 tary-operated community residential alter-
16 natives, including individualized
17 residential alternatives under the home
18 and community based services waiver. The
19 commissioner shall, subject to the
20 approval of the director of the budget,
21 alter existing advance payment schedules
22 for voluntary-operated community resi-
23 dences established pursuant to subdivision
24 (h) of section 41.36 of the mental hygiene
25 law.

26 Notwithstanding the provisions of section
27 16.23 of the mental hygiene law and any
28 other inconsistent provision of law, with
29 relation to the operation of certified
30 family care homes, including family care
31 homes sponsored by voluntary not-for-pro-
32 fit agencies, moneys from this appropri-
33 ation may be used for payments to purchase
34 general services including but not limited
35 to respite providers, up to a maximum of
36 14 days, at rates to be established by the
37 commissioner and approved by the director
38 of the budget in consideration of factors
39 including, but not limited to, geographic
40 area and number of clients cared for in
41 the home and for payment at the rate of
42 \$600 per year on the basis of financial
43 need for the personal needs of each client
44 residing in the family care home.

45 Notwithstanding the provisions of subdivi-
46 sion 12 of section 8 of the state finance
47 law and any other inconsistent provision
48 of law, moneys from this appropriation may
49 be used for expenses of family care homes
50 including payments to operators of certi-
51 fied family care homes for damages caused
52 by clients to personal and real property
53 in accordance with standards established
54 by the commissioner and approved by the
55 director of the budget.

56 Notwithstanding any inconsistent provision
57 of law, moneys from this appropriation may
58 be used for appropriate day program
59 services and residential services includ-
60 ing, but not limited to, direct housing

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 subsidies to individuals, start-up
2 expenses for family care providers, envi-
3 ronmental modifications, adaptive technol-
4 ogies, appraisals, property options,
5 feasibility studies and preoperational
6 expenses.
7 Notwithstanding any inconsistent provision
8 of law, moneys from this appropriation may
9 be used for the operation of clinics
10 licensed pursuant to article 16 of the
11 mental hygiene law and operated by volun-
12 tary non-profit providers, for appropriate
13 clinical services including, but not
14 limited to, supportive and habilitative
15 services consistent with the home and
16 community based services waiver.
17 Notwithstanding any inconsistent provision
18 of law, moneys from this appropriation may
19 be used for expenditure in accordance with
20 the provisions of part C of chapter 57 of
21 the laws of 2006, for those programs
22 eligible under paragraph (ii) of subdivi-
23 sion 4 of section 1 of such part.
24 Notwithstanding any inconsistent provision
25 of law, moneys from this appropriation may
26 be used for services and expenses associ-
27 ated with the NYS-CARES initiative related
28 to the operation of certified and noncer-
29 tified voluntary operated community resi-
30 dential program alternatives including
31 family care and community day program
32 alternatives consistent with economic and
33 efficient rates of payment and amounts,
34 which recognize consumer choice, estab-
35 lished by the commissioner, and approved
36 by the director of the budget.
37 Notwithstanding any inconsistent provision
38 of law, the following appropriation
39 amounts shall be net of refunds, rebates,
40 reimbursements, and credits.
41 Funds appropriated herein shall be available
42 in accordance with the following:
43 For the state share of medical assistance
44 services expenses incurred by the depart-
45 ment of health for the provision of
46 medical assistance services to the devel-
47 opmentally disabled 1,371,273,000
48 For services and expenses related to the
49 provision of residential services to the
50 developmentally disabled 16,722,000
51 For services and expenses related to the
52 provision of family support services to
53 the developmentally disabled 56,269,000
54 For services and expenses related to the
55 provision of workshop, day training and
56 employment services to the developmentally
57 disabled 44,480,000
58 For other services and expenses provided to
59 the developmentally disabled including but
60 not limited to hepatitis B, care at home

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	waiver, epilepsy services, special olym-	
2	pics and voluntary fingerprinting	2,505,000
3		-----
4	Program account subtotal	1,491,249,000
5		-----

6
7 Special Revenue Funds - Other / State Operations
8 Miscellaneous Special Revenue Fund - 339
9 Mental Hygiene Patient Income Account

10
11 Notwithstanding any inconsistent provision
12 of law, the state comptroller is hereby
13 authorized and directed to loan money in
14 accordance with the provisions set forth
15 in subdivision 5 of section 4 of the state
16 finance law to the mental hygiene patient
17 income account.

18 Notwithstanding any other provision of law,
19 the money hereby appropriated may be
20 transferred to local assistance and/or any
21 appropriation of the office of mental
22 retardation and developmental disabili-
23 ties, with the approval of the director of
24 the budget who shall file such approval
25 with the department of audit and control
26 and copies thereof with the chairman of
27 the senate finance committee and the
28 chairman of the assembly ways and means
29 committee.

30 Notwithstanding section 11 of title A of
31 article 2 of the civil service law, this
32 appropriation and all positions funded by
33 it shall be exempt from the provisions of
34 said section pertaining to the assessment,
35 computation and payment of the fractional
36 share of administration expenses charged
37 by the state department of civil service,
38 nor shall the office of mental retardation
39 and developmental disabilities make
40 payments for any such assessment of
41 expenses of administration from funds
42 available on or after April 1, 2009.

PERSONAL SERVICE

44		
45		
46	Personal service--regular	502,960,000
47	Temporary service	1,199,000
48	Holiday/overtime compensation	40,472,000
49		-----
50	Amount available for personal service	544,631,000
51		-----

NONPERSONAL SERVICE

52
53
54
55 Nonpersonal service, including moneys for
56 the community services program, net of
57 refunds, rebates, reimbursements and cred-
58 its.

59
60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Supplies and materials	41,202,000
2	Travel	4,154,000
3	Contractual services	59,950,000
4	Equipment	18,692,000
5	Fringe benefits	240,509,000
6	Indirect costs	21,785,000
7		-----
8	Amount available for nonpersonal service..	386,292,000
9		-----

MAINTENANCE UNDISTRIBUTED

13	For expenses related to the payment of a	
14	provider of services assessment for the	
15	period April 1, 2009 through March 31,	
16	2010 pursuant to section 43.04 of the	
17	mental hygiene law	10,116,000
18		-----
19	Program account subtotal	941,039,000
20		-----

21
 22 Special Revenue Funds - Other / Aid to Localities
 23 Miscellaneous Special Revenue Fund - 339
 24 Mental Hygiene Patient Income Account
 25

26 Notwithstanding any inconsistent provision
 27 of law, moneys for this appropriation may
 28 be used for any purpose enumerated in any
 29 existing office of mental retardation and
 30 developmental disabilities active aid to
 31 localities appropriation provided, howev-
 32 er, that these moneys may not be used for
 33 payment of the state share of medical
 34 assistance programs for which federal
 35 reimbursement will be claimed.

36 Notwithstanding any other provisions of law,
 37 the money hereby appropriated may be
 38 transferred to state operations and/or any
 39 appropriation of the office of mental
 40 retardation and developmental disabili-
 41 ties, with the approval of the director of
 42 the budget who shall file such approval
 43 with the department of audit and control
 44 and copies thereof with the chairman of
 45 the senate finance committee and the
 46 chairman of the assembly ways and means
 47 committee.

48 Notwithstanding any inconsistent provision
 49 of law, the following appropriation
 50 amounts shall be net of refunds, rebates,
 51 reimbursements, and credits. The state
 52 comptroller is hereby authorized and
 53 directed to loan money in accordance with
 54 the provisions set forth in subdivision 5
 55 of section 4 of the state finance law to
 56 the mental hygiene patient income account.

57 Notwithstanding any inconsistent provision
 58 of law, including section 1 of part C of
 59 chapter 57 of the laws of 2006, as amended
 60 by section 2 of part I of chapter 58 of

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 the laws of 2008, for the period
 2 commencing on January 1, 2009 the
 3 commissioner shall: (i) apply a one
 4 percent reduction to the amount in effect
 5 on December 31, 2008 for the purpose of
 6 establishing rates of payments, contracts
 7 or any other form of reimbursement, and
 8 (ii) not apply any cost of living
 9 adjustment for the period beginning April
 10 1, 2009 and ending March 31, 2010 for the
 11 purpose of establishing rates of payments,
 12 contracts or any other form of
 13 reimbursement.

14 Funds appropriated herein shall be available
 15 in accordance with the following:

16 For services and expenses related to the
 17 provision of residential services to the
 18 developmentally disabled 183,915,000

19 For services and expenses related to the
 20 provision of day program services to the
 21 developmentally disabled 107,086,000

22 For services and expenses related to the
 23 provision of family support services to
 24 the developmentally disabled 16,748,000

25 For other services and expenses provided to
 26 the developmentally disabled including but
 27 not limited to hepatitis B, care at home
 28 waiver, epilepsy services, special olym-
 29 pics and voluntary fingerprinting 3,764,000

30 -----

31 Program account subtotal 311,513,000

32 -----

33

34 Special Revenue Funds - Other / State Operations
 35 Miscellaneous Special Revenue Fund - 339
 36 Mental Hygiene Program Fund Account

37

38 Notwithstanding any inconsistent provision
 39 of law, the state comptroller is hereby
 40 authorized and directed to loan money in
 41 accordance with the provisions set forth
 42 in subdivision 5 of section 4 of the state
 43 finance law to the mental hygiene program
 44 fund account.

45 Notwithstanding any other provision of law,
 46 the money hereby appropriated may be
 47 transferred to local assistance and/or any
 48 appropriation of the office of mental
 49 retardation and developmental disabili-
 50 ties, with the approval of the director of
 51 the budget who shall file such approval
 52 with the department of audit and control
 53 and copies thereof with the chairman of
 54 the senate finance committee and the
 55 chairman of the assembly ways and means
 56 committee.

57 Notwithstanding section 11 of title A of
 58 article 2 of the civil service law, this
 59 appropriation and all positions funded by
 60 it shall be exempt from the provisions of

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 said section pertaining to the assessment,
 2 computation and payment of the fractional
 3 share of administration expenses charged
 4 by the state department of civil service,
 5 nor shall the office of mental retardation
 6 and developmental disabilities make
 7 payments for any such assessment of
 8 expenses of administration from funds
 9 available on or after April 1, 2009.

10
 11 PERSONAL SERVICE

12		
13	Personal service--regular	224,387,000
14	Temporary service	613,000
15	Holiday/overtime compensation	18,236,000
16		-----
17	Amount available for personal service.....	243,236,000
18		-----
19		
20	NONPERSONAL SERVICE	
21		
22	Nonpersonal service, including moneys for	
23	the community services program, net of	
24	refunds, rebates, reimbursements and cred-	
25	its.	
26		
27	Supplies and materials	2,654,000
28	Travel	918,000
29	Contractual services	9,083,000
30	Equipment	2,964,000
31	Fringe benefits	107,413,000
32	Indirect costs	9,729,000
33		-----
34	Amount available for nonpersonal service..	132,761,000
35		-----
36	Program account subtotal	375,997,000
37		-----
38		
39	Special Revenue Funds - Other / Aid to Localities	
40	Miscellaneous Special Revenue Fund - 339	
41	OMRDD Joint Clinic Operating Account	
42		
43	For services and expenses of operating clin-	
44	ic treatment facilities serving persons	
45	with developmental disabilities.	
46	Notwithstanding any other provision of law,	
47	the money hereby appropriated may be	
48	transferred to state operations and/or any	
49	appropriation of the office of mental	
50	retardation and developmental disabili-	
51	ties, with the approval of the director of	
52	the budget who shall file such approval	
53	with the department of audit and control	
54	and copies thereof with the chairman of	
55	the senate finance committee and the	
56	chairman of the assembly ways and means	
57	committee	250,000
58		-----
59	Program account subtotal	250,000
60		-----

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Special Revenue Funds - Other / Aid to Localities	
2	Miscellaneous Special Revenue Fund - 339	
3	OMRDD - Provider of Service Account	
4		
5	For services and expenses related to mental	
6	retardation and developmental disabilities	
7	services associated with the New York	
8	state options for people through services	
9	(NYS-OPTS) initiative, in accordance with	
10	a programmatic and fiscal plan to be	
11	approved by the director of the budget.	
12	Notwithstanding any provision of law to the	
13	contrary, the director of the budget is	
14	authorized to make suballocations from	
15	this appropriation to the department of	
16	health medical assistance program.	
17	Notwithstanding any other provision of law,	
18	the money hereby appropriated may be tran-	
19	sferred to state operations and/or any ap-	
20	propriation of the office of mental retar-	
21	dation and developmental disabilities,	
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	Notwithstanding any provision of law to the	
29	contrary, the moneys hereby appropriated,	
30	or so much thereof as may be necessary,	
31	are to be available for the purposes here-	
32	in specified for obligations heretofore	
33	accrued or hereafter to accrue	320,000,000
34		-----
35	Program account subtotal	320,000,000
36		-----
37		
38	Special Revenue Funds - Other / Aid to Localities	
39	Miscellaneous Special Revenue Fund - 339	
40	OMRDD - Day Services Account	
41		
42	For services and expenses related to the	
43	provision of HCBS waiver day services to	
44	developmentally disabled individuals	
45	residing in intermediate care facilities.	
46	Notwithstanding any other provision of law,	
47	the money hereby appropriated may be	
48	transferred to state operations and/or any	
49	appropriation of the office of mental	
50	retardation and developmental disabili-	
51	ties, with the approval of the director of	
52	the budget who shall file such approval	
53	with the department of audit and control	
54	and copies thereof with the chairman of	
55	the senate finance committee and the	
56	chairman of the assembly ways and means	
57	committee	98,000,000
58		-----
59	Program account subtotal	98,000,000
60		-----

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 INSTITUTIONAL SERVICES PROGRAM 709,548,000
 2 -----
 3
 4 Special Revenue Funds - Other / State Operations
 5 Mental Hygiene Gifts and Donations Fund - 019
 6 Office of Mental Retardation and Developmental Disabili-
 7 ties Gifts and Donations Account
 8
 9 For expenditures on behalf of residents from
 10 donated funds. Notwithstanding any other
 11 provision of law, the money hereby
 12 appropriated may be transferred to local
 13 assistance and/or any appropriation of the
 14 office of mental retardation and develop-
 15 mental disabilities, with the approval of
 16 the director of the budget who shall file
 17 such approval with the department of audit
 18 and control and copies thereof with the
 19 chairman of the senate finance committee
 20 and the chairman of the assembly ways and
 21 means committee.
 22
 23 NONPERSONAL SERVICE
 24
 25 Supplies and materials 500,000
 26 -----
 27 Program account subtotal 500,000
 28 -----
 29
 30 Special Revenue Funds - Other / State Operations
 31 Combined Nonexpendable Trust Fund - 332
 32 OMRDD Nonexpendable Trust Account
 33
 34 For expenditures on behalf of residents from
 35 donated funds. Notwithstanding any other
 36 provision of law, the money hereby
 37 appropriated may be transferred to local
 38 assistance and/or any appropriation of the
 39 office of mental retardation and develop-
 40 mental disabilities, with the approval of
 41 the director of the budget who shall file
 42 such approval with the department of audit
 43 and control and copies thereof with the
 44 chairman of the senate finance committee
 45 and the chairman of the assembly ways and
 46 means committee.
 47
 48 NONPERSONAL SERVICE
 49
 50 Supplies and materials 4,000
 51 -----
 52 Program account subtotal 4,000
 53 -----
 54
 55 Special Revenue Funds - Other / State Operations
 56 Miscellaneous Special Revenue Fund - 339
 57 Mental Hygiene Patient Income Account
 58
 59 Notwithstanding any other provision of law,
 60 the money hereby appropriated may be

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 transferred to local assistance and/or any
 2 appropriation of the office of mental
 3 retardation and developmental disabili-
 4 ties, and may be increased or decreased by
 5 transfer or suballocation between these
 6 appropriated amounts and appropriations of
 7 the department of health, the office of
 8 medicaid inspector general, the office of
 9 mental health, and the office of alcohol-
 10 ism and substance abuse services with the
 11 approval of the director of the budget who
 12 shall file such approval with the depart-
 13 ment of audit and control and copies ther-
 14 eof with the chairman of the senate
 15 finance committee and the chairman of the
 16 assembly ways and means committee. The
 17 state comptroller is hereby authorized and
 18 directed to loan money in accordance with
 19 the provisions set forth in subdivision 5
 20 of section 4 of the state finance law to
 21 the mental hygiene patient income account.

22 Notwithstanding section 11 of title A of
 23 article 2 of the civil service law, this
 24 appropriation and all positions funded by
 25 it shall be exempt from the provisions of
 26 said section pertaining to the assessment,
 27 computation and payment of the fractional
 28 share of administration expenses charged
 29 by the state department of civil service,
 30 nor shall the office of mental retardation
 31 and developmental disabilities make
 32 payments for any such assessment of
 33 expenses of administration from funds
 34 available on or after April 1, 2009.

35

36

PERSONAL SERVICE

37

38 Personal service--regular 223,211,000

39 Temporary service 408,000

40 Holiday/overtime compensation 17,673,000

41

42 Amount available for personal service 241,292,000

43

44

45

NONPERSONAL SERVICE

46

47 Supplies and materials 29,160,000

48 Travel 1,096,000

49 Contractual services 27,619,000

50 Equipment 8,238,000

51 Fringe benefits 106,555,000

52 Indirect costs 9,652,000

53

54 Amount available for nonpersonal service.. 182,320,000

55

56

57

MAINTENANCE UNDISTRIBUTED

58

59 For expenses related to the payment of a

60 provider of services assessment for the

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	period April 1, 2009 through March 31,	
2	2010 pursuant to section 43.04 of the	
3	mental hygiene law	135,130,000
4		-----
5	Program account subtotal	558,742,000
6		-----

7
8 Special Revenue Funds - Other / State Operations
9 Miscellaneous Special Revenue Fund - 339
10 Mental Hygiene Program Fund Account

11
12 Notwithstanding any inconsistent provision
13 of law, state comptroller is hereby
14 authorized and directed to loan money in
15 accordance with the provisions set forth
16 in subdivision 5 of section 4 of the state
17 finance law to the mental hygiene program
18 fund account.

19 Notwithstanding section 11 of title A of
20 article 2 of the civil service law, this
21 appropriation and all positions funded by
22 it shall be exempt from the provisions of
23 said section pertaining to the assessment,
24 computation and payment of the fractional
25 share of administration expenses charged
26 by the state department of civil service,
27 nor shall the office of mental retardation
28 and developmental disabilities make
29 payments for any such assessment of
30 expenses of administration from funds
31 available on or after April 1, 2009.

32 Notwithstanding any other provision of law,
33 the money hereby appropriated may be
34 transferred to local assistance and/or any
35 appropriation of the office of mental
36 retardation and developmental disabili-
37 ties, with the approval of the director of
38 the budget who shall file such approval
39 with the department of audit and control
40 and copies thereof with the chairman of
41 the senate finance committee and the
42 chairman of the assembly ways and means
43 committee.

PERSONAL SERVICE

44		
45		
46		
47	Personal service--regular	81,099,000
48	Temporary service	148,000
49	Holiday/overtime compensation	6,421,000
50		-----
51	Amount available for personal service	87,668,000
52		-----

NONPERSONAL SERVICE

53
54
55
56 Nonpersonal service, including moneys for
57 the community services program, net of
58 refunds, rebates, reimbursements and cred-
59 its.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Supplies and materials	7,826,000
2	Travel	294,000
3	Contractual services	7,413,000
4	Equipment	2,211,000
5	Fringe benefits	38,714,000
6	Indirect costs	3,507,000
7		-----
8	Amount available for nonpersonal service..	59,965,000
9		-----
10	Program account subtotal	147,633,000
11		-----

12
 13 Enterprise Funds / State Operations
 14 Mental Retardation Sheltered Workshop Account - 352
 15 Sheltered Workshop Fund OMRDD Account
 16

17 For services and expenses including resi-
 18 dents' salaries, supplies and materials of
 19 sheltered workshops and vocational reha-
 20 bilitation work activities.

21 Notwithstanding any other provision of law,
 22 the money hereby appropriated may be
 23 transferred to local assistance and/or any
 24 appropriation of the office of mental
 25 retardation and developmental disabili-
 26 ties, with the approval of the director of
 27 the budget who shall file such approval
 28 with the department of audit and control
 29 and copies thereof with the chairman of
 30 the senate finance committee and the
 31 chairman of the assembly ways and means
 32 committee.
 33

NONPERSONAL SERVICE

34		
35		
36	Supplies and materials	700,000
37	Travel	10,000
38	Contractual services	800,000
39	Equipment	40,000
40		-----
41	Program account subtotal	1,550,000
42		-----

43
 44 Enterprise Funds / State Operations
 45 Mental Hygiene Community Stores Account - 353
 46 MR Community Stores Fund Account
 47

48 For services and expenses including super-
 49 vision and administration of community
 50 stores located at various developmental
 51 centers.

52 Notwithstanding any other provision of law,
 53 the money hereby appropriated may be
 54 transferred to local assistance and/or any
 55 appropriation of the office of mental
 56 retardation and developmental disabili-
 57 ties, with the approval of the director of
 58 the budget who shall file such approval
 59 with the department of audit and control
 60 and copies thereof with the chairman of

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 the senate finance committee and the
2 chairman of the assembly ways and means
3 committee.

4
5 PERSONAL SERVICE

6
7 Personal service--regular 291,000

8 -----

9
10 NONPERSONAL SERVICE

11
12 Supplies and materials 722,000

13 Fringe benefits 94,000

14 Indirect costs 12,000

15 -----

16 Amount available for nonpersonal service.. 828,000

17 -----

18 Program account subtotal 1,119,000

19 -----

20
21 RESEARCH IN MENTAL RETARDATION PROGRAM 26,202,000

22 -----

23
24 Special Revenue Funds - Other / State Operations
25 Combined Gifts, Grants and Bequests Fund - 020
26 Research in Mental Retardation Account

27
28 Amount available on behalf of clients for
29 genetic counseling and research from
30 external grants and contributions.

31 Notwithstanding any other provision of law,
32 the money hereby appropriated may be
33 transferred to local assistance and/or any
34 appropriation of the office of mental
35 retardation and developmental disabili-
36 ties, with the approval of the director of
37 the budget who shall file such approval
38 with the department of audit and control
39 and copies thereof with the chairman of
40 the senate finance committee and the
41 chairman of the assembly ways and means
42 committee.

43
44 NONPERSONAL SERVICE

45
46 Contractual services 150,000

47 -----

48 Program account subtotal 150,000

49 -----

50
51 Special Revenue Funds - Other / State Operations
52 Miscellaneous Special Revenue Fund - 339
53 Mental Hygiene Patient Income Account

54
55 Notwithstanding any other provision of law,
56 the money hereby appropriated may be
57 transferred to local assistance and/or any
58 appropriation of the office of mental
59 retardation and developmental disabili-
60 ties, and may be increased or decreased by

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 transfer or suballocation between these
 2 appropriated amounts and appropriations of
 3 the department of health, the office of
 4 medicaid inspector general, the office of
 5 mental health, and the office of alcohol-
 6 ism and substance abuse services with the
 7 approval of the director of the budget who
 8 shall file such approval with the depart-
 9 ment of audit and control and copies ther-
 10 eof with the chairman of the senate
 11 finance committee and the chairman of the
 12 assembly ways and means committee. The
 13 state comptroller is hereby authorized and
 14 directed to loan money in accordance with
 15 the provisions set forth in subdivision 5
 16 of section 4 of the state finance law to
 17 the mental hygiene patient income account.
 18 Notwithstanding section 11 of title A of
 19 article 2 of the civil service law, this
 20 appropriation and all positions funded by
 21 it shall be exempt from the provisions of
 22 said section pertaining to the assessment,
 23 computation and payment of the fractional
 24 share of administration expenses charged
 25 by the state department of civil service,
 26 nor shall the office of mental retardation
 27 and developmental disabilities make
 28 payments for any such assessment of
 29 expenses of administration from funds
 30 available on or after April 1, 2009.

PERSONAL SERVICE

31
 32
 33
 34 Personal service--regular 15,743,000
 35 Holiday/overtime compensation 338,000
 36 -----
 37 Amount available for personal service 16,081,000
 38 -----

NONPERSONAL SERVICE

39
 40
 41
 42 Supplies and materials 875,000
 43 Travel 7,000
 44 Contractual services 1,181,000
 45 Equipment 164,000
 46 Fringe benefits 7,101,000
 47 Indirect costs 643,000
 48 -----
 49 Amount available for nonpersonal service.. 9,971,000
 50 -----
 51 Program account subtotal 26,052,000
 52 -----
 53
 54 Total new appropriations for state operations and aid to
 55 localities 4,392,422,000
 56 =====
 57

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 CENTRAL COORDINATION AND SUPPORT PROGRAM
2
3 Special Revenue Funds - Federal / State Operations
4 Federal Health and Human Services Fund - 265
5 Real Choice Grant Account
6
7 By chapter 54, section 1, of the laws of 2007:
8 For services and expenses related to the real choice through options
9 for people through services grant.
10 For grants beginning prior to April 1, 2007
11 2,865,000 (re. \$2,511,000)
12
13 Special Revenue Funds - Federal / State Operations
14 Federal Operating Grants Fund - 290
15
16 By chapter 54, section 1, of the laws of 2008:
17 For services and expenses related to the administration of the federal
18 senior companions program ... 280,000 (re. \$280,000)
19 For services and expenses associated with housing counseling assis-
20 tance and training programs ... 350,000 (re. \$350,000)
21
22 COMMUNITY SERVICES PROGRAM
23
24 General Fund / Aid to Localities
25 Local Assistance Account - 001
26
27 The appropriation made by chapter 54, section 1, of the laws of 2008, as
28 amended by chapter 496, section 5, of the laws of 2008, is hereby
29 amended and reappropriated to read:
30 For services and expenses of contracts with municipalities, educa-
31 tional institutions and/or not-for-profit agencies:
32 Epilepsy Foundation of Western New York
33 [47,000] 25,000 (re. \$25,000)
34 NYS Cerebral Palsy - Camp Jened ... [47,000] 25,000 (re. \$25,000)
35 ACHIEVE ... [94,000] 50,000 (re. \$50,000)
36 Chenango County ARC ... [32,900] 17,500 (re. \$17,500)
37 Epilepsy Foundation of Rochester - Syracuse - Binghamton
38 [23,500] 12,500 (re. \$12,500)
39 Handicapped Children's Association of Southern New York
40 [18,800] 10,000 (re. \$10,000)
41 Cerebral Palsy and Handicapped Children's Association of Chemung
42 County ... [70,500] 37,500 (re. \$37,500)
43 Camp Wildwood ... [47,000] 25,000 (re. \$25,000)
44 Family and Children's Service of the Capital Region, Inc
45 [94,000] 50,000 (re. \$50,000)
46 Camp Anne ... [282,000] 150,000 (re. \$150,000)
47 Quality services for the Autism Community (QSAC)
48 [141,000] 75,000 (re. \$75,000)
49 Rockland County Association for the Learning Disabled
50 [47,000] 25,000 (re. \$25,000)
51 Epilepsy Foundation of Southern New York
52 [141,000] 75,000 (re. \$75,000)
53
54 By chapter 54, section 1, of the laws of 2007:
55 For services and expenses of contracts with municipalities, educa-
56 tional institutions and/or not-for-profit agencies:
57 Epilepsy Foundation of Southern New York ... 200,000 ... (re. \$20,000)
58 Broome - Tioga ARC ... 100,000 (re. \$10,000)
59 Epilepsy Foundation of Rochester - Syracuse - Binghamton
60 25,000 (re. \$1,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1	Warren County Office of Community Services	
2	200,000	(re. \$20,000)
3	NYS Cerebral Palsy - Camp Jened ... 150,000	(re. \$15,000)
4	Cody Center for Autism and Developmental Disabilities	
5	100,000	(re. \$29,000)
6		
7	By chapter 54, section 1, of the laws of 2006:	
8	For services and expenses of contracts with municipalities, educa-	
9	tional institutions and/or not-for-profit agencies:	
10	Local Respite ... 200,000	(re. \$4,000)
11	Cody Center for Autism and Developmental Disabilities	
12	500,000	(re. \$1,000)
13	For services and expenses associated with a direct care worker	
14	recruitment and retention pilot project program	
15	2,500,000	(re. \$1,612,000)
16		
17	Total reappropriations for state operations and aid to	
18	localities	5,430,500
19		=====
20		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

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

4	Capital Projects Fund	65,040,000
5	Mental Hygiene Capital Improvement Fund - 389	62,275,000
6		-----
7	All Funds	127,315,000
8		=====
9		
10		
11	DESIGN AND CONSTRUCTION SUPERVISION (CCP)	11,000,000
12		-----
13		

14 Capital Projects Fund

15
 16 Preparation of Plans Purpose

17
 18 For payment to the design and construction
 19 management account of the centralized
 20 services fund of the New York state
 21 office of general services or to the
 22 dormitory authority for the purpose of
 23 preparation and review of plans, spec-
 24 ifications, estimates, services, const-
 25 ruction management and supervision,
 26 inspection, studies, appraisals, sur-
 27 veys, testing and environmental impact
 28 statements for new and existing projects
 29 associated with the community services
 30 and institutional services programs.
 31 Upon the request of the commissioner of
 32 the office of mental retardation and
 33 developmental disabilities and the appr-
 34 oval of the director of the budget, this
 35 appropriation may be transferred to the
 36 dormitory authority of the state of New
 37 York. Upon approval by the director of
 38 the budget, funds from this appropri-
 39 ation may be transferred to the office
 40 of mental health and the office of
 41 alcoholism and substance abuse services
 42 for payment to the dormitory authority
 43 of the state of New York for the
 44 preparation of plans purpose (51F20930). 3,000,000

45
 46 For: (1) the payment of all claims for
 47 personal injury, death or property
 48 damage for which the New York State
 49 Medical Care Facilities Finance Agency,
 50 the facilities development corporation,
 51 or the dormitory authority of the state
 52 of New York might be liable occurring
 53 upon, in or about any projects covered
 54 by the Agreement of Lease entered into
 55 by the facilities development corpo-
 56 ration, the department of mental hygiene
 57 and the New York State Medical Care
 58 Facilities Finance Agency under date of
 59 October 1, 1987 as from time to time
 60 amended and supplemented and any and all

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1 penalties, costs, including attorneys'
 2 fees, claims, demands and causes of
 3 action due directly or indirectly to the
 4 use, disuse, misuse or interest in such
 5 projects; (2) in the case of damage,
 6 loss or destruction of any such project,
 7 or any part of any such project, the
 8 payment of the costs of repairing,
 9 restoring, rebuilding or replacing the
 10 same in accordance with the obligations
 11 of the facilities development corpo-
 12 ration so to do from the proceeds of
 13 insurance under the provisions of para-
 14 graph (b) of section 3.04 of the Agree-
 15 ment of Lease; and (3) payments to the
 16 New York State Medical Care Facilities
 17 Finance Agency of moneys at the times
 18 and in the amounts that annual rentals
 19 would be due with respect to each
 20 project during such time or times as
 21 each such project may be damaged or
 22 destroyed and not available for use by
 23 the department of mental hygiene in
 24 accordance with the terms of the Agree-
 25 ment of Lease.

26 Notwithstanding the provisions of any
 27 general or special law, the facilities
 28 development corporation may assign to
 29 the New York State Medical Care Facili-
 30 ties Finance Agency all or any portion
 31 of the moneys hereby appropriated for
 32 the purposes hereinabove set forth.
 33 Notwithstanding the foregoing, in the
 34 event the appropriation is insufficient
 35 to cover the losses, upon notification
 36 from the facilities development corpo-
 37 ration, the director of the budget shall
 38 submit a request for additional appro-
 39 priations to cover the additional loss-
 40 es. Upon approval by the director of the
 41 budget, funds from this appropriation
 42 may be transferred to the office of
 43 mental health and the office of alcohol-
 44 ism and substance abuse services for
 45 payment to the dormitory authority of
 46 the state of New York for the prepara-
 47 tion of plans purpose (51WC0930)

2,000,000

49 Mental Hygiene Capital Improvement Fund - 389

51 Preparation of Plans Purpose

52
 53 For payment to the design and construction
 54 management account of the centralized
 55 services fund of the New York state
 56 office of general services or to the
 57 dormitory authority for the purpose of
 58 preparation and review of plans, speci-
 59 fications, estimates, services, constru-
 60 ction management and supervision, ins-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1	pection, studies, appraisals, surveys,	
2	testing and environmental impact state-	
3	ments for new and existing projects	
4	associated with the institutional ser-	
5	vices program and the community services	
6	program. Upon the request of the commis-	
7	sioner of the office of mental retarda-	
8	tion and developmental disabilities and	
9	the approval of the director of the	
10	budget, this appropriation may be trans-	
11	ferred to the dormitory authority of the	
12	state of New York. Upon approval by the	
13	director of the budget, funds from this	
14	appropriation may be transferred to the	
15	office of mental health and the office	
16	of alcoholism and substance abuse ser-	
17	vices for payment to the dormitory auth-	
18	ority of the state of New York for the	
19	preparation of plans purpose (51F10930)	
20	.....	6,000,000
21		
22	INSTITUTIONAL SERVICES PROGRAM (CCP)	50,170,000
23		-----
24		
25	Capital Projects Fund	
26		
27	Health and Safety Purpose	
28		
29	For alterations and improvements for	
30	health and safety projects at various	
31	facilities. Upon request of the commis-	
32	sioner of the office of mental retarda-	
33	tion and developmental disabilities and	
34	approval by the director of the budget,	
35	this appropriation may be transferred to	
36	the dormitory authority of the state of	
37	New York (51H10901)	7,500,000
38		
39	Preservation of Facilities Purpose	
40		
41	For alterations and improvements for pres-	
42	ervation of various facilities including	
43	rehabilitation projects. This appropri-	
44	ation may be used for the cost of poten-	
45	tial claims against contracts awarded by	
46	the dormitory authority of the state of	
47	New York. Upon request of the commis-	
48	sioner of the office of mental retarda-	
49	tion and developmental disabilities 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 (51P10903)	4,420,000
54		
55	For minor maintenance, preservation and	
56	alterations of facilities on the grounds	
57	of former developmental centers. Upon	
58	request of the commissioner of the	
59	office of mental retardation and devel-	
60	opmental disabilities and approval by	

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1	the director of the budget, this appro-	
2	priation may be transferred to the	
3	dormitory authority of the state of New	
4	York (51M20903)	4,100,000
5		
6	Mental Hygiene Capital Improvement Fund - 389	
7		
8	Health and Safety Purpose	
9		
10	For alterations and improvements for	
11	health and safety projects at various	
12	facilities. This appropriation may be	
13	used for the cost of potential claims	
14	against contracts awarded by the dormi-	
15	tory authority of the state of New York.	
16	Upon request of the commissioner of the	
17	office of mental retardation and devel-	
18	opmental disabilities and approval by	
19	the director of the budget, this appro-	
20	priation may be transferred to the	
21	dormitory authority of the state of New	
22	York (51H30901)	34,150,000
23		
24	NON-BONDABLE PROJECTS (CCP)	1,000,000
25		-----
26		
27	Capital Projects Fund	
28		
29	Non-Bondable Purpose	
30		
31	For transfer to the Mental Hygiene Capital	
32	Improvement Fund for reimbursement of	
33	non-bondable costs of projects author-	
34	ized by appropriations or reappropri-	
35	ations funded from the Mental Hygiene	
36	Capital Improvement Fund including	
37	liabilities incurred prior to April 1,	
38	2009 or for payment to the dormitory	
39	authority of the state of New York for	
40	defeasance of bonds. Upon request of the	
41	commissioner of the office of mental	
42	retardation and developmental disabili-	
43	ties and approval by the director of the	
44	budget, this appropriation may be trans-	
45	ferred to the dormitory authority of the	
46	state of New York (51FL09NB)	1,000,000
47		
48	STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)	49,320,000
49		-----
50		
51	Capital Projects Fund	
52		
53	Administration Purpose	
54		
55	For payment of personal service and	
56	nonpersonal service costs related to the	
57	administration of capital projects for	
58	new and reappropriated appropriations.	
59	Upon request of the commissioner of the	
60	office of mental retardation and devel-	

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1	opmental disabilities and approval by	
2	the director of the budget, this appro-	
3	priation may be transferred to the	
4	dormitory authority of the state of New	
5	York (51A109C1)	2,665,000
6		
7	Preservation of Facilities Purpose	
8		
9	For renovation and minor rehabilitation	
10	and improvements of state-owned communi-	
11	ty residential and day program facili-	
12	ties for the developmentally disabled.	
13	Upon request of the commissioner of the	
14	office of mental retardation and devel-	
15	opmental disabilities and approval by	
16	the director of the budget, this appro-	
17	priation may be transferred to the	
18	dormitory authority of the state of New	
19	York (51M10903)	19,380,000
20		
21	New Facilities Purpose	
22		
23	For alterations and improvements of sites	
24	leased for state-operated programs, and	
25	for the purchase of furniture and equip-	
26	ment for state-operated programs. 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 appro-	
31	priation may be transferred to the	
32	dormitory authority of the state of New	
33	York (51L10907)	11,600,000
34		
35	Mental Hygiene Capital Improvement Fund - 389	
36		
37	Preservation of Facilities Purpose	
38		
39	For renovation and minor rehabilitation	
40	and improvements of state-owned communi-	
41	ty residential and day program facili-	
42	ties for the developmentally disabled.	
43	Upon request of the commissioner of the	
44	office of mental retardation and devel-	
45	opmental disabilities and approval by	
46	the director of the budget, this appro-	
47	priation may be transferred to the	
48	dormitory authority of the state of New	
49	York (51PR0903)	1,000,000
50		
51	New Facilities Purpose	
52		
53	For the acquisition and alterations and	
54	improvements of property to be used as	
55	state-operated community residential	
56	facilities. Upon request of the commis-	
57	sioner of the office of mental retarda-	
58	tion and developmental disabilities and	
59	approval by the director of the budget,	
60	this appropriation may be transferred to	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1 the dormitory authority of the state of
2 New York. Upon request of the commis-
3 sioner of the office of mental retarda-
4 tion and developmental disabilities, and
5 approval by the director of the budget,
6 this appropriation may be used for the
7 acquisition and alterations and improve-
8 ments of property to be used as not-for-
9 profit facilities licensed pursuant to
10 articles 16 and 41 of the mental hygiene
11 law (51R10907) 14,675,000
12
13 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) 15,825,000
14 -----
15
16 Capital Projects Fund
17
18 Preservation of Facilities Purpose
19
20 For state aid, to municipalities and other
21 public and not-for-profit agencies,
22 including the payment of liabilities
23 incurred prior to April 1, 2009, for up
24 to 100 per centum of the net cost of
25 services and expenses related to the
26 maintenance and improvement of voluntary
27 not-for-profit provider operated commu-
28 nity residential and day service
29 programs (51200903) 5,000,000
30
31 New Facilities Purpose
32
33 For state aid, to municipalities and other
34 public and not-for-profit agencies,
35 including the payment of liabilities
36 incurred prior to April 1, 2009 for up
37 to 100 per centum of the net cost of
38 feasibility studies, property options,
39 capital renovations, acquisition of
40 property, construction, rehabilitation
41 and capital costs incidental and appur-
42 tenant to facilities required to be
43 licensed pursuant to article 16, as
44 defined in the mental hygiene law, and
45 for services and expenses related to
46 environmental modifications and adaptive
47 technology services at voluntary not-
48 for-profit provider operated community
49 residential facilities, certified family
50 care homes and private residences, as a
51 loan and/or grant to family care provid-
52 ers, for payment to other state and
53 federal housing agencies, private corpo-
54 rations and for capital development of
55 residential housing or day program
56 alternatives not currently defined in
57 the mental hygiene law (51B10907) 4,375,000
58
59

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1	Mental Hygiene Capital Improvement Fund - 389	
2		
3	Community Facilities Purpose	
4		
5	For the comprehensive construction	
6	programs, purposes and projects as here-	
7	in specified, and for departmental	
8	administrative costs related thereto,	
9	consistent with section 41.34 of the	
10	mental hygiene law, and for the acquisi-	
11	tion of property, construction and reha-	
12	ilitation, including the payment of	
13	preoperational costs incurred prior to	
14	occupancy, of article 16 community	
15	mental retardation facilities and asso-	
16	ciated programs and facilities and under	
17	the auspice of municipalities and other	
18	public and not-for-profit private agen-	
19	cies approved by the commissioner of the	
20	office of mental retardation and devel-	
21	opmental disabilities, pursuant to arti-	
22	cle 41 of the mental hygiene law and for	
23	management fees associated with volun-	
24	tary not-for-profit operated projects to	
25	be financed through dormitory authority	
26	of the state of New York bonds	
27	(513209H2)	6,450,000
28		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

2

3 Mental Hygiene Capital Improvement Fund - 389

4

5 Preparation of Plans Purpose

6

7 By chapter 54, section 1, of the laws of 2008:

8 For payment to the design and construction management account of the
9 centralized services fund of the New York state office of general
10 services or to the dormitory authority for the purpose of
11 preparation and review of plans, specifications, estimates,
12 services, construction management and supervision, inspection,
13 studies, appraisals, surveys, testing and environmental impact
14 statements for new and existing projects associated with the
15 institutional services program and the community services program.
16 Upon the request of the commissioner of the office of mental
17 retardation and developmental disabilities and the approval of the
18 director of the budget, this appropriation may be transferred to the
19 dormitory authority of the state of New York. Upon approval by the
20 director of the budget, funds from this appropriation may be
21 transferred to the office of mental health and the office of
22 alcoholism and substance abuse services for payment to the dormitory
23 authority of the state of New York for the preparation of plans
24 purpose (51F10830) ... 7,280,000 (re. \$3,640,000)

25

26 INSTITUTIONAL SERVICES PROGRAM (CCP)

27

28 Capital Projects Fund

29

30 Health and Safety Purpose

31

32 By chapter 54, section 1, of the laws of 2008:

33 For alterations and improvements for health and safety projects at
34 various facilities. Upon request of the commissioner of the office
35 of mental retardation and developmental disabilities and approval by
36 the director of the budget, this appropriation may be transferred to
37 the dormitory authority of the state of New York (51H10801)
38 6,400,000 (re. \$6,400,000)

39

40 By chapter 54, section 1, of the laws of 2007:

41 For alterations and improvements for health and safety projects at
42 various facilities. Upon request of the commissioner of the office
43 of mental retardation and developmental disabilities and approval by
44 the director of the budget, this appropriation may be transferred to
45 the dormitory authority of the state of New York (51H10701)
46 7,325,000 (re. \$7,300,000)

47

48 By chapter 54, section 1, of the laws of 2006:

49 For alterations and improvements for health and safety projects at
50 various facilities. Upon request of the commissioner of the office
51 of mental retardation and developmental disabilities and approval by
52 the director of the budget, this appropriation may be transferred to
53 the dormitory authority of the state of New York (51H10601)
54 4,000,000 (re. \$2,760,000)

55

56 By chapter 54, section 1, of the laws of 2005:

57 For alterations and improvements for health and safety projects at
58 various facilities. Upon request of the commissioner of the office
59 of mental retardation and developmental disabilities and approval by
60 the director of the budget, this appropriation may be transferred to

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 the dormitory authority of the state of New York (51H10501)
2 7,350,000 (re. \$5,020,000)
3
4 Preservation of Facilities Purpose
5
6 By chapter 54, section 1, of the laws of 2008:
7 For alterations and improvements for preservation of various
8 facilities including rehabilitation projects. This appropriation may
9 be used for the cost of potential claims against contracts awarded
10 by the dormitory authority of the state of New York. Upon request of
11 the commissioner of the office of mental retardation and
12 developmental disabilities and approval by the director of the
13 budget, this appropriation may be transferred to the dormitory
14 authority of the state of New York (51P10803)
15 7,600,000 (re. \$7,600,000)
16 For minor maintenance, preservation and alterations of facilities on
17 the grounds of former developmental centers. Upon request of the
18 commissioner of the office of mental retardation and developmental
19 disabilities and approval by the director of the budget, this
20 appropriation may be transferred to the dormitory authority of the
21 state of New York (51M20803) ... 1,400,000 (re. \$1,400,000)
22
23 By chapter 54, section 1, of the laws of 2007:
24 For alterations and improvements for preservation of various facili-
25 ties including rehabilitation projects. This appropriation may be
26 used for the cost of potential claims against contracts awarded by
27 the dormitory authority of the state of New York. Upon request of
28 the commissioner of the office of mental retardation and develop-
29 mental disabilities and approval by the director of the budget, this
30 appropriation may be transferred to the dormitory authority of the
31 state of New York (51P10703)
32 4,180,000 (re. \$3,420,000)
33 For minor maintenance, preservation and alterations of facilities on
34 the grounds of former developmental centers. Upon request of the
35 commissioner of the office of mental retardation and developmental
36 disabilities and approval by the director of the budget, this appro-
37 priation may be transferred to the dormitory authority of the state
38 of New York (51M20703) ... 3,300,000 (re. \$2,750,000)
39
40 By chapter 54, section 1, of the laws of 2006:
41 For alterations and improvements for preservation of various facili-
42 ties including rehabilitation projects. This appropriation may be
43 used for the cost of potential claims against contracts awarded by
44 the dormitory authority of the state of New York. Upon request of
45 the commissioner of the office of mental retardation and develop-
46 mental disabilities and approval by the director of the budget, this
47 appropriation may be transferred to the dormitory authority of the
48 state of New York (51P10603) ... 8,415,000 (re. \$4,300,000)
49 For minor maintenance, preservation and alterations of facilities on
50 the grounds of former developmental centers. Upon request of the
51 commissioner of the office of mental retardation and developmental
52 disabilities and approval by the director of the budget, this appro-
53 priation may be transferred to the dormitory authority of the state
54 of New York (51M20603) ... 1,700,000 (re. \$1,190,000)
55
56 By chapter 54, section 1, of the laws of 2005:
57 For alterations and improvements for preservation of various facili-
58 ties including rehabilitation projects. This appropriation may be
59 used for the cost of potential claims against contracts awarded by
60 the dormitory authority of the state of New York. Upon request of

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 the commissioner of the office of mental retardation and develop-
 2 mental disabilities and approval by the director of the budget, this
 3 appropriation may be transferred to the dormitory authority of the
 4 state of New York (51P10503) ... 6,200,000 (re. \$1,530,000)
 5 For minor maintenance, preservation and alterations of facilities on
 6 the grounds of former developmental centers. Upon request of the
 7 commissioner of the office of mental retardation and developmental
 8 disabilities and approval by the director of the budget, this appro-
 9 priation may be transferred to the dormitory authority of the state
 10 of New York (51M20503) ... 2,469,000 (re. \$1,130,000)
 11

12 By chapter 54, section 1, of the laws of 2004:
 13 For alterations and improvements for preservation of various facili-
 14 ties including rehabilitation projects. This appropriation may be
 15 used for the cost of potential claims against contracts awarded by
 16 the dormitory authority of the state of New York or the facilities
 17 development corporation. 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 (51P10403) ... 8,180,000 (re. \$1,740,000)
 22 For minor maintenance, preservation and alterations of facilities on
 23 the grounds of former developmental centers. Upon request of the
 24 commissioner of the office of mental retardation and developmental
 25 disabilities and approval by the director of the budget, this appro-
 26 priation may be transferred to the dormitory authority of the state
 27 of New York (51M20403) ... 2,600,000 (re. \$1,130,000)
 28

29 Mental Hygiene Capital Improvement Fund - 389

30
31 Health and Safety Purpose

32
 33 By chapter 54, section 1, of the laws of 2008:
 34 For alterations and improvements for health and safety projects at
 35 various facilities. This appropriation may be used for the cost of
 36 potential claims against contracts awarded by the dormitory
 37 authority of the state of New York. Upon request of the commissioner
 38 of the office of mental retardation and developmental disabilities
 39 and approval by the director of the budget, this appropriation may
 40 be transferred to the dormitory authority of the state of New York
 41 (51H30801) ... 33,200,000 (re. \$33,200,000)
 42

43 By chapter 54, section 1, of the laws of 2007:
 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. 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 (51H30701) ... 32,290,000 (re. \$30,790,000)
 52 For alterations and improvements for health and safety projects at
 53 bernard fineson facilities on the creedmoor psychiatric center
 54 campus and at Howard park. This appropriation may be used for the
 55 cost of potential claims against contracts awarded by the dormitory
 56 authority of the state of New York. Upon request of the commissioner
 57 of the office of mental retardation and developmental disabilities
 58 and approval by the director of the budget, this appropriation may
 59 be transferred to the dormitory authority of the state of New York
 60 (51BF0701) ... 11,000,000 (re. \$11,000,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

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By chapter 54, section 1, of the laws of 2006:

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30601) ... 32,143,000 (re. \$25,000,000)

For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0601) ... 27,000,000 (re. \$6,000,000)

By chapter 54, section 1, of the laws of 2005:

For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0501) ... 40,000,000 (re. \$11,000,000)

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

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30401) 26,270,000 (re. \$11,200,000)

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

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30301) 26,004,000 (re. \$19,000,000)

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

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 director of the budget, this appropriation may be transferred to the
 2 dormitory authority of the state of New York (51H30201)
 3 48,612,000 (re. \$5,000,000)
 4

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

6 For alterations and improvements for health and safety projects at the
 7 institute for basic research in developmental disabilities. Upon
 8 request of the commissioner of the office of mental retardation and
 9 developmental disabilities and approval by the director of the budg-
 10 et, this appropriation may be transferred to the dormitory authority
 11 of the state of New York (51IB0101)
 12 7,000,000 (re. \$6,010,000)
 13

14 STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

15
16 Capital Projects Fund

17
18 Preservation of Facilities Purpose

19
20 By chapter 54, section 1, of the laws of 2008:

21 For renovation and minor rehabilitation and improvements of state-
 22 owned community residential and day program facilities for the
 23 developmentally disabled. Upon request of the commissioner of the
 24 office of mental retardation and developmental disabilities and
 25 approval by the director of the budget, this appropriation may be
 26 transferred to the dormitory authority of the state of New York
 27 (51M10803) ... 18,470,000 (re. \$18,450,000)
 28

29 New Facilities Purpose

30
31 By chapter 54, section 1, of the laws of 2008:

32 For alterations and improvements of sites leased for state-operated
 33 programs, and for the purchase of furniture and equipment for state-
 34 operated programs. Upon request of the commissioner of the office of
 35 mental retardation and developmental disabilities and approval by
 36 the director of the budget, this appropriation may be transferred to
 37 the dormitory authority of the state of New York (51L10807).....
 38 2,000,000 (re. \$1,570,000)
 39

40 Mental Hygiene Capital Improvement Fund - 389

41
42 Preservation of Facilities Purpose

43
44 By chapter 54, section 1, of the laws of 2008:

45 For renovation and minor rehabilitation and improvements of state-
 46 owned community residential and day program facilities for the
 47 developmentally disabled. 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 (51PR0803) ... 1,000,000 (re. \$1,000,000)
 52

53 By chapter 54, section 1, of the laws of 2007:

54 For renovation and minor rehabilitation and improvements of state-
 55 owned community residential and day program facilities for the
 56 developmentally disabled. Upon request of the commissioner of the
 57 office of mental retardation and developmental disabilities and
 58 approval by the director of the budget, this appropriation may be
 59 transferred to the dormitory authority of the state of New York
 60 (51PR0703) ... 1,000,000 (re. \$1,000,000)

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1
 2 By chapter 54, section 1, of the laws of 2006:
 3 For renovation and minor rehabilitation and improvements of state-
 4 owned community residential and day program facilities for the
 5 developmentally disabled. Upon request of the commissioner of the
 6 office of mental retardation and developmental disabilities and
 7 approval by the director of the budget, this appropriation may be
 8 transferred to the dormitory authority of the state of New York
 9 (51PR0603) ... 1,000,000 (re. \$1,000,000)

10
 11 By chapter 54, section 1, of the laws of 2005:
 12 For renovation and minor rehabilitation and improvements of state-
 13 owned community residential and day program facilities for the
 14 developmentally disabled. Upon request of the commissioner of the
 15 office of mental retardation and developmental disabilities and
 16 approval by the director of the budget, this appropriation may be
 17 transferred to the dormitory authority of the state of New York
 18 (51PR0503) ... 1,000,000 (re. \$300,000)

19
20 New Facilities Purpose

21
 22 By chapter 54, section 1, of the laws of 2008:
 23 For the acquisition and alterations and improvements of property to be
 24 used as state-operated community residential facilities. Upon
 25 request of the commissioner of the office of mental retardation and
 26 developmental disabilities and approval by the director of the
 27 budget, this appropriation may be transferred to the dormitory
 28 authority of the state of New York. Upon request of the commissioner
 29 of the office of mental retardation and developmental disabilities,
 30 and approval by the director of the budget, this appropriation may
 31 be used for the acquisition and alterations and improvements of
 32 property to be used as not-for-profit facilities licensed pursuant
 33 to articles 16 and 41 of the mental hygiene law (51R10807)
 34 24,575,000 (re. \$19,200,000)

35
 36 By chapter 54, section 1, of the laws of 2007:
 37 For the acquisition and alterations and improvements of property to be
 38 used as state-operated community residential facilities. Upon
 39 request of the commissioner of the office of mental retardation and
 40 developmental disabilities and approval by the director of the budg-
 41 et, this appropriation may be transferred to the dormitory authority
 42 of the state of New York. Upon request of the commissioner of the
 43 office of mental retardation and developmental disabilities, and
 44 approval by the director of the budget, this appropriation may be
 45 used for the acquisition and alterations and improvements of proper-
 46 ty to be used as not-for-profit facilities licensed pursuant to
 47 articles 16 and 41 of the mental hygiene law (51R10707)
 48 22,200,000 (re. \$19,200,000)

49
 50 By chapter 54, section 1, of the laws of 2006:
 51 For the acquisition and alterations and improvements of property to be
 52 used as state-operated community residential facilities. Upon
 53 request of the commissioner of the office of mental retardation and
 54 developmental disabilities and approval by the director of the budg-
 55 et, this appropriation may be transferred to the dormitory authority
 56 of the state of New York. Upon request of the commissioner of the
 57 office of mental retardation and developmental disabilities, and
 58 approval by the director of the budget, this appropriation may be
 59 used for the acquisition and alterations and improvements of proper-
 60 ty to be used as not-for-profit facilities licensed pursuant to

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 articles 16 and 41 of the mental hygiene law (51R10607)
2 19,300,000 (re. \$9,300,000)

3
4 By chapter 54, section 1, of the laws of 2005:

5 For the acquisition and alterations and improvements of property to be
6 used as state-operated community residential facilities. Upon
7 request of the commissioner of the office of mental retardation and
8 developmental disabilities and approval by the director of the budg-
9 et, this appropriation may be transferred to the dormitory authority
10 of the state of New York. Upon request of the commissioner of the
11 office of mental retardation and developmental disabilities, and
12 approval by the director of the budget, this appropriation may be
13 used for the acquisition and alterations and improvements of proper-
14 ty to be used as not-for-profit facilities licensed pursuant to
15 articles 16 and 41 of the mental hygiene law (51R10507)
16 4,000,000 (re. \$1,250,000)

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

19 For the acquisition and alterations and improvements of property to be
20 used as state-operated community residential facilities. Upon
21 request of the commissioner of the office of mental retardation and
22 developmental disabilities and approval by the director of the budg-
23 et, this appropriation may be transferred to the dormitory authority
24 of the state of New York. Upon request of the commissioner of the
25 office of mental retardation and developmental disabilities, and
26 approval by the director of the budget, this appropriation may be
27 used for the acquisition and alterations and improvements of proper-
28 ty to be used as not-for-profit facilities licensed pursuant to
29 articles 16 and 41 of the mental hygiene law (51R10407)
30 4,000,000 (re. \$1,000,000)

31
32 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

33
34 Capital Projects Fund

35
36 Preservation of Facilities Purpose

37
38 By chapter 54, section 1, of the laws of 2008:

39 For state aid, to municipalities and other public and not-for-profit
40 agencies, including the payment of liabilities incurred prior to
41 April 1, 2008, for up to 100 per centum of the net cost of services
42 and expenses related to the maintenance and improvement of voluntary
43 not-for-profit provider operated community residential and day
44 service programs (51200803) ... 19,400,000 (re. \$19,390,000)

45
46 New Facilities Purpose

47
48 By chapter 54, section 1, of the laws of 2008:

49 For state aid, to municipalities and other public and not-for-profit
50 agencies, including the payment of liabilities incurred prior to
51 April 1, 2008 for up to 100 per centum of the net cost of
52 feasibility studies, property options, capital renovations,
53 acquisition of property, construction, rehabilitation and capital
54 costs incidental and appurtenant to facilities required to be
55 licensed pursuant to article 16, as defined in the mental hygiene
56 law, and for services and expenses related to environmental
57 modifications and adaptive technology services at voluntary not-for-
58 profit provider operated community residential facilities, certified
59 family care homes and private residences, as a loan and/or grant to
60 family care providers, for payment to other state and federal

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1 housing agencies, private corporations and for capital development
 2 of residential housing or day program alternatives not currently
 3 defined in the mental hygiene law (51B10807)
 4 4,000,000 (re. \$3,990,000)
 5

6 Mental Hygiene Capital Improvement Fund - 389

7

8 Community Facilities Purpose

9

10 By chapter 54, section 1, of the laws of 2008:

11 For the comprehensive construction programs, purposes and projects as
 12 herein specified, and for departmental administrative costs related
 13 thereto, consistent with section 41.34 of the mental hygiene law,
 14 and for the acquisition of property, construction and rehabili-
 15 tation, including the payment of preoperational costs incurred prior
 16 to occupancy, of article 16 community mental retardation facilities
 17 and associated programs and facilities and under the auspice of
 18 municipalities and other public and not-for-profit private agencies
 19 approved by the commissioner of the office of mental retardation and
 20 developmental disabilities, pursuant to article 41 of the mental
 21 hygiene law and for management fees associated with voluntary not-
 22 for-profit operated projects to be financed through dormitory
 23 authority of the state of New York bonds (513208H2)
 24 6,400,000 (re. \$6,400,000)
 25

26 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 27 section 1, of the laws of 2008:

28 For the comprehensive construction programs, purposes and projects as
 29 herein specified, and for departmental administrative costs related
 30 thereto, consistent with section 41.34 of the mental hygiene law,
 31 and for the acquisition of property, construction and rehabili-
 32 tation, including the payment of preoperational costs incurred prior
 33 to occupancy, of article 16 community mental retardation facilities
 34 and associated programs and facilities and under the auspice of
 35 municipalities and other public and not-for-profit private agencies
 36 approved by the commissioner of the office of mental retardation and
 37 developmental disabilities, pursuant to article 41 of the mental
 38 hygiene law and for management fees associated with voluntary not-
 39 for-profit operated projects to be financed through dormitory
 40 authority of the state of New York bonds (513207H2)
 41 6,350,000 (re. \$6,350,000)
 42

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 For payment according to the following schedule:

2			
3		APPROPRIATIONS	REAPPROPRIATIONS
4			
5	General Fund - State and Local	5,873,000	0
6	Special Revenue Funds - Federal	7,274,000	12,537,000
7	Special Revenue Funds - Other	4,438,000	0
8	Enterprise Funds	45,000	0
9		-----	-----
10	All Funds	17,630,000	12,537,000
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	5,580,000	293,000	0	5,873,000
19	SR-Federal	7,274,000	0	0	7,274,000
20	SR-Other	3,960,000	478,000	0	4,438,000
21	Enterprise	45,000	0	0	45,000
22		-----	-----	-----	-----
23	All Funds	16,859,000	771,000	0	17,630,000
24		=====	=====	=====	=====

25 SCHEDULE

26

27

28 ADMINISTRATION PROGRAM 9,885,000

29 -----

30

31 General Fund / State Operations

32 State Purposes Account - 003

33

34 For services and expenses of the commission

35 pursuant to chapter 58 of the laws of

36 2005.

37 PERSONAL SERVICE

38

39

40 Personal service--regular 4,208,700

41 Holiday/overtime compensation 18,000

42 -----

43 Amount available for personal service 4,226,700

44 -----

45 NONPERSONAL SERVICE

46

47

48 Supplies and materials 64,000

49 Travel 256,400

50 Contractual services 969,700

51 Equipment 63,200

52 -----

53 Amount available for nonpersonal service.. 1,353,300

54 -----

55 Program account subtotal 5,580,000

56 -----

57

58 Special Revenue Funds - Federal / State Operations

59 Federal Health and Human Services Fund - 265

60

61

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	For services and expenses associated with	
2	federal grant awards yet to be allocated.	
3	Notwithstanding any inconsistent provision	
4	of law, the director of the budget is	
5	hereby authorized to transfer appropri-	
6	ation authority contained herein to any	
7	other federal fund or program within the	
8	commission on quality of care and advocacy	
9	for persons with disabilities	300,000
10		-----
11	Program fund subtotal	300,000
12		-----
13		
14	Special Revenue Funds - Other / State Operations	
15	Combined Gifts, Grants and Bequests Fund - 020	
16	Disability and Technical Assistance Account	
17		
18	For services and expenses related to disa-	
19	bility consultant services pursuant to	
20	chapter 58 of the laws of 2005.	
21		
22	PERSONAL SERVICE	
23		
24	Personal service--regular	56,000
25	Holiday/overtime compensation	2,000
26		-----
27	Amount available for personal service	58,000
28		-----
29		
30	NONPERSONAL SERVICE	
31		
32	Supplies and materials	3,000
33	Travel	9,000
34	Contractual services	56,000
35	Equipment	1,000
36	Fringe benefits	27,000
37	Indirect costs	3,000
38		-----
39	Amount available for nonpersonal service..	99,000
40		-----
41	Program account subtotal	157,000
42		-----
43		
44	Special Revenue Funds - Other / State Operations	
45	Miscellaneous Special Revenue Fund - 339	
46	Conference Fee Account	
47		
48	For services and expenses of the commission	
49	pursuant to chapter 58 of the laws of	
50	2005.	
51		
52	NONPERSONAL SERVICE	
53		
54	Supplies and materials	15,000
55	Travel	20,000
56	Contractual services	36,000
57		-----
58	Program account subtotal	71,000
59		-----
60		
61		

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	Special Revenue Funds - Other / State Operations		
2	Miscellaneous Special Revenue Fund - 339		
3	Federal Salary Sharing Account		
4			
5			
6			
7	Personal service--regular	2,270,000	
8	Holiday/overtime compensation	24,000	
9			-----
10	Amount available for personal service	2,294,000	
11			-----
12			
13			
14			
15	Supplies and materials	2,000	
16	Travel	146,000	
17	Contractual services	164,000	
18	Equipment	15,000	
19	Fringe benefits	1,013,000	
20	Indirect costs	98,000	
21			-----
22	Amount available for nonpersonal service..	1,438,000	
23			-----
24	Program account subtotal	3,732,000	
25			-----
26			
27	Enterprise Funds / State Operations		
28	Miscellaneous Enterprise Fund - 331		
29	Publications Account		
30			
31			
32			
33	Supplies and materials	5,000	
34	Contractual services	15,000	
35			-----
36	Program account subtotal	20,000	
37			-----
38			
39	Enterprise Funds / State Operations		
40	Miscellaneous Enterprise Fund - 331		
41	TRAID Services Account		
42			
43	For services and expenses related to TRAI		
44	project activities including the provision		
45	of educational, outreach, training and		
46	support services pursuant to chapter 58 of		
47	the laws of 2005.		
48			
49			
50			
51	Supplies and materials	5,000	
52	Travel	10,000	
53	Contractual services	10,000	
54			-----
55	Program account subtotal	25,000	
56			-----
57			
58	ADULT HOMES PROGRAM		230,000
59			-----
60			
61			

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	General Fund / Aid to Localities	
2	Local Assistance Account - 001	
3		
4	For services and expenses related to the	
5	adult homes advocacy program	170,000
6		-----
7	Program account subtotal	170,000
8		-----
9		
10	Special Revenue Funds - Other / Aid to Localities	
11	HCRA Resources Fund - 061	
12	Adult Home Resident Council Support Project Account	
13		
14	For services and expenses related to the	
15	adult homes resident council support	
16	project	60,000
17		-----
18	Program account subtotal	60,000
19		-----
20		
21	CLIENT ASSISTANCE PROGRAM	654,000
22		-----
23		
24	Special Revenue Funds - Federal / State Operations	
25	Federal Department of Education Fund - 267	
26		
27	Personal service	80,000
28	Nonpersonal service	533,000
29	Fringe benefits	34,000
30	Indirect costs	7,000
31		-----
32		
33	PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM..	217,000
34		-----
35		
36	Special Revenue Funds - Federal / State Operations	
37	Federal Department of Education Fund - 267	
38		
39	For services and expenses related to assist-	
40	ing individuals with obtaining assistive	
41	technology services and devices consistent	
42	with federal grant requirements.	
43		
44	Personal service	56,000
45	Nonpersonal service	133,000
46	Fringe benefits	24,000
47	Indirect costs	4,000
48		-----
49		
50	PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECUR-	
51	RITY PROGRAM	403,000
52		-----
53		
54	Special Revenue Funds - Federal / State Operations	
55	Federal Operating Grants Fund - 290	
56		
57	Personal service	106,000
58	Nonpersonal service	243,000
59	Fringe benefits	45,000
60	Indirect costs	9,000
61		-----

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED	
2	PROGRAM	2,025,000
3		-----
4		
5	Special Revenue Funds - Federal / State Operations	
6	Federal Health and Human Services Fund - 265	
7		
8	Personal service	452,000
9	Nonpersonal service	1,348,000
10	Fringe benefits	189,000
11	Indirect costs	36,000
12		-----
13		
14	PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL	
15	ILLNESS PROGRAM	1,677,000
16		-----
17		
18	Special Revenue Funds - Federal / State Operations	
19	Federal Health and Human Services Fund - 265	
20		
21	Personal service	588,000
22	Nonpersonal service	796,000
23	Fringe benefits	246,000
24	Indirect costs	47,000
25		-----
26		
27	PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN	
28	INJURY PROGRAM	167,000
29		-----
30		
31	Special Revenue Funds - Federal / State Operations	
32	Federal Health and Human Services Fund - 265	
33		
34	Nonpersonal service	167,000
35		-----
36		
37	PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM	223,000
38		-----
39		
40	Special Revenue Funds - Federal / State Operations	
41	Federal Health and Human Services Fund - 265	
42		
43	Nonpersonal service	223,000
44		-----
45		
46	PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM	901,000
47		-----
48		
49	Special Revenue Funds - Federal / State Operations	
50	Federal Department of Education Fund - 267	
51		
52	Personal service	155,000
53	Nonpersonal service	668,000
54	Fringe benefits	65,000
55	Indirect costs	13,000
56		-----
57		
58	SURROGATE DECISION-MAKING COMMITTEE PROGRAM	541,000
59		-----
60		
61		

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1	General Fund / Aid to Localities	
2	Local Assistance Account - 001	
3		
4	For surrogate decision-making committee	
5	program contracts with local service	
6	providers	123,000
7		-----
8	Program account subtotal	123,000
9		-----
10		
11	Special Revenue Funds - Other / Aid to Localities	
12	Miscellaneous Special Revenue Fund - 339	
13	Federal Salary Sharing Account	
14		
15	For surrogate decision-making committee	
16	program contracts with local service	
17	providers	418,000
18		-----
19	Program account subtotal	418,000
20		-----
21		
22	TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISA-	
23	BILITIES	707,000
24		-----
25		
26	Special Revenue Funds - Federal / State Operations	
27	Federal Department of Education Fund - 267	
28	1031-OT-Education Account	
29		
30	For services and expenses related to TR Aid	
31	including for contract for the delivery of	
32	direct services to persons utilizing	
33	regional technology centers or other enti-	
34	ties funded through the TR Aid project	
35	pursuant to chapter 58 of the laws of	
36	2005.	
37		
38	Personal service	185,000
39	Nonpersonal service	431,000
40	Fringe benefits	77,000
41	Indirect costs	14,000
42		-----
43		
44	Total new appropriations for state operations and aid to	
45	localities	17,630,000
46		=====
47		

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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 2008:
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 and advocacy for persons
12 with disabilities ... 300,000 (re. \$300,000)
13
14 CLIENT ASSISTANCE PROGRAM
15
16 Special Revenue Funds - Federal / State Operations
17 Federal Department of Education Fund - 267
18
19 By chapter 54, section 1, of the laws of 2008:
20 Personal service ... 67,000 (re. \$67,000)
21 Nonpersonal service ... 571,000 (re. \$571,000)
22 Fringe benefits ... 31,000 (re. \$31,000)
23 Indirect costs ... 8,000 (re. \$8,000)
24
25 By chapter 54, section 1, of the laws of 2007:
26 For the grant period October 1, 2007 to September 30, 2008:
27 Nonpersonal service ... 536,000 (re. \$501,000)
28
29 PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM
30
31 Special Revenue Funds - Federal / State Operations
32 Federal Department of Education Fund - 267
33
34 By chapter 54, section 1, of the laws of 2008:
35 For services and expenses related to assisting individuals with
36 obtaining assistive technology services and devices consistent with
37 federal grant requirements ... 229,000 (re. \$229,000)
38
39 By chapter 54, section 1, of the laws of 2007:
40 For services and expenses related to assisting individuals with
41 obtaining assistive technology services and devices consistent with
42 federal grant requirements:
43 For the grant period October 1, 2007 to September 30, 2008
44 168,000 (re. \$99,000)
45
46 PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM
47
48 Special Revenue Funds - Federal / State Operations
49 Federal Operating Grants Fund - 290
50
51 By chapter 54, section 1, of the laws of 2008:
52 Personal service ... 63,000 (re. \$63,000)
53 Nonpersonal service ... 235,000 (re. \$235,000)
54 Fringe benefits ... 29,000 (re. \$29,000)
55 Indirect costs ... 6,000 (re. \$6,000)
56
57

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED 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 2008:
7 Personal service ... 466,000 (re. \$466,000)
8 Nonpersonal service ... 1,354,000 (re. \$1,354,000)
9 Fringe benefits ... 208,000 (re. \$208,000)
10 Indirect costs ... 34,000 (re. \$34,000)
11
12 By chapter 54, section 1, of the laws of 2007:
13 For the grant period October 1, 2006 to September 30, 2007:
14 Personal service ... 213,000 (re. \$213,000)
15 Nonpersonal service ... 76,000 (re. \$76,000)
16 Fringe benefits ... 97,000 (re. \$97,000)
17 Indirect costs ... 15,000 (re. \$15,000)
18 For the grant period October 1, 2007 to September 30, 2008:
19 Nonpersonal service ... 1,264,000 (re. \$1,000,000)
20
21 By chapter 54, section 1, of the laws of 2006:
22 For the grant period October 1, 2006 to September 30, 2007:
23 1,629,000 (re. \$900,000)
24
25 PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS
26
27 Special Revenue Funds - Federal / State Operations
28 Federal Health and Human Services Fund - 265
29
30 By chapter 54, section 1, of the laws of 2008:
31 Personal service ... 488,000 (re. \$488,000)
32 Nonpersonal service ... 887,000 (re. \$887,000)
33 Fringe benefits ... 218,000 (re. \$218,000)
34 Indirect costs ... 37,000 (re. \$37,000)
35
36 By chapter 54, section 1, of the laws of 2007:
37 For the grant period October 1, 2006 to September 30, 2007:
38 Personal service ... 239,000 (re. \$239,000)
39 Nonpersonal service ... 133,000 (re. \$133,000)
40 Fringe benefits ... 109,000 (re. \$109,000)
41 Indirect costs ... 18,000 (re. \$18,000)
42 For the grant period October 1, 2007 to September 30, 2008:
43 Nonpersonal service ... 706,000 (re. \$370,000)
44
45 By chapter 54, section 1, of the laws of 2006:
46 For the grant period October 1, 2006 to September 30, 2007:
47 1,108,000 (re. \$471,000)
48
49 PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM
50
51 Special Revenue Funds - Federal / State Operations
52 Federal Health and Human Services Fund - 265
53
54 By chapter 54, section 1, of the laws of 2008:
55 Nonpersonal service ... 89,000 (re. \$89,000)
56
57 By chapter 54, section 1, of the laws of 2007:
58 For the grant period June 1, 2007 to May 31, 2008:
59 Nonpersonal service ... 85,000 (re. \$34,000)
60
61

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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 2008:
7 Nonpersonal service ... 181,000 (re. \$181,000)
8
9 By chapter 54, section 1, of the laws of 2007:
10 For the grant period October 1, 2006 to September 30, 2007:
11 Nonpersonal service ... 179,000 (re. \$87,000)
12
13 PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM
14
15 Special Revenue Funds - Federal / State Operations
16 Federal Department of Education Fund - 267
17
18 By chapter 54, section 1, of the laws of 2008:
19 Personal service ... 137,000 (re. \$137,000)
20 Nonpersonal service ... 704,000 (re. \$704,000)
21 Fringe benefits ... 62,000 (re. \$62,000)
22 Indirect costs ... 11,000 (re. \$11,000)
23
24 By chapter 54, section 1, of the laws of 2007:
25 For the grant period October 1, 2007 to September 30, 2008:
26 Nonpersonal service ... 645,000 (re. \$550,000)
27
28 TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM
29
30 Special Revenue Funds - Federal / State Operations
31 Federal Department of Education Fund - 267
32 1031-OT-Education Account
33
34 By chapter 54, section 1, of the laws of 2008:
35 For services and expenses related to TR Aid including for contract for
36 the delivery of direct services to persons utilizing regional tech-
37 nology centers or other entities funded through the TR Aid project
38 pursuant to chapter 58 of the laws of 2005
39 845,000 (re. \$731,000)
40
41 By chapter 54, section 1, of the laws of 2007:
42 For services and expenses related to TR Aid including for contract for
43 the delivery of direct services to persons utilizing regional tech-
44 nology centers or other entities funded through the TR Aid project
45 pursuant to chapter 58 of the laws of 2005.
46 For the grant period October 1, 2007 to September 30, 2008
47 483,000 (re. \$479,000)
48
49 Total reappropriations for state operations and aid to
50 localities 12,537,000
51 =====
52

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 - REAPPROPRIATIONS 2009-10

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 Miscellaneous Special Revenue Fund - 339
 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)
 31

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