

# STATE OF NEW YORK

S. 6604

A. 9704

## SENATE - ASSEMBLY

January 19, 2010

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, 2010.
- 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, 2010.

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 2009.

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, 2010. 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 2009.

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, 2010.

48

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	113,042,400	15,934,000
6 Special Revenue Funds - Federal ....	125,237,000	122,482,000
7 Special Revenue Funds - Other .....	1,230,000	0
8 Enterprise Funds .....	100,000	0
9	-----	-----
10 All Funds .....	239,609,400	138,416,000
11	=====	=====

## AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
18 GF-St/Local	2,748,400	110,294,000	0	113,042,400
19 SR-Federal	11,252,000	113,985,000	0	125,237,000
20 SR-Other	250,000	980,000	0	1,230,000
21 Enterprise	100,000	0	0	100,000
22	-----	-----	-----	-----
23 All Funds	14,350,400	225,259,000	0	239,609,400
24	=====	=====	=====	=====

## SCHEDULE

28 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM ..... 14,350,400

31 General Fund / State Operations  
32 State Purposes Account - 003

## PERSONAL SERVICE

36 Personal service--regular ..... 2,348,200  
37 Temporary service ..... 7,300  
38 -----  
39 Amount available for personal service .... 2,355,500  
40 -----

## NONPERSONAL SERVICE

44 Supplies and materials ..... 48,300  
45 Travel ..... 92,100  
46 Contractual services ..... 227,900  
47 Equipment ..... 24,600  
48 -----  
49 Amount available for nonpersonal service.. 392,900  
50 -----  
51 Program account subtotal ..... 2,748,400  
52 -----

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

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 For purposes of Congregate Nutritional  
61 Services funded by the American recovery  
62 and reinvestment act of 2009. Funds appro-

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	riated herein shall be subject to all	
2	applicable reporting and accountability	
3	requirements contained in such act .....	150,000
4	For purposes of Home-Delivered Nutritional	
5	Services funded by the American recovery	
6	and reinvestment act of 2009. Funds appro-	
7	riated herein shall be subject to all	
8	applicable reporting and accountability	
9	requirements contained in such act .....	65,000
10		-----
11	Program fund subtotal .....	9,609,000
12		-----
13		
14	Special Revenue Funds - Federal / State Operations	
15	Federal Operating Grants Fund - 290	
16	Office for the Aging Federal Grants Account	
17		
18	For services and expenses related to the	
19	provision of aging services programs .....	1,200,000
20		-----
21	Program account subtotal .....	1,200,000
22		-----
23		
24	Special Revenue Funds - Federal / State Operations	
25	Federal Operating Grants Fund - 290	
26	Senior Community Service Employment Account	
27		
28	For the senior community service employment	
29	program provided under title V of the	
30	federal older Americans act .....	393,000
31	For additional expenses of the senior commu-	
32	nity service employment program provided	
33	under title V of the federal older Ameri-	
34	cans act funded by the American recovery	
35	and reinvestment act of 2009. Funds appro-	
36	riated herein shall be subject to all	
37	applicable reporting and accountability	
38	requirements contained in such act .....	50,000
39		-----
40	Program account subtotal .....	443,000
41		-----
42		
43	Special Revenue Funds - Other / State Operations	
44	Combined Gifts, Grants and Bequests Fund - 020	
45	Aging Grants and Bequest Account	
46		
47	For service and expenses of the state office	
48	for the aging.	
49		
50		
51		
52	Supplies and materials .....	50,000
53	Travel .....	50,000
54	Contractual services .....	150,000
55		-----
56	Program account subtotal .....	250,000
57		-----
58		
59	Enterprise Funds / State Operations	
60	Miscellaneous Enterprise Fund - 331	
61	Aging Enterprises Account	
62		

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For service and expenses related to video	
2	and other media.	
3		
4		
5		
6	Contractual services .....	100,000
7		-----
8	Program account subtotal .....	100,000
9		-----
10		
11	COMMUNITY SERVICES PROGRAM .....	225,259,000
12		-----
13		
14	General Fund / Aid to Localities	
15	Local Assistance Account - 001	
16		
17	For services and expenses, including the	
18	payment of liabilities incurred prior to	
19	April 1, 2010, related to the community	
20	services elderly grant program. No expend-	
21	itures shall be made from this appropri-	
22	ation until the director of the budget has	
23	approved a plan submitted by the office	
24	outlining the amounts and purposes of such	
25	expenditures and the allocation of funds	
26	among the counties. Notwithstanding any	
27	provision of law, rule or regulation to	
28	the contrary, subject to the approval of	
29	the director of the budget, funds appro-	
30	priated herein for the community services	
31	for the elderly program (CSE) and the	
32	expanded in-home services for the elderly	
33	program (EISEP) may be used in accordance	
34	with a waiver or reduction in county main-	
35	tenance of effort requirements established	
36	pursuant to section 214 of the elder law,	
37	except for base year expenditures. To the	
38	extent that funds hereby appropriated are	
39	sufficient to exceed the per capita limit	
40	established in section 214 of the elder	
41	law, the excess funds shall be available	
42	to supplement the existing per capita	
43	level in a uniform manner consistent with	
44	statutory allocations .....	15,312,000
45	For planning and implementation, including	
46	the payment of liabilities incurred prior	
47	to April 1, 2010, of a program of expanded	
48	in-home, case management and ancillary	
49	community services for the elderly	
50	(EISEP). No expenditures shall be made	
51	from this appropriation until the director	
52	of the budget has approved a plan submit-	
53	ted by the office outlining the amounts	
54	and purposes of such expenditures and the	
55	allocation of funds among the counties,	
56	including the city of New York .....	46,035,000
57	For services and expenses of grants to area	
58	agencies on aging for the establishment	
59	and operation of caregiver resource	
60	centers .....	353,000
61	For services and expenses, including the	
62	payment of liabilities incurred prior to	

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	April 1, 2010, associated with the supple-	
2	mental nutrition assistance program	
3	(SNAP), including a suballocation to the	
4	department of agriculture and markets to	
5	be transferred to state operations for	
6	administrative costs of the farmers market	
7	nutrition program. No expenditure shall be	
8	made from this appropriation until the	
9	director of the budget has approved a plan	
10	submitted by the office outlining the	
11	amounts and purpose of such expenditures	
12	and the allocation of funds among the	
13	counties .....	21,380,000
14	Local grants for services and expenses of	
15	the long-term care ombudsman program .....	690,000
16	For services and expenses of the retired and	
17	senior volunteer program (RSVP) .....	433,000
18	For services and expenses of the EAC/Nassau	
19	senior respite program .....	237,000
20	For services and expenses of the home aides	
21	of central New York, Inc. senior respite	
22	program .....	142,000
23	For services and expenses of the New York	
24	foundation for senior citizens home shar-	
25	ing and respite care program .....	172,000
26	For state aid grants to providers of respite	
27	services to the elderly. Funding priority	
28	shall be given to the renewal of existing	
29	contracts with the state office for the	
30	aging. No expenditures shall be made from	
31	this appropriation until the director of	
32	the budget has approved a plan submitted	
33	by the office outlining the amounts to be	
34	distributed by provider .....	656,000
35	For state aid grants to providers of social	
36	model adult day services. Funding priority	
37	shall be given to the renewal of existing	
38	contracts with the state office for the	
39	aging. No expenditures shall be made from	
40	this appropriation until the director of	
41	the budget has approved a plan submitted	
42	by the office outlining the amounts to be	
43	distributed by provider .....	872,000
44	For state aid grants to naturally occurring	
45	retirement communities (NORC). Funding	
46	priority shall be given to the renewal of	
47	existing contracts with the state office	
48	for the aging. No expenditures shall be	
49	made from this appropriation until the	
50	director of the budget has approved a plan	
51	submitted by the office outlining the	
52	amounts to be distributed by provider ....	2,027,000
53	For state aid grants to neighborhood	
54	naturally occurring retirement communities	
55	(NNORC). Funding priority shall be given	
56	to the renewal of existing contracts with	
57	the state office for the aging. No expend-	
58	itures shall be made from this appropri-	
59	ation until the director of the budget has	
60	approved a plan submitted by the office	
61	outlining the amounts to be distributed by	
62	provider .....	2,027,000

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## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For grants in aid to the 59 designated area	
2	agencies on aging for transportation oper-	
3	ating expenses related to serving the	
4	elderly. Funds shall be allocated from	
5	this appropriation pursuant to a plan	
6	prepared by the director of the state	
7	office for the aging and approved by the	
8	director of the budget .....	921,000
9	For services and expenses of the foster	
10	grandparents program .....	196,000
11	For services and expenses related to an	
12	elderly abuse education and outreach	
13	program in accordance with section 219 of	
14	the elder law funding priority shall be	
15	given to the renewal of existing contracts	
16	with the state office for the aging .....	490,000
17	Notwithstanding any inconsistent provision	
18	of law, effective October 1, 2006, expend-	
19	itures made from this appropriation shall	
20	effectively provide a cost of living	
21	adjustment for providers of the following	
22	services, as determined by the director of	
23	the state office for the aging, expanded	
24	in-home services for the elderly program	
25	(EISEP), community services for the elder-	
26	ly program (CSE) and the supplemental	
27	nutrition assistance program (SNAP). The	
28	director of the state office for the aging	
29	shall determine the standards and require-	
30	ments necessary for reimbursement of such	
31	increases. Further, all such increases	
32	shall be made pursuant to a provider	
33	attestation regarding the use of such	
34	funds to be provided in the format	
35	prescribed by the state office for the	
36	aging. Funds shall be allocated from this	
37	appropriation pursuant to a plan prepared	
38	by the director of the state office for	
39	the aging and approved by the director of	
40	the budget .....	14,707,000
41	For grants to the area agencies on aging for	
42	the health insurance information, coun-	
43	seling and assistance program .....	921,000
44	For state matching funds for services and	
45	expenses to match federally funded model	
46	projects and/or demonstration grant	
47	programs, a portion of which may be trans-	
48	ferred to state operations or to other	
49	entities as necessary to meet federal	
50	grant objectives .....	236,000
51	For grants in aid to up to seven designated	
52	area agencies on aging for the creation of	
53	regional caregiver centers for excellence	
54	for the purpose of providing education and	
55	training to caregivers, the development	
56	and implementation of innovative	
57	approaches to assisting caregivers and	
58	reducing caregiver stress, provision of	
59	technical assistance and training to care-	
60	giver program coordinators and other	
61	programs and other activities to directly	
62	support community caregivers. At least 20	

## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	percent of the amount appropriated shall	
2	be used to provide respite services to	
3	informal caregivers .....	230,000
4	For up to eight community empowerment initi-	
5	ative start up grants to enable communi-	
6	ties, neighborhoods, elders and families	
7	to develop their own supportive services	
8	that enable older persons to "age in	
9	place" and stay in their own neighborhoods	
10	.....	245,000
11	For additional services and expenses related	
12	to the enriched social adult day services	
13	demonstration project to help older New	
14	Yorkers age in place in the community	
15	while avoiding spend-down to medicaid. No	
16	more than eight and one half percent of	
17	the amount appropriated for such purpose	
18	may be expended by the office for the	
19	aging for services and expenses in	
20	connection with the evaluation of the	
21	demonstration project which shall be	
22	conducted by the center for functional	
23	assessment research (CFAR) at the univer-	
24	sity of Buffalo. An amount not to exceed	
25	10 percent of the allocation may be used	
26	for administration for the office .....	245,000
27	For the managed care consumer assistance	
28	program for the purpose of providing	
29	education, outreach, one-on-one coun-	
30	seling, monitoring of the implementation	
31	of medicare part D, and assistance with	
32	drug appeals and fair hearings related to	
33	medicare part D coverage for persons who	
34	are eligible for medical assistance and	
35	who are also beneficiaries under part D of	
36	title XVIII of the federal social security	
37	act and for participants of the elderly	
38	pharmaceutical insurance coverage program	
39	(EPIC) in accordance with the following:	
40	Medicare Rights Center .....	793,000
41	New York StateWide Senior Action Council,	
42	Inc. ....	354,000
43	New York Legal Assistance Group .....	111,000
44	Legal Aid Society of New York .....	111,000
45	Selfhelp Community Services, Inc. ....	111,000
46	Empire Justice Center .....	155,000
47	Community Service Society .....	132,000
48		-----
49	Program account subtotal .....	110,294,000
50		-----
51		
52	Special Revenue Funds - Federal / Aid to Localities	
53	Federal Health and Human Services Fund - 265	
54		
55	For programs provided under the titles of	
56	the federal older Americans act and other	
57	health and human services programs.	
58	Title III-b social services .....	26,000,000
59	Title III-c nutrition programs, including a	
60	suballocation to the department of health	
61	for nutrition program activities .....	41,000,000
62	Title III-e caregivers .....	12,000,000



## OFFICE FOR THE AGING

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Health and human services programs .....	7,000,000	
2	Nutrition services incentive program .....	16,000,000	
3	For purposes of Congregate Nutritional		
4	Services funded by the American recovery		
5	and reinvestment act of 2009. Funds appro-		
6	propriated herein shall be subject to all		
7	applicable reporting and accountability		
8	requirements contained in such act .....	2,350,000	
9	For purposes of Home-Delivered Nutritional		
10	Services funded by the American recovery		
11	and reinvestment act of 2009. Funds appro-		
12	propriated herein shall be subject to all		
13	applicable reporting and accountability		
14	requirements contained in such act .....	1,135,000	
15			-----
16	Program fund subtotal .....	105,485,000	
17			-----
18			
19	Special Revenue Funds - Federal / Aid to Localities		
20	Federal Operating Grants Fund - 290		
21	Office for the Aging Federal Grants Account		
22			
23	For services and expenses related to the		
24	provision of aging services programs .....	600,000	
25			-----
26	Program account subtotal .....	600,000	
27			-----
28			
29	Special Revenue Funds - Federal / Aid to Localities		
30	Federal Operating Grants Fund - 290		
31	Senior Community Service Employment Account		
32			
33	For the senior community service employment		
34	program provided under title V of the		
35	federal older Americans act .....	7,000,000	
36	For the senior community service employment		
37	program provided under title V of the		
38	federal older Americans act funded by the		
39	American recovery and reinvestment act of		
40	2009. Funds appropriated herein shall be		
41	subject to all applicable reporting and		
42	accountability requirements contained in		
43	such act .....	900,000	
44			-----
45	Program account subtotal .....	7,900,000	
46			-----
47			
48	Special Revenue Fund - Other / Aid to Localities		
49	Combined Gifts, Grants and Bequests Fund - 020		
50	Aging Grants and Bequest Account		
51			
52	For services and expenses of the state		
53	office for the aging .....	980,000	
54			-----
55	Program account subtotal .....	980,000	
56			-----
57			
58	Total new appropriations for state operations and aid to		
59	localities .....	239,609,400	
60			=====
61			

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM  
2  
3 General Fund / State Operations  
4 State Purposes Account - 003  
5  
6 By chapter 54, section 1 of the laws of 2008, as amended by chapter 54,  
7 section 1, of the laws of 2009:  
8 For services and support of the Alzheimer's Advisory Coordinating  
9 Council, established pursuant to chapter 58 of the laws of 2007. The  
10 funds appropriated hereby shall be suballocated to the department of  
11 health ... 50,000 ..... (re. \$30,000)  
12  
13 The appropriation made by chapter 54, section 1 of the laws of 2007, is  
14 hereby amended and reappropriated to read:  
15 For services and support of the Alzheimer's Advisory Coordinating  
16 Council, established pursuant to [a] chapter 58 of the laws of 2007.  
17 The funds appropriated hereby shall be suballocated to the department  
18 of health ... 75,000 ..... (re. \$65,000)  
19 For additional services and support of the Alzheimer's Advisory Coordinating  
20 Council, established pursuant to [a] chapter 58 of the laws  
21 of 2007.  
22 The funds appropriated hereby shall be suballocated to the department  
23 of health ... 150,000 ..... (re. \$105,000)  
24  
25 Special Revenue Funds - Federal / State Operations  
26 Federal Health and Human Services Fund - 265  
27  
28 By chapter 54, section 1, of the laws of 2009, amended:  
29 For programs provided under the titles of the federal older Americans  
30 act and other health and human services programs .....  
31 9,394,000 ..... (re. \$9,394,000)  
32 For purposes of Congregate Nutritional Services funded by the American  
33 recovery and reinvestment act of 2009. Funds appropriated herein  
34 shall be subject to all applicable reporting and accountability  
35 requirements contained in such act ... 150,000 ..... (re. \$150,000)  
36 For purposes of Home-Delivered Nutritional Services funded by the  
37 American recovery and reinvestment act of 2009. Funds appropriated  
38 herein shall be subject to all applicable reporting and  
39 accountability requirements contained in such act .....  
40 65,000 ..... (re. \$65,000)  
41  
42 By chapter 54, section 1, of the laws of 2008:  
43 For programs provided under the titles of the federal older Americans  
44 act and other health and human services programs .....  
45 8,700,000 ..... (re. \$1,096,000)  
46  
47 Special Revenue Funds - Federal / State Operations  
48 Federal Operating Grants Fund - 290  
49 Senior Community Service Employment Account  
50  
51 By chapter 54, section 1, of the laws of 2009:  
52 For the senior community service employment program provided under  
53 title V of the federal older Americans act .....  
54 393,000 ..... (re. \$393,000)  
55 For additional expenses of the senior community service employment  
56 program provided under title V of the federal older Americans act  
57 funded by the American recovery and reinvestment act of 2009. Funds  
58 appropriated herein shall be subject to all applicable reporting and  
59 accountability requirements contained in such act .....  
60 50,000 ..... (re. \$50,000)  
61  
62

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 COMMUNITY SERVICES PROGRAM  
2  
3 General Fund / Aid to Localities  
4 Local Assistance Account - 001  
5  
6 By chapter 54, section 1 of the laws of 2009:  
7 For additional services and expenses of the Community Services for the  
8 Elderly program ... 1,000,000 ..... (re. \$1,000,000)  
9 For additional services and expenses of the Expanded In-Home Services  
10 for the Elderly Program ... 2,000,000 ..... (re. \$2,000,000)  
11 For services and expenses, including the payment of liabilities  
12 incurred prior to April 1, 2009, associated with the supplemental  
13 nutrition assistance program (SNAP), including a suballocation to  
14 the department of agriculture and markets to be transferred to state  
15 operations for administrative costs of the farmers market nutrition  
16 program. No expenditure shall be made from this appropriation until  
17 the director of the budget has approved a plan submitted by the  
18 office outlining the amounts and purpose of such expenditures and  
19 the allocation of funds among the counties .....  
20 21,380,000 ..... (re. \$600,000)  
21 For additional services and expenses of the Supplemental Nutrition  
22 Assistance Program ... 2,000,000 ..... (re. \$2,000,000)  
23 For state aid grants to providers of respite services to the elderly.  
24 Funding priority shall be given to the renewal of existing contracts  
25 with the state office for the aging. No expenditures shall be made  
26 from this appropriation until the director of the budget has  
27 approved a plan submitted by the office outlining the amounts to be  
28 distributed by provider ... 656,000 ..... (re. \$634,000)  
29 For state aid grants to providers of social model adult day services.  
30 Funding priority shall be given to the renewal of existing contracts  
31 with the state office for the aging. No expenditures shall be made  
32 from this appropriation until the director of the budget has  
33 approved a plan submitted by the office outlining the amounts to be  
34 distributed by provider ... 872,000 ..... (re. \$872,000)  
35 For state aid grants to naturally occurring retirement communities  
36 (NORC). Funding priority shall be given to the renewal of existing  
37 contracts with the state office for the aging. No expenditures shall  
38 be made from this appropriation until the director of the budget has  
39 approved a plan submitted by the office outlining the amounts to be  
40 distributed by provider ... 2,027,000 ..... (re. \$2,027,000)  
41 For state aid grants to neighborhood naturally occurring retirement  
42 communities (NNORC). Funding priority shall be given to the renewal  
43 of existing contracts with the state office for the aging. No  
44 expenditures shall be made from this appropriation until the  
45 director of the budget has approved a plan submitted by the office  
46 outlining the amounts to be distributed by provider .....  
47 2,027,000 ..... (re. \$2,027,000)  
48 For state matching funds for services and expenses to match federally  
49 funded model projects and/or demonstration grant programs, a portion  
50 of which may be transferred to state operations or to other entities  
51 as necessary to meet federal grant objectives .....  
52 236,000 ..... (re. \$184,000)  
53 For grants in aid to up to seven designated area agencies on aging for  
54 the creation of regional caregiver centers for excellence for the  
55 purpose of providing education and training to caregivers, the  
56 development and implementation of innovative approaches to assisting  
57 caregivers and reducing caregiver stress, provision of technical  
58 assistance and training to caregiver program coordinators and other  
59 programs and other activities to directly support community  
60 caregivers. At least 20 percent of the amount appropriated shall be  
61 used to provide respite services to informal caregivers .....  
62 230,000 ..... (re. \$230,000)

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For up to eight community empowerment initiative start up grants to  
2 enable communities, neighborhoods, elders and families to develop  
3 their own supportive services that enable older persons to "age in  
4 place" and stay in their own neighborhoods .....  
5 245,000 ..... (re. \$245,000)  
6 For additional services and expenses related to the enriched social  
7 adult day services demonstration project to help older New Yorkers  
8 age in place in the community while avoiding spend-down to medicaid.  
9 No more than eight and one half percent of the amount appropriated  
10 for such purpose may be expended by the office for the aging for  
11 services and expenses in connection with the evaluation of the  
12 demonstration project which shall be conducted by the center for  
13 functional assessment research (CFAR) at the university of Buffalo.  
14 An amount not to exceed 10 percent of the allocation may be used for  
15 administration for the office. Funds appropriated herein are  
16 supported by savings resulting from the increased Federal Medical  
17 Assistance Percentage (FMAP) provided pursuant to the American  
18 recovery and reinvestment act of 2009 ... 245,000 ... (re. \$245,000)  
19 For the managed care consumer assistance program for the purpose of  
20 providing education, outreach, one-on-one counseling, monitoring of  
21 the implementation of medicare part D, and assistance with drug  
22 appeals and fair hearings related to medicare part D coverage for  
23 persons who are eligible for medical assistance and who are also  
24 beneficiaries under part D of title XVIII of the federal social  
25 security act and for participants of the elderly pharmaceutical  
26 insurance coverage program (EPIC) in accordance with the following:  
27 Medicare Rights Center ... 414,000 ..... (re. \$414,000)  
28 New York StateWide Senior Action Council, Inc. ....  
29 185,000 ..... (re. \$185,000)  
30 New York Legal Assistance Group ... 58,000 ..... (re. \$58,000)  
31 Legal Aid Society of New York ... 58,000 ..... (re. \$58,000)  
32 Selfhelp Community Services, Inc. ... 58,000 ..... (re. \$58,000)  
33 Empire Justice Center ... 81,000 ..... (re. \$81,000)  
34 Community Service Society ... 69,000 ..... (re. \$69,000)  
35 For additional services and expenses related to the managed care  
36 consumer assistance program for the purpose of providing education,  
37 outreach, one-on-one counseling, monitoring of the implementation of  
38 medicare part D, and assistance with drug appeals and fair hearings  
39 related to medicare part D coverage for persons who are eligible for  
40 medical assistance and who are also beneficiaries under part D of  
41 title XVIII of the federal social security act and for participants  
42 of the elderly pharmaceutical insurance coverage program (EPIC) in  
43 accordance with the following. Funds appropriated herein are  
44 supported by savings resulting from the increased Federal Medical  
45 Assistance Percentage (FMAP) provided pursuant to the American  
46 recovery and reinvestment act of 2009:  
47 Medicare Rights Center ... 379,000 ..... (re. \$379,000)  
48 New York Statewide Senior Action Council, Inc. ....  
49 169,000 ..... (re. \$169,000)  
50 New York Legal Assistance Group ... 53,000 ..... (re. \$53,000)  
51 Legal Aid Society of New York ... 53,000 ..... (re. \$53,000)  
52 Selfhelp Community Services, Inc. ... 53,000 ..... (re. \$53,000)  
53 Empire Justice Center ... 74,000 ..... (re. \$74,000)  
54 Community Service Society ... 63,000 ..... (re. \$63,000)  
55  
56 By chapter 54, section 1 of the laws of 2008:  
57 For state matching funds for services and expenses to match federally  
58 funded model projects and/or demonstration grant programs, a portion  
59 of which may be transferred to state operations or to other entities  
60 as necessary to meet federal grant objectives .....  
61 236,000 ..... (re. \$149,000)  
62

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1 of the laws of 2008, as amended by chapter 496,  
2 section 5 of the laws of 2008:  
3 For state aid grants to providers of respite services to the elderly.  
4 Funding priority shall be given to the renewal of existing contracts  
5 with the state office for the aging. No expenditures shall be made  
6 from this appropriation until the director of the budget has  
7 approved a plan submitted by the office outlining the amounts to be  
8 distributed by provider, provided, however, that the amount of this  
9 appropriation available for expenditure and disbursement on and  
10 after September 1, 2008 shall be reduced by six percent of the  
11 amount that was undisbursed as of August 15, 2008 .....  
12 698,000 ..... (re. \$394,000)  
13 For state aid grants to providers of social model adult day services.  
14 Funding priority shall be given to the renewal of existing contracts  
15 with the state office for the aging. No expenditures shall be made  
16 from this appropriation until the director of the budget has  
17 approved a plan submitted by the office outlining the amounts to be  
18 distributed by provider, provided, however, that the amount of this  
19 appropriation available for expenditure and disbursement on and  
20 after September 1, 2008 shall be reduced by six percent of the  
21 amount that was undisbursed as of August 15, 2008 .....  
22 928,000 ..... (re. \$236,000)  
23 For up to eight community empowerment initiative start up grants to  
24 enable communities, neighborhoods, elders and families to develop  
25 their own supportive services that enable older persons to "age in  
26 place" and stay in their own neighborhoods .....  
27 245,000 ..... (re. \$120,000)  
28 For services and expenses related to the enriched social adult day  
29 services demonstration project to help older New Yorkers age in  
30 place in the community while avoiding spend-down to medicaid. No  
31 more than eight and one half percent of the amount appropriated for  
32 such purpose may be expended by the office for the aging for  
33 services and expenses in connection with the evaluation of the  
34 demonstration project which shall be conducted by the center for  
35 functional assessment research (CFAR) at the university of Buffalo.  
36 An amount not to exceed 10 percent of the allocation may be used for  
37 administration for the office ... 245,000 ..... (re. \$245,000)  
38  
39 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,  
40 section 3, of the laws of 2009:  
41 For continuation of the pilot programs in geriatric in-home medical  
42 care initiatives, including in-home visits and consultations by  
43 physicians ... 564,000 ..... (re. \$388,000)  
44 For end of life care initiatives grants ... 150,000 ... (re. \$141,000)  
45  
46 By chapter 54, section 1, of the laws of 2008, as amended by chapter 54,  
47 section 1, of the laws of 2009:  
48 For grants in aid to up to seven designated area agencies on aging for  
49 the creation of regional caregiver centers for excellence for the  
50 purpose of providing education and training to caregivers, the  
51 development and implementation of innovative approaches to assisting  
52 caregivers and reducing caregiver stress, provision of technical  
53 assistance and training to caregiver program coordinators and other  
54 programs and other activities to directly support community caregiv-  
55 ers. At least 20 percent of the amount appropriated shall be used to  
56 provide respite services to informal caregivers .....  
57 230,000 ..... (re. \$230,000)  
58  
59

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Special Revenue Funds - Federal / Aid to Localities  
2 Federal Health and Human Services Fund - 265  
3  
4 By chapter 54, section 1, of the laws of 2009:  
5 For programs provided under the titles of the federal older Americans  
6 act and other health and human services programs.  
7 Title III-b social services ... 26,000,000 ..... (re. \$26,000,000)  
8 Title III-c nutrition programs, including a suballocation to the  
9 department of health for nutrition program activities .....  
10 41,000,000 ..... (re. \$30,015,000)  
11 Title III-e caregivers ... 12,000,000 ..... (re. \$12,000,000)  
12 Health and human services programs ... 5,000,000 .... (re. \$5,000,000)  
13 Nutrition services incentive program .....  
14 16,000,000 ..... (re. \$16,000,000)  
15 For purposes of Congregate Nutritional Services funded by the American  
16 recovery and reinvestment act of 2009. Funds appropriated herein  
17 shall be subject to all applicable reporting and accountability  
18 requirements contained in such act ... 2,350,000 .. (re. \$2,350,000)  
19 For purposes of Home-Delivered Nutritional Services funded by the  
20 American recovery and reinvestment act of 2009. Funds appropriated  
21 herein shall be subject to all applicable reporting and  
22 accountability requirements contained in such act .....  
23 1,135,000 ..... (re. \$1,135,000)  
24  
25 By chapter 54, section 1, of the laws of 2008:  
26 For programs provided under the titles of the federal older Americans  
27 act and other health and human services programs.  
28 Title III-b social services ... 26,000,000 ..... (re. \$1,262,000)  
29 Title III-c nutrition programs, including a suballocation to the  
30 department of health for nutrition program activities .....  
31 41,000,000 ..... (re. \$99,000)  
32 Title III-e caregivers ... 12,000,000 ..... (re. \$705,000)  
33 Health and human services programs ... 5,000,000 .... (re. \$4,010,000)  
34 Nutrition services incentive program .....  
35 16,000,000 ..... (re. \$5,003,000)  
36  
37 By chapter 54, section 1, of the laws of 2007:  
38 For programs provided under the titles of the federal older Americans  
39 act and other health and human services programs:  
40 For the grant period October 1, 2006 to September 30, 2007: ... ....  
41 57,500,000 ..... (re. \$19,000)  
42  
43 Special Revenue Funds - Federal / Aid to Localities  
44 Federal Operating Grants Fund - 290  
45 Office for the Aging Federal Grants Account  
46  
47 By chapter 54, section 1, of the laws of 2009:  
48 For services and expenses related to the provision of aging services  
49 programs ... 600,000 ..... (re. \$600,000)  
50  
51 Special Revenue Funds - Federal / Aid to Localities  
52 Federal Operating Grants Fund - 290  
53 Senior Community Service Employment Account  
54  
55 By chapter 54, section 1, of the laws of 2009:  
56 For the senior community service employment program provided under  
57 title V of the federal older Americans act .....  
58 7,000,000 ..... (re. \$6,337,000)  
59

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For the senior community service employment program provided under  
2 title V of the federal older Americans act funded by the American  
3 recovery and reinvestment act of 2009. Funds appropriated herein  
4 shall be subject to all applicable reporting and accountability  
5 requirements contained in such act ... 900,000 ..... (re. \$799,000)  
6  
7 Total reappropriations for state operations and aid to  
8 localities ..... 138,416,000  
9 =====  
10

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL  
 STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 Special Revenue Funds - Federal ....	4,750,000	2,855,000
6 Enterprise Funds .....	10,000	0
	-----	-----
8 All Funds .....	4,760,000	2,855,000
	=====	=====

10

11 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
16 SR-Federal	4,750,000	0	0	4,750,000
17 Enterprise	10,000	0	0	10,000
	-----	-----	-----	-----
19 All Funds	4,760,000	0	0	4,760,000
	=====	=====	=====	=====

20

21 SCHEDULE

24 DEVELOPMENTAL DISABILITIES PLANNING PROGRAM .....	4,760,000
	-----

25

26  
 27 Special Revenue Funds - Federal / State Operations  
 28 Federal Health and Human Services Fund - 265

29  
 30 For services and expenses related to the  
 31 provision of services to the develop-  
 32 mentally disabled under the provisions of  
 33 the federal developmental disabilities  
 34 bill of rights act of nineteen hundred  
 35 seventy-five.

37 Personal service .....	1,165,000
38 Nonpersonal service .....	445,000
39 Fringe benefits .....	516,000
40 Indirect costs .....	12,000
41 Maintenance undistributed .....	2,612,000
	-----
43 Program fund subtotal .....	4,750,000
	-----

44  
 45  
 46 Enterprise Funds / State Operations  
 47 Miscellaneous Enterprise Fund - 331  
 48 Developmental Disabilities Planning Council Publications  
 49 Account

50  
 51 For services and expenses incurred by the  
 52 developmental disabilities planning coun-  
 53 cil related to producing, reproducing,  
 54 distributing, and mailing printed,  
 55 recorded and electronic media.

56 NONPERSONAL SERVICE

59 Supplies and materials .....	10,000
	-----
61 Program account subtotal .....	10,000
	-----

62



DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Total new appropriations for state operations and aid to	
2	localities .....	4,760,000
3		=====
4		

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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 2009:  
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 ... 1,130,000 ..... (re. \$420,000)  
12 Nonpersonal service ... 449,000 ..... (re. \$220,000)  
13 Fringe benefits ... 448,000 ..... (re. \$224,000)  
14 Indirect costs ... 12,000 ..... (re. \$6,000)  
15 Maintenance undistributed ... 2,511,000 ..... (re. \$1,780,000)  
16  
17 By chapter 54, section 1, of the laws of 2008:  
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 Maintenance undistributed ... 2,531,000 ..... (re. \$205,000)  
23  
24 Total reappropriations for state operations and aid to  
25 localities ..... 2,855,000  
26 =====  
27

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	11,739,078,190	245,190,123
6 Special Revenue Funds - Federal ....	36,293,412,200	55,794,993,500
7 Special Revenue Funds - Other .....	7,366,634,887	1,488,866,700
8 Capital Projects Funds .....	497,783,000	1,152,154,000
9 Enterprise Funds .....	10,000	0
10	-----	-----
11 All Funds .....	55,896,918,277	58,681,205,123
12	=====	=====

13  
14 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

17 Fund Type	State Operations	Aid to Localities	Capital Projects	Total
18	-----	-----	-----	-----
19 GF-St/Local	284,329,500	11,454,748,690	0	11,739,078,190
20 SR-Federal	1,211,800,200	35,081,612,000	0	36,293,412,200
21 SR-Other	539,927,587	6,826,707,300	0	7,366,634,887
22 Cap Proj	0	0	497,783,000	497,783,000
23 Enterprise	10,000	0	0	10,000
24	-----	-----	-----	-----
25 All Funds	2,036,067,287	53,363,067,990	497,783,000	55,896,918,277
26	=====	=====	=====	=====

27  
28 SCHEDULE

29  
30 ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM ..... 74,522,900  
31 -----

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

35  
36 PERSONAL SERVICE

37  
38 Personal service--regular ..... 9,109,000  
39 Temporary service ..... 10,000  
40 Holiday/overtime compensation ..... 50,000  
41 -----  
42 Amount available for personal service .... 9,169,000  
43 -----

44  
45 NONPERSONAL SERVICE

46  
47 Supplies and materials ..... 1,077,400  
48 Travel ..... 406,500  
49 Contractual services ..... 20,122,000  
50 Equipment ..... 628,300  
51 -----  
52 Amount available for nonpersonal service.. 22,234,200  
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 ..... 32,153,200  
62 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 ..... 532,000  
31 -----  
32 Program account subtotal ..... 561,000  
33 -----  
34  
35 Special Revenue Funds - Federal / State Operations  
36 Federal USDA-Food and Nutrition Services Fund - 261  
37 Child and Adult Care Food Account  
38  
39 For various food and nutritional services .. 940,700  
40 -----  
41 Program account subtotal ..... 940,700  
42 -----  
43  
44 Special Revenue Funds - Federal / State Operations  
45 Federal USDA-Food and Nutrition Services Fund - 261  
46 Federal Food and Nutrition Services Account  
47  
48 For various food and nutritional services .. 2,264,500  
49 -----  
50 Program account subtotal ..... 2,264,500  
51 -----  
52  
53 Special Revenue Funds - Federal / State Operations  
54 Federal Health and Human Services Fund - 265  
55  
56 For administration of the national health  
57 services corps. Notwithstanding any incon-  
58 sistent provision of law, and subject to  
59 the approval of the director of the budg-  
60 et, moneys hereby appropriated may be  
61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	suballocated to the higher education	
2	services corporation .....	479,000
3		-----
4	Program fund subtotal .....	479,000
5		-----
6		
7	Special Revenue Funds - Federal / State Operations	
8	Federal Health and Human Services Fund - 265	
9	Federal Block Grant Account	
10		
11	For various health prevention, diagnostic,	
12	detection and treatment services .....	6,654,000
13		-----
14	Program account subtotal .....	6,654,000
15		-----
16		
17	Special Revenue Funds - Other / State Operations	
18	Combined Gifts, Grants and Bequests Fund - 020	
19	Technology Transfer Account	
20		
21	For services and expenses related to the	
22	department of health's patent and technol-	
23	ogy transfer program. The department of	
24	health may receive and deposit revenue	
25	from the sale and licensing of inventions	
26	pursuant to a technology and patent trans-	
27	fer policy established in accordance with	
28	section 64-a of the public officers law.	
29	Notwithstanding any other provision of law,	
30	these funds may be used for payments to	
31	Health Research, Inc. as reimbursement for	
32	expenses incurred in its patent and tech-	
33	nology transfer operations, to support	
34	research, training, and infrastructure	
35	development in the department's research	
36	facilities, and for payments to inventors.	
37	The moneys hereby appropriated shall be	
38	available for liabilities heretofore and	
39	hereafter to accrue.	
40		
41		
42		
43	Contractual services .....	496,000
44		-----
45	Program account subtotal .....	496,000
46		-----
47		
48	Special Revenue Funds - Other / State Operations	
49	Miscellaneous Special Revenue Fund - 339	
50	Administration Program Account	
51		
52	For services and expenses, including indi-	
53	rect costs, related to the administration	
54	program.	
55		
56		
57		
58	Personal service--regular .....	6,866,000
59	Holiday/overtime compensation .....	170,000
60		-----
61	Amount available for personal service ....	7,036,000
62		-----

## DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials .....	1,000
4	Travel .....	41,000
5	Contractual services .....	2,706,000
6	Fringe benefits .....	3,011,700
7		-----
8	Amount available for nonpersonal service..	5,759,700
9		-----
10	Program account subtotal .....	12,795,700
11		-----
12		
13	Special Revenue Funds - Other / State Operations	
14	Miscellaneous Special Revenue Fund - 339	
15	Health-SPARCS Account	
16		
17	For all services and expenses, including	
18	indirect costs, related to the statewide	
19	planning and research cooperative system.	
20		
21	PERSONAL SERVICE	
22		
23	Personal service--regular .....	3,796,400
24	Holiday/overtime compensation .....	55,000
25		-----
26	Amount available for personal service ....	3,851,400
27		-----
28		
29	NONPERSONAL SERVICE	
30		
31	Supplies and materials .....	52,000
32	Travel .....	18,000
33	Contractual services .....	2,053,000
34	Equipment .....	800,000
35	Fringe benefits .....	1,622,400
36	Indirect costs .....	797,200
37		-----
38	Amount available for nonpersonal service..	5,342,600
39		-----
40	Program account subtotal .....	9,194,000
41		-----
42		
43	Special Revenue Funds - Other / State Operations	
44	Miscellaneous Special Revenue Fund - 339	
45	Professional Medical Conduct Account	
46		
47	For services and expenses, including indi-	
48	rect costs, related to the professional	
49	medical conduct program.	
50		
51	PERSONAL SERVICE	
52		
53	Personal service--regular .....	4,156,600
54	Holiday/overtime compensation .....	10,000
55		-----
56	Amount available for personal service ....	4,166,600
57		-----
58		
59	NONPERSONAL SERVICE	
60		
61	Supplies and materials .....	45,000
62	Travel .....	82,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Contractual services .....	1,173,000	
2	Equipment .....	32,000	
3	Fringe benefits .....	1,274,000	
4		-----	
5	Amount available for nonpersonal service..	2,606,000	
6		-----	
7	Program account subtotal .....	6,772,600	
8		-----	
9			
10	Special Revenue Funds - Other / State Operations		
11	Miscellaneous Special Revenue Fund - 339		
12	Vital Records Management Account		
13			
14	For services and expenses including the		
15	collection of increased fees related to		
16	the vital records program.		
17			
18	PERSONAL SERVICE		
19			
20	Personal service--regular .....	905,000	
21	Holiday/overtime compensation .....	125,000	
22		-----	
23	Amount available for personal service ....	1,030,000	
24		-----	
25			
26	NONPERSONAL SERVICE		
27			
28	Supplies and materials .....	30,000	
29	Travel .....	2,000	
30	Contractual services .....	480,000	
31	Equipment .....	17,000	
32	Fringe benefits .....	448,500	
33	Indirect costs .....	204,700	
34		-----	
35	Amount available for nonpersonal service..	1,182,200	
36		-----	
37	Program account subtotal .....	2,212,200	
38		-----	
39			
40	AIDS INSTITUTE PROGRAM .....		119,928,100
41			-----
42			
43	General Fund / State Operations		
44	State Purposes Account - 003		
45			
46	PERSONAL SERVICE		
47			
48	Personal service--regular .....	10,432,000	
49	Holiday/overtime compensation .....	20,000	
50		-----	
51	Amount available for personal service ....	10,452,000	
52		-----	
53			
54	NONPERSONAL SERVICE		
55			
56	Supplies and materials .....	1,333,881	
57	Travel .....	311,700	
58	Contractual services .....	3,224,000	
59	Equipment .....	228,519	
60		-----	
61	Amount available for nonpersonal service..	5,098,100	
62		-----	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

MAINTENANCE UNDISTRIBUTED

1		
2		
3	For suballocation to the office of children	
4	and family services through a memorandum	
5	of understanding with the AIDS institute,	
6	for services and expenses related to HIV	
7	policy development and training.	
8		
9	Personal service--regular .....	150,000
10		-----
11		
12	For suballocation to the state education	
13	department through a memorandum of under-	
14	standing with the AIDS institute, for	
15	services and expenses of the provision of	
16	AIDS education by AIDS regional training	
17	coordinators for staff in elementary and	
18	secondary schools.	
19		
20	Contractual services .....	200,000
21		-----
22		
23	For suballocation to the division of human	
24	rights through a memorandum of understand-	
25	ing with the AIDS institute, for services	
26	and expenses of the office of AIDS	
27	discrimination investigation.	
28		
29	Personal service--regular .....	97,000
30	Supplies and materials .....	2,600
31	Travel .....	400
32		-----
33	Amount available .....	100,000
34		-----
35	Amount available for maintenance undis-	
36	tributed .....	450,000
37		-----
38	Program account subtotal .....	16,000,100
39		-----

40  
41 General Fund / Aid to Localities  
42 Local Assistance Account- 001  
43

44 Notwithstanding any inconsistent provision  
45 of law, effective October 1, 2006, expend-  
46 itures made from this appropriation shall  
47 effectively provide a cost of living  
48 adjustment for providers of the following  
49 services, as determined by the commission-  
50 er of the department of health, regional  
51 and targeted HIV, STD, and hepatitis C  
52 services, HIV, STD, and hepatitis C  
53 prevention, HIV health care and supportive  
54 services, hepatitis C programs and HIV,  
55 STD, and hepatitis C clinical and provider  
56 education programs.

57 The commissioner of the department of health  
58 shall determine the standards and  
59 requirements necessary to qualify for such  
60 increases and the department may  
61 suballocate funds as needed. Further, each  
62 local government unit or direct contract



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 appropri-	
6	ation pursuant to a plan prepared by the	
7	commissioner and approved by the director	
8	of the budget .....	6,245,000
9	For services and expenses for regional and	
10	targeted HIV, STD, and hepatitis C	
11	services .....	3,090,000
12	For services and expenses for HIV, STD, and	
13	hepatitis C prevention .....	12,258,000
14	For services and expenses for HIV health	
15	care and supportive services .....	6,188,000
16	For services and expenses for hepatitis C	
17	programs .....	1,131,000
18		-----
19	Program account subtotal .....	28,912,000
20		-----
21		
22	Special Revenue Funds - Other / Aid to Localities	
23	HCRA Resources Fund - 061	
24	Health Care Services Account	
25		
26	For services and expenses for regional and	
27	targeted HIV, STD, and hepatitis C	
28	services .....	25,464,000
29	For services and expenses for HIV, STD, and	
30	hepatitis C prevention .....	25,147,000
31	For services and expenses for HIV health	
32	care and supportive services .....	20,143,000
33	For services and expenses for HIV clinical	
34	and provider education programs .....	4,262,000
35		-----
36	Program account subtotal .....	75,016,000
37		-----
38		
39	CENTER FOR COMMUNITY HEALTH PROGRAM .....	1,788,710,690
40		-----
41		
42	General Fund / State Operations	
43	State Purposes Account - 003	
44		
45	PERSONAL SERVICE	
46		
47	Personal service--regular .....	2,743,000
48	Holiday/overtime compensation .....	20,000
49		-----
50	Amount available for personal service ....	2,763,000
51		-----
52		
53	NONPERSONAL SERVICE	
54		
55	Supplies and materials .....	201,000
56	Travel .....	117,000
57	Contractual services .....	8,730,000
58	Equipment .....	309,000
59		-----
60	Amount available for nonpersonal service..	9,357,000
61		-----
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Program account subtotal ..... 12,120,000

2 -----

3

4 General Fund / Aid to Localities

5 Local Assistance Account - 001

6

7 State aid to municipalities for the operation  
8 tion of local health departments and laboratories and for the provision of general  
9 public health services pursuant to article  
10 6 of the public health law for activities  
11 under the jurisdiction of the commissioner  
12 of health.

13  
14 Notwithstanding any other provision of article 6 of the public health law, a county  
15 may obtain reimbursement pursuant to this  
16 act, only after the county chief financial  
17 officer certifies, in the municipal health  
18 services plan, that county tax levies used  
19 to fund services carried out by the county  
20 health department have not been added to  
21 or supplanted directly or indirectly by  
22 any funds obtained by the county pursuant  
23 to the Master Settlement Agreement entered  
24 into on November 23, 1998 by the state and  
25 leading United States tobacco product  
26 manufacturers, except in the case of a  
27 public health emergency, as determined by  
28 the commissioner of health. Notwithstanding  
29 annual aggregate limits for bad debt  
30 and charity care allowances and any other  
31 provision of law, up to \$1,700,000 shall  
32 be transferred to the medical assistance  
33 program general fund - local assistance  
34 account for eligible publicly sponsored  
35 certified home health agencies that demonstrate  
36 losses from a disproportionate  
37 share of bad debt and charity care, pursuant  
38 to chapter 884 of the laws of 1990. Within  
39 the maximum limits specified herein,  
40 the department shall transfer only  
41 those funds which are necessary to meet  
42 the state share requirements for  
43 disproportionate share adjustments  
44 expected to be paid for the period January  
45 1, 2010 through December 31, 2010. The  
46 moneys hereby appropriated shall be available  
47 for payment of financial assistance  
48 heretofore accrued ..... 284,763,000

49  
50 For services and expenses related to public  
51 health emergencies as declared by the  
52 counties or the commissioner of the  
53 department of health, and approved by the  
54 director of the budget in accordance with  
55 article 6 of public health law. Notwithstanding  
56 any provision of the law to the  
57 contrary, a portion of these funds may be  
58 transferred to any program, fund, or  
59 account within the department to respond  
60 to any identified emergency, pursuant to  
61 approval by the director of the budget.  
62 Any such funds transferred to the general

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 fund - state purposes account shall be  
2 available for personal service and nonper-  
3 sonal service expenditures ..... 40,000,000  
4 For services and expenses of a rabies  
5 program, including but not limited to  
6 reimbursement to counties for rabies  
7 expenses such as human post-exposure  
8 vaccination, and research studies in the  
9 control of wildlife rabies, pursuant to  
10 United States department of agriculture  
11 approval if necessary, to control the  
12 spread of rabies. A portion of this appro-  
13 priation may be transferred to state oper-  
14 ations appropriations for administration  
15 of this program ..... 1,542,000  
16 State grants for a program of family plan-  
17 ning services pursuant to article 2 of the  
18 public health law ..... 28,595,000  
19 For services and expenses including payment  
20 of health insurance premiums and  
21 reimbursement of health care providers for  
22 services rendered to individuals enrolled  
23 in the cystic fibrosis program pursuant to  
24 chapter 851 of the laws of 1987. The  
25 amounts 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 ..... 573,000  
32 For services and expenses to implement the  
33 early intervention program act of 1992.  
34 Notwithstanding any inconsistent provision  
35 of law, rule or regulation, for the early  
36 intervention program, for the period April  
37 1, 2010 through March 31, 2011, early  
38 intervention program providers who  
39 received payment of \$500,000 or more for  
40 services that were covered under the  
41 medical assistance program, as determined  
42 by the department based upon the most  
43 recent year for which complete information  
44 exists, shall, in the first instance and  
45 where applicable, seek payment from the  
46 medical assistance program or an insurance  
47 policy or plan for those children covered  
48 under both the medical assistance program  
49 and an insurance policy or plan, prior to  
50 claiming payment from a municipality for  
51 services rendered to such children,  
52 provided, however, that if this chapter  
53 appropriates sufficient additional funds  
54 to support continued municipal claiming to  
55 the medical assistance program for all  
56 providers who render services under the  
57 early intervention program in accordance  
58 with section 2559 of the public health  
59 law, including those that receive payment  
60 of \$500,000 or more for services covered  
61 under the medical assistance program then  
62 this language shall be considered null and

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 void as of March 31, 2010. Notwithstanding  
2 any inconsistent provision of law, rule or  
3 regulation, for early intervention program  
4 purposes, for the period April 1, 2010  
5 through March 31, 2011, where a policy of  
6 accident and health insurance or a  
7 contract subject to the provisions of the  
8 insurance law, including a contract issued  
9 pursuant to article 43 of the insurance  
10 law, provides coverage for a service  
11 provided to the insured under title 2-A of  
12 article 25 of the public health law, the  
13 individualized family services plan as  
14 defined in section 2541 of the public  
15 health law and certified by the early  
16 intervention official shall be deemed to  
17 meet any precertification, preauthor-  
18 ization and medical necessity requirements  
19 imposed on benefits under the policy or  
20 contract, provided, however, that the  
21 early intervention official shall remove  
22 or redact any information contained on the  
23 insured's individualized family service  
24 plan that is not required by the insurer  
25 for payment purposes and payment for a  
26 service covered under the policy or  
27 contract that is provided under the early  
28 intervention program shall be at rates  
29 established by the commissioner of health  
30 pursuant to regulations and no insurer,  
31 including a health maintenance organiza-  
32 tion issued a certificate of authority  
33 under article 44 of the public health law  
34 and a corporation organized under article  
35 43 of the insurance law shall deny payment  
36 of a claim submitted for a service covered  
37 under the insurer's policy or contract and  
38 provided under the early intervention  
39 program based upon the following:  
40 (i) the location where services are  
41 provided;  
42 (ii) the duration of the insured's condition  
43 and/or that the insured's condition is not  
44 amenable to significant improvement within  
45 a certain period of time as specified in  
46 the policy;  
47 (iii) that the provider of services is not a  
48 participating provider in the insurer's  
49 network; or  
50 (iv) the absence of a primary care referral,  
51 provided, however, that if this chapter  
52 appropriates additional funds sufficient  
53 to support early intervention program  
54 costs that will be incurred if insurers  
55 (i) are not required to deem a child's  
56 individualized family services plan as  
57 meeting any precertification, preauthor-  
58 ization and medical necessity requirement  
59 imposed under the policy or plan, and (ii)  
60 are not prohibited from denying claims for  
61 covered services provided under the early  
62 intervention program upon the bases set

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 forth herein, then this language shall be  
2 considered null and void as of March 31,  
3 2010.

4 The moneys hereby appropriated shall be  
5 available for payment of financial assist-  
6 ance heretofore accrued or hereafter to  
7 accrue. Notwithstanding the provisions of  
8 any other law to the contrary, for state  
9 fiscal year 2010-2011 the liability of the  
10 state and the amount to be distributed or  
11 otherwise expended by the state pursuant  
12 to section 2557 of the public health law  
13 shall be determined by first calculating  
14 the amount of the expenditure or other  
15 liability pursuant to such law, and then  
16 reducing the amount so calculated by two  
17 percent of such amount ..... 170,500,000

18 The moneys hereby appropriated shall be  
19 available for respite services for fami-  
20 lies of eligible children. Such moneys  
21 shall be allocated to each municipality by  
22 the department of health as determined by  
23 the department, to reimburse such munici-  
24 palities in the amount of 50 percent of  
25 the costs of respite services provided to  
26 eligible children and their families with  
27 the approval of the early intervention  
28 official, in accordance with section 2547  
29 of the public health law, section 69-4.18  
30 of title 10 of the New York codes rules  
31 and regulation and standards established  
32 by the department for the provision of  
33 respite services. The moneys allocated to  
34 each municipality by the department shall  
35 be the total amount of respite funds  
36 available for such purpose ..... 1,861,000

37 For services and expenses of a comprehensive  
38 adolescent pregnancy prevention program. A  
39 portion of this appropriation may be  
40 transferred to state operations appropri-  
41 ations for administration of this program.  
42 Notwithstanding any inconsistent provision  
43 of law, a portion of these funds may be  
44 suballocated to the office of children and  
45 family services to continue contracting  
46 with existing providers for the adolescent  
47 pregnancy prevention and services program  
48 until the program is transferred to the  
49 department of health ..... 11,259,000

50 For services and expenses of the osteoporosis  
51 prevention and education program. The  
52 commissioner of health, pursuant to a plan  
53 subject to the approval of the director of  
54 the budget, may transfer funds to the  
55 state operations budget of Helen Hayes  
56 hospital for this program ..... 65,000

57 For services and expenses associated with  
58 red cross emergency response preparedness,  
59 including support for capital projects and  
60 ensuring an adequate blood supply. Funds  
61 shall be allocated from this appropriation  
62 pursuant to a plan prepared by the commis-

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

<p>1 sioner of health and approved by the                  2 director of the budget .....</p>	<p>2,200,000</p>
<p>3 Notwithstanding any inconsistent provision                  4 of law, effective October 1, 2006, expend-                  5 itures made from this appropriation shall                  6 effectively provide a cost of living                  7 adjustment for providers of the following                  8 services, as determined by the commission-                  9 er of the department of health, red cross                  10 emergency preparedness, nutrition educa-                  11 tion and outreach, obesity prevention and                  12 diabetes programs, nutritional services to                  13 pregnant women, infants and children,                  14 hunger prevention and nutrition assistance                  15 program, Indian health, asthma, prenatal                  16 care assistance program, rape crisis,                  17 comprehensive adolescent pregnancy                  18 prevention, family planning, school                  19 health, sudden infant death syndrome                  20 education and outreach, childhood lead                  21 poisoning prevention, children with                  22 special health care needs, regional                  23 perinatal centers, migrant health, dental                  24 services, osteoporosis prevention, cancer                  25 services programs, healthy heart,                  26 Alzheimer's disease assistance centers,                  27 Alzheimer's research and education,                  28 tobacco control, rabies, tick-borne                  29 disease, immunization, universal prenatal                  30 and postpartum home visitation, public                  31 health campaign, sexually transmitted                  32 diseases, and tuberculosis control. The                  33 commissioner of the department of health                  34 shall determine the standards and                  35 requirements necessary to qualify for such                  36 increases and the department may                  37 suballocate funds as needed. Further, each                  38 local government unit or direct contract                  39 provider receiving such funding shall                  40 submit written certification regarding the                  41 use of such funds to be provided in the                  42 format prescribed by the department. Funds                  43 shall be allocated from this appropriation                  44 pursuant to a plan prepared by the commis-                  45 sioner and approved by the director of the                  46 budget .....</p>	<p>28,910,000</p>
<p>47 For services and expenses of the public                  48 health management leaders of tomorrow                  49 program, provided a portion of this appro-                  50 priation shall be suballocated to univer-                  51 sity at Albany school of public health ...</p>	<p>554,000</p>
<p>52 For services and expenses of a study of                  53 racial disparities .....</p>	<p>295,000</p>
<p>54 For services and expenses, including grants,                  55 for statewide emergency contraception                  56 outreach and education, training and                  57 assistance as approved by the commission-                  58 er. A portion of this appropriation may be                  59 transferred to state operations appropri-                  60 ations for administration of this program.</p>	<p>2,206,000</p>
<p>61</p>	

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 appropri-	
10	ations for administration of this program.	1,200,000
11	For grants-in-aid to contract for hyperten-	
12	sion prevention, screening, and treatment	
13	programs .....	246,000
14	For grants to sudden infant death syndrome	
15	centers .....	39,000
16	For services and expenses of the tick-borne	
17	disease institute, including grants for	
18	research and prevention, detection, and	
19	treatment of Lyme disease and other tick-	
20	borne illnesses .....	147,000
21	For services and expenses including an	
22	education program related to a children's	
23	asthma program. The department shall make	
24	grants within the amounts appropriated	
25	therefor to local health agencies, health	
26	care providers, school, school-based	
27	health centers and community-based organ-	
28	izations and other organizations with	
29	demonstrated interest and expertise in	
30	serving persons with asthma to develop and	
31	implement regional or community plans	
32	which may include the following activ-	
33	ities: self-management programs in elemen-	
34	tary schools, conducting public and	
35	provider education programs and implement-	
36	ing protocols for collection of data on	
37	asthma-related school absenteeism and	
38	emergency room visits. In making grants	
39	the commissioner may give priority consid-	
40	eration to entities serving areas of the	
41	state with high incidence and prevalence	
42	of asthma. A portion of this appropriation	
43	may be transferred to state operations	
44	appropriations for administration of this	
45	program .....	226,000
46	For services and expenses associated with	
47	new and existing school based health	
48	centers .....	4,438,060
49	For services and expenses related to the	
50	school based health clinics program,	
51	notwithstanding any inconsistent provision	
52	of law to the contrary, funds shall be	
53	available for the statewide school based	
54	health clinics program to provide grants	
55	to certain school based health centers	
56	pursuant to the following:	
57	Anthony Jordon Health Center .....	28,005
58	Bronx Lebanon Hospital .....	119,023
59	Chenango Memorial Hospital .....	14,877
60	East Harlem Council for Human Services .....	12,252
61	Family Health Network .....	8,725
62	Kaleida Health .....	178,534

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Lutheran Medical Center .....	56,636
2	Nassau Health Care Corporation .....	11,377
3	NY Presbyterian Hospital .....	209,104
4	Renaissance-Harlem Hospital .....	84,892
5	Sisters of Charity .....	35,007
6	Suffolk County DOH .....	9,627
7	Threshold Center for Alternative Youth Ser-	
8	vices .....	21,879
9	University of Rochester .....	49,010
10	Via Health-Rochester General Hospital .....	16,628
11	William F. Ryan Community Health Center ....	17,504
12	For services and expenses to support grants	
13	to community health centers and comprehen-	
14	sive diagnostic and treatment centers for	
15	the purpose of furnishing primary health	
16	care services, including outreach, health	
17	education and dental care, to migrant and	
18	seasonal farmworkers and their families,	
19	of which no less than 70 percent shall be	
20	dedicated to community health centers	
21	receiving federal funding for such purpose	
22	pursuant to section 330(g) of the federal	
23	public health service act .....	430,000
24	For services and expenses of a minority male	
25	wellness and screening program .....	53,900
26	For services and expenses of a Latino health	
27	outreach initiative .....	73,500
28	For services and expenses of health	
29	promotion initiatives. A portion of this	
30	appropriation may be transferred to state	
31	operations appropriations for adminis-	
32	tration of this program .....	1,000,000
33	For services and expenses of a universal	
34	prenatal and postpartum home visitation	
35	program .....	1,956,000
36	For services and expenses to support the STD	
37	center of excellence .....	480,000
38	For services and expenses for childhood	
39	asthma coalitions. A portion of this	
40	appropriation may be transferred to state	
41	operations appropriations for adminis-	
42	tration of this program .....	1,232,000
43	For services and expenses related to	
44	evidenced based cancer services programs	
45	.....	9,006,750
46	For services and expenses related to obesity	
47	and diabetes programs .....	7,205,000
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 .....	19,811,300
61		



## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses, including operat-	
2	ing expenses related to providing nutri-	
3	tional services and nutrition education	
4	for hunger prevention and nutrition	
5	assistance. A portion of this appropri-	
6	ation may be transferred to state oper-	
7	ations appropriations for administration	
8	of this program .....	29,702,500
9	For state grants to improve access to infer-	
10	tility services, treatments, and proce-	
11	dures. Funds shall be allocated from this	
12	appropriation pursuant to a plan prepared	
13	by the commissioner of health and approved	
14	by the director of the budget .....	1,847,000
15		-----
16	Program account subtotal .....	653,340,090
17		-----
18		
19	Special Revenue Funds - Federal / State Operations	
20	Federal USDA-Food and Nutrition Services Fund - 261	
21	Child and Adult Care Food Account	
22		
23	For various food and nutritional services ..	9,262,000
24		-----
25	Program account subtotal .....	9,262,000
26		-----
27		
28	Special Revenue Funds - Federal / Aid to Localities	
29	Federal USDA-Food and Nutrition Services Fund - 261	
30	Child and Adult Care Food Account	
31		
32	For various federal food and nutritional	
33	services. The moneys hereby appropriated	
34	shall be available for payment of finan-	
35	cial assistance heretofore accrued .....	243,230,000
36		-----
37	Program account subtotal .....	243,230,000
38		-----
39		
40	Special Revenue Funds - Federal / State Operations	
41	Federal USDA-Food and Nutrition Services Fund - 261	
42	Federal Food and Nutrition Services Account	
43		
44	For various food and nutritional services ..	58,947,000
45		-----
46	Program account subtotal .....	58,947,000
47		-----
48		
49	Special Revenue Funds - Federal / Aid to Localities	
50	Federal USDA-Food and Nutrition Services Fund - 261	
51	Federal Food and Nutrition Services Account	
52		
53	For various federal food and nutritional	
54	services. The moneys hereby appropriated	
55	shall be available for payment of finan-	
56	cial assistance heretofore accrued .....	492,970,000
57		-----
58	Program account subtotal .....	492,970,000
59		-----
60		
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Funds - Federal / State Operations  
 2 Federal USDA - Food and Nutrition Services Fund - 261  
 3 Women, Infants, and Children (WIC) Civil Monetary  
 4 Account  
 5  
 6 For services and expenses of the department  
 7 of health related to the special supple-  
 8 mental nutrition program for women,  
 9 infants and children.  
 10  
 11 NONPERSONAL SERVICE  
 12  
 13 Contractual services ..... 5,000,000  
 14 -----  
 15 Program account subtotal ..... 5,000,000  
 16 -----  
 17  
 18 Special Revenue Funds - Federal / State Operations  
 19 Federal Health and Human Services Fund - 265  
 20  
 21 For various health prevention, diagnostic,  
 22 detection and treatment services. The  
 23 amounts appropriated pursuant to such  
 24 appropriation may be suballocated to other  
 25 state agencies or accounts for expendi-  
 26 tures incurred in the operation of  
 27 programs funded by such appropriation  
 28 subject to the approval of the director of  
 29 the budget ..... 29,993,000  
 30 -----  
 31 Program fund subtotal ..... 29,993,000  
 32 -----  
 33  
 34 Special Revenue Funds - Federal / Aid to Localities  
 35 Federal Health and Human Services Fund - 265  
 36  
 37 For various health prevention, diagnostic,  
 38 detection and treatment services. The  
 39 amounts appropriated pursuant to such  
 40 appropriation may be suballocated to other  
 41 state agencies or accounts for expendi-  
 42 tures incurred in the operation of  
 43 programs funded by such appropriation  
 44 subject to the approval of the director of  
 45 the budget ..... 42,803,000  
 46 -----  
 47 Program fund subtotal ..... 42,803,000  
 48 -----  
 49  
 50 Special Revenue Funds - Federal / State Operations  
 51 Federal Health and Human Services Fund - 265  
 52 Federal Block Grant Account  
 53  
 54 For various health prevention, diagnostic,  
 55 detection and treatment services. The  
 56 amounts appropriated pursuant to such  
 57 appropriation may be suballocated to other  
 58 state agencies or accounts for expendi-  
 59 tures incurred in the operation of  
 60 programs funded by such appropriation  
 61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	subject to the approval of the director of	
2	the budget .....	24,014,000
3		-----
4	Program account subtotal .....	24,014,000
5		-----
6		
7	Special Revenue Funds - Federal / Aid to Localities	
8	Federal Health and Human Services Fund - 265	
9	Federal Block Grant Account	
10		
11	For various health prevention, diagnostic,	
12	detection and treatment services.	
13	The commissioner of health is hereby author-	
14	ized to waive any provisions of the public	
15	health law and regulations, to issue	
16	appropriate operating certificates, and to	
17	enter into contracts with article 28	
18	facilities, to provide funds, to estab-	
19	lish, support and conduct projects to	
20	provide improved and expanded school	
21	health services for preschool and school-	
22	age children. No more than 10 per centum	
23	of the amount appropriated for such	
24	purpose shall be expended for services and	
25	expenses in connection with the adminis-	
26	tration and evaluation of such grants.	
27	Grants awarded under this appropriation	
28	shall be distributed and administered in	
29	accordance with regulations established by	
30	the commissioner of health. The amounts	
31	appropriated pursuant to such appropri-	
32	ation may be suballocated to other state	
33	agencies or accounts for expenditures	
34	incurred in the operation of programs	
35	funded by such appropriation subject to	
36	the approval of the director of the budget	
37	.....	57,475,000
38		-----
39	Program account subtotal .....	57,475,000
40		-----
41		
42	Special Revenue Funds - Federal / State Operations	
43	Federal Department of Education Fund - 267	
44	Individuals with Disabilities-Part C Account	
45		
46	For activities related to a handicapped	
47	infants and toddlers program .....	24,249,000
48	For activities related to a handicapped	
49	infants and toddlers program funded by the	
50	American recovery and reinvestment act of	
51	2009. Funds appropriated herein shall be	
52	subject to all applicable reporting and	
53	accountability requirements contained in	
54	such act. The amount appropriated for	
55	state operations may be interchanged to	
56	the appropriation for federal prevention	
57	and wellness aid to localities without	
58	limitation .....	2,800,000
59		-----
60	Program account subtotal .....	27,049,000
61		-----
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Funds - Federal / Aid to Localities	
2	Federal Department of Education Fund - 267	
3	Individuals with Disabilities-Part C Account	
4		
5	For activities related to a handicapped	
6	infants and toddlers program .....	51,578,000
7	For activities related to a handicapped	
8	infants and toddlers program funded by the	
9	American recovery and reinvestment act of	
10	2009. Funds appropriated herein shall be	
11	subject to all applicable reporting and	
12	accountability requirements contained in	
13	such act. The amount appropriated for	
14	state operations may be interchanged to	
15	the appropriation for federal prevention	
16	and wellness state operations without	
17	limitation .....	2,800,000
18		-----
19	Program account subtotal .....	54,378,000
20		-----
21		
22	Special Revenue Funds - Other / State Operations	
23	Combined Gifts, Grants and Bequests Fund - 020	
24	Autism Awareness and Research Account	
25		
26	For services and expenses related to autism	
27	awareness and research pursuant to section	
28	404-v of the vehicle and traffic law and	
29	section 95-e of the state finance law, as	
30	added by chapter 301 of the laws of 2004.	
31		
32		NONPERSONAL SERVICE
33		
34	Contractual services .....	20,000
35		-----
36	Program account subtotal .....	20,000
37		-----
38		
39	Special Revenue Funds - Other / Aid to Localities	
40	Combined Gifts, Grants and Bequests Fund - 020	
41	NYS Prostate Cancer Research, Detection and Education	
42	Account	
43		
44	For prostate cancer research, detection and	
45	education pursuant to chapter 273 of the	
46	laws of 2004 .....	1,000,000
47		-----
48	Program account subtotal .....	1,000,000
49		-----
50		
51	Special Revenue Funds - Other / State Operations	
52	Combined Gifts, Grants and Bequests Fund - 020	
53	Prostate and Testicular Cancer Research and Education	
54	Account	
55		
56	For prostate and testicular cancer research	
57	and education pursuant to section 97-ccc	
58	of the state finance law.	
59		
60		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2		
3	Contractual services .....	149,000
4		-----
5	Program account subtotal .....	149,000
6		-----
7		
8	Special Revenue Funds - Other / Aid to Localities	
9	HCRA Resources Fund - 061	
10	Health Care Services Account	
11		
12	For services and expenses of a statewide	
13	public health campaign for tuberculosis	
14	control and prevention and for screening	
15	and education activities regarding sexual-	
16	ly transmitted diseases, provided that any	
17	funds allocated under this appropriation	
18	shall not supplant existing local funds or	
19	state funds allocated to county health	
20	departments under article 6 of the public	
21	health law. Up to \$300,000 of this appro-	
22	priation may be transferred to state oper-	
23	ations for the administration of this	
24	program by the department of health .....	5,917,000
25	For services and expenses related to the	
26	Indian health program. The moneys hereby	
27	appropriated shall be for payment of	
28	financial assistance heretofore accrued or	
29	hereafter to accrue. Up to 2.5 percent of	
30	this appropriation may be transferred to	
31	the general fund-state purposes account	
32	for the nonpersonal service administration	
33	of this program .....	16,121,000
34	State aid to municipalities for medical	
35	services for the rehabilitation of phys-	
36	ically handicapped children, pursuant to	
37	article 6 of the public health law .....	3,685,000
38	For services and expenses for a school	
39	health program .....	3,981,000
40	For services and expenses of the prenatal	
41	care assistance program. Up to 100 percent	
42	of this appropriation may be suballocated	
43	to the medical assistance program general	
44	fund - local assistance account to be	
45	matched by federal funds .....	2,432,000
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 related to	
54	evidenced based cancer services programs	
55	.....	18,417,000
56		-----
57	Program account subtotal .....	52,856,000
58		-----
59		
60		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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.....	7,993,600
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. This appropriation shall be	
23	suballocated to the division of criminal	
24	justice services .....	128,000
25	For services and expenses for a school	
26	health program .....	2,007,000
27	For services and expenses of tuberculosis	
28	treatment, detection and prevention .....	599,000
29	For services and expenses of a lead poison-	
30	ing prevention program .....	192,000
31		-----
32	Program account subtotal .....	13,888,600
33		-----
34		
35	Special Revenue Funds - Other / State Operations	
36	HCRA Resources Fund - 061	
37	Tobacco Control and Cancer Services Account	
38		
39	For services and expenses related to the	
40	tobacco control and cancer services	
41	programs authorized pursuant to sections	
42	2807-r and 1399-ii of the public health	
43	law.	
44		
45		
46		
47	Personal service--regular .....	2,159,000
48	Holiday/overtime compensation .....	6,000
49		-----
50	Amount available for personal service ....	2,165,000
51		-----
52		
53		
54		
55	Supplies and materials .....	10,000
56	Travel .....	45,000
57	Contractual services .....	50,000
58	Equipment .....	30,000
59	Fringe benefits .....	957,000
60		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Indirect costs .....	680,000
2		-----
3	Amount available for nonpersonal service..	1,772,000
4		-----
5	Program account subtotal .....	3,937,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Miscellaneous Special Revenue Fund - 339	
10	Cable Television Account	
11		
12	For services and expenses related to public	
13	service education, with specific emphasis	
14	on public health issues.	
15		
16		
17		
18	Contractual services .....	454,000
19		-----
20	Program account subtotal .....	454,000
21		-----
22		
23	Special Revenue Funds - Other / State Operations	
24	Miscellaneous Special Revenue Fund - 339	
25	CSFP Salvage Account	
26		
27	For services and expenses of the department	
28	of health related to the commodity supple-	
29	mental food program.	
30		
31		
32		
33	Contractual services .....	25,000
34		-----
35	Program account subtotal .....	25,000
36		-----
37		
38	Special Revenue Funds - Other / State Operations	
39	Miscellaneous Special Revenue Fund - 339	
40	Diabetes Research and Education Account	
41		
42	For diabetes research and education pursuant	
43	to chapter 339 of the laws of 2001.	
44		
45		
46		
47	Contractual services .....	100,000
48		-----
49	Program account subtotal .....	100,000
50		-----
51		
52	Special Revenue Funds - Other / Aid to Localities	
53	Miscellaneous Special Revenue Fund - 339	
54	Early Intervention Program Account	
55		
56	For services and expenses to implement the	
57	early intervention program act of 1992, as	
58	amended by a chapter of the laws of 2010.	
59	The moneys hereby appropriated shall be	
60	available for payment of financial	
61	assistance heretofore accrued or hereafter	
62	to accrue, and shall be available for	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	early intervention program administrative	
2	costs and for the state share for	
3	reimbursement of early intervention	
4	services. A portion of these funds shall	
5	be available to transfer to state	
6	operations for administration of this	
7	program .....	1,000,000
8		-----
9	Program account subtotal .....	1,000,000
10		-----
11		
12	Special Revenue Funds - Other / Aid to Localities	
13	Miscellaneous Special Revenue Fund - 339	
14	Local Public Health Services Account	
15		
16	For services and expenses of the local	
17	public health services program. Notwith-	
18	standing section 607 of the public health	
19	law these funds shall be allocated for	
20	state aid to municipalities for a program	
21	of immunization against German measles,	
22	and other communicable diseases, pursuant	
23	to article 6 of the public health law ....	1,095,000
24	For state aid to municipalities, notwith-	
25	standing section 607 of the public health	
26	law, for the operation of local health	
27	departments and for the provision of	
28	general public health services pursuant to	
29	article 6 of the public health law for	
30	activities under the jurisdiction of the	
31	commissioner of health .....	3,036,000
32	Notwithstanding any other provision of law	
33	to the contrary, this appropriation is	
34	available for transfer to the state oper-	
35	ations miscellaneous special revenue fund	
36	- local public health services program	
37	account, in the administration and execu-	
38	tive direction program fiscal management	
39	group .....	285,000
40	Notwithstanding any other provision of law	
41	to the contrary, this appropriation is	
42	available for contractual audits of local-	
43	ities to supplement the audits performed	
44	by the department of health .....	209,000
45		-----
46	Program account subtotal .....	4,625,000
47		-----
48		
49	Special Revenue Funds - Other / State Operations	
50	Miscellaneous Special Revenue Fund - 339	
51	Tobacco Enforcement and Education Account	
52		
53	For services and expenses related to tobacco	
54	enforcement, education and related activ-	
55	ities, pursuant to chapter 162 of the laws	
56	of 2002.	
57		
58	NONPERSONAL SERVICE	
59		
60	Contractual services .....	75,000
61		-----
62		



## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal .....	75,000
2		-----
3		
4	CENTER FOR ENVIRONMENTAL HEALTH PROGRAM .....	75,262,700
5		-----
6		
7	General Fund / State Operations	
8	State Purposes Account - 003	
9		
10	PERSONAL SERVICE	
11		
12	Personal service--regular .....	7,974,200
13	Temporary service .....	243,700
14	Holiday/overtime compensation .....	24,000
15		-----
16	Amount available for personal service ....	8,241,900
17		-----
18		
19	NONPERSONAL SERVICE	
20		
21	Supplies and materials .....	101,000
22	Travel .....	374,400
23	Contractual services .....	1,494,000
24	Equipment .....	100,600
25		-----
26	Amount available for nonpersonal service..	2,070,000
27		-----
28	Program account subtotal .....	10,311,900
29		-----
30		
31	General Fund / Aid to Localities	
32	Local Assistance Account - 001	
33		
34	For services and expenses related to the	
35	water supply protection program .....	5,313,200
36	For services and expenses of the healthy	
37	neighborhood program .....	1,983,400
38	For services and expenses related to enhanc-	
39	ing the childhood lead poisoning primary	
40	prevention program in accordance with	
41	article 13 of the public health law. A	
42	portion of this appropriation may be	
43	transferred to state operations .....	5,000,000
44		-----
45	Program account subtotal .....	12,296,600
46		-----
47		
48	Special Revenue Funds - Federal / State Operations	
49	Federal Health and Human Services Fund - 265	
50		
51	For various health prevention, diagnostic,	
52	detection and treatment services .....	1,673,000
53		-----
54	Program account subtotal .....	1,673,000
55		-----
56		
57	Special Revenue Funds - Federal / State Operations	
58	Federal Health and Human Services Fund - 265	
59	Federal Block Grant Account	
60		
61		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of various health	
2	prevention, diagnostic, detection and	
3	treatment services .....	6,808,000
4		-----
5	Program account subtotal .....	6,808,000
6		-----
7		
8	Special Revenue Funds - Federal / Aid to Localities	
9	Federal Health and Human Services Fund - 265	
10	Federal Block Grant Account	
11		
12	For services and expenses of various health	
13	prevention, diagnostic, detection and	
14	treatment services .....	3,687,000
15		-----
16	Program account subtotal .....	3,687,000
17		-----
18		
19	Special Revenue Funds - Federal / State Operations	
20	Federal Operating Grants Fund - 290	
21	Federal Environmental Protection Agency Grants Account	
22		
23	For various environmental projects including	
24	suballocation for the department of envi-	
25	ronmental conservation .....	9,703,000
26		-----
27	Program account subtotal .....	9,703,000
28		-----
29		
30	Special Revenue Funds - Other / State Operations	
31	Environmental Conservation Special Revenue Fund - 301	
32	Low Level Radioactive Waste Account	
33		
34	For services and expenses of the low-level	
35	radioactive waste siting program.	
36		
37	PERSONAL SERVICE	
38		
39	Personal service--regular .....	668,400
40	Holiday/overtime compensation .....	5,500
41		-----
42	Amount available for personal service ....	673,900
43		-----
44		
45	NONPERSONAL SERVICE	
46		
47	Supplies and materials .....	20,000
48	Travel .....	41,000
49	Contractual services .....	184,800
50	Equipment .....	15,500
51	Fringe benefits .....	298,000
52	Indirect costs .....	203,600
53		-----
54	Amount available for nonpersonal service..	762,900
55		-----
56		
57	MAINTENANCE UNDISTRIBUTED	
58		
59	For suballocation to the energy research and	
60	development authority, pursuant to chapter	
61		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	673 of the laws of 1986, as amended by	
2	chapters 368 and 913 of the laws of 1990..	150,000
3		-----
4	Program account subtotal .....	1,586,800
5		-----
6		
7	Special Revenue Funds - Other / State Operations	
8	Environmental Protection and Oil Spill Compensation Fund	
9	- 303	
10		
11	For services and expenses related to the oil	
12	spill relocation network program.	
13		
14	PERSONAL SERVICE	
15		
16	Personal service--regular .....	173,800
17	Holiday/overtime compensation .....	2,000
18		-----
19	Amount available for personal service ....	175,800
20		-----
21		
22	NONPERSONAL SERVICE	
23		
24	Supplies and materials .....	6,900
25	Travel .....	2,000
26	Contractual services .....	22,900
27	Equipment .....	4,000
28	Fringe benefits .....	78,200
29	Indirect costs .....	53,100
30		-----
31	Amount available for nonpersonal service..	167,100
32		-----
33	Program fund subtotal .....	342,900
34		-----
35		
36	Special Revenue Funds - Other / State Operations	
37	Clean Air Fund - 314	
38	Operating Permit Program Account	
39		
40	For services and expenses of the department	
41	of health in developing, implementing and	
42	operating the operating permit program.	
43		
44	PERSONAL SERVICE	
45		
46	Personal service--regular .....	415,600
47	Holiday/overtime compensation .....	5,500
48		-----
49	Amount available for personal service ....	421,100
50		-----
51		
52	NONPERSONAL SERVICE	
53		
54	Supplies and materials .....	3,500
55	Travel .....	5,000
56	Contractual services .....	25,000
57	Equipment .....	8,000
58	Fringe benefits .....	185,300
59	Indirect costs .....	125,700
60		-----
61	Amount available for nonpersonal service..	352,500
62		-----

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal .....	773,600
2		-----
3		
4	Special Revenue Funds - Other / State Operations	
5	Miscellaneous Special Revenue Fund - 339	
6	Asbestos Safety Training Account	
7		
8	For services and expenses of the asbestos	
9	safety training program.	
10		
11	PERSONAL SERVICE	
12		
13	Personal service--regular .....	286,600
14	Holiday/overtime compensation .....	5,500
15		-----
16	Amount available for personal service ....	292,100
17		-----
18		
19	NONPERSONAL SERVICE	
20		
21	Supplies and materials .....	3,200
22	Travel .....	30,000
23	Contractual services .....	63,000
24	Equipment .....	11,600
25	Fringe benefits .....	129,400
26	Indirect costs .....	87,800
27		-----
28	Amount available for nonpersonal service..	325,000
29		-----
30	Program account subtotal .....	617,100
31		-----
32		
33	Special Revenue Funds - Other / State Operations	
34	Miscellaneous Special Revenue Fund - 339	
35	Occupational Health Clinics Account	
36		
37	For services and expenses of implementing	
38	and operating a statewide network of occu-	
39	pational health clinics for diagnostic,	
40	screening, treatment, referral, and educa-	
41	tion services.	
42		
43	PERSONAL SERVICE	
44		
45	Personal service--regular .....	322,700
46	Holiday/overtime compensation .....	5,500
47		-----
48	Amount available for personal service ....	328,200
49		-----
50		
51	NONPERSONAL SERVICE	
52		
53	Supplies and materials .....	4,000
54	Travel .....	3,700
55	Contractual services .....	9,550,000
56	Equipment .....	3,400
57	Fringe benefits .....	146,500
58	Indirect costs .....	100,100
59		-----
60	Amount available for nonpersonal service..	9,807,700
61		-----
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal .....	10,135,900
2		-----
3		
4	Special Revenue Funds - Other / State Operations	
5	Miscellaneous Special Revenue Fund - 339	
6	Radiological Health Protection Program Account	
7		
8	For services and expenses related to the	
9	radiological health protection account.	
10		
11	PERSONAL SERVICE	
12		
13	Personal service--regular .....	2,184,000
14	Temporary service .....	12,000
15	Holiday/overtime compensation .....	7,500
16		-----
17	Amount available for personal service ....	2,203,500
18		-----
19		
20	NONPERSONAL SERVICE	
21		
22	Supplies and materials .....	31,000
23	Travel .....	156,000
24	Contractual services .....	56,000
25	Equipment .....	39,400
26	Fringe benefits .....	976,300
27	Indirect costs .....	666,500
28		-----
29	Amount available for nonpersonal service..	1,925,200
30		-----
31	Program account subtotal .....	4,128,700
32		-----
33		
34	Special Revenue Funds - Other / State Operations	
35	Miscellaneous Special Revenue Fund - 339	
36	Radon Detection Device Account	
37		
38	For services and expenses of the radon	
39	detection device distribution program.	
40		
41	NONPERSONAL SERVICE	
42		
43	Contractual services .....	200,000
44		-----
45	Program account subtotal .....	200,000
46		-----
47		
48	Special Revenue Funds - Other / State Operations	
49	Drinking Water Program Management and Administration	
50	Fund - 366	
51		
52	For services and expenses of the state	
53	revolving funds program.	
54		
55	PERSONAL SERVICE	
56		
57	Personal service--regular .....	4,357,500
58	Holiday/overtime compensation .....	10,500
59		-----
60	Amount available for personal service ....	4,368,000
61		-----
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials .....	88,800
4	Travel .....	131,000
5	Contractual services .....	1,147,600
6	Equipment .....	117,700
7	Fringe benefits .....	1,936,400
8		-----
9	Amount available for nonpersonal service..	3,421,500
10		-----
11	Program fund subtotal .....	7,789,500
12		-----
13		
14	Special Revenue Funds - Other / State Operations	
15	Drinking Water Program Management and Administration	
16	Fund - 366	
17	Federal ARRA Account	
18		
19	For services and expenses of the drinking	
20	water state revolving Fund funded by the	
21	American recovery and reinvestment act of	
22	2009. Funds appropriated herein shall be	
23	subject to all applicable reporting and	
24	Accountability requirements contained in	
25	such act .....	5,208,700
26		-----
27	Program account subtotal .....	5,208,700
28		-----
29		
30	CHILD HEALTH INSURANCE PROGRAM .....	1,078,841,400
31		-----
32		
33	Special Revenue Funds - Federal / State Operations	
34	Federal Health and Human Services Fund - 265	
35	Children's Health Insurance Account	
36		
37	The money hereby appropriated is available	
38	for payment of aid heretofore accrued or	
39	hereafter accrued.	
40	For services and expenses related to the	
41	children's health insurance program	
42	provided pursuant to title XXI of the	
43	federal social security act .....	64,108,000
44		-----
45	Program account subtotal .....	64,108,000
46		-----
47		
48	Special Revenue Funds - Federal / Aid to Localities	
49	Federal Health and Human Services Fund - 265	
50	Children's Health Insurance Account	
51		
52	The money hereby appropriated is available	
53	for payment of aid heretofore accrued or	
54	hereafter accrued.	
55	For services and expenses related to the	
56	children's health insurance program,	
57	pursuant to title XXI of the federal	
58	social security act. ....	519,200,000
59		-----
60	Program account subtotal .....	519,200,000
61		-----
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Funds - Other / State Operations	
2	HCRA Resources Fund - 061	
3	Children's Health Insurance Account	
4		
5	The money hereby appropriated is available	
6	for payment of aid heretofore accrued or	
7	hereafter accrued.	
8	For services and expenses related to the	
9	children's health insurance program	
10	authorized pursuant to title 1-A of arti-	
11	cle 25 of the public health law.	
12		
13	PERSONAL SERVICE	
14		
15	Personal service--regular .....	3,023,400
16	Temporary service .....	5,000
17	Holiday/overtime compensation .....	45,000
18		-----
19	Amount available for personal service ....	3,073,400
20		-----
21		
22	NONPERSONAL SERVICE	
23		
24	Supplies and materials .....	171,000
25	Travel .....	123,000
26	Contractual services .....	9,466,000
27	Equipment .....	400,000
28	Fringe benefits .....	1,252,300
29	Indirect costs .....	847,700
30		-----
31	Amount available for nonpersonal service..	12,260,000
32		-----
33	Program account subtotal .....	15,333,400
34		-----
35		
36	Special Revenue Funds - Other / Aid to Localities	
37	HCRA Resources Fund - 061	
38	Children's Health Insurance Account	
39		
40	The money hereby appropriated is available	
41	for payment of aid heretofore accrued or	
42	hereafter accrued.	
43	For services and expenses related to the	
44	children's health insurance program	
45	authorized pursuant to title 1-A of arti-	
46	cle 25 of the public health law .....	480,200,000
47		-----
48	Program account subtotal .....	480,200,000
49		-----
50		
51	DIVISION OF MANAGED CARE AND PROGRAM EVALUATION .....	17,376,500
52		-----
53		
54	General Fund / State Operations	
55	State Purposes Account - 003	
56		
57	PERSONAL SERVICE	
58		
59	Personal service--regular .....	11,312,500
60		-----
61		
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2		
3	Supplies and materials .....	156,000
4	Travel .....	130,000
5	Contractual services .....	5,518,000
6	Equipment .....	160,000
7		-----
8	Amount available for nonpersonal service..	5,964,000
9		-----
10		
11	MAINTENANCE UNDISTRIBUTED	
12		
13	For evaluation of the partnership and F-SHRP	
14	waiver programs.	
15	Notwithstanding any other provisions of law,	
16	the money herein appropriated, together	
17	with any available federal matching funds,	
18	is available for transfer or suballocation	
19	to the state university of New York and	
20	its subsidiaries, to provide support for	
21	an evaluation of New York state's section	
22	1115 demonstration program, the federal-	
23	state health reform partnership (F-SHRP).	
24		
25	Contractual services .....	100,000
26		-----
27	Program account subtotal .....	17,376,500
28		-----
29		
30	ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM .....	378,528,000
31		-----
32		
33	Special Revenue Funds - Other / Aid to Localities	
34	HCRA Resources Fund - 061	
35	EPIC Premium Account	
36		
37	For services and expenses of the program for	
38	elderly pharmaceutical insurance coverage,	
39	including reimbursement to pharmacies	
40	participating in such program.	
41	Notwithstanding any inconsistent provision	
42	of law, rule or regulation to the contra-	
43	ry, for the period July 1, 2010 through	
44	March 31, 2011, for a participant in the	
45	program for elderly pharmaceutical insur-	
46	ance coverage whose prescription drug	
47	expenses are paid or reimbursable under	
48	the provisions of the medicare program,	
49	assistance under the program for elderly	
50	pharmaceutical insurance coverage shall be	
51	limited to prescription drugs covered by	
52	the participant's medicare plan and to	
53	drugs excluded from medicare coverage in	
54	accordance with section 1860-D-2 of the	
55	federal social security act, and in such	
56	cases the program for elderly pharmaceu-	
57	tical insurance coverage shall cover the	
58	amount that is the responsibility of the	
59	participant under the medicare plan bene-	
60	fit, subject to the participant's cost-	
61	sharing responsibility on such amount	
62	under sections 247 or 248 of the elder	



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 law; provided however that, if this  
2 chapter appropriates sufficient additional  
3 funds to permit the elderly pharmaceutical  
4 insurance coverage program to provide  
5 coverage for prescription drugs without  
6 regard to such limitation, then the  
7 provisions of this paragraph shall not  
8 apply and shall be considered null and  
9 void as of March 31, 2010.

10 Notwithstanding any inconsistent provision  
11 of law, rule or regulation to the contra-  
12 ry, for the period January 1, 2011 through  
13 March 31, 2011, under the elderly pharma-  
14 ceutical insurance coverage program, the  
15 requirement that, as a condition of  
16 eligibility for benefits under such  
17 program, a program participant who is  
18 eligible for medicare part D drug coverage  
19 under section 1860D of the federal social  
20 security act be required to enroll in  
21 medicare part D at the first available  
22 enrollment period and to maintain such  
23 enrollment shall not be waived if such  
24 enrollment would result in significant  
25 additional financial liability by the  
26 participant, including, but not limited  
27 to, individuals in a medicare advantage  
28 plan whose cost sharing would be  
29 increased; provided further that elderly  
30 pharmaceutical insurance coverage program  
31 representation of program participants in  
32 the pursuit of medicare part D coverage  
33 and the medicare savings programs shall be  
34 permitted notwithstanding additional  
35 financial liability on behalf of such  
36 program participants; provided further  
37 that, if this chapter appropriates suffi-  
38 cient additional funds to permit a waiver  
39 of the medicare part D enrollment require-  
40 ment and the representation requirement  
41 described herein if the participant incurs  
42 significant additional financial liabil-  
43 ity, or additional financial liability,  
44 respectively, then the provisions of this  
45 paragraph shall not apply and shall be  
46 considered null and void as of March 31,  
47 2010. The moneys hereby appropriated shall  
48 be available for payment of financial  
49 assistance heretofore accrued ..... 178,850,000

50 For a grant to the medicare rights center to  
51 assist seniors enrolled in the elderly  
52 pharmaceutical insurance coverage program  
53 in selecting, accessing, and maximizing  
54 medicare part D coverage ..... 750,000

55 For a grant to the American association of  
56 retired persons to assist seniors enrolled  
57 in the elderly pharmaceutical insurance  
58 coverage program in selecting, accessing,  
59 and maximizing medicare part D coverage .. 750,000

60 -----  
61 Program account subtotal ..... 180,350,000  
62 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	EPIC Premium Account	
4		
5	PERSONAL SERVICE	
6		
7	Personal service--regular .....	2,109,600
8		-----
9		
10	NONPERSONAL SERVICE	
11	Supplies and materials .....	30,000
12	Travel .....	25,000
13	Contractual services .....	16,997,900
14	Equipment .....	15,000
15	Fringe benefits .....	975,500
16		-----
17	Amount available for nonpersonal service..	18,043,400
18		-----
19		
20	MAINTENANCE UNDISTRIBUTED	
21		
22	For suballocation to the state office for	
23	the aging for the administration of the	
24	elderly pharmaceutical insurance coverage	
25	program.	
26		
27	Personal service--regular .....	225,000
28		-----
29	Program account subtotal .....	20,378,000
30		-----
31		
32	Special Revenue Funds - Other / Aid to Localities	
33	Miscellaneous Special Revenue Fund - 339	
34	EPIC Premium Account	
35		
36	For services and expenses of the program for	
37	elderly pharmaceutical insurance coverage,	
38	including reimbursement to pharmacies	
39	participating in such program.	
40	Notwithstanding any inconsistent provision	
41	of law, rule or regulation to the contra-	
42	ry, for the period July 1, 2010 through	
43	March 31, 2011, for a participant in the	
44	program for elderly pharmaceutical insur-	
45	ance coverage whose prescription drug	
46	expenses are paid or reimbursable under	
47	the provisions of the medicare program,	
48	assistance under the program for elderly	
49	pharmaceutical insurance coverage shall be	
50	limited to prescription drugs covered by	
51	the participant's medicare plan and to	
52	drugs excluded from medicare coverage in	
53	accordance with section 1860-D-2 of the	
54	federal social security act, and in such	
55	cases the program for elderly pharmaceu-	
56	tical insurance coverage shall cover the	
57	amount that is the responsibility of the	
58	participant under the medicare plan bene-	
59	fit, subject to the participant's cost-	
60	sharing responsibility on such amount	
61	under sections 247 or 248 of the elder	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 law; provided however that, if this  
 2 chapter appropriates sufficient additional  
 3 funds to permit the elderly pharmaceutical  
 4 insurance coverage program to provide  
 5 coverage for prescription drugs without  
 6 regard to such limitation, then the  
 7 provisions of this paragraph shall not  
 8 apply and shall be considered null and  
 9 void as of March 31, 2010.

10 Notwithstanding any inconsistent provision  
 11 of law, rule or regulation to the contra-  
 12 ry, for the period January 1, 2011 through  
 13 March 31, 2011, under the elderly pharma-  
 14 ceutical insurance coverage program, the  
 15 requirement that, as a condition of  
 16 eligibility for benefits under such  
 17 program, a program participant who is  
 18 eligible for medicare part D drug coverage  
 19 under section 1860D of the federal social  
 20 security act be required to enroll in  
 21 medicare part D at the first available  
 22 enrollment period and to maintain such  
 23 enrollment shall not be waived if such  
 24 enrollment would result in significant  
 25 additional financial liability by the  
 26 participant, including, but not limited  
 27 to, individuals in a medicare advantage  
 28 plan whose cost sharing would be  
 29 increased; provided further that elderly  
 30 pharmaceutical insurance coverage program  
 31 representation of program participants in  
 32 the pursuit of medicare part D coverage  
 33 and the medicare savings programs shall be  
 34 permitted notwithstanding additional  
 35 financial liability on behalf of such  
 36 program participants; provided further  
 37 that, if this chapter appropriates suffi-  
 38 cient additional funds to permit a waiver  
 39 of the medicare part D enrollment require-  
 40 ment and the representation requirement  
 41 described herein if the participant incurs  
 42 significant additional financial liabil-  
 43 ity, or additional financial liability,  
 44 respectively, then the provisions of this  
 45 paragraph shall not apply and shall be  
 46 considered null and void as of March 31,  
 47 2010.

48 The moneys hereby appropriated shall be  
 49 available for payment of financial assist-  
 50 ance heretofore accrued ..... 177,800,000  
 51 -----  
 52 Program account subtotal ..... 177,800,000  
 53 -----

54  
 55 HEALTH CARE FINANCING PROGRAM ..... 19,295,700  
 56 -----

57  
 58 General Fund / State Operations  
 59 State Purposes Account - 003  
 60  
 61

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	PERSONAL SERVICE	
2		
3	Personal service--regular .....	4,346,000
4	Temporary service .....	10,000
5	Holiday/overtime compensation .....	40,000
6		-----
7	Amount available for personal service ....	4,396,000
8		-----
9		
10	NONPERSONAL SERVICE	
11		
12	Supplies and materials .....	99,000
13	Travel .....	40,000
14	Contractual services .....	4,258,000
15	Equipment .....	50,000
16		-----
17	Amount available for nonpersonal service..	4,447,000
18		-----
19	Program account subtotal .....	8,843,000
20		-----
21		
22	General Fund / Aid to Localities	
23	Local Assistance Account - 001	
24		
25	For services and expenses related to the	
26	annual hospital institutional cost report.	
27	A portion of this appropriation may be	
28	transferred to state operations appropri-	
29	ations .....	300,000
30	For services and expenses for the center for	
31	workforce studies at the school of public	
32	health through the research foundation of	
33	the state university of New York. A	
34	portion of this appropriation may be	
35	transferred to state operations appropri-	
36	ations .....	392,000
37	For services and expenses of upstate medical	
38	university through the research foundation	
39	of the state university of New York to	
40	promote minority participation in medical	
41	education. A portion of this appropriation	
42	may be transferred to state operations	
43	appropriations .....	39,000
44	For services and expenses of the gateway	
45	institute through the research foundation	
46	of the city university of New York to	
47	promote minority participation in medical	
48	education. A portion of this appropriation	
49	may be transferred to state operations	
50	appropriations .....	220,000
51		-----
52	Program account subtotal .....	951,000
53		-----
54		
55	Special Revenue Funds - Other / State Operations	
56	HCRA Resources Fund - 061	
57	Provider Collection Monitoring Account	
58		
59	For services and expenses related to admin-	
60	istration of statutory duties for the	
61	collections authorized by sections 2807-j,	
62	2807-s, 2807-t and 2807-v of the public	

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 health law and the assessments authorized  
2 by sections 2807-d, 3614-a and 3614-b of  
3 the public health law and section 367-i of  
4 the social services law pursuant to chap-  
5 ter 41 of the laws of 1992.

6  
7 PERSONAL SERVICE

8  
9 Personal service--regular ..... 2,372,700  
10 Holiday/overtime compensation ..... 10,000  
11 -----  
12 Amount available for personal service .... 2,382,700  
13 -----

14  
15 NONPERSONAL SERVICE

16  
17 Supplies and materials ..... 62,000  
18 Travel ..... 13,000  
19 Contractual services ..... 73,000  
20 Equipment ..... 331,000  
21 Fringe benefits ..... 1,051,200  
22 Indirect costs ..... 695,900  
23 -----  
24 Amount available for nonpersonal service.. 2,226,100  
25 -----

26 Program account subtotal ..... 4,608,800  
27 -----

28  
29 Special Revenue Funds - Other / State Operations  
30 Miscellaneous Special Revenue Fund - 339  
31 1200-Hospital and Nursing Home Management Account  
32

33 For services and expenses of inspecting,  
34 regulating, supervising and auditing  
35 hospital and nursing home companies incor-  
36 porated and authorized under articles 28-A  
37 and 28-B of the public health law, from  
38 funds received pursuant to these activ-  
39 ities.

40  
41 PERSONAL SERVICE

42  
43 Personal service--regular ..... 2,477,500  
44 Holiday/overtime compensation ..... 40,000  
45 -----  
46 Amount available for personal service .... 2,517,500  
47 -----

48  
49 NONPERSONAL SERVICE

50  
51 Supplies and materials ..... 82,000  
52 Travel ..... 20,000  
53 Contractual services ..... 239,000  
54 Equipment ..... 182,000  
55 Fringe benefits ..... 1,086,200  
56 Indirect costs ..... 766,200  
57 -----  
58 Amount available for nonpersonal service.. 2,375,400  
59 -----

60 Program account subtotal ..... 4,892,900  
61 -----  
62

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	HEALTH CARE REFORM ACT PROGRAM .....	503,316,000
2		-----
3		
4	Special Revenue Funds - Other / Aid to Localities	
5	HCRA Resources Fund - 061	
6	HCRA Program Account	
7		
8	For services, expenses, grants and transfers	
9	necessary to implement the health care	
10	reform act program in accordance with	
11	section 2807-j, 2807-k, 2807-l, 2807-m,	
12	2807-p, 2807-s and 2807-v of the public	
13	health law. The moneys hereby appropriated	
14	shall be available for payments heretofore	
15	accrued or hereafter to accrue. Notwith-	
16	standing any inconsistent provision of	
17	law, the moneys hereby appropriated may be	
18	increased or decreased by interchange or	
19	transfer with any appropriation of the	
20	department of health or by transfer or	
21	suballocation to any appropriation of the	
22	department of insurance, the office of	
23	mental health and the state office for the	
24	aging subject to the approval of the	
25	director of the budget, who shall file	
26	such approval with the department of audit	
27	and control and copies thereof with the	
28	chairman of the senate finance committee	
29	and the chairman of the assembly ways and	
30	means committee. With the approval of the	
31	director of the budget, up to 5 percent of	
32	this appropriation may be used for state	
33	operations purposes. At the direction of	
34	the director of the budget, funds may also	
35	be transferred directly to the general	
36	fund for the purpose of repaying a draw on	
37	the tobacco revenue guarantee fund.	
38	For services and expenses related to	
39	graduate medical education (GME)	
40	innovative reform initiatives .....	21,280,000
41	For services and expenses of the empire	
42	clinical research investigator program	
43	(ECRIP) .....	9,120,000
44	For services and expenses of the New York	
45	state area health education center program	
46	.....	2,500,000
47	For services and expenses of the ambulatory	
48	care training program pursuant to subdivi-	
49	sion 5-a of section 2807-m of the public	
50	health law .....	4,300,000
51	For services and expenses of the physician	
52	loan repayment program pursuant to subdivi-	
53	sion 5-a of section 2807-m of the public	
54	health law. All or part of this appropri-	
55	ation may be suballocated to the NYS high-	
56	er education services corporation .....	2,700,000
57	For services and expenses of the physician	
58	practice support program pursuant to	
59	subdivision 5-a of section 2807-m of the	
60	public health law .....	6,800,000
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses related to physi-	
2	cian workforce studies pursuant to subdivi-	
3	sion 5-a of section 2807-m of the public	
4	health law .....	516,000
5	For services and expenses of the diversity	
6	in medicine/post-baccalaureate program	
7	pursuant to subdivision 5-a of section	
8	2807-m of the public health law .....	1,700,000
9	For transfer to Roswell park cancer insti-	
10	tute corporation .....	71,600,000
11	For suballocation to the state insurance	
12	department related to the physicians	
13	excess medical malpractice program .....	127,400,000
14	For transfer to health research incorporated	
15	(HRI) for the AIDS drug assistance program	
16	.....	42,300,000
17	For state grants for the health workforce	
18	retraining program. Notwithstanding	
19	section 2807-g of the public health law,	
20	or any other provision of law to the	
21	contrary, funds hereby appropriated may be	
22	made available to other state agencies and	
23	facilities operated by the department of	
24	health for services and expenses related	
25	to the worker retraining program as	
26	disbursed pursuant to section 2807-g of	
27	the public health law. Provided, however,	
28	that the director of the budget must	
29	approve the release of any request for	
30	proposal or request for application or any	
31	other procurement initiatives issued on or	
32	after April 1, 2007. Further provided that	
33	any contract executed on or after April 1,	
34	2007 must receive the prior approval of	
35	the director of the budget. A portion of	
36	this appropriation may be transferred to	
37	state operations appropriations .....	28,400,000
38	For services and expenses related to the	
39	tobacco use prevention and control program	
40	including grants to support cancer	
41	research. A portion of this appropriation	
42	may be transferred to state operations	
43	appropriations .....	57,100,000
44	For state grants for rural health care	
45	access development .....	9,800,000
46	For state grants for rural health network	
47	development .....	6,400,000
48	For services and expenses, including grants,	
49	related to emergency assistance distrib-	
50	utions as designated by the commissioner	
51	of health. Notwithstanding section 112 or	
52	163 of the state finance law or any other	
53	contrary provision of law, such distrib-	
54	utions shall be limited to providers or	
55	programs where, as determined by the	
56	commissioner of health, emergency assist-	
57	ance is vital to protect the life or safe-	
58	ty of patients, to ensure the retention of	
59	facility caregivers or other staff, or in	
60	instances where health facility operations	
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	are jeopardized, or where the public	
2	health is jeopardized or other emergency	
3	situations exist .....	2,900,000
4	For transfer to the pool administrator for	
5	distributions related to school based	
6	health clinics .....	5,600,000
7	For services and expenses related to audit-	
8	ing or payment of audit contracts to	
9	determine payor and provider compliance	
10	requirements. All or a portion of this	
11	appropriation may be transferred to state	
12	operations appropriations .....	14,700,000
13	For services and expenses related to audit-	
14	ing or payment of audit contracts to	
15	determine hospital compliance with para-	
16	graph 6 of subdivision (a) of section	
17	405.4 of title 10, NYCRR. All or a portion	
18	of this appropriation may be transferred	
19	to state operations appropriations .....	2,500,000
20	For transfer to the pool administrator for	
21	state grants for poison control centers. A	
22	portion of this appropriation may be	
23	transferred to state operations appropri-	
24	ations. Notwithstanding any inconsistent	
25	provision of law, rule or regulation,	
26	allocations made pursuant to subparagraph	
27	(iv) of paragraph (c) of subdivision 1 of	
28	section 2807-1 of the public health law	
29	for distributions to poison control	
30	centers pursuant to subdivision 7 of	
31	section 2500-d of the public health law	
32	shall be reduced by \$2,000,000 for the	
33	period April 1, 2010 through March 31,	
34	2011; provided, however, if this chapter	
35	provides sufficient additional funding to	
36	support distributions to poison control	
37	centers at amounts set forth in	
38	subparagraph (iv) of paragraph (c) of	
39	subdivision 1 of section 2807-1 of the	
40	public health law, then the provisions of	
41	this section shall be null and void as of	
42	March 31, 2010 .....	2,500,000
43	For services and expenses related to the	
44	pool administration. All or a portion of	
45	this appropriation may be transferred to	
46	state operations appropriations .....	4,200,000
47	For additional state grants to improve	
48	access to infertility services, treat-	
49	ments, and procedures .....	2,200,000
50	For services and expenses related to school	
51	based health centers. The total amount of	
52	funds provided herein shall be distributed	
53	to school-based health center providers	
54	based on the ratio of each provider's	
55	total enrollment for all sites to the	
56	total enrollment of all providers. This	
57	formula shall be applied to the total	
58	amount made available herein, provided,	
59	however, that notwithstanding any contrary	
60	provision of law, the commissioner of	
61	health may establish minimum and maximum	
62	awards for providers .....	2,800,000



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For payments for uncompensated care to	
2	eligible voluntary non-profit diagnostic	
3	and treatment centers .....	54,400,000
4	For transfer to the dormitory authority of	
5	the state of New York for the health	
6	facility restructuring program .....	19,600,000
7		-----
8	Program account subtotal .....	503,316,000
9		-----
10		
11	INSTITUTIONAL MANAGEMENT PROGRAM .....	158,128,787
12		-----
13		
14	Special Revenue Funds - Other / State Operations	
15	Combined Gifts, Grants and Bequests Fund - 020	
16	Batavia Home Donation Account	
17		
18	For services and expenses of patient bene-	
19	fits and other activities and other	
20	services as funded by gifts and donations.	
21		
22	NONPERSONAL SERVICE	
23		
24	Supplies and materials .....	50,000
25		-----
26	Program account subtotal .....	50,000
27		-----
28		
29	Special Revenue Funds - Other / State Operations	
30	Combined Gifts, Grants and Bequests Fund - 020	
31	Helen Hayes Hospital Account	
32		
33	For services and expenses of patient bene-	
34	fits and other activities and services as	
35	funded by gifts and donations.	
36		
37	NONPERSONAL SERVICE	
38		
39	Supplies and materials .....	35,000
40		-----
41	Program account subtotal .....	35,000
42		-----
43		
44	Special Revenue Funds - Other / State Operations	
45	Combined Gifts, Grants and Bequests Fund - 020	
46	New York City Veterans' Home Donation Account	
47		
48	For services and expenses of patient bene-	
49	fits and other activities and other	
50	services as funded by gifts and donations.	
51		
52	NONPERSONAL SERVICE	
53		
54	Supplies and materials .....	50,000
55		-----
56	Program account subtotal .....	50,000
57		-----
58		
59	Special Revenue Funds - Other / State Operations	
60	Combined Gifts, Grants and Bequests Fund - 020	
61	Montrose Donation Account	
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of patient bene-	
2	fits and other activities and other	
3	services as funded by gifts and donations.	
4		
5	NONPERSONAL SERVICE	
6		
7	Supplies and materials .....	50,000
8		-----
9	Program account subtotal .....	50,000
10		-----
11		
12	Special Revenue Funds - Other / State Operations	
13	Combined Gifts, Grants and Bequests Fund - 020	
14	Oxford Gifts and Donations Account	
15		
16	For services and expenses of patient bene-	
17	fits and other activities and services as	
18	funded by gifts and donations.	
19		
20	NONPERSONAL SERVICE	
21		
22	Supplies and materials .....	200,000
23		-----
24	Program account subtotal .....	200,000
25		-----
26		
27	Special Revenue Funds - Other / State Operations	
28	Miscellaneous Special Revenue Fund - 339	
29	Helen Hayes Hospital Account	
30		
31	For services and expenses of the Helen Hayes	
32	hospital including an affiliation agree-	
33	ment contract. Up to \$304,273 of this	
34	amount may be suballocated to the depart-	
35	ment of law for services and expenses of a	
36	collection unit at Helen Hayes hospital.	
37		
38	PERSONAL SERVICE	
39		
40	Personal service--regular .....	31,306,344
41	Temporary service .....	3,150,000
42	Holiday/overtime compensation .....	1,103,211
43		-----
44	Amount available for personal service ....	35,559,555
45		-----
46		
47	NONPERSONAL SERVICE	
48		
49	Supplies and materials .....	3,024,121
50	Travel .....	32,000
51	Contractual services .....	17,823,000
52	Equipment .....	823,000
53	Fringe benefits .....	2,908,000
54	Indirect costs .....	200,000
55		-----
56	Amount available for nonpersonal service..	24,810,121
57		-----
58	Program account subtotal .....	60,369,676
59		-----
60		
61		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	New York City Veterans' Home Account	
4		
5	For services and expenses of the New York	
6	city veterans' home. Up to \$400,000 of	
7	this amount may be suballocated to the	
8	department of law for services and	
9	expenses of a collection unit at the New	
10	York city veterans' home for the New York	
11	state home for veterans and their depen-	
12	dents at Oxford, the New York city veter-	
13	ans' home, the Western New York veterans'	
14	home and New York state veterans' home at	
15	Montrose.	
16		
17	PERSONAL SERVICE	
18		
19	Personal service--regular .....	12,644,326
20	Temporary service .....	2,117,718
21	Holiday/overtime compensation .....	2,677,966
22		-----
23	Amount available for personal service ....	17,440,010
24		-----
25		
26	NONPERSONAL SERVICE	
27		
28	Supplies and materials .....	905,000
29	Travel .....	52,000
30	Contractual services .....	10,696,000
31	Equipment .....	466,000
32	Fringe benefits .....	6,661,000
33	Indirect costs .....	75,000
34		-----
35	Amount available for nonpersonal service..	18,855,000
36		-----
37	Program account subtotal .....	36,295,010
38		-----
39		
40	Special Revenue Funds - Other / State Operations	
41	Miscellaneous Special Revenue Fund - 339	
42	New York State Home for Veterans and Their Dependents at	
43	Oxford Account	
44		
45	For services and expenses of the New York	
46	state home for veterans and their depen-	
47	dents at Oxford.	
48		
49	PERSONAL SERVICE	
50		
51	Personal service--regular .....	15,324,381
52	Temporary service .....	895,000
53	Holiday/overtime compensation .....	1,112,000
54		-----
55	Amount available for personal service ....	17,331,381
56		-----
57		
58	NONPERSONAL SERVICE	
59		
60	Supplies and materials .....	4,073,000
61	Travel .....	65,000
62	Contractual services .....	2,397,000

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Equipment .....	513,000
2	Fringe benefits .....	1,157,000
3	Indirect costs .....	60,000
4		-----
5	Amount available for nonpersonal service..	8,265,000
6		-----
7	Program account subtotal .....	25,596,381
8		-----
9		
10	Special Revenue Funds - Other / State Operations	
11	Miscellaneous Special Revenue Fund - 339	
12	New York State Home for Veterans in the Lower-Hudson	
13	Valley Account	
14		
15	For services and expenses of the New York	
16	state home for veterans in the lower-Hud-	
17	son Valley account.	
18		
19	PERSONAL SERVICE	
20		
21	Personal service--regular .....	12,106,539
22	Temporary service .....	1,809,000
23	Holiday/overtime compensation .....	2,241,921
24		-----
25	Amount available for personal service ....	16,157,460
26		-----
27		
28	NONPERSONAL SERVICE	
29		
30	Supplies and materials .....	2,267,020
31	Travel .....	13,000
32	Contractual services .....	4,470,940
33	Equipment .....	365,000
34	Indirect costs .....	14,000
35		-----
36	Amount available for nonpersonal service..	7,129,960
37		-----
38	Program account subtotal .....	23,287,420
39		-----
40		
41	Special Revenue Funds - Other / State Operations	
42	Miscellaneous Special Revenue Fund - 339	
43	Western New York Veterans' Home Account	
44		
45	For services and expenses of the Western New	
46	York veterans' home.	
47		
48	PERSONAL SERVICE	
49		
50	Personal service--regular .....	7,607,300
51	Temporary service .....	385,000
52	Holiday/overtime compensation .....	870,000
53		-----
54	Amount available for personal service ....	8,862,300
55		-----
56		
57	NONPERSONAL SERVICE	
58		
59	Supplies and materials .....	989,600
60	Travel .....	22,500
61	Contractual services .....	1,694,900
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Equipment .....	595,000	
2	Indirect costs .....	21,000	
3			-----
4	Amount available for nonpersonal service..	3,323,000	
5			-----
6	Program account subtotal .....	12,185,300	
7			-----
8			
9	Enterprise Funds / State Operations		
10	Miscellaneous Enterprise Fund - 331		
11	Oxford Arts and Crafts Fund Account		
12			
13	For services and expenses of patient bene-		
14	fits and other activities and services as		
15	funded by receipts from the sale of arts		
16	and crafts.		
17			
18			
19			
20	Supplies and materials .....	10,000	
21			-----
22	Program account subtotal .....	10,000	
23			-----
24			
25	MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM .....	199,724,000	
26			-----
27			
28	General Fund / State Operations		
29	State Purposes Account - 003		
30			
31	For services and expenses for payment of		
32	liabilities accrued heretofore and here-		
33	after to accrue.		
34			
35			
36			
37	Contractual services .....	94,505,000	
38			-----
39	Program account subtotal .....	94,505,000	
40			-----
41			
42	Special Revenue Funds - Federal / State Operations		
43	Federal Health and Human Services Fund - 265		
44			
45	For services and expenses related to the		
46	operation of an electronic medicaid eligi-		
47	bility verification system and operation		
48	of a medicaid override application system,		
49	and operation of a medicaid management		
50	information system, and development and		
51	operation of a replacement medicaid		
52	system. The moneys hereby appropriated		
53	shall be available for payment of liabil-		
54	ities heretofore accrued and hereafter to		
55	accrue.		
56	Notwithstanding any inconsistent provision		
57	of law and subject to the approval of the		
58	director of the budget, the amount appro-		
59	priated herein may be increased or		
60	decreased by interchange with any other		
61	appropriation or with any other item or		
62	items within the amounts appropriated		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 within the department of health special  
 2 revenue funds - federal with the approval  
 3 of the director of the budget who shall  
 4 file such approval with the department of  
 5 audit and control and copies thereof with  
 6 the chairman of the senate finance commit-  
 7 tee and the chairman of the assembly ways  
 8 and means committee ..... 105,219,000  
 9 -----  
 10 Program fund subtotal ..... 105,219,000  
 11 -----  
 12  
 13 MAINTENANCE UNDISTRIBUTED ..... 0  
 14 -----  
 15  
 16 General Fund / State Operations  
 17 State Purposes Account - 003  
 18  
 19 Less amounts appropriated as offsets from  
 20 the special revenue funds - other, miscel-  
 21 laneous special revenue fund - 339, quali-  
 22 ty of care account, hospital and nursing  
 23 home management account, nurses aide  
 24 registry account, third-party health  
 25 insurance recoveries account and medicaid  
 26 inquiry account. Notwithstanding any  
 27 contrary provision of law, these offsets  
 28 shall reduce general fund appropriations  
 29 within the various programs of the depart-  
 30 ment of health funded from the state  
 31 purposes account ..... (112,822,000)  
 32 -----  
 33 Program account subtotal ..... (112,822,000)  
 34 -----  
 35  
 36 Special Revenue Funds - Other / State Operations  
 37 Miscellaneous Special Revenue Fund - 339  
 38 Hospital and Nursing Home Management Account  
 39  
 40 Amount appropriated as an offset to the  
 41 general fund - state purposes account with  
 42 various department of health programs. The  
 43 director of the budget is hereby author-  
 44 ized to apportion funds to the various  
 45 programs of this agency from this appro-  
 46 priation by certificate of approval ..... 11,800,000  
 47 -----  
 48 Program account subtotal ..... 11,800,000  
 49 -----  
 50  
 51 Special Revenue Funds - Other / State Operations  
 52 Miscellaneous Special Revenue Fund - 339  
 53 Nurses Aide Registry Account  
 54  
 55 Amount appropriated as an offset to the  
 56 general fund - state purposes account with  
 57 various department of health programs. The  
 58 director of the budget is hereby author-  
 59 ized to apportion funds to the various  
 60

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	programs of this agency from this appro-	
2	priation by certificate of approval .....	300,000
3		-----
4	Program account subtotal .....	300,000
5		-----
6		
7	Special Revenue Funds - Other / State Operations	
8	Miscellaneous Special Revenue Fund - 339	
9	Quality of Care Account	
10		
11	Amount appropriated as an offset to the	
12	general fund - state purposes account with	
13	various department of health programs. The	
14	director of the budget is hereby author-	
15	ized to apportion funds to the various	
16	programs of this agency from this appro-	
17	priation by certificate of approval .....	99,472,000
18		-----
19	Program account subtotal .....	99,472,000
20		-----
21		
22	Special Revenue Funds - Other / State Operations	
23	Miscellaneous Special Revenue Fund - 339	
24	Third-Party Health Insurance Recoveries Account	
25		
26	Amount appropriated as an offset to the	
27	general fund - state purposes account with	
28	various department of health programs. The	
29	director of the budget is hereby author-	
30	ized to apportion funds to the various	
31	programs of this agency from this appro-	
32	priation by certificate of approval .....	1,250,000
33		-----
34	Program account subtotal .....	1,250,000
35		-----
36		
37	General Fund / Aid to Localities	
38	Local Assistance Account - 001	
39		
40	Less amounts appropriated as an offset from	
41	the special revenue funds - other, miscel-	
42	laneous special revenue fund - 339, quali-	
43	ty of care account. Notwithstanding any	
44	contrary provision of law, this offset	
45	shall reduce general fund appropriations	
46	within the various programs of the depart-	
47	ment of health funded from the local	
48	assistance account .....	(7,288,000)
49		-----
50	Program account subtotal .....	(7,288,000)
51		-----
52		
53	Special Revenue Funds - Other / Aid to Localities	
54	Miscellaneous Special Revenue Fund - 339	
55	Quality of Care Account	
56		
57	Amount appropriated as an offset to the	
58	general fund - local assistance account	
59	with various department of health	
60	programs. The director of the budget is	
61	hereby authorized to apportion funds to	
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	the various programs of this agency from	
2	this appropriation by certificate of	
3	approval .....	7,288,000
4		-----
5	Program account subtotal .....	7,288,000
6		-----
7		
8	MEDICAL ASSISTANCE ADMINISTRATION PROGRAM .....	1,159,500,000
9		-----

10  
 11 General Fund / Aid to Localities  
 12 Local Assistance Account - 001  
 13

14 For state reimbursement of local administra-  
 15 tive expenses for medical assistance  
 16 programs notwithstanding section 153 of  
 17 the social services law.

18 The money hereby appropriated is available  
 19 for payment of aid heretofore accrued or  
 20 hereafter to accrue to municipalities, and  
 21 to providers of medical services pursuant  
 22 to section 367-b of the social services  
 23 law, and shall be available to the depart-  
 24 ment 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 may be increased or  
 31 decreased by transfer or suballocation  
 32 between these appropriated amounts and  
 33 appropriations of the office of mental  
 34 health, the office of mental retardation  
 35 and developmental disabilities, the office  
 36 of alcoholism and substance abuse serivc-  
 37 es, the department of family assistance  
 38 office of temporary and disability assist-  
 39 ance and office of children and family  
 40 services with the approval of the director  
 41 of the budget, who shall file such  
 42 approval with the department of audit and  
 43 control and copies thereof with the chair-  
 44 man of the senate finance committee and  
 45 the chairman of the assembly ways and  
 46 means committee.

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



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 ensure the orderly and prompt payment of  
2 providers under section 367-b of the  
3 social services law pursuant to an esti-  
4 mate provided by the commissioner of  
5 health of each local social services  
6 district's share of payments made pursuant  
7 to section 367-b of the social services  
8 law ..... 454,050,000  
9 For contractual services related to medical  
10 necessity and quality of care reviews  
11 related to medicaid patients. Subject to  
12 the approval of the director of the budg-  
13 et, all or part of this appropriation may  
14 be transferred to the health care stand-  
15 ards and surveillance program, general  
16 fund - local assistance account ..... 3,700,000  
17 The amount appropriated herein, together  
18 with any federal matching funds obtained,  
19 may be available to the department,  
20 subject to the approval of the director of  
21 the budget, for contractual services  
22 related to a third party entity responsi-  
23 ble for education of persons eligible for  
24 medical assistance regarding their options  
25 for enrollment in managed care plans.  
26 Subject to the approval of the director of  
27 the budget, all or a part of this appro-  
28 priation may be transferred to the office  
29 of managed care, general fund - state  
30 purposes account. Notwithstanding any  
31 other provision of law, the money hereby  
32 appropriated may be increased or decreased  
33 by interchange, with any appropriation of  
34 the department of health, and may be  
35 increased or decreased by transfer or  
36 suballocation between these appropriated  
37 amounts ..... 23,500,000  
38 For state reimbursement of administrative  
39 expenses for the medical assistance  
40 program provided by the office of mental  
41 health, office of mental retardation and  
42 developmental disabilities and office of  
43 alcoholism and substance abuse services.  
44 The money hereby appropriated is available  
45 for payment of aid heretofore accrued and  
46 hereafter to accrue. Notwithstanding any  
47 other provision of law, the money hereby  
48 appropriated may be increased or decreased  
49 by interchange with any other appropri-  
50 ation of the department of health with the  
51 approval of the director of the budget ... 100,000,000  
52 -----  
53 Program account subtotal ..... 581,250,000  
54 -----  
55  
56 Special Revenue Funds - Federal / Aid to Localities  
57 Federal Health and Human Services Fund - 265  
58 Medicaid Administration Transfer Account  
59  
60 For reimbursement of local administrative  
61 expenses of medical assistance programs  
62

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 provided pursuant to title XIX of the  
2 federal social security act or its succes-  
3 sor program.

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

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

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 district's share of payments made pursuant  
2 to section 367-b of the social services  
3 law ..... 478,250,000  
4 For reimbursement of administrative expenses  
5 of the medical assistance program provided  
6 by the office of mental health, office of  
7 mental retardation and developmental disa-  
8 bilities, and office of alcoholism and  
9 substance abuse services provided pursuant  
10 to title XIX of the federal social securi-  
11 ty act. The money hereby appropriated is  
12 available for payment of aid heretofore  
13 accrued and hereafter to accrue. Notwith-  
14 standing any other provision of law, the  
15 money hereby appropriated may be increased  
16 or decreased by interchange with any other  
17 appropriation of the department of health  
18 with the approval of the director of budg-  
19 et ..... 100,000,000  
20 -----  
21 Program account subtotal ..... 578,250,000  
22 -----  
23  
24 MEDICAL ASSISTANCE PROGRAM ..... 48,253,364,000  
25 -----  
26  
27 General Fund / Aid to Localities  
28 Local Assistance Account - 001  
29  
30 For the medical assistance program, includ-  
31 ing administrative expenses, for local  
32 social services districts, and for medical  
33 care rates for authorized child care agen-  
34 cies.  
35 The money hereby appropriated is to be  
36 available for payment of aid heretofore  
37 accrued or hereafter to accrue to munici-  
38 palities, and to providers of medical  
39 services pursuant to section 367-b of the  
40 social services law, and for payment of  
41 state aid to municipalities and to provid-  
42 ers of family care where payment systems  
43 through the fiscal intermediaries are not  
44 operational, and shall be available to the  
45 department net of disallowances, refunds,  
46 reimbursements, and credits.  
47 Notwithstanding any inconsistent provision  
48 of law to the contrary, funds may be used  
49 by the department for outside legal  
50 assistance on issues involving the federal  
51 government, the conduct of preadmission  
52 screening and annual resident reviews  
53 required by the state's medicaid program,  
54 computer matching with insurance carriers  
55 to insure that medicaid is the payer of  
56 last resort and activities related to the  
57 management of the pharmacy benefit  
58 available under the medicaid program.  
59 Notwithstanding any inconsistent provision  
60 of law, in lieu of payments authorized by  
61 the social services law, or payments of  
62 federal funds otherwise due to the local

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

21 Notwithstanding any other provision of law,  
22 the money hereby appropriated may be  
23 increased or decreased by interchange,  
24 with any appropriation of the department  
25 of health and the office of medicaid  
26 inspector general and may be increased or  
27 decreased by transfer or suballocation  
28 between these appropriated amounts and  
29 appropriations of the office of mental  
30 health, office of mental retardation and  
31 developmental disabilities, the office of  
32 alcoholism and substance abuse services,  
33 the department of family assistance office  
34 of temporary and disability assistance and  
35 office of children and family services,  
36 and state office for the aging with the  
37 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 Notwithstanding any inconsistent provision  
44 of law to the contrary, the moneys hereby  
45 appropriated may be used for payments to  
46 the centers for medicaid and medicare  
47 services for obligations incurred related  
48 to the pharmaceutical costs of dually  
49 eligible medicare/medicaid beneficiaries  
50 participating in the medicare drug benefit  
51 authorized by P.L. 108-173.

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

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 amended, adjusted or otherwise changed by  
2 a local social services district unless  
3 previously approved by the department of  
4 health and the director of the budget.  
5 Notwithstanding paragraph (c) of subdivision  
6 10 of section 2807-c of the public health  
7 law, subdivision 2-b of section 2808 of  
8 the public health law, section 21 of  
9 chapter 1 of the laws of 1999, and any  
10 other contrary provision of law, in  
11 determining rates of payments by state  
12 governmental agencies effective for  
13 services provided on and after April 1,  
14 2010 through March 31, 2011, for inpatient  
15 and outpatient services provided by  
16 general hospitals, for inpatient services  
17 and adult day health care outpatient  
18 services provided by residential health  
19 care facilities pursuant to article 28 of  
20 the public health law, except for  
21 residential health care facilities that  
22 provide extensive nursing, medical,  
23 psychological and counseling support  
24 services to children, for home health care  
25 services provided pursuant to article 36  
26 of the public health law by certified home  
27 health agencies, long term home health  
28 care programs and AIDS home care programs,  
29 and for personal care services provided  
30 pursuant to section 365-a of the social  
31 services law, the commissioner of health  
32 shall apply zero trend factor projections  
33 attributable to the 2010 calendar year in  
34 accordance with paragraph (c) of  
35 subdivision 10 of section 2807-c of the  
36 public health law, provided, however, that  
37 such zero trend factor projections for  
38 such 2010 calendar year shall also be  
39 applied to rates of payment for personal  
40 care services provided in those local  
41 social service districts, including New  
42 York city, whose rates of payment for such  
43 services are established by such local  
44 social service districts pursuant to a  
45 rate-setting exemption issued by the  
46 commissioner of health to such local  
47 social service districts in accordance  
48 with applicable regulations, and provided  
49 further, however, that for rates of  
50 payment for assisted living program  
51 services provided on and after April 1,  
52 2010 through March 31, 2011, trend factor  
53 projections attributable to the 2010  
54 calendar year shall be established at zero  
55 percent.  
56 For services and expenses of the medical  
57 assistance program including hospital  
58 inpatient services.  
59 Notwithstanding any inconsistent provision  
60 of law, rule or regulation, for the period  
61 April 1, 2010 through March 31, 2011, the  
62 indirect graduate medical education

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## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 payment per discharge calculated pursuant  
2 to paragraph 1 of subdivision (b) of  
3 section 86-1.20 of title 10 (health) of  
4 the official compilation of codes, rules  
5 and regulations of the state of New York  
6 and the amount of indirect graduate  
7 medical education excluded from the  
8 statewide base price calculated pursuant  
9 to paragraph 2 of subdivision (b) of  
10 section 86-1.20 of title 10 (health) of  
11 the official compilation of codes, rules  
12 and regulations of the state of New York  
13 shall be reduced by one percentage point;  
14 provided, however, if this chapter  
15 provides sufficient additional funding to  
16 support the aforementioned rate  
17 calculations made pursuant to section 86-  
18 1.20 of title 10 (health) of the official  
19 compilation of codes, rules and  
20 regulations of the state of New York  
21 without the one percentage point  
22 reduction, then the provisions of this  
23 section shall be deemed null and void as  
24 of March 31, 2010 and no additional  
25 funding associated with the one percentage  
26 point reduction of indirect graduate  
27 medical education shall be provided to  
28 increase medicaid rates for inpatient  
29 services for general hospitals for  
30 improved obstetrical access and quality  
31 pursuant to paragraph (e) of subdivision  
32 35 of section 2807-c of the public health  
33 law, the physician loan repayment and  
34 physician practice support programs set  
35 forth in paragraphs (d) and (e) of  
36 subdivision 5-a of section 2807-m of the  
37 public health law, respectively, , and the  
38 statewide base price calculated pursuant  
39 to subdivision 35 of section 2807-c of the  
40 public health law.

41 Notwithstanding any inconsistent provision  
42 of law, rule or regulation, hospital  
43 inpatient rate adjustments made in  
44 accordance with a methodology specified in  
45 regulations promulgated pursuant to  
46 subparagraph (v) of paragraph (b) of  
47 subdivision 35 of section 2807-c of the  
48 public health law that incorporate quality  
49 related measures pertaining to potentially  
50 preventable complications shall result in  
51 an aggregate reduction in medicaid  
52 payments of no less than \$49,000,000 for  
53 the period April 1, 2010 through March 31,  
54 2011, net of any reinvestment for  
55 hospitals with improved or continued high  
56 performance in relation to the established  
57 readmission benchmarks and initiatives for  
58 behavioral health admission diversion and  
59 post-discharge linkage payments; provided,  
60 however, if this chapter provides  
61 sufficient additional funding to support  
62 such rate adjustments without the

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1 aggregate reductions, then the provisions  
2 of this section shall be deemed null and  
3 void as of March 31, 2010.

4 Notwithstanding any inconsistent provision  
5 of law, rule or regulation, hospital  
6 inpatient rate adjustments made in  
7 accordance with the methodology specified  
8 in subdivision 6 of section 2500-d of the  
9 public health law shall be reduced by up  
10 to \$1,000,000 for the period April 1, 2010  
11 through March 31, 2011; provided, however,  
12 if this chapter provides sufficient  
13 additional funding to support such rate  
14 adjustments without the aggregate  
15 reductions, then the provisions of this  
16 section shall be deemed null and void as  
17 of March 31, 2010 ..... 307,037,000

18 For services and expenses of the medical  
19 assistance program including hospital  
20 outpatient and emergency room services ... 321,439,000

21 For services and expenses of the medical  
22 assistance program including clinic  
23 services ..... 118,569,000

24 For services and expenses of the medical  
25 assistance program including nursing home  
26 services.

27 Notwithstanding any inconsistent provision  
28 of law or regulation to the contrary, for  
29 the period April 1, 2010 through March 31,  
30 2011, the commissioner of health shall not  
31 be required to revise certified rates of  
32 payment established pursuant to the public  
33 health law prior to April 1, 2011, based  
34 on consideration of rate appeals filed by  
35 residential health care facilities  
36 pursuant to section 2808 of the public  
37 health law or based upon adjustments to  
38 capital cost reimbursement as a result of  
39 approval by the commissioner of health of  
40 an application for construction under  
41 section 2802 of the public health law, in  
42 excess of aggregate amount of \$80,000,000,  
43 provided, however, that in revising such  
44 rates within such fiscal limits the  
45 commissioner may prioritize rate appeals  
46 for facilities which the commissioner  
47 determines are facing significant  
48 financial hardship and, further, the  
49 commissioner is authorized to enter into  
50 agreements with such facilities to resolve  
51 multiple pending rate appeals based upon a  
52 negotiated aggregate amount and may offset  
53 such negotiated aggregate amounts against  
54 any amounts owed by the facility to the  
55 department of health, including, but not  
56 limited to, amounts owed pursuant to  
57 section 2807-d of the public health law,  
58 provided further, however, that such rate  
59 adjustment made pursuant to this section  
60 remain fully subject to approval by the  
61 director of the budget in accordance with  
62 the provisions of subdivision 2 of section

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1 2807 of the public health law. Provided,  
2 however, if this chapter appropriates  
3 sufficient additional funds to support  
4 processing of residential health care  
5 facility rate appeal adjustments as  
6 otherwise provided for in the public  
7 health law, than the provisions of this  
8 section shall be deemed null and void.

9 Notwithstanding any inconsistent provision  
10 of law, rule or regulation to the  
11 contrary, for the period April 1, 2010  
12 through March 31, 2011, a "reserved bed  
13 day" is defined as a day for which a  
14 governmental agency pays a residential  
15 health care facility to reserve a bed for  
16 a person eligible for medical assistance  
17 pursuant to title 11 of article 5 of the  
18 social services law while he or she is  
19 temporarily hospitalized or on leave of  
20 absence from the facility; provided  
21 further that for reserved bed days  
22 provided on behalf of persons 21 years of  
23 age or older: (i) payments for reserved  
24 bed days shall be made at 95 percent of  
25 the medicaid rate otherwise payable to the  
26 facility for services provided on behalf  
27 of such person; (ii) payment to a facility  
28 for reserved bed days provided on behalf  
29 of such person for temporary hospitaliza-  
30 tions may not exceed 14 days in any 12  
31 month period; and (iii) payment to a  
32 facility for reserved bed days provided on  
33 behalf of such person for non-  
34 hospitalization leaves of absence may not  
35 exceed 10 days in any 12 month period.  
36 Provided, however, if this chapter  
37 appropriates sufficient additional funds  
38 to permit payment for reserved bed days to  
39 be made at the full medicaid rate  
40 otherwise payable to the facility for  
41 services provided on behalf of such  
42 person, and to not restrict payments for  
43 reserved bed days to such 14 day and 10  
44 day limitations, then the provisions of  
45 this paragraph shall not apply and shall  
46 be considered null and void as of March  
47 31, 2010.

48 Notwithstanding paragraph (b) of subdivision  
49 2-b of section 2808 of the public health  
50 law, section 2 of part D of chapter 58 of  
51 the laws of 2009, or any other contrary  
52 provision of law, for the period April 1,  
53 2010 through March 31, 2011, upon a  
54 determination by the commissioner of  
55 health and the director of the budget that  
56 rates of payment computed pursuant to  
57 section 2808(2-b)(b) of the public health  
58 law for the period April 1, 2010 through  
59 March 31, 2011, shall, in aggregate, be  
60 greater than or less than the aggregate  
61 total of such rates for the prior state  
62 fiscal year, make such proportional



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1 adjustments to such rates for the period  
 2 April 1, 2010 through February 28, 2011 as  
 3 are necessary to ensure that, after  
 4 application of the adjustments authorized  
 5 by the provisions of paragraph (g) of  
 6 subdivision 2-b of section 2808 of the  
 7 public health law, rates for such period  
 8 reflect, in aggregate, no such increase or  
 9 decrease, provided, however, that  
 10 notwithstanding any contrary provision of  
 11 law, the case mix adjustments authorized  
 12 pursuant to subparagraph (ii) of paragraph  
 13 (b) of subdivision 2-b of section 2808 of  
 14 the public health law and scheduled  
 15 pursuant to such subparagraph (ii) for  
 16 January of 2011, shall not be implemented  
 17 in accordance with the provisions of such  
 18 subparagraph (ii), and provided further,  
 19 however, that if this chapter provides  
 20 sufficient additional funding to cover the  
 21 cost of payments for such services as  
 22 otherwise provided for in the public  
 23 health law, then the provisions of this  
 24 section shall be deemed null and void.

25 Notwithstanding any contrary provision of  
 26 law, for the period April 1, 2010 through  
 27 March 31, 2011, medicaid rates of payment  
 28 for inpatient services by residential  
 29 health care facilities shall, for the  
 30 period April 1, 2010 through February 28,  
 31 2011 be based on the provisions of  
 32 paragraph (b) of subdivision 2-b of  
 33 section 2808 of the public health law, and  
 34 such rates shall, for the period March 1,  
 35 2011 through March 31, 2011 be based on  
 36 the provisions of subdivision 2-c of  
 37 section 2808 of the public health law,  
 38 provided, however, that for the period  
 39 April 1, 2010 through March 31, 2011 up to  
 40 \$50,000,000 may be expended pursuant to  
 41 the provisions of paragraph (d) of  
 42 subdivision 5-c of section 2808 of the  
 43 public health law.

44 Notwithstanding any inconsistent provision  
 45 of law, for the period April 1, 2010  
 46 through March 31, 2011, residential health  
 47 care facility medicaid rates of payment  
 48 shall not include reimbursement for the  
 49 cost of prescription drugs. Such  
 50 reimbursement shall be in accordance with  
 51 otherwise applicable provisions of section  
 52 367-a of the social services law ..... 1,217,878,000

53 For services and expenses of the medical  
 54 assistance program including other long  
 55 term care services.

56 Notwithstanding any inconsistent provision  
 57 of law, rule or regulation to the  
 58 contrary, for the period April 1, 2010  
 59 through March 31, 2011, under the medical  
 60 assistance program, personal care  
 61 services, including personal emergency  
 62 response services, shared aide and an

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1 individual aide, furnished to an  
2 individual who has attained the age of 21  
3 and who is not an inpatient or resident of  
4 a hospital, nursing facility, intermediate  
5 care facility for the mentally retarded,  
6 or institution for mental disease, shall  
7 not exceed an average of 12 hours per day  
8 in any authorization period; provided,  
9 however, that medically necessary personal  
10 care services that exceed an average 12  
11 hours per day in any authorization period  
12 may be provided to an individual who is  
13 receiving services from a certified home  
14 health agency, or is enrolled in the long  
15 term home health care program, a managed  
16 long term care plan, the AIDS home care  
17 program, the nursing home transition and  
18 diversion waiver, or the consumer directed  
19 personal assistance program, in accordance  
20 with the terms of those programs; and  
21 provided, further, that, if this chapter  
22 appropriates sufficient additional funds  
23 to permit personal care services to be  
24 provided without regard to such 12 hours  
25 per day average in any authorization  
26 period limitation, then the provisions of  
27 this paragraph shall not apply and shall  
28 be considered null and void as of March  
29 31, 2010.

30 Notwithstanding any inconsistent provision  
31 of law, rule or regulation to the  
32 contrary, for the period April 1, 2010  
33 through March 31, 2011, personal care  
34 services under the medical assistance  
35 consumer directed personal assistance  
36 program provided to an individual who has  
37 attained the age of 21, and who is not  
38 receiving such services from a certified  
39 home health agency, a long term home  
40 health care program, or an AIDS home care  
41 program, shall not exceed an average of 12  
42 hours per day in any authorization period;  
43 provided, however, that, if this chapter  
44 appropriates sufficient additional funds  
45 to permit personal care services under the  
46 consumer directed personal assistance  
47 program to be provided without regard to  
48 such average 12 hours per day limitation,  
49 then the provisions of this paragraph  
50 shall not apply and shall be considered  
51 null and void as of March 31, 2010.

52 Notwithstanding any inconsistent provision  
53 of law, rule or regulation to the  
54 contrary, for the period April 1, 2010  
55 through March 31, 2011, and  
56 notwithstanding the availability of  
57 federal financial participation, a person  
58 may participate in the medical assistance  
59 nursing home transition and diversion  
60 program if the person has a medical need  
61 for services that are described in  
62 paragraph (e) of subdivision 2 of section

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1 365-a of the social services law or in  
 2 section 365-f of the social services law  
 3 but that exceed a limit imposed by such  
 4 provisions; and is otherwise ineligible  
 5 for, or is unable to access, long-term  
 6 community-based services available under  
 7 the social service law; and otherwise  
 8 meets the criteria for participation set  
 9 forth in subdivision 6-a of section 366 of  
 10 the social services law; provided,  
 11 however, that, if this chapter  
 12 appropriates sufficient additional funds  
 13 to permit personal care services to be  
 14 provided without regard to a an average 12  
 15 hours per day in any authorization period  
 16 limitation, and without regard to a  
 17 consumer directed personal assistance  
 18 program average 12 hours per day  
 19 limitation, then the provisions of this  
 20 paragraph shall not apply and shall be  
 21 considered null and void as of March 31,  
 22 2010.

23 Notwithstanding any inconsistent provision  
 24 of law, rule or regulation to the  
 25 contrary, for the period April 1, 2010  
 26 through March 31, 2011, continued  
 27 provision of long term home health care  
 28 program, AIDS home care program or  
 29 certified home health agency services paid  
 30 for by government funds shall be based  
 31 upon a comprehensive assessment of the  
 32 medical, social and environmental needs of  
 33 the recipient of the services which shall  
 34 be performed at least every 180 days by  
 35 the provider of a long term home health  
 36 care program, AIDS home care program or  
 37 the certified home health agency providing  
 38 services for the patient and the local  
 39 department of social services; provided,  
 40 however, if this chapter appropriates  
 41 sufficient additional funds to require  
 42 that such assessments be performed no less  
 43 frequently than once every 120 days, then  
 44 the provisions of this paragraph shall not  
 45 apply and shall be considered null and  
 46 void as of March 31, 2010 .....

1,795,759,000

47 For services and expenses of the medical  
 48 assistance program including managed care  
 49 services .....  
 50 For services and expenses of the medical  
 51 assistance program including pharmacy  
 52 services.

1,989,228,000

53 Notwithstanding any law, rule or regulation  
 54 to the contrary, for the period April 1,  
 55 2010 through March 31, 2011, the  
 56 commissioner of health shall provide five  
 57 days public notice on the department's  
 58 website of any recommendations developed  
 59 by the pharmacy and therapeutics committee  
 60 regarding the preferred drug program;  
 61 provided however that, if this chapter  
 62 appropriates sufficient additional funds

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1 to permit the commissioner to provide  
2 thirty days public notice on the  
3 department's website of any such  
4 recommendations, the provisions of this  
5 paragraph shall not apply and shall be  
6 considered null and void as of March 31,  
7 2010.

8 Notwithstanding any inconsistent provision  
9 of law, rule or regulation to the  
10 contrary, for the period June 1, 2010  
11 through March 31, 2011, for persons  
12 eligible for medical assistance, who are  
13 also beneficiaries under part D of title  
14 XVIII of the federal social security act,  
15 the following categories of drugs shall  
16 not be exempt from the definition of  
17 "covered part D drugs" and shall be  
18 subject to the medical assistance  
19 exclusion of coverage for "covered part D  
20 drugs": atypical anti-psychotics, anti-  
21 depressants, anti-retrovirals used in the  
22 treatment of HIV/AIDS, and anti-rejection  
23 drugs used for the treatment of organ and  
24 tissue transplants.

25 Notwithstanding any inconsistent provision  
26 of law, rule or regulation to the  
27 contrary, for the period April 1, 2010  
28 through March 31, 2011, medical assistance  
29 payment to a specialized HIV pharmacy, as  
30 defined in paragraph (f) of subdivision 9  
31 of section 367-a of the social services  
32 law, for drugs which may not be dispensed  
33 without a prescription shall be made at  
34 the following amounts: if the drug  
35 dispensed is a multiple source  
36 prescription drug or a brand-name  
37 prescription drug for which no specific  
38 upper limit has been set by the centers  
39 for medicare and medicaid services, the  
40 lower of the estimated acquisition cost of  
41 such drug to pharmacies, or the dispensing  
42 pharmacy's usual and customary price  
43 charged to the general public; for sole  
44 and multiple source brand name drugs,  
45 estimated acquisition cost means the  
46 average wholesale price of a prescription  
47 drug based upon the package size dispensed  
48 from, as reported by the prescription drug  
49 pricing service used by the department of  
50 health, less sixteen and twenty-five one  
51 hundredths percent thereof, and updated  
52 monthly by the department; for multiple  
53 source generic drugs, estimated  
54 acquisition cost means the lower of the  
55 average wholesale price of a prescription  
56 drug based on the package size dispensed  
57 from, as reported by the prescription drug  
58 pricing service used by the department,  
59 less 25 percent thereof, or the maximum  
60 acquisition cost, if any, established  
61 pursuant to paragraph (e) of subdivision 9  
62 of section 367-a of the social services

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1 law; provided, however, that, if this  
 2 chapter appropriates sufficient additional  
 3 funds to permit, for a specialized HIV  
 4 pharmacy, acquisition cost to mean, for  
 5 sole and multiple source brand name drugs,  
 6 the average wholesale price of a  
 7 prescription drug based upon the package  
 8 size dispensed from, as reported by the  
 9 prescription drug pricing service used by  
 10 the department, less 12 percent thereof,  
 11 and updated monthly by the department and,  
 12 for multiple source generic drugs,  
 13 acquisition cost to mean the lower of the  
 14 average wholesale price of a prescription  
 15 drug based on the package size dispensed  
 16 from, as reported by the prescription drug  
 17 pricing service used by the department,  
 18 less 12 percent thereof, or the maximum  
 19 acquisition cost, if any, established  
 20 pursuant to paragraph (e) of subdivision 9  
 21 of section 367-a of the social services  
 22 law, then the provisions of this paragraph  
 23 shall not apply and shall be considered  
 24 null and void as of March 31, 2010 ..... 36,915,000  
 25 For services and expenses of the medical  
 26 assistance program including transporta-  
 27 tion services.  
 28 Notwithstanding any inconsistent provision  
 29 of law, rule or regulation to the  
 30 contrary, for the period April 1, 2010  
 31 through March 31, 2011, the commissioner  
 32 of health is authorized to assume  
 33 responsibility from a local social  
 34 services official for the provision and  
 35 reimbursement of medicaid transportation  
 36 costs under section 365-h of the social  
 37 services law. If the commissioner elects  
 38 to assume such responsibility, the  
 39 commissioner shall notify the local social  
 40 services official in writing as to the  
 41 election, the date upon which the election  
 42 shall be effective and such information as  
 43 to transition of responsibilities as the  
 44 commissioner deems prudent. The  
 45 commissioner is authorized to contract  
 46 with a transportation manager or managers  
 47 that have experience in coordinating  
 48 transportation services in New York state  
 49 to manage the provision of such services.  
 50 Such a contract or contracts may include,  
 51 without limitation, responsibility for:  
 52 review, approval and processing of  
 53 transportation orders; management of the  
 54 appropriate level of transportation based  
 55 on documented patient medical need; and  
 56 development of new technologies and  
 57 approaches leading to efficient  
 58 transportation services. Notwithstanding  
 59 any inconsistent provision of sections 112  
 60 and 163 of the state finance law, or  
 61 section 142 of the economic development  
 62 law, or any other law, the commissioner is

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1 authorized to enter into such contract  
2 without a competitive bid or request for  
3 proposal process. Provided, however, if  
4 this chapter appropriates sufficient  
5 additional funds to permit local social  
6 services officials to maintain  
7 responsibility for management of medicaid  
8 transportation services without assumption  
9 of such responsibility by the commissioner  
10 of health, then the provisions of this  
11 paragraph shall not apply and shall be  
12 considered null and void as of March 31,  
13 2010 ..... 86,935,000

14 For services and expenses of the medical  
15 assistance program including dental  
16 services ..... 78,716,000

17 For services and expenses of the medical  
18 assistance program including non-institu-  
19 tional and other spending.

20 Notwithstanding any inconsistent provision  
21 of law, rule or regulation, for the early  
22 intervention program, for the period April  
23 1, 2010 through March 31, 2011, early  
24 intervention program providers who  
25 received payment of \$500,000 or more for  
26 services that were covered under the  
27 medical assistance program, as determined  
28 by the department based upon the most  
29 recent year for which complete information  
30 exists, shall, in the first instance and  
31 where applicable, seek payment from the  
32 medical assistance program or an insurance  
33 policy or plan for those children covered  
34 under both the medical assistance program  
35 and an insurance policy or plan, prior to  
36 claiming payment from a municipality for  
37 services rendered to such children,  
38 provided, however, that if this chapter  
39 appropriates sufficient additional funds  
40 to support continued municipal claiming to  
41 the medical assistance program for all  
42 providers who render services under the  
43 early intervention program in accordance  
44 with section 2559 of the public health  
45 law, including those that receive payment  
46 of \$500,000 or more for services covered  
47 under the medical assistance program then  
48 this language shall be considered null and  
49 void as of March 31, 2010.

50 Notwithstanding any inconsistent provision  
51 of law, rule or regulation, for early  
52 intervention program purposes, for the  
53 period April 1, 2010 through March 31,  
54 2011, where a policy of accident and  
55 health insurance or a contract subject to  
56 the provisions of the insurance law,  
57 including a contract issued pursuant to  
58 article 43 of the insurance law, provides  
59 coverage for a service provided to the  
60 insured under title 2-A of article 25 of  
61 the public health law, the individualized  
62 family services plan as defined in section

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1 2541 of the public health law and  
2 certified by the early intervention  
3 official shall be deemed to meet any  
4 precertification, preauthorization and  
5 medical necessity requirements imposed on  
6 benefits under the policy or contract,  
7 provided, however, that the early  
8 intervention official shall remove or  
9 redact any information contained on the  
10 insured's individualized family service  
11 plan that is not required by the insurer  
12 for payment purposes and payment for a  
13 service covered under the policy or  
14 contract that is provided under the early  
15 intervention program shall be at rates  
16 established by the commissioner of health  
17 pursuant to regulations and no insurer,  
18 including a health maintenance  
19 organization issued a certificate of  
20 authority under article 44 of the public  
21 health law and a corporation organized  
22 under article 43 of the insurance law  
23 shall deny payment of a claim submitted  
24 for a service covered under the insurer's  
25 policy or contract and provided under the  
26 early intervention program based upon the  
27 following:

- 28 (i) the location where services are  
29 provided;  
30 (ii) the duration of the insured's condition  
31 and/or that the insured's condition is not  
32 amenable to significant improvement within  
33 a certain period of time as specified in  
34 the policy;  
35 (iii) that the provider of services is not a  
36 participating provider in the insurer's  
37 network; or  
38 (iv) the absence of a primary care referral,  
39 provided, however, that if this chapter  
40 appropriates additional funds sufficient  
41 to support early intervention program  
42 costs that will be incurred if insurers  
43 (i) are not required to deem a child's  
44 individualized family services plan as  
45 meeting any precertification, preauthor-  
46 ization and medical necessity requirement  
47 imposed under the policy or plan, and (ii)  
48 are not prohibited from denying claims for  
49 covered services provided under the early  
50 intervention program upon the bases set  
51 forth herein, then this language shall be  
52 considered null and void as of March  
53 31, 2010.

54 Notwithstanding any inconsistent provision  
55 of law, rule or regulation to the  
56 contrary, for the period April 1, 2010  
57 through March 31, 2011, the commissioner  
58 of health, in pursuing recoveries of  
59 medical assistance from the estates of  
60 individuals who were 55 years of age or  
61 older when they received such assistance,  
62 is authorized to define the term "estate"

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1 to include not only real and personal  
2 property and other assets passing under  
3 the terms of a valid will or by intestacy,  
4 but also any other property in which the  
5 individual had any legal title or interest  
6 at the time of death, including jointly  
7 held property, retained life estates, and  
8 interests in trusts, to the extent of such  
9 interests. Provided, however, if this  
10 chapter appropriates sufficient additional  
11 funds to permit the commissioner of health  
12 to use a definition of estate that is  
13 limited to real and personal property and  
14 other assets passing under the terms of a  
15 valid will or by intestacy, then the  
16 provisions of this paragraph shall not  
17 apply and shall be considered null and  
18 void as of March 31, 2010.

19 Notwithstanding any inconsistent provision  
20 of law, rule or regulation to the  
21 contrary, for the period April 1, 2010  
22 through March 31, 2011, moneys paid by an  
23 applicant or recipient of supplemental  
24 security income benefits under section 209  
25 of the social services law or of medical  
26 assistance under section 366 of such law,  
27 to a funeral firm, funeral director,  
28 undertaker, cemetery, or any other person,  
29 firm or corporation, under or in  
30 connection with an agreement, or any  
31 option to enter into an agreement, for the  
32 sale of merchandise to be used in  
33 connection with a funeral or burial, or  
34 for the furnishing of personal services of  
35 a funeral director or undertaker, wherein  
36 the merchandise is not to be actually  
37 physically delivered or the personal  
38 services are not to be rendered until the  
39 occurrence of the death of the person for  
40 whose funeral or burial such merchandise  
41 or services are to be furnished, shall be  
42 placed into an irrevocable trust if the  
43 person for whose funeral or burial such  
44 merchandise or services are to be  
45 furnished is a family member of such  
46 applicant and recipient. Under the terms  
47 of such an irrevocable trust, such  
48 applicant or recipient (and after the  
49 death of such applicant or recipient, the  
50 family member) shall have the right to  
51 select any funeral firm, funeral director,  
52 undertaker, cemetery or any other person,  
53 firm or corporation to whom such payment  
54 is made and to change such selection any  
55 time to any type of funeral or any funeral  
56 firm, funeral director, cemetery or any  
57 other person, firm or corporation to whom  
58 such payment is made, located in the state  
59 of New York or any other state. Any funds  
60 remaining in such an irrevocable trust  
61 after the payment of all funeral expenses  
62 must be paid over to the social services



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1 official responsible for arranging for  
2 burials under section 141 of the social  
3 services law in the local government  
4 subdivision where the decedent resided.  
5 Any such agreement, and any promotional  
6 literature prepared by a funeral firm,  
7 funeral director, undertaker, cemetery, or  
8 any other person, firm or corporation for  
9 prearranged funeral and burial services  
10 must contain language disclosing the  
11 irrevocable nature of burial trusts  
12 established for a family member by an  
13 applicant or recipient of supplemental  
14 security income benefits or medical  
15 assistance. Provided, however, if this  
16 chapter appropriates sufficient additional  
17 funds to permit such agreements purchased  
18 for family members by applicants or  
19 recipients of supplemental security income  
20 benefits or medical assistance to be  
21 revocable, then the provisions of this  
22 paragraph shall not apply and shall be  
23 considered null and void as of March 31,  
24 2010 ..... 577,175,000

25 Notwithstanding any inconsistent provision  
26 of law, subject to the approval of the  
27 director of the budget, up to the amount  
28 appropriated herein, together with any  
29 available federal matching funds, may be  
30 transferred to the general fund - state  
31 purposes account for services and expenses  
32 related to pharmacy best practices initi-  
33 atives including prior authorizations and  
34 prior approvals ..... 6,800,000

35 Notwithstanding any inconsistent provision  
36 of law, subject to the approval of the  
37 director of the budget, up to the amount  
38 appropriated herein, together with any  
39 available federal matching funds, may be  
40 transferred to the general fund - state  
41 purposes account for services and expenses  
42 related to utilization review activities  
43 including but not limited to utilization  
44 management for radiology and transpor-  
45 tation management services ..... 10,500,000

46 Notwithstanding any inconsistent provision  
47 of law, subject to the approval of the  
48 director of the budget, up to the amount  
49 appropriated herein, together with any  
50 available federal matching funds, may be  
51 transferred to the general fund - state  
52 purposes account for services and expenses  
53 related to education of medicaid eligibles  
54 and recipients regarding the medicare part  
55 D program and recipient and provider  
56 notification and other program information  
57 as determined necessary by the commis-  
58 sioner of health. Subject to the approval of  
59 the director of the budget, a portion of  
60 this appropriation may be suballocated to  
61 other state agencies ..... 2,500,000  
62

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1 Notwithstanding any inconsistent provision  
2 of law, subject to the approval of a plan  
3 by the director of the budget, up to the  
4 amount appropriated herein, together with  
5 any available federal matching funds, may  
6 be transferred to the general fund - state  
7 purposes account or suballocated to the  
8 state office for the aging for services  
9 and expenses related to making improve-  
10 ments in the long-term care system includ-  
11 ing long-term care restructuring, the  
12 nursing home transition and diversion  
13 waiver, and point-of-entry initiatives for  
14 the purpose of expanding and promoting a  
15 more coordinated level of care for the  
16 delivery of quality services in the  
17 community ..... 8,150,000

18 For grants in aid for up to three not-for-  
19 profit entities for public education,  
20 counseling and advocacy related to changes  
21 in the medical assistance personal care  
22 services benefit.

23 Notwithstanding sections 112 and 163 of the  
24 state finance law, or section 142 of the  
25 economic development law, or any other  
26 law, the commissioner is authorized to  
27 issue such grants without a request for  
28 proposal process or any other competitive  
29 process ..... 1,000,000

30 Notwithstanding any inconsistent provision  
31 of law, subject to the approval of the  
32 director of the budget, up to the amount  
33 appropriated herein, together with any  
34 available federal matching funds, may be  
35 transferred to the general fund - state  
36 purposes account for services and expenses  
37 related to required criminal background  
38 checks for non-licensed long-term care  
39 employees including employees of nursing  
40 homes, certified home health agencies,  
41 long term home health care providers, AIDS  
42 home care providers, and licensed home  
43 care service agencies ..... 11,705,000

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

56 Notwithstanding section 112 and section 163  
57 of the state finance law, for chronic  
58 illness demonstration projects authorized  
59 by section 364-1 of the social services  
60 law, the commissioner of health may allo-  
61 cate up to \$2,500,000 of the amount appro-  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	apriated for contracts without a request	
2	for proposal process or any other compet-	
3	itive process .....	6,000,000
4	Notwithstanding any other provision of law,	
5	the money herein appropriated, together	
6	with any available federal matching funds,	
7	is available for transfer or suballocation	
8	to the state university of New York and	
9	its subsidiaries, or to contract without	
10	competition for services with the state	
11	university of New York research founda-	
12	tion, to provide support for the adminis-	
13	tration of the medical assistance program	
14	including activities such as dental prior	
15	approval, retrospective and prospective	
16	drug utilization review, development of	
17	evidence based utilization thresholds,	
18	data analysis, clinical consultation and	
19	peer review, clinical support for the	
20	pharmacy and therapeutic committee, and	
21	other activities related to utilization	
22	management and for health information	
23	technology support for the medicaid	
24	program .....	6,000,000
25	Notwithstanding any inconsistent provision	
26	of section 112 or 163 of the state finance	
27	law or any other contrary provision of the	
28	state finance law or any other contrary	
29	provision of law, the commissioner of	
30	health may, without a competitive bid or	
31	request for proposal process, enter into	
32	contracts with one or more certified	
33	public accounting firms for the purpose of	
34	conducting audits of disproportionate	
35	share hospital payments made by the state	
36	of New York to general hospitals and for	
37	the purpose of conducting audits of	
38	hospital cost reports as submitted to the	
39	state of New York in accordance with	
40	article 28 of the public health law.	
41	Notwithstanding any inconsistent provi-	
42	sions of law, subject to the approval of	
43	the director of the budget, up to the	
44	amount appropriated herein, together with	
45	any available federal matching funds, may	
46	be transferred to the general fund - state	
47	purposes account .....	2,300,000
48	For grants to the civil service employees	
49	association, Local 1000, AFSCME, AFL-CIO	
50	to contribute to the union's cost of	
51	purchasing health insurance coverage under	
52	the family health plus (FHPlus) buy-in for	
53	child care providers represented by the	
54	union who do not otherwise qualify for	
55	coverage under FHPlus .....	2,765,000
56	For grants to the United Federation of	
57	Teachers, Local 2, AFT, AFL-CIO to	
58	contribute to the union's cost of	
59	purchasing health insurance coverage under	
60	the family health plus (FHPlus) buy-in for	
61	child care providers represented by the	

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	union who do not otherwise qualify for	
2	coverage under FHPlus .....	5,000,000
3	Notwithstanding any inconsistent provision	
4	of law, subject to the approval of the	
5	director of the budget, moneys	
6	appropriated herein may be transferred to	
7	the general fund, state purposes account	
8	for services and expenses related to the	
9	independent audit of the internal controls	
10	of the school and preschool supportive	
11	health services programs as required by	
12	the New York state school supportive	
13	health services program compliance	
14	agreement with the centers for medicare	
15	and medicaid services.	
16	Notwithstanding any inconsistent provision	
17	of law, subject to the approval of the	
18	director of the budget, the amount	
19	appropriated herein may be increased or	
20	decreased by interchange with any	
21	appropriation of the department of health	
22	.....	400,000
23	For services and expenses of the medical	
24	assistance program including medical	
25	services provided at state facilities	
26	operated by the office of mental health,	
27	the office of mental retardation and	
28	developmental disabilities and the office	
29	of alcoholism and substance abuse services	
30	.....	3,550,000,000
31		-----
32	Program account subtotal .....	10,142,771,000
33		-----

34

35 Special Revenue Funds - Federal / Aid to Localities

36 Federal Health and Human Services Fund - 265

37 Medicaid Direct Account

38

39 For services and expenses for the medical

40 assistance program, including administra-

41 tive expenses for local social services

42 districts, pursuant to title XIX of the

43 federal social security act or its succes-

44 sor program.

45 The moneys hereby appropriated are to be

46 available for payment of aid heretofore

47 accrued or hereafter to accrue to munici-

48 palities, and to providers of medical

49 services pursuant to section 367-b of the

50 social services law, and for payment of

51 state aid to municipalities and to provid-

52 ers of family care where payment systems

53 through the fiscal intermediaries are not

54 operational, shall be available to the

55 department net of disallowances, refunds,

56 reimbursements, and credits.

57 Notwithstanding any other provision of law,

58 the money hereby appropriated may be

59 increased or decreased by interchange,

60 with any appropriation of the department

61 of health and the office of medicaid

62 inspector general and may be increased or

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 decreased by transfer or suballocation  
2 between these appropriated amounts and  
3 appropriations of the office of mental  
4 health, office of mental retardation and  
5 developmental disabilities, the office of  
6 alcoholism and substance abuse services,  
7 the department of family assistance office  
8 of temporary and disability assistance,  
9 office of children and family services,  
10 and state office for the aging with the  
11 approval of the director of the budget,  
12 who shall file such approval with the  
13 department of audit and control and copies  
14 thereof with the chairman of the senate  
15 finance committee and the chairman of the  
16 assembly ways and means committee.

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

41 Notwithstanding paragraph (c) of subdivision  
42 10 of section 2807-c of the public health  
43 law, subdivision 2-b of section 2808 of  
44 the public health law, section 21 of  
45 chapter 1 of the laws of 1999, and any  
46 other contrary provision of law, in  
47 determining rates of payments by state  
48 governmental agencies effective for  
49 services provided on and after April 1,  
50 2010 through March 31, 2011, for inpatient  
51 and outpatient services provided by  
52 general hospitals, for inpatient services  
53 and adult day health care outpatient  
54 services provided by residential health  
55 care facilities pursuant to article 28 of  
56 the public health law, except for  
57 residential health care facilities that  
58 provide extensive nursing, medical,  
59 psychological and counseling support  
60 services to children, for home health care  
61 services provided pursuant to article 36  
62 of the public health law by certified home

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## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 health agencies, long term home health  
2 care programs and AIDS home care programs,  
3 and for personal care services provided  
4 pursuant to section 365-a of the social  
5 services law, the commissioner of health  
6 shall apply zero trend factor projections  
7 attributable to the 2010 calendar year in  
8 accordance with paragraph (c) of  
9 subdivision 10 of section 2807-c of the  
10 public health law, provided, however, that  
11 such zero trend factor projections for  
12 such 2010 calendar year shall also be  
13 applied to rates of payment for personal  
14 care services provided in those local  
15 social service districts, including New  
16 York city, whose rates of payment for such  
17 services are established by such local  
18 social service districts pursuant to a  
19 rate-setting exemption issued by the  
20 commissioner of health to such local  
21 social service districts in accordance  
22 with applicable regulations, and provided  
23 further, however, that for rates of  
24 payment for assisted living program  
25 services provided on and after April 1,  
26 2010 through March 31, 2011, trend factor  
27 projections attributable to the 2010  
28 calendar year shall be established at zero  
29 percent.

30 For services and expenses of the medical  
31 assistance program including hospital  
32 inpatient services.

33 Notwithstanding any inconsistent provision  
34 of law, rule or regulation, for the period  
35 April 1, 2010 through March 31, 2011, the  
36 indirect graduate medical education  
37 payment per discharge calculated pursuant  
38 to paragraph 1 of subdivision (b) of  
39 section 86-1.20 of title 10 (health) of  
40 the official compilation of codes, rules  
41 and regulations of the state of New York  
42 and the amount of indirect graduate  
43 medical education excluded from the  
44 statewide base price calculated pursuant  
45 to paragraph 2 of subdivision (b) of  
46 section 86-1.20 of title 10 (health) of  
47 the official compilation of codes, rules  
48 and regulations of the state of New York  
49 shall be reduced by one percentage point;  
50 provided, however, if this chapter  
51 provides sufficient additional funding to  
52 support the aforementioned rate  
53 calculations made pursuant to section 86-  
54 1.20 of title 10 (health) of the official  
55 compilation of codes, rules and  
56 regulations of the state of New York  
57 without the one percentage point  
58 reduction, then the provisions of this  
59 section shall be deemed null and void as  
60 of March 31, 2010 and no additional  
61 funding associated with the one percentage  
62 point reduction of indirect graduate

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1 medical education shall be provided to  
 2 increase medicaid rates for inpatient  
 3 services for general hospitals for  
 4 improved obstetrical access and quality  
 5 pursuant to paragraph (i) of subdivision  
 6 35 of section 2807-c of the public health  
 7 law, the physician loan repayment and  
 8 physician practice support programs set  
 9 forth in paragraphs (d) and (e) of  
 10 subdivision 5-a of section 2807-m of the  
 11 public health law, respectively, , and the  
 12 statewide base price calculated pursuant  
 13 to subdivision 35 of section 2807-c of the  
 14 public health law.

15 Notwithstanding any inconsistent provision  
 16 of law, rule or regulation, hospital  
 17 inpatient rate adjustments made in  
 18 accordance with a methodology specified in  
 19 regulations promulgated pursuant to  
 20 subparagraph (v) of paragraph (b) of  
 21 subdivision 35 of section 2807-c of the  
 22 public health law that incorporate quality  
 23 related measures pertaining to potentially  
 24 preventable complications shall result in  
 25 an aggregate reduction in medicaid  
 26 payments of no less than \$49,000,000 for  
 27 the period April 1, 2010 through March 31,  
 28 2011, net of any reinvestment for  
 29 hospitals with improved or continued high  
 30 performance in relation to the established  
 31 readmission benchmarks and initiatives for  
 32 behavioral health admission diversion and  
 33 post-discharge linkage payments; provided,  
 34 however, if this chapter provides  
 35 sufficient additional funding to support  
 36 such rate adjustments without the  
 37 aggregate reductions, then the provisions  
 38 of this section shall be deemed null and  
 39 void as of March 31, 2010.

40 Notwithstanding any inconsistent provision  
 41 of law, rule or regulation, hospital  
 42 inpatient rate adjustments made in  
 43 accordance with the methodology specified  
 44 in subdivision 6 of section 2500-d of the  
 45 public health law shall be reduced by up  
 46 to \$1,000,000 for the period April 1, 2010  
 47 through March 31, 2011; provided, however,  
 48 if this chapter provides sufficient  
 49 additional funding to support such rate  
 50 adjustments without the aggregate  
 51 reductions, then the provisions of this  
 52 section shall be deemed null and void as  
 53 of March 31, 2010 .....

4,407,944,000

54 For services and expenses of the medical  
 55 assistance program including hospital  
 56 outpatient and emergency room services ...

982,403,000

57 For services and expenses of the medical  
 58 assistance program including clinic  
 59 services .....

928,570,000

60 For services and expenses of the medical  
 61 assistance program including nursing home  
 62 services.

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## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any inconsistent provision  
2 of law or regulation to the contrary, for  
3 the period April 1, 2010 through March 31,  
4 2011, the commissioner of health shall not  
5 be required to revise certified rates of  
6 payment established pursuant to the public  
7 health law prior to April 1, 2011, based  
8 on consideration of rate appeals filed by  
9 residential health care facilities  
10 pursuant to section 2808 of the public  
11 health law or based upon adjustments to  
12 capital cost reimbursement as a result of  
13 approval by the commissioner of health of  
14 an application for construction under  
15 section 2802 of the public health law, in  
16 excess of aggregate amount of \$80,000,000,  
17 provided, however, that in revising such  
18 rates within such fiscal limits the  
19 commissioner may prioritize rate appeals  
20 for facilities which the commissioner  
21 determines are facing significant  
22 financial hardship and, further, the  
23 commissioner is authorized to enter into  
24 agreements with such facilities to resolve  
25 multiple pending rate appeals based upon a  
26 negotiated aggregate amount and may offset  
27 such negotiated aggregate amounts against  
28 any amounts owed by the facility to the  
29 department of health, including, but not  
30 limited to, amounts owed pursuant to  
31 section 2807-d of the public health law,  
32 provided further, however, that such rate  
33 adjustment made pursuant to this section  
34 remain fully subject to approval by the  
35 director of the budget in accordance with  
36 the provisions of subdivision 2 of section  
37 2807 of the public health law. Provided,  
38 however, if this chapter appropriates  
39 sufficient additional funds to support  
40 processing of residential health care  
41 facility rate appeal adjustments as  
42 otherwise provided for in the public  
43 health law, than the provisions of this  
44 section shall be deemed null and void.

45 Notwithstanding any inconsistent provision  
46 of law, rule or regulation to the  
47 contrary, for the period April 1, 2010  
48 through March 31, 2011, a "reserved bed  
49 day" is defined as a day for which a  
50 governmental agency pays a residential  
51 health care facility to reserve a bed for  
52 a person eligible for medical assistance  
53 pursuant to title 11 of article 5 of the  
54 social services law while he or she is  
55 temporarily hospitalized or on leave of  
56 absence from the facility; provided  
57 further that for reserved bed days  
58 provided on behalf of persons 21 years of  
59 age or older: (i) payments for reserved  
60 bed days shall be made at 95 percent of  
61 the medicaid rate otherwise payable to the  
62 facility for services provided on behalf



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## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 of such person; (ii) payment to a facility  
2 for reserved bed days provided on behalf  
3 of such person for temporary hospitali-  
4 zations may not exceed 14 days in any 12  
5 month period; and (iii) payment to a  
6 facility for reserved bed days provided on  
7 behalf of such person for non-  
8 hospitalization leaves of absence may not  
9 exceed 10 days in any 12 month period.  
10 Provided, however, if this chapter  
11 appropriates sufficient additional funds  
12 to permit payment for reserved bed days to  
13 be made at the full medicaid rate  
14 otherwise payable to the facility for  
15 services provided on behalf of such  
16 person, and to not restrict payments for  
17 reserved bed days to such 14 day and 10  
18 day limitations, then the provisions of  
19 this paragraph shall not apply and shall  
20 be considered null and void as of March  
21 31, 2010.

22 Notwithstanding paragraph (b) of subdivision  
23 2-b of section 2808 of the public health  
24 law, section 2 of part D of chapter 58 of  
25 the laws of 2009, or any other contrary  
26 provision of law, for the period April 1,  
27 2010 through March 31, 2011, upon a  
28 determination by the commissioner of  
29 health and the director of the budget that  
30 rates of payment computed pursuant to  
31 section 2808(2-b)(b) of the public health  
32 law for the period April 1, 2010 through  
33 March 31, 2011, shall, in aggregate, be  
34 greater than or less than the aggregate  
35 total of such rates for the prior state  
36 fiscal year, make such proportional  
37 adjustments to such rates for the period  
38 April 1, 2010 through February 28, 2011 as  
39 are necessary to ensure that, after  
40 application of the adjustments authorized  
41 by the provisions of paragraph (g) of  
42 subdivision 2-b of section 2808 of the  
43 public health law, rates for such period  
44 reflect, in aggregate, no such increase or  
45 decrease, provided, however, that  
46 notwithstanding any contrary provision of  
47 law, the case mix adjustments authorized  
48 pursuant to subparagraph (ii) of paragraph  
49 (b) of subdivision 2-b of section 2808 of  
50 the public health law and scheduled  
51 pursuant to such subparagraph (ii) for  
52 January of 2011, shall not be implemented  
53 in accordance with the provisions of such  
54 subparagraph (ii), and provided further,  
55 however, that if this chapter provides  
56 sufficient additional funding to cover the  
57 cost of payments for such services as  
58 otherwise provided for in the public  
59 health law, then the provisions of this  
60 section shall be deemed null and void.  
61 Notwithstanding any contrary provision of  
62 law, for the period April 1, 2010 through

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1 March 31, 2011, medicaid rates of payment  
 2 for inpatient services by residential  
 3 health care facilities shall, for the  
 4 period April 1, 2010 through February 28,  
 5 2011 be based on the provisions of  
 6 paragraph (b) of subdivision 2-b of  
 7 section 2808 of the public health law, and  
 8 such rates shall, for the period March 1,  
 9 2011 through March 31, 2011 be based on  
 10 the provisions of subdivision 2-c of  
 11 section 2808 of the public health law,  
 12 provided, however, that for the period  
 13 April 1, 2010 through March 31, 2011 up to  
 14 \$50,000,000 may be expended pursuant to  
 15 the provisions of paragraph (d) of  
 16 subdivision 5-c of section 2808 of the  
 17 public health law.

18 Notwithstanding any inconsistent provision  
 19 of law, for the period April 1, 2010  
 20 through March 31, 2011, residential health  
 21 care facility medicaid rates of payment  
 22 shall not include reimbursement for the  
 23 cost of prescription drugs. Such  
 24 reimbursement shall be in accordance with  
 25 otherwise applicable provisions of section  
 26 367-a of the social services law ..... 3,796,384,000

27 For services and expenses of the medical  
 28 assistance program including other long  
 29 term care services.

30 Notwithstanding any inconsistent provision  
 31 of law, rule or regulation to the  
 32 contrary, for the period April 1, 2010  
 33 through March 31, 2011, under the medical  
 34 assistance program, personal care  
 35 services, including personal emergency  
 36 response services, shared aide and an  
 37 individual aide, furnished to an  
 38 individual who has attained the age of 21  
 39 and who is not an inpatient or resident of  
 40 a hospital, nursing facility, intermediate  
 41 care facility for the mentally retarded,  
 42 or institution for mental disease, shall  
 43 not exceed an average of 12 hours per day  
 44 in any authorization period; provided,  
 45 however, that medically necessary personal  
 46 care services that exceed an average of 12  
 47 hours per day in any authorization period  
 48 may be provided to an individual who is  
 49 receiving services from a certified home  
 50 health agency, or is enrolled in the long  
 51 term home health care program, a managed  
 52 long term care plan, the AIDS home care  
 53 program, the nursing home transition and  
 54 diversion waiver, or the consumer directed  
 55 personal assistance program, in accordance  
 56 with the terms of those programs; and  
 57 provided, further, that, if this chapter  
 58 appropriates sufficient additional funds  
 59 to permit personal care services to be  
 60 provided without regard to such of 12  
 61 hours per day average in any authorization  
 62 period limitation, then the provisions of

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 this paragraph shall not apply and shall  
2 be considered null and void as of March  
3 31, 2010.

4 Notwithstanding any inconsistent provision  
5 of law, rule or regulation to the  
6 contrary, for the period April 1, 2010  
7 through March 31, 2011, personal care  
8 services under the medical assistance  
9 consumer directed personal assistance  
10 program provided to an individual who has  
11 attained the age of 21, and who is not  
12 receiving such services from a certified  
13 home health agency, a long term home  
14 health care program, or an AIDS home care  
15 program, shall not exceed an average of 12  
16 hours per day in any authorization period;  
17 provided, however, that, if this chapter  
18 appropriates sufficient additional funds  
19 to permit personal care services under the  
20 consumer directed personal assistance  
21 program to be provided without regard to  
22 such average 12 hours per day limitation,  
23 then the provisions of this paragraph  
24 shall not apply and shall be considered  
25 null and void as of March 31, 2010.

26 Notwithstanding any inconsistent provision  
27 of law, rule or regulation to the  
28 contrary, for the period April 1, 2010  
29 through March 31, 2011, and  
30 notwithstanding the availability of  
31 federal financial participation, a person  
32 may participate in the medical assistance  
33 nursing home transition and diversion  
34 program if the person has a medical need  
35 for services that are described in  
36 paragraph (e) of subdivision 2 of section  
37 365-a of the social services law or in  
38 section 365-f of the social services law  
39 but that exceed a limit imposed by such  
40 provisions; and is otherwise ineligible  
41 for, or is unable to access, long-term  
42 community-based services available under  
43 the social services law; and otherwise  
44 meets the criteria for participation set  
45 forth in subdivision 6-a of section 366 of  
46 the social services law; provided,  
47 however, that, if this chapter  
48 appropriates sufficient additional funds  
49 to permit personal care services to be  
50 provided without regard to an average of  
51 12 hours per day in any authorization  
52 period limitation, and without regard to a  
53 consumer directed personal assistance  
54 program average 12 hours per day  
55 limitation, then the provisions of this  
56 paragraph shall not apply and shall be  
57 considered null and void as of March 31,  
58 2010.

59 Notwithstanding any inconsistent provision  
60 of law, rule or regulation to the  
61 contrary, for the period April 1, 2010  
62 through March 31, 2011, continued

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1 provision of long term home health care  
 2 program, AIDS home care program or  
 3 certified home health agency services paid  
 4 for by government funds shall be based  
 5 upon a comprehensive assessment of the  
 6 medical, social and environmental needs of  
 7 the recipient of the services which shall  
 8 be performed at least every 180 days by  
 9 the provider of a long term home health  
 10 care program, AIDS home care program or  
 11 the certified home health agency providing  
 12 services for the patient and the local  
 13 department of social services; provided,  
 14 however, if this chapter appropriates  
 15 sufficient additional funds to require  
 16 that such assessments be performed no less  
 17 frequently than once every 120 days, then  
 18 the provisions of this paragraph shall not  
 19 apply and shall be considered null and  
 20 void as of March 31, 2010 ..... 3,206,511,000  
 21 For services and expenses of the medical  
 22 assistance program including managed care  
 23 services ..... 4,806,689,000  
 24 For services and expenses of the medical  
 25 assistance program including pharmacy  
 26 services.

27 Notwithstanding any law, rule or regulation  
 28 to the contrary, for the period April 1,  
 29 2010 through March 31, 2011, the  
 30 commissioner of health shall provide five  
 31 days public notice on the department's  
 32 website of any recommendations developed  
 33 by the pharmacy and therapeutics committee  
 34 regarding the preferred drug program;  
 35 provided however that, if this chapter  
 36 appropriates sufficient additional funds  
 37 to permit the commissioner to provide  
 38 thirty days public notice on the  
 39 department's website of any such  
 40 recommendations, the provisions of this  
 41 paragraph shall not apply and shall be  
 42 considered null and void as of March 31,  
 43 2010.

44 Notwithstanding any inconsistent provision  
 45 of law, rule or regulation to the  
 46 contrary, for the period April 1, 2010  
 47 through March 31, 2011, medical assistance  
 48 payment to a specialized HIV pharmacy, as  
 49 defined in paragraph (f) of subdivision 9  
 50 of section 367-a of the social services  
 51 law, for drugs which may not be dispensed  
 52 without a prescription shall be made at  
 53 the following amounts: if the drug  
 54 dispensed is a multiple source  
 55 prescription drug or a brand-name  
 56 prescription drug for which no specific  
 57 upper limit has been set by the centers  
 58 for medicare and medicaid services, the  
 59 lower of the estimated acquisition cost of  
 60 such drug to pharmacies, or the dispensing  
 61 pharmacy's usual and customary price  
 62 charged to the general public; for sole

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1 and multiple source brand name drugs,  
 2 estimated acquisition cost means the  
 3 average wholesale price of a prescription  
 4 drug based upon the package size dispensed  
 5 from, as reported by the prescription drug  
 6 pricing service used by the department of  
 7 health, less sixteen and twenty-five one  
 8 hundredths percent thereof, and updated  
 9 monthly by the department; for multiple  
 10 source generic drugs, estimated  
 11 acquisition cost means the lower of the  
 12 average wholesale price of a prescription  
 13 drug based on the package size dispensed  
 14 from, as reported by the prescription drug  
 15 pricing service used by the department,  
 16 less 25 percent thereof, or the maximum  
 17 acquisition cost, if any, established  
 18 pursuant to paragraph (e) of subdivision 9  
 19 of section 367-a of the social services  
 20 law; provided, however, that, if this  
 21 chapter appropriates sufficient additional  
 22 funds to permit, for a specialized HIV  
 23 pharmacy, acquisition cost to mean, for  
 24 sole and multiple source brand name drugs,  
 25 the average wholesale price of a  
 26 prescription drug based upon the package  
 27 size dispensed from, as reported by the  
 28 prescription drug pricing service used by  
 29 the department, less 12 percent thereof,  
 30 and updated monthly by the department and,  
 31 for multiple source generic drugs,  
 32 acquisition cost to mean the lower of the  
 33 average wholesale price of a prescription  
 34 drug based on the package size dispensed  
 35 from, as reported by the prescription drug  
 36 pricing service used by the department,  
 37 less 12 percent thereof, or the maximum  
 38 acquisition cost, if any, established  
 39 pursuant to paragraph (e) of subdivision 9  
 40 of section 367-a of the social services  
 41 law, then the provisions of this paragraph  
 42 shall not apply and shall be considered  
 43 null and void as of March 31, 2010 ..... 2,516,880,000  
 44 For services and expenses of the medical  
 45 assistance program including transporta-  
 46 tion services.  
 47 Notwithstanding any inconsistent provision  
 48 of law, rule or regulation to the  
 49 contrary, for the period April 1, 2010  
 50 through March 31, 2011, the commissioner  
 51 of health is authorized to assume  
 52 responsibility from a local social  
 53 services official for the provision and  
 54 reimbursement of medicaid transportation  
 55 costs under section 365-h of the social  
 56 services law. If the commissioner elects  
 57 to assume such responsibility, the  
 58 commissioner shall notify the local social  
 59 services official in writing as to the  
 60 election, the date upon which the election  
 61 shall be effective and such information as  
 62 to transition of responsibilities as the

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1 commissioner deems prudent. The  
2 commissioner is authorized to contract  
3 with a transportation manager or managers  
4 that have experience in coordinating  
5 transportation services in New York state  
6 to manage the provision of such services.  
7 Such a contract or contracts may include,  
8 without limitation, responsibility for:  
9 review, approval and processing of  
10 transportation orders; management of the  
11 appropriate level of transportation based  
12 on documented patient medical need; and  
13 development of new technologies and  
14 approaches leading to efficient  
15 transportation services. Notwithstanding  
16 any inconsistent provision of sections 112  
17 and 163 of the state finance law, or  
18 section 142 of the economic development  
19 law, or any other law, the commissioner is  
20 authorized to enter into such contract  
21 without a competitive bid or request for  
22 proposal process. Provided, however, if  
23 this chapter appropriates sufficient  
24 additional funds to permit local social  
25 services officials to maintain  
26 responsibility for management of medicaid  
27 transportation services without assumption  
28 of such responsibility by the commissioner  
29 of health, then the provisions of this  
30 paragraph shall not apply and shall be  
31 considered null and void as of March 31,  
32 2010 ..... 223,287,000  
33 For services and expenses of the medical  
34 assistance program including dental  
35 services ..... 150,987,000  
36 For services and expenses of the medical  
37 assistance program including noninstitu-  
38 tional and other spending.  
39 Notwithstanding any inconsistent provision  
40 of law, rule or regulation, for the early  
41 intervention program, for the period April  
42 1, 2010 through March 31, 2011, early  
43 intervention program providers who  
44 received payment of \$500,000 or more for  
45 services that were covered under the  
46 medical assistance program, as determined  
47 by the department based upon the most  
48 recent year for which complete information  
49 exists, shall, in the first instance and  
50 where applicable, seek payment from the  
51 medical assistance program or an insurance  
52 policy or plan for those children covered  
53 under both the medical assistance program  
54 and an insurance policy or plan, prior to  
55 claiming payment from a municipality for  
56 services rendered to such children,  
57 provided, however, that if this chapter  
58 appropriates sufficient additional funds  
59 to support continued municipal claiming to  
60 the medical assistance program for all  
61 providers who render services under the  
62 early intervention program in accordance

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1 with section 2559 of the public health  
2 law, including those that receive payment  
3 of \$500,000 dollars or more for services  
4 covered under the medical assistance  
5 program then this language shall be  
6 considered null and void as of March 31,  
7 2010.

8 Notwithstanding any inconsistent provision  
9 of law, rule or regulation, for early  
10 intervention program purposes, for the  
11 period April 1, 2010 through March 31,  
12 2011, where a policy of accident and  
13 health insurance or a contract subject to  
14 the provisions of the insurance law,  
15 including a contract issued pursuant to  
16 article 43 of the insurance law, provides  
17 coverage for a service provided to the  
18 insured under title 2-A of article 25 of  
19 the public health law, the individualized  
20 family services plan as defined in section  
21 2541 of the public health law and  
22 certified by the early intervention  
23 official shall be deemed to meet any  
24 precertification, preauthorization and  
25 medical necessity requirements imposed on  
26 benefits under the policy or contract,  
27 provided, however, that the early  
28 intervention official shall remove or  
29 redact any information contained on the  
30 insured's individualized family service  
31 plan that is not required by the insurer  
32 for payment purposes and payment for a  
33 service covered under the policy or  
34 contract that is provided under the early  
35 intervention program shall be at rates  
36 established by the commissioner of health  
37 pursuant to regulations and no insurer,  
38 including a health maintenance organi-  
39 zation issued a certificate of authority  
40 under article 44 of the public health law  
41 and a corporation organized under article  
42 43 of the insurance law shall deny payment  
43 of a claim submitted for a service covered  
44 under the insurer's policy or contract and  
45 provided under the early intervention  
46 program based upon the following:

- 47 (i) the location where services are  
48 provided;
- 49 (ii) the duration of the insured's condition  
50 and/or that the insured's condition is not  
51 amenable to significant improvement within  
52 a certain period of time as specified in  
53 the policy;
- 54 (iii) that the provider of services is not a  
55 participating provider in the insurer's  
56 network; or
- 57 (iv) the absence of a primary care referral,  
58 provided, however, that if this chapter  
59 appropriates additional funds sufficient  
60 to support early intervention program  
61 costs that will be incurred if insurers  
62 (i) are not required to deem a child's

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1 individualized family services plan as  
2 meeting any precertification, preauthor-  
3 ization and medical necessity requirement  
4 imposed under the policy or plan, and (ii)  
5 are not prohibited from denying claims for  
6 covered services provided under the early  
7 intervention program upon the bases set  
8 forth herein, then this language shall be  
9 considered null and void as of March 31,  
10 2010.

11 Notwithstanding any inconsistent provision  
12 of law, rule or regulation to the  
13 contrary, for the period April 1, 2010  
14 through March 31, 2011, the commissioner  
15 of health, in pursuing recoveries of  
16 medical assistance from the estates of  
17 individuals who were 55 years of age or  
18 older when they received such assistance,  
19 is authorized to define the term "estate"  
20 to include not only real and personal  
21 property and other assets passing under  
22 the terms of a valid will or by intestacy,  
23 but also any other property in which the  
24 individual had any legal title or interest  
25 at the time of death, including jointly  
26 held property, retained life estates, and  
27 interests in trusts, to the extent of such  
28 interests. Provided, however, if this  
29 chapter appropriates sufficient additional  
30 funds to permit the commissioner of health  
31 to use a definition of estate that is  
32 limited to real and personal property and  
33 other assets passing under the terms of a  
34 valid will or by intestacy, then the  
35 provisions of this paragraph shall not  
36 apply and shall be considered null and  
37 void as of March 31, 2010.

38 Notwithstanding any inconsistent provision  
39 of law, rule or regulation to the  
40 contrary, for the period April 1, 2010  
41 through March 31, 2011, moneys paid by an  
42 applicant or recipient of supplemental  
43 security income benefits under section 209  
44 of the social services law or of medical  
45 assistance under section 366 of such law,  
46 to a funeral firm, funeral director,  
47 undertaker, cemetery, or any other person,  
48 firm or corporation, under or in  
49 connection with an agreement, or any  
50 option to enter into an agreement, for the  
51 sale of merchandise to be used in  
52 connection with a funeral or burial, or  
53 for the furnishing of personal services of  
54 a funeral director or undertaker, wherein  
55 the merchandise is not to be actually  
56 physically delivered or the personal  
57 services are not to be rendered until the  
58 occurrence of the death of the person for  
59 whose funeral or burial such merchandise  
60 or services are to be furnished, shall be  
61 placed into an irrevocable trust if the  
62 person for whose funeral or burial such



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1 merchandise or services are to be  
2 furnished is a family member of such  
3 applicant and recipient. Under the terms  
4 of such an irrevocable trust, such  
5 applicant or recipient (and after the  
6 death of such applicant or recipient, the  
7 family member) shall have the right to  
8 select any funeral firm, funeral director,  
9 undertaker, cemetery or any other person,  
10 firm or corporation to whom such payment  
11 is made and to change such selection any  
12 time to any type of funeral or any funeral  
13 firm, funeral director, cemetery or any  
14 other person, firm or corporation to whom  
15 such payment is made, located in the state  
16 of New York or any other state. Any funds  
17 remaining in such an irrevocable trust  
18 after the payment of all funeral expenses  
19 must be paid over to the social services  
20 official responsible for arranging for  
21 burials under section 141 of the social  
22 services law in the local government  
23 subdivision where the decedent resided.  
24 Any such agreement, and any promotional  
25 literature prepared by a funeral firm,  
26 funeral director, undertaker, cemetery, or  
27 any other person, firm or corporation for  
28 prearranged funeral and burial services  
29 must contain language disclosing the  
30 irrevocable nature of burial trusts  
31 established for a family member by an  
32 applicant or recipient of supplemental  
33 security income benefits or medical  
34 assistance. Provided, however, if this  
35 chapter appropriates sufficient additional  
36 funds to permit such agreements purchased  
37 for family members by applicants or  
38 recipients of supplemental security income  
39 benefits or medical assistance to be  
40 revocable, then the provisions of this  
41 paragraph shall not apply and shall be  
42 considered null and void as of March 31,  
43 2010 ..... 4,298,582,000

44 For services and expenses of the medical  
45 assistance program including a series of  
46 targeted chronic illness demonstration  
47 projects.

48 Notwithstanding section 112 and section 163  
49 of the state finance law, for chronic  
50 illness demonstration projects authorized  
51 by section 364-1 of the social services  
52 law, the commissioner of health may allo-  
53 cate up to \$2,500,000 of the amount appro-  
54 priated for contracts without a request  
55 for proposal process or any other compet-  
56 itive process ..... 6,000,000

57 Notwithstanding any other provision of law,  
58 the money herein appropriated, is  
59 available for transfer or suballocation  
60 to the state university of New York and  
61 its subsidiaries, or to contract without  
62 competition for services with the state

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1 university of New York research founda-  
2 tion, to provide support for the adminis-  
3 tration of the medical assistance program  
4 including activities such as dental prior  
5 approval, retrospective and prospective  
6 drug utilization review, development of  
7 evidence based utilization thresholds,  
8 data analysis, clinical consultation and  
9 peer review, clinical support for the  
10 pharmacy and therapeutic committee, and  
11 other activities related to utilization  
12 management and for health information  
13 technology support for the medicaid  
14 program ..... 6,000,000

15 For grants in aid to up to three not-for-  
16 profit entities for public education,  
17 counseling and advocacy related to changes  
18 in the medical assistance personal care  
19 services benefit.

20 Notwithstanding sections 112 and 163 of the  
21 state finance law, or section 142 of the  
22 economic development law, or any other  
23 law, the commissioner is authorized to  
24 issue such grants without a request for  
25 proposal process or any other competitive  
26 process ..... 1,000,000

27 Notwithstanding any inconsistent provision  
28 of section 112 or 163 of the state finance  
29 law or any other contrary provision of the  
30 state finance law or any other contrary  
31 provision of law, the commissioner of  
32 health may, without a competitive bid or  
33 request for proposal process, enter into  
34 contracts with one or more certified  
35 public accounting firms for the purpose of  
36 conducting audits of disproportionate  
37 share hospital payments made by the state  
38 of New York to general hospitals and for  
39 the purpose of conducting audits of  
40 hospital cost reports as submitted to the  
41 state of New York in accordance with  
42 article 28 of the public health law.  
43 Notwithstanding any inconsistent  
44 provisions of law, subject to the approval  
45 of the director of the budget, up to the  
46 amount appropriated herein ..... 2,300,000

47 For services and expenses of the medical  
48 assistance program including medical  
49 services provided at state facilities  
50 operated by the office of mental health,  
51 the office of mental retardation and  
52 developmental disabilities and the office  
53 of alcoholism and substance abuse services  
54 ..... 3,550,000,000

55 For services and expenses of the medical  
56 assistance program including hospital  
57 inpatient, hospital outpatient and emer-  
58 gency room, clinic, nursing home, other  
59 long term care, managed care, pharmacy,  
60 transportation, dental, non-institutional  
61 and other spending, medical services  
62 provided at state facilities operated by

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1 the office of mental health, the office of  
2 mental retardation and developmental disa-  
3 bilities and the office of alcoholism and  
4 substance abuse services and for any other  
5 medical assistance services resulting from  
6 an increase in the federal medical assist-  
7 ance percentage pursuant to the American  
8 Recovery and Reinvestment Act. Funds  
9 appropriated herein shall be subject to  
10 all applicable reporting and account-  
11 ability requirements contained in such  
12 act ..... 4,202,000,000  
13 -----  
14 Program account subtotal ..... 33,085,537,000  
15 -----  
16  
17 Special Revenue Funds - Other / Aid to Localities  
18 HCRA Resources Fund - 061  
19 Medical Assistance Account  
20  
21 For the purpose of making payments, the  
22 money hereby appropriated is available for  
23 payment of aid heretofore accrued or here-  
24 after accrued, to providers of medical  
25 care pursuant to section 367-b of the  
26 social services law, and for payment of  
27 state aid to municipalities and the feder-  
28 al government where payment systems  
29 through fiscal intermediaries are not  
30 operational, to reimburse such providers  
31 for costs attributable to the provision of  
32 care to patients eligible for medical  
33 assistance.  
34 For services and expenses related to the  
35 medical assistance program ..... 130,100,000  
36 For services and expenses of the medical  
37 assistance program related to the treat-  
38 ment of breast and cervical cancer ..... 2,100,000  
39 For services and expenses of the medical  
40 assistance program related to primary care  
41 case management. All or a portion of this  
42 appropriation may be transferred to state  
43 operations appropriations..... 2,000,000  
44 For services and expenses of the medical  
45 assistance program related to disabled  
46 persons ..... 23,500,000  
47 For services and expenses of the medical  
48 assistance program related to physician  
49 services ..... 85,200,000  
50 For services and expenses of the medical  
51 assistance program related, but not limit-  
52 ed to, pharmacy, inpatient, and nursing  
53 home services ..... 1,852,356,000  
54 For services and expenses of the medical  
55 assistance program related to the city of  
56 New York ..... 124,700,000  
57 For services and expenses of the medical  
58 assistance program related to providing  
59 distributions for supplemental medical  
60 insurance for medicare part B premiums,  
61

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1	physician services, outpatient services,	
2	medical equipment, supplies and other	
3	health services .....	68,000,000
4	For services and expenses of the medical	
5	assistance program related to the family	
6	health plus program .....	590,900,000
7	For services and expenses of the medical	
8	assistance program related to providing	
9	financial assistance to residential health	
10	care facilities .....	15,000,000
11	For services and expenses of the medical	
12	assistance program related to free-stand-	
13	ing diagnostic and treatment center rate	
14	increases for recruitment and retention of	
15	health care workers .....	900,000
16	For services and expenses of the medical	
17	assistance program related to supporting	
18	workforce recruitment and retention of	
19	personal care services or any worker with	
20	direct patient care responsibility for	
21	local social service districts which	
22	include a city with a population of over	
23	one million persons .....	136,000,000
24	For services and expenses of the medical	
25	assistance program related to supporting	
26	workforce recruitment and retention of	
27	personal care services for local social	
28	service districts that do not include a	
29	city with a population of over one million	
30	persons .....	11,200,000
31	For services and expenses of the medical	
32	assistance program related to supporting	
33	rate increases for certified home health	
34	agencies, long term home health care	
35	programs, AIDS home care programs, hospice	
36	programs, managed long term care plans and	
37	approved managed long term care operating	
38	demonstrations for recruitment and	
39	retention of health care workers .....	50,000,000

40		-----
41	Program account subtotal .....	3,091,956,000
42		-----

43

44 Special Revenue Funds - Other / Aid to Localities

45 HCRA Resources Fund - 061

46 Indigent Care Account

47

48 For the purpose of making payments to

49 providers of medical care pursuant to

50 section 367-b of the social services law,

51 and for payment of state aid to municipi-

52 palities where payment systems through

53 fiscal intermediaries are not operational,

54 to reimburse such providers for costs

55 attributable to the provision of care to

56 patients eligible for medical assistance.

57 Payments from this appropriation to gener-

58 al hospitals related to indigent care

59 pursuant to article 28 of the public

60 health law respectively, when combined

61 with federal funds for services and

62 expenses for the medical assistance

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1 program pursuant to title XIX of the  
2 federal social security act or its  
3 successor program, shall equal the amount  
4 of the funds received related to health  
5 care reform act allowances and surcharges  
6 pursuant to article 28 of the public  
7 health law and deposited to this account  
8 less any such amounts withheld pursuant to  
9 subdivision 21 of section 2807-c of the  
10 public health law.

11 Notwithstanding any inconsistent provisions  
12 of sections 2807-k and 2807-w of the  
13 public health law or any other contrary  
14 provision of law, and subject to the  
15 availability of federal financial  
16 participation, for the period April 1,  
17 2010 through March 31, 2011, payments  
18 shall be made to general hospitals in  
19 accordance with the following:

20 (a) for the period April 1, 2010 through  
21 June 30, 2010 payments shall be made to  
22 general hospitals in accordance with the  
23 provisions of sections 2807-k and 2807-w  
24 of the public health law as in effect on  
25 March 31, 2010; and

26 (b) for the period July 1, 2010 through  
27 March 31, 2011 payments totaling  
28 \$728,250,000 shall be made as follows:

29 (i) medicaid disproportionate share hospital  
30 (DSH) payments to major public general  
31 hospitals, including hospitals operated by  
32 public benefit corporations, shall be made  
33 in amounts reflecting 75 percent of the  
34 projected distributions otherwise  
35 authorized for such facilities pursuant to  
36 the provisions of section 2807-k of the  
37 public health law; and

38 (ii) \$18,750,000 shall be distributed as  
39 medicaid DSH payments to hospitals  
40 eligible for payments made pursuant to  
41 subparagraph (iv) of paragraph (a) of  
42 subdivision 5-b of section 2807-k of the  
43 public health law, based upon each  
44 facility's proportion of uninsured losses,  
45 as defined in paragraph (c) of subdivision  
46 5-a of section 2807-k of the public health  
47 law, to such losses for all hospitals  
48 eligible for such payments; and

49 (iii) \$12,000,000 shall be distributed in  
50 accordance with the provisions of  
51 subparagraph (iii) of paragraph (a) of  
52 subdivision 5-b of section 2807-k of the  
53 public health law; and

54 (iv) \$75,000,000 shall be distributed as  
55 medicaid DSH payments to eligible general  
56 hospitals, other than major public general  
57 hospitals, pursuant to a formula such  
58 that, to the extent of funds available, no  
59 eligible general hospital's reduction in  
60 payments as a result of the application of  
61 the provisions of this subdivision  
62 exceeds, on an annualized basis, a

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1 percentage reduction, as determined by the  
 2 commissioner, from the projected  
 3 distributions such hospital would have  
 4 received pursuant to sections 2807-k and  
 5 2807-w of the public health law for the  
 6 2010 calendar year. Such payments shall be  
 7 distributed to eligible general hospitals  
 8 on a proportional basis, based on the  
 9 degree of each such general hospital's  
 10 projected reduction in distribution; and  
 11 (v) the balance of the funds not otherwise  
 12 allocated pursuant to subsection (b) of  
 13 this section shall be distributed  
 14 proportionally as medicaid DSH payments to  
 15 eligible general hospitals, other than  
 16 major public general hospitals, on the  
 17 basis of each facility's uncompensated  
 18 care need share, as determined in  
 19 accordance with the scale set forth in  
 20 subsection (b)(vi) of this section; and  
 21 (vi) the scale utilized for development of  
 22 each eligible general hospital's  
 23 uncompensated care need share payment  
 24 amount, as computed in accordance with the  
 25 provisions of paragraph (c) of subdivision  
 26 5-a of section 2807-k of the public health  
 27 law, shall be as follows, provided,  
 28 however, that the reduction described in  
 29 subparagraph (iii) of paragraph (c) of  
 30 subdivision 5-a of section 2807-k of the  
 31 public health law shall be computed as 10  
 32 percent.

33	Uncompensated Need Percentage	
34	0-4%	
35	4-6%	
36	6+%	
37	Percentage of Reimbursement Attributable to	
38	that Portion of Uncompensated Need	
39	70%	
40	80%	
41	90%	

42 (c) provided, however, if this chapter  
 43 provides sufficient additional funding to  
 44 support indigent care payments to general  
 45 hospitals pursuant to sections 2807-k and  
 46 2807-w of the public health law then the  
 47 provisions of this section shall be deemed  
 48 null and void as of March 31, 2010 ..... 1,017,700,000  
 49 -----  
 50 Program account subtotal ..... 1,017,700,000  
 51 -----  
 52

53 Special Revenue Funds - Other / Aid to Localities  
 54 Miscellaneous Special Revenue Fund - 339  
 55 Medical Assistance Account  
 56

57 For the purpose of making payments to  
 58 providers of medical care pursuant to  
 59 section 367-b of the social services law,  
 60 and for payment of state aid to munici-  
 61 palities and the federal government where  
 62 payment systems through fiscal interme-

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1 diaries are not operational, to reimburse  
 2 such providers for costs attributable to  
 3 the provision of care to patients eligible  
 4 for medical assistance.  
 5 For services and expenses of the medical  
 6 assistance program including nursing home,  
 7 personal care, certified home health agen-  
 8 cy, long term home health care program and  
 9 hospital services ..... 915,400,000  
 10 -----  
 11 Program account subtotal ..... 915,400,000  
 12 -----  
 13  
 14 OFFICE OF HEALTH INSURANCE PROGRAMS ..... 1,248,919,000  
 15 -----  
 16

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

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

PERSONAL SERVICE

39  
 40  
 41 Personal service--regular ..... 28,567,400  
 42 Temporary service ..... 1,000  
 43 Holiday/overtime compensation ..... 350,000  
 44 -----  
 45 Amount available for personal service .... 28,918,400  
 46 -----  
 47

NONPERSONAL SERVICE

48  
 49  
 50 Supplies and materials ..... 536,000  
 51 Travel ..... 823,000  
 52 Contractual services ..... 27,500,000  
 53 Equipment ..... 831,000  
 54 -----  
 55 Amount available for nonpersonal service.. 29,690,000  
 56 -----  
 57

MAINTENANCE UNDISTRIBUTED

58  
 59  
 60 For services and expenses related to  
 61 creation of a state enrollment portal.  
 62

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1	Contractual services .....	27,000,000
2		-----
3	Program account subtotal .....	85,608,400
4		-----
5		
6	General Fund / Aid to Localities	
7	Local Assistance Account - 001	
8		
9	For grants to a New York state based not-	
10	for-profit organization with expertise in	
11	the New York state medicaid program for	
12	studies, reviews and analysis, to be	
13	performed in conjunction with the depart-	
14	ment of health, on medicaid policy, opera-	
15	tional and other issues as defined by the	
16	department. All or a portion of this	
17	appropriation may be transferred to state	
18	operations appropriations .....	1,391,200
19		-----
20	Program account subtotal .....	1,391,200
21		-----
22		
23	Special Revenue Funds - Federal / State Operations	
24	Federal Health and Human Services Fund - 265	
25		
26	For services and expenses for the medical	
27	assistance program and administration of	
28	the medical assistance program and survey	
29	and certification program, provided pursu-	
30	ant to title XIX of the federal social	
31	security act.	
32	Notwithstanding any inconsistent provision	
33	of law and subject to the approval of the	
34	director of the budget, moneys hereby	
35	appropriated may be increased or decreased	
36	by transfer or suballocation between these	
37	appropriated amounts and appropriations of	
38	other state agencies and appropriations of	
39	the department of health. Notwithstanding	
40	any inconsistent provision of law and	
41	subject to approval of the director of the	
42	budget, moneys hereby appropriated may be	
43	transferred or suballocated to other state	
44	agencies for reimbursement to local	
45	government entities for services and	
46	expenses related to administration of the	
47	medical assistance program .....	846,414,000
48		-----
49	Program fund subtotal .....	846,414,000
50		-----
51		
52	Special Revenue Funds - Other / State Operations	
53	HCRA Resources Fund - 061	
54	Medicaid Fraud Hotline and Medicaid Administration	
55	Account	
56		
57	For services and expenses related to the	
58	medicaid fraud hotline established pursu-	
59	ant to chapter 1 of the laws of 1999 and	
60	administrative expenses related to the	
61	family health plus program pursuant to	
62	section 369-ee of the social services law.	



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1		PERSONAL SERVICE	
2			
3	Personal service--regular .....		227,900
4			-----
5			
6		NONPERSONAL SERVICE	
7			
8	Supplies and materials .....		25,000
9	Contractual services .....		494,000
10	Fringe benefits .....		88,000
11	Indirect costs .....		82,000
12			-----
13	Amount available for nonpersonal service..		689,000
14			-----
15	Program account subtotal .....		916,900
16			-----
17			
18	Special Revenue Funds - Other / State Operations		
19	HCRA Resources Fund - 061		
20	Medical Assistance Account		
21			
22	For services and expenses related to the		
23	administration and marketing of the family		
24	health plus program established pursuant		
25	to chapter 1 of the laws of 1999.		
26			
27		PERSONAL SERVICE	
28			
29	Personal service--regular .....		989,000
30	Temporary services .....		20,000
31	Holiday/overtime compensation .....		10,000
32			-----
33	Amount available for personal service ....		1,019,000
34			-----
35			
36		NONPERSONAL SERVICE	
37			
38	Supplies and materials .....		30,000
39	Travel .....		29,000
40	Contractual services .....		5,172,000
41	Equipment .....		29,000
42	Fringe benefits .....		422,000
43	Indirect costs .....		290,000
44			-----
45	Amount available for nonpersonal service..		5,972,000
46			-----
47	Program account subtotal .....		6,991,000
48			-----
49			
50	Special Revenue Funds - Other / State Operations		
51	HCRA Resources Fund - 061		
52	Pilot Health Insurance Account		
53			
54	For services and expenses related to the		
55	administration of the program authorized		
56	by section 2807-1 of the public health		
57	law.		
58			
59		PERSONAL SERVICE	
60			
61	Personal service--regular .....		1,001,200
62			

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Holiday/overtime compensation .....	3,000
2		-----
3	Amount available for personal service ....	1,004,200
4		-----
5		
6	NONPERSONAL SERVICE	
7		
8	Supplies and materials .....	15,000
9	Travel .....	20,000
10	Contractual services .....	73,000
11	Equipment .....	100,000
12	Fringe benefits .....	443,500
13	Indirect costs .....	341,800
14		-----
15	Amount available for nonpersonal service..	993,300
16		-----
17	Program account subtotal .....	1,997,500
18		-----
19		
20	Special Revenue Funds - Other / State Operations	
21	Miscellaneous Special Revenue Fund - 339	
22	Disease Management Account	
23		
24	For services and expenses related to disease	
25	management.	
26		
27	NONPERSONAL SERVICE	
28		
29	Contractual services .....	5,000,000
30		-----
31	Program account subtotal .....	5,000,000
32		-----
33		
34	Special Revenue Funds - Other / Aid to Localities	
35	Miscellaneous Special Revenue Fund - 339	
36	Federal State Health Reform Partnership Account	
37		
38	Notwithstanding any inconsistent provision	
39	of law, the money appropriated herein	
40	shall be available for services and	
41	expenses including grants related to the	
42	federal-state health reform partnership	
43	program and/or its successor program,	
44	provided, however, that the section 1115	
45	waiver demonstration which is entitled the	
46	federal-state health reform partnership,	
47	is in effect in accordance with the terms	
48	and conditions approved by the secretary	
49	of the federal department of health and	
50	human services, and further provided that	
51	funds appropriated for the federal-state	
52	health reform partnership program are	
53	disbursed only in accordance with those	
54	terms and conditions. Subject to the	
55	approval of the director of the budget,	
56	moneys appropriated herein may be trans-	
57	ferred or suballocated to the state office	
58	for the aging and other state agencies ...	300,000,000
59		-----
60	Program account subtotal .....	300,000,000
61		-----
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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.

NONPERSONAL SERVICE

10  
 11  
 12 Contractual services ..... 600,000  
 13 -----  
 14 Program account subtotal ..... 600,000  
 15 -----

16  
 17 OFFICE OF HEALTH SYSTEMS MANAGEMENT ..... 103,669,700  
 18 -----

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

22  
 23 For services and expenses of the Office of  
 24 Health Systems Management. \$6,000,000 of  
 25 funds appropriated herein are supported by  
 26 savings resulting from the increased  
 27 Federal Medical Assistance Percentage  
 28 (FMAP) provided pursuant to the American  
 29 recovery and reinvestment act of 2009.

PERSONAL SERVICE

30  
 31  
 32  
 33 Personal service--regular ..... 22,076,700  
 34 Temporary service ..... 53,000  
 35 Holiday/overtime compensation ..... 546,000  
 36 -----  
 37 Amount available for personal service .... 22,675,700  
 38 -----

NONPERSONAL SERVICE

39  
 40  
 41  
 42 Supplies and materials ..... 186,000  
 43 Travel ..... 237,000  
 44 Contractual services ..... 5,966,000  
 45 Equipment ..... 201,000  
 46 -----  
 47 Amount available for nonpersonal service.. 6,590,000  
 48 -----

MAINTENANCE UNDISTRIBUTED

49  
 50  
 51  
 52 For suballocation to the office of mental  
 53 health for services and expenses for  
 54 surveys of psychiatric residential treat-  
 55 ment facilities.

56  
 57 Personal service--regular ..... 131,000  
 58 Supplies and materials ..... 18,000  
 59 Travel ..... 50,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Equipment .....	74,000
2		-----
3	Amount available for maintenance undis-	
4	tributed .....	273,000
5		-----
6	Program account subtotal .....	29,538,700
7		-----
8		
9	General Fund / Aid to Localities	
10	Local Assistance Account - 001	
11		
12	For contractual services related to medical	
13	necessity and quality of care reviews	
14	related to medicaid patients and to moni-	
15	tor health care services provided to	
16	persons with AIDS. A portion of this	
17	appropriation may be transferred to state	
18	operations appropriations .....	10,800,600
19	For services and expenses for patient health	
20	information and quality improvement initi-	
21	atives. A portion of this appropriation	
22	may be transferred to state operations	
23	appropriations .....	368,000
24	For services and expenses for cardiac	
25	services access and cardiac data	
26	quality/outcomes initiatives .....	1,381,800
27	For services and expenses related to the	
28	operation of the incident reporting system	
29	(NYPORTS). A portion of this appropriation	
30	may be transferred to state operations	
31	appropriations .....	625,100
32	For services and expenses for consulting	
33	services related to health information	
34	technology. A portion of this appropri-	
35	ation may be transferred to state oper-	
36	ations appropriations .....	176,000
37	For services and expenses to support the	
38	center for liver transplant and the alli-	
39	ance for donation .....	372,000
40	For services and expenses of the brain trau-	
41	ma foundation .....	490,000
42	For services and expenses for a statewide	
43	campaign to promote awareness of the New	
44	York state donor registry to increase	
45	organ and tissue donation. A portion of	
46	this appropriation may be transferred to	
47	state operations appropriations .....	245,000
48		-----
49	Program account subtotal .....	14,458,500
50		-----
51		
52	Special Revenue Funds - Federal / State Operations	
53	Federal Health and Human Services Fund - 265	
54		
55	For expenses incurred in the administration	
56	of the prescription drug monitoring	
57	program relating to the prescribing and	
58	dispensing of controlled substances	
59	(NASPER) .....	343,000
60		-----
61	Program account subtotal .....	343,000
62		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Funds - Federal / Aid to Localities  
 2 Federal Operating Grants Fund - 290  
 3 United States Department of Justice Account  
 4  
 5 For expenses incurred in the administration  
 6 of the prescription drug monitoring  
 7 program relating to the prescribing and  
 8 dispensing of controlled substances ..... 400,000  
 9 -----  
 10 Program account subtotal ..... 400,000  
 11 -----  
 12

13 Special Revenue Funds - Other / State Operations  
 14 HCRA Resources Fund - 061  
 15 Emergency Medical Services Account  
 16  
 17 For services and expenses related to emer-  
 18 gency medical services (EMS) adminis-  
 19 tration including but not limited to,  
 20 expenses related to training courses and  
 21 instructor development, expenses of the  
 22 state EMS council, expenses of the EMS  
 23 regional councils and program agencies,  
 24 and expenses of the general public health  
 25 work - EMS reimbursement.  
 26

PERSONAL SERVICE

27  
 28  
 29 Personal service--regular ..... 2,672,300  
 30 Temporary service ..... 5,000  
 31 Holiday/overtime compensation ..... 75,000  
 32 -----  
 33 Amount available for personal service .... 2,752,300  
 34 -----  
 35

NONPERSONAL SERVICE

36  
 37  
 38 Supplies and materials ..... 110,000  
 39 Travel ..... 160,000  
 40 Contractual services ..... 14,494,000  
 41 Equipment ..... 280,000  
 42 Fringe benefits ..... 1,136,000  
 43 Indirect costs ..... 858,400  
 44 -----  
 45 Amount available for nonpersonal service.. 17,038,400  
 46 -----  
 47 Program account subtotal ..... 19,790,700  
 48 -----  
 49

50 Special Revenue Funds - Other / State Operations  
 51 HCRA Resources Fund - 061  
 52 Health Care Delivery Administration Account  
 53  
 54 For services and expenses related to admin-  
 55 istration of the health care and cancer  
 56 initiative programs pursuant to section  
 57 2807-1 of the public health law.  
 58

PERSONAL SERVICE

59  
 60  
 61 Personal service--regular ..... 288,400  
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Temporary service .....	5,000
2		-----
3	Amount available for personal service ....	293,400
4		-----
5		
6	NONPERSONAL SERVICE	
7		
8	Supplies and materials .....	20,000
9	Travel .....	62,500
10	Contractual services .....	179,600
11	Equipment .....	34,500
12	Fringe benefits .....	129,600
13	Indirect costs .....	99,500
14		-----
15	Amount available for nonpersonal service..	525,700
16		-----
17	Program account subtotal .....	819,100
18		-----
19		
20	Special Revenue Funds - Other / State Operations	
21	HCRA Resources Fund - 061	
22	Health Occupation Development and Workplace Demo Account	
23		
24	For services and expenses related to admin-	
25	istration of the health occupation devel-	
26	opment and workplace demonstration program	
27	established pursuant to sections 2807-g	
28	and 2807-h of the public health law. Up to	
29	50 percent of this appropriation may be	
30	suballocated to the department of labor.	
31		
32	PERSONAL SERVICE	
33		
34	Personal service--regular .....	500,500
35	Temporary service .....	40,000
36		-----
37	Amount available for personal service ....	540,500
38		-----
39		
40	NONPERSONAL SERVICE	
41		
42	Supplies and materials .....	5,000
43	Travel .....	10,300
44	Contractual services .....	1,176,800
45	Equipment .....	10,000
46	Fringe benefits .....	239,100
47	Indirect costs .....	184,300
48		-----
49	Amount available for nonpersonal service..	1,625,500
50		-----
51	Program account subtotal .....	2,166,000
52		-----
53		
54	Special Revenue Funds - Other / State Operations	
55	HCRA Resources Fund - 061	
56	Primary Care Initiatives Account	
57		
58	For services and expenses related to the	
59	administration of the program authorized	
60	by section 2807-1 of the public health	
61	law.	
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1		PERSONAL SERVICE	
2			
3	Personal service--regular .....	549,000	
4	Temporary service .....	5,000	
5	Holiday/overtime compensation .....	5,000	
6		-----	
7	Amount available for personal service ....	559,000	
8		-----	

9		NONPERSONAL SERVICE	
10			
11			
12	Supplies and materials .....	5,400	
13	Travel .....	7,600	
14	Contractual services .....	15,000	
15	Equipment .....	15,000	
16	Fringe benefits .....	246,500	
17	Indirect costs .....	189,900	
18		-----	
19	Amount available for nonpersonal service..	479,400	
20		-----	
21	Program account subtotal .....	1,038,400	
22		-----	

23

24 Special Revenue Funds - Other / State Operations

25 Miscellaneous Special Revenue Fund - 339

26 1200-Hospital and Nursing Home Management Account

27

28 For services and expenses of inspecting,

29 regulating, supervising and auditing

30 hospital and nursing home companies incor-

31 porated and authorized under articles 28-A

32 and 28-B of the public health law, from

33 funds received pursuant to these activ-

34 ities.

35		PERSONAL SERVICE	
36			
37			
38	Personal service--regular .....	476,500	
39	Temporary service .....	2,000	
40	Holiday/overtime compensation .....	7,000	
41		-----	
42	Amount available for personal service ....	485,500	
43		-----	

44		NONPERSONAL SERVICE	
45			
46			
47	Supplies and materials .....	2,000	
48	Travel .....	8,000	
49	Contractual services .....	19,000	
50	Equipment .....	15,000	
51	Fringe benefits .....	196,000	
52	Indirect costs .....	145,500	
53		-----	
54	Amount available for nonpersonal service..	385,500	
55		-----	
56	Program account subtotal .....	871,000	
57		-----	

58

59 Special Revenue Funds - Other / State Operations

60 Miscellaneous Special Revenue Fund - 339

61 Certificate of Need Account

62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses, including indi-	
2	rect costs, related to the certificate of	
3	need program.	
4		
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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of the patient	
2	safety center created by title 2 of arti-	
3	cle 29-D of the public health law.	
4		
5		
6		
7	Contractual services .....	949,000
8		-----
9	Program account subtotal .....	949,000
10		-----
11		
12	Special Revenue Funds - Other / State Operations	
13	Miscellaneous Special Revenue Fund - 339	
14	Professional Medical Conduct Account	
15		
16	For services and expenses, including indi-	
17	rect costs, related to the professional	
18	medical conduct program.	
19		
20		
21		
22	Personal service--regular .....	10,115,900
23	Temporary service .....	340,000
24	Holiday/overtime compensation .....	49,000
25		-----
26	Amount available for personal service ....	10,504,900
27		-----
28		
29		
30		
31	Supplies and materials .....	154,000
32	Travel .....	276,000
33	Contractual services .....	5,512,000
34	Equipment .....	250,000
35	Fringe benefits .....	4,609,600
36	Indirect costs .....	3,536,800
37		-----
38	Amount available for nonpersonal service..	14,338,400
39		-----
40		
41		
42		
43	For services and expenses of the medical	
44	society contract authorized pursuant to	
45	chapter 582 of the laws of 1984 .....	990,000
46		-----
47	Program account subtotal .....	25,833,300
48		-----
49		
50	OFFICE OF LONG TERM CARE .....	86,225,800
51		-----
52		
53	General Fund / State Operations	
54	State Purposes Account - 003	
55		
56		
57		
58	Personal service--regular .....	24,159,700
59	Temporary service .....	82,000
60		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Holiday/overtime compensation .....	854,000
2		-----
3	Amount available for personal service ....	25,095,700
4		-----
5		
6	NONPERSONAL SERVICE	
7		
8	Supplies and materials .....	350,000
9	Travel .....	1,065,000
10	Contractual services .....	17,845,000
11	Equipment .....	415,000
12		-----
13	Amount available for nonpersonal service..	19,675,000
14		-----
15		
16	MAINTENANCE UNDISTRIBUTED	
17		
18	For services and expenses related to the	
19	home health aide registry.	
20		
21	Personal service--regular .....	300,000
22	Supplies and materials .....	700
23	Travel .....	1,300
24	Contractual services .....	1,680,000
25	Equipment .....	18,000
26		-----
27	Amount available for maintenance undis-	
28	tributed .....	2,000,000
29		-----
30	Program account subtotal .....	46,770,700
31		-----
32		
33	General Fund / Aid to Localities	
34	Local Assistance Account - 001	
35		
36	For services and expenses, including grants,	
37	of a falls prevention program. All or a	
38	portion of this appropriation may be	
39	transferred to state operations appropri-	
40	ations .....	300,000
41	For services and expenses, including grants,	
42	of the uniform assessment program. All or	
43	a portion of this appropriation may be	
44	transferred to state operations appropri-	
45	ations .....	4,806,000
46	For services and expenses related to trau-	
47	matic brain injury including but not	
48	limited to services rendered to individ-	
49	uals enrolled in the federally approved	
50	home and community based services (HCBS)	
51	waiver and including personal and nonper-	
52	sonal services spending originally author-	
53	ized by appropriations and reappropri-	
54	ations enacted prior to 1996. All or part	
55	of this appropriation may be transferred	
56	to state operations appropriations .....	13,200,400
57	For services and expenses of a quality	
58	program for adult care facilities,	
59	including enriched housing facilities.	
60	Such program shall be targeted at	
61	improving the quality of life for adult	
62	care facility residents. The department	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 subject to the approval of the director of  
2 the division of budget, shall develop an  
3 allocation methodology taking into account  
4 financial status of the facility as well  
5 as resident needs. Such allocation shall  
6 serve as the basis of distribution to  
7 eligible facilities ..... 2,605,000

8 For an operating assistance subprogram for  
9 enriched housing. To the extent that funds  
10 are appropriated for such purposes, the  
11 department is authorized to pay an operat-  
12 ing subsidy for SSI recipients who are  
13 residents in certified not-for-profit or  
14 public enriched housing programs. Such  
15 subsidy shall not exceed \$115 per month  
16 per each SSI recipient and will be paid  
17 directly to the certified operator. If  
18 appropriations are not sufficient to meet  
19 such maximum monthly payments, such subsi-  
20 dy shall be reduced proportionately ..... 502,900

21 For services and expenses, including grants,  
22 of the long term care community coalition  
23 for an advocacy program on behalf of  
24 seniors with long term care needs ..... 69,000

25 The monies hereby appropriated shall be  
26 available for the cost of housing subsi-  
27 dies to certain participants in the nurs-  
28 ing home transition and diversion waiver  
29 program as authorized by chapters 615 and  
30 627 of the laws of 2004. A portion of such  
31 funds may be used for administration of  
32 the housing subsidies, either by state  
33 staff or a not-for-profit agency. A  
34 portion of this appropriation may be  
35 transferred to state operations appropri-  
36 ations. Up to 100 percent of this appro-  
37 priation may be suballocated to the divi-  
38 sion of housing and community renewal .... 2,303,000

39 For services and expenses of existing  
40 Alzheimer's disease assistance centers as  
41 established pursuant to chapter 586 of the  
42 laws of 1987 ..... 498,000

43 For a grant to the Coalition of New York  
44 State Alzheimer's Chapter, Inc. in support  
45 of and for distribution to a statewide  
46 network of not-for-profit corporations  
47 established and dedicated to responding at  
48 the local level to the needs of the New  
49 York State Alzheimer's community pursuant  
50 to subdivision 2 of section 2005 of the  
51 public health law ..... 246,000

52 For services and expenses for the  
53 Alzheimer's community assistance program  
54 as established pursuant to chapter 657 of  
55 the laws of 1997 ..... 49,000

56 For services and expenses for Alzheimer's  
57 community service programs ..... 295,000

58 For services and expenses, including subal-  
59 location to the state office for aging,  
60 for coordinating patient care Alzheimer's  
61 disease program. A portion of this appro-  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 priation may be transferred to state oper-  
 2 ations appropriations for administration  
 3 of this program ..... 360,000  
 4 -----  
 5 Program account subtotal ..... 25,234,300  
 6 -----

7  
 8 Special Revenue Funds - Other / State Operations  
 9 Combined Gifts, Grants and Bequests Fund - 020  
 10 Alzheimer's Research Account

11  
 12 For Alzheimer's disease research and assist-  
 13 ance pursuant to chapter 590 of the laws  
 14 of 1999.

NONPERSONAL SERVICE

15  
 16  
 17  
 18 Contractual services ..... 955,000  
 19 -----  
 20 Program account subtotal ..... 955,000  
 21 -----

22  
 23 Special Revenue Fund - Other / Aid to Localities  
 24 HCRA Resources Fund - 061  
 25 Health Services Account

26  
 27 For services and expenses of a quality  
 28 program for adult care facilities,  
 29 including enriched housing facilities.  
 30 Such program shall be targeted at  
 31 improving the quality of life for adult  
 32 care facility residents. The department  
 33 subject to the approval of the director of  
 34 the division of budget, shall develop an  
 35 allocation methodology taking into account  
 36 financial status of the facility as well  
 37 as resident needs. Such allocation shall  
 38 serve as the basis of distribution to  
 39 eligible facilities ..... 4,311,700  
 40 -----  
 41 Program account subtotal ..... 4,311,700  
 42 -----

43  
 44 Special Revenue Funds - Other / State Operations  
 45 Miscellaneous Special Revenue Fund - 339  
 46 Adult Home Quality Enhancement Account

47  
 48 For services and expenses to promote  
 49 programs to improve the quality of care  
 50 for residents in adult homes.

NONPERSONAL SERVICE

51  
 52  
 53  
 54 Contractual services ..... 500,000  
 55 -----  
 56 Program account subtotal ..... 500,000  
 57 -----

58  
 59 Special Revenue Funds - Other / State Operations  
 60 Miscellaneous Special Revenue Fund - 339  
 61 Assisted Living Residence Quality Oversight Account

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses related to the	
2	oversight and licensing activities for	
3	assisted living facilities. Subject to the	
4	approval of the director of the budget,	
5	moneys appropriated herein may be suballo-	
6	cated to the state office for the aging, a	
7	portion of which may be tranferred to	
8	state operations and aid to localities.	
9		
10	PERSONAL SERVICE	
11		
12	Personal service--regular .....	1,093,200
13	Holiday/overtime compensation .....	35,000
14		-----
15	Amount available for personal service ....	1,128,200
16		-----
17		
18	NONPERSONAL SERVICE	
19		
20	Supplies and materials .....	9,000
21	Travel .....	40,000
22	Contractual services .....	131,000
23	Equipment .....	16,000
24	Fringe benefits .....	442,000
25	Indirect costs .....	343,000
26		-----
27	Amount available for nonpersonal service..	981,000
28		-----
29	Program account subtotal .....	2,109,200
30		-----
31		
32	Special Revenue Funds - Other / State Operations	
33	Miscellaneous Special Revenue Fund - 339	
34	Continuing Care Retirement Community Account	
35		
36	For services and expenses related to the	
37	establishment of continuing care retire-	
38	ment communities including expenses of the	
39	life care community council.	
40		
41	PERSONAL SERVICE	
42		
43	Personal service--regular .....	33,500
44		-----
45		
46	NONPERSONAL SERVICE	
47		
48	Supplies and materials .....	3,000
49	Travel .....	5,000
50	Contractual services .....	158,000
51	Fringe benefits .....	14,000
52	Indirect costs .....	34,000
53		-----
54	Amount available for nonpersonal service..	214,000
55		-----
56	Program account subtotal .....	247,500
57		-----
58		
59	Special Revenue Funds - Other / State Operations	
60	Miscellaneous Special Revenue Fund - 339	
61	Nurses Aide Registry Account	
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of administrative	
2	costs related to the nurses aide registry	
3	program.	
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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM ...	133,822,000
2		-----
3		
4	General Fund / State Operations	
5	State Purposes Account - 003	
6		
7	PERSONAL SERVICE	
8		
9	Personal service--regular .....	27,732,500
10	Temporary service .....	70,000
11	Holiday/overtime compensation .....	800,500
12		-----
13	Amount available for personal service ....	28,603,000
14		-----
15		
16	NONPERSONAL SERVICE	
17		
18	Supplies and materials .....	3,352,000
19	Travel .....	76,000
20	Contractual services .....	6,588,000
21	Equipment .....	5,305,000
22		-----
23	Amount available for nonpersonal service..	15,321,000
24		-----
25	Program account subtotal .....	43,924,000
26		-----
27		
28	General Fund / Aid to Localities	
29	Local Assistance Account - 001	
30		
31	For services and expenses of a genetic	
32	disease screening program .....	645,000
33	For services and expenses of a sickle cell	
34	screening program .....	226,000
35		-----
36	Program account subtotal .....	871,000
37		-----
38		
39	Special Revenue Funds - Federal / State Operations	
40	Federal Health and Human Services Fund - 265	
41		
42	For health prevention, diagnostic, detection	
43	and treatment services .....	1,556,000
44		-----
45	Program fund subtotal .....	1,556,000
46		-----
47		
48	Special Revenue Funds - Federal / State Operations	
49	Federal Health and Human Services Fund - 265	
50	Federal Block Grant Account	
51		
52	For health prevention, diagnostic, detection	
53	and treatment services .....	11,373,000
54		-----
55	Program account subtotal .....	11,373,000
56		-----
57		
58	Special Revenue Funds - Federal / Aid to Localities	
59	Federal Health and Human Services Fund - 265	
60	Federal Block Grant Account	
61		
62		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of the various	
2	health prevention, diagnostic, detection	
3	and treatment services .....	3,682,000
4		-----
5	Program account subtotal .....	3,682,000
6		-----
7		
8	Special Revenue Funds - Other / State Operations	
9	Combined Gifts, Grants and Bequests Fund - 020	
10	Breast Cancer Research and Education Account	
11		
12	For breast cancer research and education	
13	pursuant to section 97-yy of the state	
14	finance law as amended by chapter 550 of	
15	the laws of 2000.	
16		
17		
18		
19	Contractual services .....	2,536,000
20		-----
21	Program account subtotal .....	2,536,000
22		-----
23		
24	Special Revenue Funds - Other / State Operations	
25	Combined Gifts, Grants and Bequests Fund - 020	
26	Multiple Sclerosis Research Account	
27		
28	For research into the causes and treatment	
29	of pediatric multiple sclerosis pursuant	
30	to section 95-d of the state finance law.	
31		
32		
33		
34	Contractual services .....	20,000
35		-----
36	Program account subtotal .....	20,000
37		-----
38		
39	Special Revenue Funds - Other / State Operations	
40	Miscellaneous Special Revenue Fund - 339	
41	Clinical Laboratory Reference System Assessment Account	
42		
43	For services and expenses of the clinical	
44	laboratory reference and accreditation	
45	program.	
46		
47		
48		
49	Personal service--regular .....	7,829,000
50	Holiday/overtime compensation .....	100,000
51		-----
52	Amount available for personal service ....	7,929,000
53		-----
54		
55		
56		
57	Supplies and materials .....	846,000
58	Travel .....	300,000
59	Contractual services .....	1,665,000
60	Equipment .....	1,441,000
61		



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Fringe benefits .....	3,447,000
2	Indirect costs .....	4,407,000
3		-----
4	Amount available for nonpersonal service..	12,106,000
5		-----
6	Program account subtotal .....	20,035,000
7		-----
8		
9	Special Revenue Funds - Other / State Operations	
10	Miscellaneous Special Revenue Fund - 339	
11	Environmental Laboratory Fee Account	
12		
13	For services and expenses hereafter to	
14	accrue for the environmental laboratory	
15	reference and accreditation program.	
16		
17	PERSONAL SERVICE	
18		
19	Personal service--regular .....	1,949,000
20	Holiday/overtime compensation .....	20,000
21		-----
22	Amount available for personal service ....	1,969,000
23		-----
24		
25	NONPERSONAL SERVICE	
26		
27	Supplies and materials .....	215,000
28	Travel .....	130,000
29	Contractual services .....	170,000
30	Equipment .....	103,000
31	Fringe benefits .....	832,300
32	Indirect costs .....	1,167,700
33		-----
34	Amount available for nonpersonal service..	2,618,000
35		-----
36	Program account subtotal .....	4,587,000
37		-----
38		
39	Special Revenue Funds - Other / State Operations	
40	Miscellaneous Special Revenue Fund - 339	
41	Spinal Cord Injury Research Fund Account	
42		
43	For services and expenses related to spinal	
44	cord injury research pursuant to chapter	
45	338 of the laws of 1998, in accordance	
46	with the following.	
47		
48	PERSONAL SERVICE	
49		
50	Personal service--regular .....	221,000
51		-----
52		
53	NONPERSONAL SERVICE	
54		
55	Fringe benefits .....	88,000
56	Indirect costs .....	129,000
57		-----
58	Amount available for nonpersonal service..	217,000
59		-----
60	Program account subtotal .....	438,000
61		-----
62		

## DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Fund - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Empire State Stem Cell Research Account	
4		
5	For services and expenses, including grants,	
6	related to stem cell research pursuant to	
7	chapter 58 of the laws of 2007:	
8		
9	NONPERSONAL SERVICE	
10		
11	Contractual services .....	44,800,000
12		-----
13	Program account subtotal .....	44,800,000
14		-----
15		
16	Total new appropriations for state operations and aid to	
17	localities .....	55,399,135,277
18		=====
19		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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 2009:  
7 Contractual services ... 19,352,000 ..... (re. \$5,959,000)  
8  
9 For services and expenses of health e-link.  
10 Contractual services ... 750,000 .....(re. \$747,000)  
11  
12 By chapter 54, section 1, of the laws of 2008:  
13 Contractual services ... 19,352,000 ..... (re. \$6,000,000)  
14 For services and expenses related to the improvement of data  
15 protection and interoperability.  
16 Contractual services ... 1,000,000 ..... (re. \$926,000)  
17 For services and expenses related to the improvement of electronic  
18 content and the production and presentation of electronically stored  
19 information (e-Discovery).  
20 Contractual services ... 1,000,000 ..... (re. \$164,000)  
21  
22 By chapter 54, section 1, of the laws of 2007:  
23 Contractual services ... 18,517,000 ..... (re. \$6,000,000)  
24  
25 By chapter 54, section 1, of the laws of 2002:  
26 Maintenance undistributed  
27 For services and expenses related to a time and activity system .....  
28 3,000,000 ..... (re. \$770,000)  
29  
30 Special Revenue Funds - Federal / State Operations  
31 Federal USDA-Food and Nutrition Services Fund - 261  
32 Child and Adult Care Food Account  
33  
34 By chapter 54, section 1, of the laws of 2009:  
35 For various food and nutritional services .....  
36 818,000 ..... (re. \$818,000)  
37  
38 By chapter 54, section 1, of the laws of 2008:  
39 For various food and nutritional services .....  
40 976,000 ..... (re. \$204,000)  
41  
42 Special Revenue Funds - Federal / State Operations  
43 Federal USDA-Food and Nutrition Services Fund - 261  
44 Federal Food and Nutrition Services Account  
45  
46 By chapter 54, section 1, of the laws of 2009:  
47 For various food and nutritional services .....  
48 1,983,000 ..... (re. \$1,983,000)  
49  
50 By chapter 54, section 1, of the laws of 2008:  
51 For various food and nutritional services .....  
52 1,952,000 ..... (re. \$409,000)  
53  
54 Special Revenue Funds - Federal / State Operations  
55 Federal Health and Human Services Fund - 265  
56 Federal Block Grant Account  
57  
58 By chapter 54, section 1, of the laws of 2009:  
59 For various health prevention, diagnostic, detection and treatment  
60 services ... 6,656,000 ..... (re. \$6,656,000)  
61  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2008:  
2 For various health prevention, diagnostic, detection and treatment  
3 services ... 6,656,000 ..... (re. \$4,484,000)  
4  
5 Special Revenue Funds - Federal / State Operations  
6 Federal Block Grant Fund - 269  
7  
8 By chapter 54, section 1, of the laws of 2007:  
9 For various health prevention, diagnostic, detection and treatment  
10 services.  
11 For the grant period October 1, 2006 to September 30, 2007 .....  
12 2,893,000 ..... (re. \$568,000)  
13  
14 Special Revenue Funds - Federal / Aid to Localities  
15 Federal Health and Human Services Fund - 265  
16 Federal Block Grant Account  
17  
18 By chapter 54, section 1, of the laws of 2009:  
19 For federal grants for Health Information Technology System  
20 Construction and equipment funded by the American recovery and  
21 reinvestment act of 2009. Funds appropriated herein shall be subject  
22 to all applicable reporting and accountability requirements  
23 contained in such act ... 25,700,000 ..... (re. \$25,700,000)  
24 For federal grants for the office of National Coordinator for Health  
25 Information Technology funded by the American recovery and  
26 reinvestment Act of 2009. Funds appropriated herein shall be subject  
27 to all applicable reporting and accountability requirements  
28 contained in such act ... 34,300,000 ..... (re. \$34,300,000)  
29 For federal grants for state electronic health records revolving loan  
30 program funded by the American Recovery and Reinvestment Act of  
31 2009. These funds may be transferred to the dormitory authority of  
32 the state of New York for the purposes of establishing a loan fund  
33 pursuant to section 2821 of the public health law, subject to the  
34 approval of the director of the budget. Funds appropriated herein  
35 shall be subject to all applicable reporting and accountability  
36 requirements in such act ... 50,000,000 ..... (re. \$50,000,000)  
37  
38 AIDS INSTITUTE PROGRAM  
39  
40 General Fund / Aid to Localities  
41 Local Assistance Account - 001  
42  
43 By chapter 54, section 1 of the laws of 2009:  
44 For services and expenses related to the operation of the communities  
45 of color initiative ... 3,581,000 ..... (re. \$3,000,000)  
46 For additional grants to existing community service programs to meet  
47 the increased demands of HIV education, prevention, outreach, legal  
48 and supportive services to high risk groups and to address increased  
49 operating costs of these programs. Such grants shall be equitably  
50 distributed ... 432,400 ..... (re. \$432,400)  
51 For additional grants to existing community based organizations and to  
52 article 28 of the public health law diagnostic and treatment centers  
53 that must operate in a neighborhood or geographic area with high  
54 concentrations of at risk populations and provide services and  
55 programs that are culturally sensitive to the special social and  
56 cultural needs of the at risk populations. Such grants shall be used  
57 to meet increased demands for HIV education, prevention, outreach,  
58 and legal programs. Such grants shall be equitably distributed .....  
59 432,400 ..... (re. \$432,400)  
60 For additional services and expenses of the New York AIDS Coalition ..  
61 18,800 ..... (re. \$18,800)  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For services and expenses of the Legal Aid Society of New York City ..  
 2 100,768 ..... (re. \$100,768)  
 3 For services and expenses of the Legal Services for New York City ....  
 4 100,768 ..... (re. \$100,768)  
 5 For additional services and expenses related to a joint project  
 6 between the state and the city of New York, known as the New  
 7 York/New York III Supportive Housing Agreement. No expenditures  
 8 shall be made for such program prior to the approval of a  
 9 methodology for allocation in accordance with a plan approved by the  
 10 commissioner and the director of the budget. Furthermore, no  
 11 expenditure shall be made until a certificate of allocation has been  
 12 approved by the director of the budget with copies to be filed with  
 13 the chairpersons of the senate finance committee and the assembly  
 14 ways and means committee.  
 15 The amounts appropriated pursuant to such appropriation may be  
 16 suballocated to other state agencies, authorities, or accounts for  
 17 expenditures incurred in the operation of programs funded by such  
 18 appropriation ... 1,300,000 ..... (re. \$1,300,000)  
 19 For services and expenses for the harm reduction materials program ...  
 20 1,000,000 ..... (re. \$1,000,000)  
 21 For grants to programs in New York state for the provision of HIV/AIDS  
 22 legal and supportive services ... 600,000 ..... (re. \$600,000)  
 23  
 24 Special Revenue Funds - Other / Aid to Localities  
 25 HCRA Resources Fund - 061  
 26 Health Care Services Account  
 27

28 By chapter 54, section 1 of the laws of 2009:  
 29 For services and expenses related to the special program for HIV  
 30 services for infants and pregnant women established pursuant to  
 31 section 71 of chapter 731 of the laws of 1993. Such programs may  
 32 provide continuing services to high-risk and HIV-positive women and  
 33 children, provided ... 1,382,000 ..... (re. \$500,000)  
 34

35 By chapter 54, section 1 of the laws of 2009, as amended by chapter 502,  
 36 section 4 of the laws of 2009:  
 37 For grants to existing community service programs, as deemed  
 38 appropriate by the department of health, including but not limited  
 39 to community based organizations and other organizations providing  
 40 specialized AIDS-related services targeted to minority and other  
 41 high-risk populations.  
 42 To ensure organizational viability, agency administration may be  
 43 supported subject to review and approval of the commissioner of  
 44 health. Up to \$125,000 may be transferred to the general fund -  
 45 state purposes account for the administration of this program.  
 46 Notwithstanding any provision of law to the contrary, the  
 47 commissioner of health shall be authorized to continue contracts  
 48 with community service programs, multi-service agencies and  
 49 community development initiatives for all such contracts which were  
 50 executed on or before March 31, 2009, without any additional  
 51 requirements that such contracts be subject to competitive bidding  
 52 or a request for proposals process; provided, however, that the  
 53 amount of this appropriation available for expenditure and  
 54 disbursement on and after November 1, 2009 shall be reduced by 12.5  
 55 percent of the amount that was undisbursed as of November 1, 2009 ..  
 56 18,923,000 ..... (re. \$3,500,000)  
 57

58 CENTER FOR COMMUNITY HEALTH PROGRAM  
 59  
 60 General Fund / Aid to Localities  
 61 Local Assistance Account - 001  
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2009:  
2 For services and expenses, including grants, related to the reporting  
3 of body mass index on school physical forms. A portion of this  
4 appropriation may be transferred to state operations appropriations  
5 for administration of this program ... 1,861,000 .. (re. \$1,861,000)  
6 For services and expenses of an obesity prevention program in support  
7 of healthy eating collaboratives. A portion of this appropriation  
8 may be transferred to state operations appropriations for  
9 administration of this program ... 1,645,000 ..... (re. \$1,645,000)  
10 For services and expenses to implement the early intervention program  
11 act of 1992.  
12 The moneys hereby appropriated shall be available for payment of  
13 financial assistance heretofore accrued or hereafter to accrue.  
14 Notwithstanding the provisions of any other law to the contrary, for  
15 state fiscal year 2009-2010 the liability of the state and the  
16 amount to be distributed or otherwise expended by the state pursuant  
17 to section 2557 of the public health law shall be determined by  
18 first calculating the amount of the expenditure or other liability  
19 pursuant to such law, and then reducing the amount so calculated by  
20 two percent of such amount ... 160,000,000 ..... (re. \$25,300,000)  
21 For services and expenses related to the statewide breast cancer  
22 support, education and outreach program, notwithstanding any  
23 inconsistent provision of law to the contrary, funds shall be  
24 available for the statewide breast cancer support, education and  
25 outreach program to provide support and education services to  
26 community-based providers pursuant to the following:  
27 Breast Cancer Coalition of Rochester, Inc. ... 20,385 .. (re. \$20,385)  
28 Breast Cancer Network of WNY, Inc. ... 20,385 ..... (re. \$20,385)  
29 Brentwood/Bayshore Breast Cancer Coalition ... 6,454 .... (re. \$6,454)  
30 Capital Region Action Against Breast Cancer (CRAAB!) .....  
31 20,385 ..... (re. \$20,385)  
32 Health Care Choices, Inc. ... 4,461 ..... (re. \$4,461)  
33 Huntington Breast Cancer Action Coalition ... 20,385 ... (re. \$20,385)  
34 Ithaca Breast Cancer Alliance ... 20,385 ..... (re. \$20,385)  
35 Mid Hudson Options Project, Inc. (dba Breast Cancer Options) .....  
36 20,385 ..... (re. \$20,385)  
37 New York State Breast Cancer Support & Education Network, Inc. ....  
38 27,879 ..... (re. \$27,879)  
39 Share Self-Help for Women with Breast or Ovarian Cancer, Inc. ....  
40 37,511 ..... (re. \$37,511)  
41 Young Survivor Coalition ... 20,385 ..... (re. \$20,385)  
42 For services and expenses of the public health management leaders of  
43 tomorrow program, provided a portion of this appropriation shall be  
44 suballocated to university at Albany school of public health .....  
45 554,000 ..... (re. \$554,000)  
46 For services and expenses of a study of racial disparities .....  
47 295,000 ..... (re. \$295,000)  
48 For state grants to improve access to infertility services,  
49 treatments, and procedures. Funds shall be allocated from this  
50 appropriation pursuant to a plan prepared by the commissioner of  
51 health and approved by the director of the budget. Funds  
52 appropriated herein are supported by savings resulting from the  
53 increased Federal Medical Assistance Percentage (FMAP) provided  
54 pursuant to the American recovery and reinvestment act of 2009 .....  
55 3,694,000 ..... (re. \$3,694,000)  
56 For services and expenses related to the school based health clinics  
57 program, notwithstanding any inconsistent provision of law to the  
58 contrary, funds shall be available for the statewide school based  
59

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 health clinics program to provide grants to certain school based  
2 health centers pursuant to the following. Funds appropriated herein  
3 are supported by savings resulting from the increased Federal  
4 Medical Assistance Percentage (FMAP) provided pursuant to the  
5 American recovery and reinvestment act of 2009:

6 Anthony Jordon Health Center ... 28,005 ..... (re. \$28,005)  
7 Bronx Lebanon Hospital ... 119,023 ..... (re. \$119,023)  
8 Chenango Memorial Hospital ... 14,877 ..... (re. \$14,877)  
9 East Harlem Council for Human Services ... 12,252 ..... (re. \$12,252)  
10 Family Health Network ... 8,725 ..... (re. \$8,725)  
11 Kaleida Health ... 178,534 ..... (re. \$178,534)  
12 Lutheran Medical Center ... 58,636 ..... (re. \$58,636)  
13 Nassau Health Care Corporation ... 11,377 ..... (re. \$11,377)  
14 NY Presbyterian Hospital ... 209,164 ..... (re. \$209,164)  
15 Renaissance-Harlem Hospital ... 84,892 ..... (re. \$84,892)  
16 Sisters of Charity ... 35,007 ..... (re. \$35,007)  
17 Suffolk County DOH ... 9,627 ..... (re. \$9,627)  
18 Threshold Center for Alternative Youth Services .....  
19 21,879 ..... (re. \$21,879)  
20 University of Rochester ... 49,010 ..... (re. \$49,010)  
21 Via Health-Rochester General Hospital ... 16,628 ..... (re. \$16,628)  
22 William F. Ryan Community Health Center ... 17,504 ..... (re. \$17,504)  
23 For services and expenses to support community coalitions for obesity  
24 prevention (CCOP) to plan and create environmental and policy changes  
25 that support access to sustainable healthy, affordable food and  
26 accessible safe environments for physical activity and play. Funds  
27 appropriated herein are supported by savings resulting from the  
28 increased Federal Medical Assistance Percentage (FMAP) provided  
29 pursuant to the American recovery and reinvestment act of 2009 .....  
30 1,000,000 ..... (re. \$804,693)  
31 For additional state grants for a program of family planning services  
32 pursuant to article 2 of the public health law .....  
33 507,600 ..... (re. \$507,600)  
34 For additional services and expenses of existing Alzheimer's disease  
35 assistance centers as established pursuant to chapter 586 of the  
36 laws of 1987 ... 75,200 ..... (re. \$75,200)  
37 For additional state grants to improve access to infertility services,  
38 treatments, and procedures ... 752,000 ..... (re. \$752,000)  
39 For additional services and expenses associated with new and existing  
40 school based health centers ... 507,600 ..... (re. \$507,600)  
41 For additional services and expenses for the Alzheimer's Community  
42 Assistance Program as established pursuant to chapter 657 of the  
43 laws of 1997 ... 225,600 ..... (re. \$225,600)  
44 For services and expenses of a chernobyl thyroid cancer screening  
45 pilot project ... 406,080 ..... (re. \$406,080)  
46 For services and expenses related to perinatal care networks .....  
47 94,000 ..... (re. \$94,000)  
48 For services and expenses of a health care based literacy program ....  
49 75,200 ..... (re. \$75,200)  
50 For services and expenses of the Huntington's Disease Society of  
51 America related to Huntington's Disease centers of excellence .....  
52 37,600 ..... (re. \$37,600)  
53 For services and expenses related to the New York State breast cancer  
54 network ... 37,600 ..... (re. \$37,600)  
55 For additional state grants to the American Red Cross .....  
56 373,744 ..... (re. \$373,744)  
57 For services and expenses related to amyotrophic lateral sclerosis ...  
58 75,200 ..... (re. \$75,200)  
59 For services and expenses related to the statewide health and social  
60 services sexuality-related programs, notwithstanding any  
61 inconsistent provision of law to the contrary, funds shall be  
62 available for the statewide health and social services sexuality-

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1	related programs to establish health and social services and provide	
2	technical assistance pursuant to the following sub-schedule .....	
3	1,540,322 .....	(re. \$1,540,322)
4		
5	sub-schedule	
6		
7	Ali Forney .....	11,216
8	Asian Pacific Islander Coali-	
9	tion of HIV/AIDS	
10	(Manhattan/Queens) .....	44,865
11	Audre Lorde Project .....	56,081
12	Bronx Community Pride Center .....	56,081
13	Brooklyn AIDS Task Force -	
14	Shades of Lavender Project .....	25,391
15	Callen-Lorde Community Health	
16	Center .....	44,865
17	CANDLE (Community Awareness	
18	Network for a Drug-Free life	
19	and Environment) .....	35,350
20	Capital District Gay and	
21	Lesbian Community Council .....	25,391
22	Center Lane, Westchester	
23	Jewish Community Services .....	34,741
24	Empire State Pride Agenda .....	75,485
25	Ferre Institute .....	20,189
26	Gay Alliance of the Genesee	
27	Valley .....	56,081
28	Gay & Lesbian Switchboard .....	11,216
29	Gay and Lesbian Youth Services	
30	of Western New York .....	56,081
31	Gay Men of African Descent .....	25,391
32	Gay Men's Health Crisis .....	44,865
33	Greenwich Village Youth Coun-	
34	cil - New Neutral Zone .....	30,475
35	Heights Hill Mental Health	
36	Service - LGBT Affirmative	
37	Program .....	25,391
38	Hetrick Martin Institute .....	56,081
39	In Our Own Voices .....	53,838
40	Latino Commission on AIDS -	
41	Mano A Mano .....	25,391
42	Lesbian, Gay, Bisexual and	
43	Transgender Community Center .....	112,162
44	LGBT Wellness Program at	
45	Community Action Center .....	22,432
46	LOFT .....	26,658
47	Long Island Gay and Lesbian	
48	Youth .....	81,470
49	Men of Color Health Awareness	
50	Project .....	25,391
51	Metropolitan Community Church	
52	of New York .....	25,391
53	New York City Gay and Lesbian	
54	Anti-Violence Project .....	76,186
55	People of Color in Crisis .....	25,391
56	Planned Parenthood Health	
57	Services of Northeastern New	
58	York .....	22,432
59	Planned Parenthood of Niagara	
60	County .....	11,216
61	Positive Health Project .....	28,041
62		



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1	Pride Center of Western New	
2	York (Buffalo) .....	21,181
3	Pride for Youth/Long Island	
4	Crisis Center .....	56,081
5	Queens LGBT Pride Community	
6	Center .....	11,216
7	Queens Lesbian and Gay Commu-	
8	nity Center INC .....	25,391
9	Rainbow Access Initiative	
10	Albany .....	16,825
11	Rainbow Seniors of Western New	
12	York .....	8,412
13	Safety Zone .....	11,216
14	SAGE Upstate .....	21,181
15	Senior Action in a Gay Envi-	
16	ronment (SAGE) - Rainbow	
17	Aging Awareness Program .....	97,381
18		
19	For services and expenses of the health and social services sexuality-	
20	related programs domestic violence network pursuant to the following	
21	sub-schedule ...	282,000 (re. \$282,000)
22		
23	sub-schedule	
24		
25	In Our Own Voices .....	18,800
26	Men of Color Health Awareness	
27	Project .....	18,800
28	Alternatives for Battered	
29	Women .....	18,800
30	Gay Alliance Of the Genesee	
31	Valley .....	18,800
32	Empire Justice Center .....	18,800
33	The New York City Gay & Lesbi-	
34	an Anti-Violence Project .....	37,600
35	Safe Horizon .....	18,800
36	Syracuse Area Domestic	
37	Violence & Sexual Violence	
38	Coalition, Vera House .....	18,800
39	Rockland Family Shelter .....	18,800
40	Advocacy Center .....	18,800
41	Victim Assistance Services .....	18,800
42	NYS Coalition Against Domestic	
43	Violence .....	18,800
44	Lgbt Dv Committee Of Western	
45	NY .....	18,800
46	Good Shepard Services .....	18,800
47		
48	For services and expenses of the New York University College of	
49	Dentistry - Mobile Dental Clinics ...	188,000 (re. \$188,000)
50	For services and expenses of the Coalition for the Institutionalized	
51	Aged and Disabled ...	75,200 (re. \$75,200)
52	For services and expenses of the School Based Health Coalition .....	
53	37,600 .....	(re. \$37,600)
54	For services and expenses of the Primary Care Development Corporation	
55	... 394,800 .....	(re. \$394,800)
56	For services and expenses of the Center for Health Care Access .....	
57	101,520 .....	(re. \$101,520)
58	For services and expenses of the Lesbian, Gay, Bisexual, and	
59	Transgender Health and Human Services Network .....	
60	2,048,000 .....	(re. \$2,048,000)
61		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2009, as amended by chapter  
2 502, section 4, of the laws of 2009:  
3 For services and expenses related to providing nutritional services  
4 and to provide nutritional education to pregnant women, infants, and  
5 children, including suballocations to the department of agriculture  
6 and markets for the farmer's market nutrition program and migrant  
7 worker services and the office of temporary and disability  
8 assistance for prenatal care assistance program activities. A portion  
9 of this appropriation may be transferred to state operations  
10 appropriations for administration of this program; provided,  
11 however, that the amount of this appropriation available for  
12 expenditure and disbursement on and after November 1, 2009 shall be  
13 reduced by 12.5 percent of the amount that was undisbursed as of  
14 November 1, 2009 ... 20,610,000 ..... (re. \$17,700,000)  
15 For services and expenses, including operating expenses related to  
16 providing nutritional services and nutrition education for hunger  
17 prevention and nutrition assistance. A portion of this appropriation  
18 may be transferred to state operations appropriations for  
19 administration of this program; provided, however, that the amount  
20 of this appropriation available for expenditure and disbursement on  
21 and after November 1, 2009 shall be reduced by 12.5 percent of the  
22 amount that was undisbursed as of November 1, 2009 .....  
23 30,900,000 ..... (re. \$2,500,000)  
24 For additional services and expenses associated with red cross  
25 emergency response preparedness, including support for capital  
26 projects and ensuring an adequate blood supply. Funds shall be  
27 allocated from this appropriation pursuant to a plan prepared by the  
28 commissioner of health and approved by the director of the budget.  
29 Funds appropriated herein are supported by savings resulting from  
30 the increased Federal Medical Assistance Percentage (FMAP) provided  
31 pursuant to the American recovery and reinvestment act of 2009;  
32 provided, however, that the amount of this appropriation available  
33 for expenditure and disbursement on and after November 1, 2009 shall  
34 be reduced by 12.5 percent of the amount that was undisbursed as of  
35 November 1, 2009 ... 1,600,000 ..... (re. \$1,400,000)  
36  
37 By chapter 54, section 1, of the laws of 2008:  
38 For services and expenses of a study of racial disparities .....  
39 295,000 ..... (re. \$295,000)  
40  
41 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,  
42 section 3, of the laws of 2009:  
43 For services and expenses of the Health Information Technology program  
44 pursuant to chapter 58 of the laws of 2004 .....  
45 2,256,000 ..... (re. \$2,256,000)  
46 For additional state grants to improve access to infertility services,  
47 treatments, and procedures ... 752,000 ..... (re. \$752,000)  
48  
49 By chapter 54, section 1, of the laws of 2008, as amended by chapter  
50 496, section 5, of the laws of 2008:  
51 For services and expenses related to providing nutritional services  
52 and to provide nutritional education to pregnant women, infants, and  
53 children, including suballocations to the department of agriculture  
54 and markets for the farmer's market nutrition program and migrant  
55 worker services and the office of temporary and disability assist-  
56 ance for prenatal care assistance program activities. A portion of  
57 this appropriation may be transferred to state operations appropri-  
58 ations for administration of this program, provided, however, that  
59 the amount of this appropriation available for expenditure and  
60 disbursement on and after September 1, 2008 shall be reduced by six  
61 percent of the amount that was undisbursed as of August 15, 2008 ...  
62 21,600,000 ..... (re. \$4,128,128)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For services and expenses of a universal prenatal and postpartum home  
2 visitation program, provided, however, that the amount of this  
3 appropriation available for expenditure and disbursement on and  
4 after September 1, 2008 shall be reduced by six percent of the  
5 amount that was undisbursed as of August 15, 2008 .....  
6 2,080,000 ..... (re. \$1,955,200)  
7  
8 By chapter 54, section 1, of the laws of 2007:  
9 For services and expenses of Health Information Technology, pursuant  
10 to chapter 58 of the laws of 2004 ... 3,000,000 ... (re. \$3,000,000)  
11  
12 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,  
13 section 1, of the laws of 2008:  
14 For services and expenses related to the palliative care education and  
15 training program pursuant to section 2807-n of the public health law  
16 as added by chapter 58 of the laws of 2007. Up to \$370,000 of this  
17 appropriation may be transferred to the general fund - state  
18 purposes account for administration of this program .....  
19 4,600,000 ..... (re. \$4,600,000)  
20  
21 By chapter 54, section 1, of the laws of 2006:  
22 For services and expenses of health information technology .....  
23 3,000,000 ..... (re. \$2,770,000)  
24 For services and expenses of the safe patient handling demonstration  
25 program ... 500,000 ..... (re. \$500,000)  
26 For services and expenses of health e-link program .....  
27 750,000 ..... (re. \$750,000)  
28  
29 By chapter 54, section 1, of the laws of 2002:  
30 For grants to selected local health departments to perform health  
31 screenings for volunteer emergency workers including but not limited  
32 to volunteer fire and ambulance persons who were involved in  
33 response and recovery efforts related to the September 11, 2001  
34 attack on the New York City World Trade Center .....  
35 250,000 ..... (re. \$250,000)  
36  
37 By chapter 54, section 1, of the laws of 2001, as amended by chapter 15,  
38 section 4, of the laws of 2002:  
39 For state aid to municipalities for services and expenses related to  
40 the West Nile encephalitis outbreak. The moneys hereby appropriated  
41 shall be available for payment of financial assistance heretofore  
42 accrued or hereafter to accrue. Notwithstanding any other provision  
43 of law, these funds shall be available for reimbursement for emer-  
44 gency response to the West Nile virus pursuant to section 611 of  
45 article 6 of the public health law .....  
46 21,900,000 ..... (re. \$12,800,000)  
47  
48 Special Revenue Funds - Federal / State Operations  
49 Federal USDA-Food and Nutrition Services Fund - 261  
50 Child and Adult Care Food Account  
51  
52 By chapter 54, section 1, of the laws of 2009:  
53 For various food and nutritional services .....  
54 9,195,000 ..... (re. \$2,000,000)  
55  
56 By chapter 54, section 1, of the laws of 2008:  
57 For various food and nutritional services .....  
58 9,195,000 ..... (re. \$1,839,000)  
59  
60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Special Revenue Funds - Federal / Aid to Localities  
2 Federal USDA-Food and Nutrition Services Fund - 261  
3 Child and Adult Care Food Account  
4  
5 By chapter 54, section 1, of the laws of 2009:  
6 For various federal food and nutritional services. The moneys hereby  
7 appropriated shall be available for payment of financial assistance  
8 heretofore accrued ... 214,200,000 ..... (re. \$28,700,000)  
9  
10 By chapter 54, section 1, of the laws of 2008:  
11 For various federal food and nutritional services. The moneys hereby  
12 appropriated shall be available for payment of financial assistance  
13 heretofore accrued ... 202,300,000 ..... (re. \$1,549,000)  
14  
15 Special Revenue Funds - Federal / State Operations  
16 Federal USDA-Food and Nutrition Services Fund - 261  
17 Federal Food and Nutrition Services Account  
18  
19 By chapter 54, section 1, of the laws of 2009:  
20 For various food and nutritional services .....  
21 59,276,000 ..... (re. \$12,500,000)  
22  
23 By chapter 54, section 1, of the laws of 2008:  
24 For various food and nutritional services .....  
25 56,970,000 ..... (re. \$11,934,000)  
26  
27 Special Revenue Funds - Federal / Aid to Localities  
28 Federal USDA-Food and Nutrition Services Fund - 261  
29 Federal Food and Nutrition Services Account  
30  
31 By chapter 54, section 1, of the laws of 2009:  
32 For various federal food and nutritional services. The moneys hereby  
33 appropriated shall be available for payment of financial assistance  
34 heretofore accrued ... 437,600,000 ..... (re. \$35,000,000)  
35 For federal food and nutritional services grants funded by the  
36 American recovery and reinvestment act of 2009. Funds appropriated  
37 herein shall be subject to all applicable reporting and  
38 accountability requirements contained in such act. A portion of  
39 these funds may be transferred to state operations appropriations  
40 for administration of this program .....  
41 28,600,000 ..... (re. \$23,131,000)  
42  
43 By chapter 54, section 1, of the laws of 2008:  
44 For various federal food and nutritional services. The moneys hereby  
45 appropriated shall be available for payment of financial assistance  
46 heretofore accrued ... 392,200,000 ..... (re. \$1,244,000)  
47  
48 Special Revenue Funds - Federal / State Operations  
49 Federal USDA - Food and Nutrition Services Fund - 261  
50 Women, Infants, and Children (WIC) Civil Monetary  
51 Account  
52  
53 By chapter 54, section 1, of the laws of 2009:  
54 For services and expenses of the department of health related to the  
55 special supplemental nutrition program for women, infants and  
56 children.  
57 Contractual services ... 5,000,000 ..... (re. \$5,000,000)  
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 - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2009:  
2 For various health prevention, diagnostic, detection and treatment  
3 services. The amounts appropriated pursuant to such appropriation  
4 may be suballocated to other state agencies or accounts for  
5 expenditures incurred in the operation of programs funded by such  
6 appropriation subject to the approval of the director of the budget  
7 ... 29,819,000 ..... (re. \$29,330,000)  
8 For federal prevention and wellness programs funded by the American  
9 recovery and reinvestment act of 2009. Funds appropriated herein  
10 shall be subject to all applicable reporting and accountability  
11 requirements contained in such act .....  
12 30,000,000 ..... (re. \$30,000,000)  
13  
14 By chapter 54, section 1, of the laws of 2008:  
15 For various health prevention, diagnostic, detection and treatment  
16 services ... 29,819,000 ..... (re. \$14,224,000)  
17  
18 By chapter 54, section 1, of the laws of 2007:  
19 For various health prevention, diagnostic, detection and treatment  
20 Services.  
21 For grants beginning prior to April 1, 2007 .....  
22 16,959,000 ..... (re. \$16,136,000)  
23  
24 Special Revenue Funds - Federal / Aid to Localities  
25 Federal Health and Human Services Fund - 265  
26  
27 By chapter 54, section 1, of the laws of 2009:  
28 For various health prevention, diagnostic, detection and treatment  
29 services. The amounts appropriated pursuant to such appropriation  
30 may be suballocated to other state agencies or accounts for  
31 expenditures incurred in the operation of programs funded by such  
32 appropriation subject to the approval of the director of the budget  
33 ... 41,938,000 ..... (re. \$41,938,000)  
34 For federal prevention and wellness programs funded by the American  
35 recovery and reinvestment act of 2009. Funds appropriated herein  
36 shall be subject to all applicable reporting and accountability  
37 requirements contained in such act .....  
38 30,000,000 ..... (re. \$30,000,000)  
39  
40 By chapter 54, section 1, of the laws of 2008:  
41 For various health prevention, diagnostic, detection and treatment  
42 services ... 41,938,000 ..... (re. \$35,397,000)  
43  
44 By chapter 54, section 1, of the laws of 2007:  
45 For various health prevention, diagnostic, detection and treatment  
46 Services.  
47 For grants beginning on or after April 1, 2007 .....  
48 35,381,000 ..... (re. \$33,175,000)  
49  
50 Special Revenue Funds - Federal / State Operations  
51 Federal Health and Human Services Fund - 265  
52 Federal Block Grant Account  
53  
54 By chapter 54, section 1, of the laws of 2009:  
55 For various health prevention, diagnostic, detection and treatment  
56 services. The amounts appropriated pursuant to such appropriation  
57 may be suballocated to other state agencies or accounts for  
58 expenditures incurred in the operation of programs funded by such  
59 appropriation subject to the approval of the director of the budget  
60 ... 24,023,000 ..... (re. \$24,023,000)  
61  
62

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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. \$13,925,000)  
 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 2009:  
 10 For various health prevention, diagnostic, detection and treatment  
 11 services.  
 12 The commissioner of health is hereby authorized to waive any  
 13 provisions of the public health law and regulations, to issue  
 14 appropriate operating certificates, and to enter into contracts with  
 15 article 28 facilities, to provide funds, to establish, support and  
 16 conduct projects to provide improved and expanded school health  
 17 services for preschool and school-age children. No more than 10 per  
 18 centum of the amount appropriated for such purpose shall be expended  
 19 for services and expenses in connection with the administration and  
 20 evaluation of such grants. Grants awarded under this appropriation  
 21 shall be distributed and administered in accordance with regulations  
 22 established by the commissioner of health. The amounts appropriated  
 23 pursuant to such appropriation may be suballocated to other state  
 24 agencies or accounts for expenditures incurred in the operation of  
 25 programs funded by such appropriation subject to the approval of the  
 26 director of the budget ... 57,475,000 ..... (re. \$57,475,000)  
 27

28 By chapter 54, section 1, of the laws of 2008:  
 29 For various health prevention, diagnostic, detection and treatment  
 30 services.  
 31 The commissioner of health is hereby authorized to waive any  
 32 provisions of the public health law and regulations, to issue appro-  
 33 priate operating certificates, and to enter into contracts with  
 34 article 28 facilities, to provide funds, to establish, support and  
 35 conduct projects to provide improved and expanded school health  
 36 services for preschool and school-age children. No more than 10 per  
 37 centum of the amount appropriated for such purpose shall be expended  
 38 for services and expenses in connection with the administration and  
 39 evaluation of such grants. Grants awarded under this appropriation  
 40 shall be distributed and administered in accordance with regulations  
 41 established by the commissioner of health .....  
 42 57,475,000 ..... (re. \$47,953,000)  
 43

44 Special Revenue Funds - Federal / State Operations  
 45 Federal Department of Education Fund - 267  
 46 Individuals with Disabilities-Part C Account  
 47

48 By chapter 54, section 1, of the laws of 2009:  
 49 For activities related to a handicapped infants and toddlers program  
 50 ... 24,265,000 ..... (re. \$23,657,000)  
 51 For activities related to a handicapped infants and toddlers program  
 52 funded by the American recovery and reinvestment act of 2009. Funds  
 53 appropriated herein shall be subject to all applicable reporting and  
 54 accountability requirements contained in such act. The amount  
 55 appropriated for state operations may be interchanged to the  
 56 appropriation for federal prevention and wellness aid to localities  
 57 without limitation ... 22,000,000 ..... (re. \$21,996,000)  
 58

59 By chapter 54, section 1, of the laws of 2008:  
 60 For activities related to a handicapped infants and toddlers program  
 61 ... 20,620,000 ..... (re. \$13,398,000)  
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2007:  
2 For activities related to a handicapped infants and toddlers program.  
3 For the grant period beginning on or after July 1, 2006 .....  
4 8,150,000 ..... (re. \$8,150,000)  
5  
6 Special Revenue Funds - Federal / Aid to Localities  
7 Federal Department of Education Fund - 267  
8 Individuals with Disabilities-Part C Account  
9  
10 By chapter 54, section 1, of the laws of 2009:  
11 For activities related to a handicapped infants and toddlers program  
12 ... 51,578,000 ..... (re. \$51,578,000)  
13 For activities related to a handicapped infants and toddlers program  
14 funded by the American recovery and reinvestment act of 2009. Funds  
15 appropriated herein shall be subject to all applicable reporting and  
16 accountability requirements contained in such act. The amount  
17 appropriated for state operations may be interchanged to the  
18 appropriation for federal prevention and wellness state operations  
19 without limitation ... 2,000,000 ..... (re. \$2,000,000)  
20  
21 By chapter 54, section 1, of the laws of 2008:  
22 For activities related to a handicapped infants and toddlers program  
23 ... 51,578,000 ..... (re. \$46,096,000)  
24  
25 By chapter 54, section 1, of the laws of 2007:  
26 For activities related to a handicapped infants and toddlers program.  
27 For the grant period beginning on or after July 1, 2007 .....  
28 29,900,000 ..... (re. \$27,938,000)  
29  
30 Special Revenue Funds - Federal / State Operations  
31 Federal Block Grant Fund - 269  
32  
33 By chapter 54, section 1, of the laws of 2007:  
34 For various health prevention, diagnostic, detection and treatment  
35 services.  
36 For the grant period October 1, 2007 to September 30, 2008 .....  
37 10,370,000 ..... (re. \$10,285,000)  
38  
39 Special Revenue Funds - Federal / Aid to Localities  
40 Federal Block Grant Fund - 269  
41  
42 By chapter 54, section 1, of the laws of 2007:  
43 For various health prevention, diagnostic, detection and treatment  
44 services. The commissioner of health is hereby authorized to waive  
45 any provisions of the public health law and regulations, to issue  
46 appropriate operating certificates, and to enter into contracts with  
47 article 28 facilities, to provide funds, to establish, support and  
48 conduct projects to provide improved and expanded school health  
49 services for preschool and school-age children. No more than 10 per  
50 centum of the amount appropriated for such purpose shall be expended  
51 for services and expenses in connection with the administration and  
52 evaluation of such grants. Grants awarded under this appropriation  
53 shall be distributed and administered in accordance with regulations  
54 established by the commissioner of health.  
55 For the grant period October 1, 2007 to September 30, 2008 .....  
56 26,732,000 ..... (re. \$25,215,000)  
57  
58 Special Revenue Funds - Other / State Operations  
59 Combined Gifts, Grants and Bequests Fund - 020  
60 Autism Awareness and Research Account  
61  
62

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2009:  
2 For services and expenses related to autism awareness and research  
3 pursuant to section 404-v of the vehicle and traffic law and section  
4 95-e of the state finance law, as added by chapter 301 of the laws  
5 of 2004.  
6 Contractual services ... 20,000 ..... (re. \$20,000)  
7

8 By chapter 54, section 1, of the laws of 2008:  
9 For services and expenses related to autism awareness and research  
10 pursuant to section 404-v of the vehicle and traffic law and section  
11 95-e of the state finance law, as added by chapter 301 of the laws  
12 of 2004.  
13 Contractual services ... 20,000 ..... (re. \$20,000)  
14  
15 Special Revenue Funds - Other / Aid to Localities  
16 Combined Gifts, Grants and Bequests Fund - 020  
17 NYS Prostate Cancer Research, Detection and Education Account  
18

19 By chapter 54, section 1, of the laws of 2009:  
20 For prostate cancer research, detection and education pursuant to  
21 chapter 273 of the laws of 2004 ... 1,000,000 ..... (re. \$1,000,000)  
22

23 By chapter 54, section 1, of the laws of 2008:  
24 For prostate cancer research, detection and education pursuant to  
25 chapter 273 of the laws of 2004 ... 1,000,000 ..... (re. \$1,000,000)  
26  
27 Special Revenue Funds - Other / Aid to Localities  
28 HCRA Resources Fund - 061  
29 Health Care Services Account  
30

31 By chapter 54, section 1, of the laws of 2009:  
32 For the statewide breast cancer hotline to provide breast cancer  
33 information, education and support services operated by the Adelphi  
34 university breast cancer support program. Funds appropriated herein  
35 are supported by savings resulting from the increased Federal  
36 Medical Assistance Percentage (FMAP) provided pursuant to the  
37 American recovery and reinvestment act of 2009 .....  
38 172,000 ..... (re. \$172,000)  
39 For services and expenses of the Adelphi university breast cancer  
40 support program. Funds appropriated herein are supported by savings  
41 resulting from the increased Federal Medical Assistance Percentage  
42 (FMAP) provided pursuant to the American recovery and reinvestment  
43 act of 2009 ... 122,000 ..... (re. \$122,000)  
44

45 CENTER FOR ENVIRONMENTAL HEALTH PROGRAM  
46  
47 General Fund / Aid to Localities  
48 Local Assistance Account - 001  
49

50 By chapter 54, section 1, of the laws of 2009:  
51 For services and expenses related to enhancing the childhood lead  
52 poisoning primary prevention program in accordance with article 13  
53 of the public health law. A portion of this appropriation may be  
54 transferred to state operations ... 2,500,000 ..... (re. \$2,500,000)  
55  
56 Special Revenue Funds - Federal / State Operations  
57 Federal Health and Human Services Fund - 265  
58

59 By chapter 54, section 1, of the laws of 2009:  
60 For various health prevention, diagnostic, detection and treatment  
61 services ... 1,673,000 ..... (re. \$1,290,000)  
62



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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2008:  
2 For various health prevention, diagnostic, detection and treatment  
3 services ... 1,673,000 ..... (re. \$397,000)  
4  
5 Special Revenue Funds - Federal / State Operations  
6 Federal Health and Human Services Fund - 265  
7 Federal Block Grant Account  
8  
9 By chapter 54, section 1, of the laws of 2009:  
10 For services and expenses of various health prevention, diagnostic,  
11 detection and treatment services ... 6,808,000 .... (re. \$6,808,000)  
12  
13 By chapter 54, section 1, of the laws of 2008:  
14 For services and expenses of various health prevention, diagnostic,  
15 detection and treatment services ... 6,808,000 .... (re. \$2,137,000)  
16  
17 Special Revenue Funds - Federal / Aid to Localities  
18 Federal Health and Human Services Fund - 265  
19 Federal Block Grant Account  
20  
21 By chapter 54, section 1, of the laws of 2009:  
22 For services and expenses of various health prevention, diagnostic,  
23 detection and treatment services ... 3,687,000 .... (re. \$3,687,000)  
24  
25 By chapter 54, section 1, of the laws of 2008:  
26 For services and expenses of various health prevention, diagnostic,  
27 detection and treatment services ... 3,687,000 .... (re. \$3,687,000)  
28  
29 Special Revenue Funds - Federal / State Operations  
30 Federal Block Grant Fund - 269  
31  
32 By chapter 54, section 1, of the laws of 2007:  
33 For various health prevention, diagnostic, detection and treatment  
34 services.  
35 For the grant period October 1, 2007 to September 30, 2008 .....  
36 3,166,000 ..... (re. \$1,917,000)  
37  
38 Special Revenue Funds - Federal / Aid to Localities  
39 Federal Block Grant Fund - 269  
40  
41 By chapter 54, section 1, of the laws of 2007:  
42 For services and expenses of various health prevention, diagnostic,  
43 detection and treatment services.  
44 For the grant period October 1, 2007 to September 30, 2008 .....  
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 2009:  
52 For various environmental projects including suballocation for the  
53 department of environmental conservation .....  
54 9,703,000 ..... (re. \$9,620,000)  
55  
56 By chapter 54, section 1, of the laws of 2008:  
57 For various environmental projects including suballocation for the  
58 department of environmental conservation .....  
59 9,624,000 ..... (re. \$4,140,000)  
60  
61

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2007:  
2 For various environmental projects including suballocation for the  
3 department of environmental conservation.  
4 For the grant period October 1, 2006 to September 30, 2007 .....  
5 3,703,000 ..... (re. \$3,703,000)  
6 For the grant period October 1, 2007 to September 30, 2008 .....  
7 4,334,000 ..... (re. \$4,334,000)  
8  
9 By chapter 54, section 1, of the laws of 2006:  
10 For various environmental projects including suballocation for the  
11 department of environmental conservation:  
12 For the grant period October 1, 2005 to September 30, 2006 .....  
13 3,703,000 ..... (re. \$3,703,000)  
14 For the grant period October 1, 2006 to September 30, 2007 .....  
15 4,334,000 ..... (re. \$4,334,000)  
16  
17 By chapter 54, section 1, of the laws of 2005:  
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 3,873,000 ..... (re. \$3,873,000)  
22 For the grant period October 1, 2005 to September 30, 2006 .....  
23 4,164,000 ..... (re. \$4,164,000)  
24  
25 By chapter 54, section 1, of the laws of 2004:  
26 For various environmental projects including suballocation for the  
27 department of environmental conservation:  
28 For the grant period October 1, 2004 to September 30, 2005 .....  
29 8,494,000 ..... (re. \$8,494,000)  
30  
31 Special Revenue Funds - Other / State Operations  
32 Drinking Water Program Management and Administration Fund - 366  
33 Federal ARRA Account  
34  
35 By chapter 54, section 1, of the laws of 2009:  
36 For services and expenses of the drinking water state revolving Fund  
37 funded by the American recovery and reinvestment act of 2009. Funds  
38 appropriated herein shall be Subject to all applicable reporting and  
39 Accountability requirements contained in such act .....  
40 694,000 ..... (re. \$694,000)  
41  
42 CHILD HEALTH INSURANCE PROGRAM  
43  
44 Special Revenue Funds - Federal / State Operations  
45 Federal Health and Human Services Fund - 265  
46 Children's Health Insurance Account  
47  
48 By chapter 54, section 1, of the laws of 2009:  
49 The money hereby appropriated is available for payment of aid  
50 heretofore accrued or hereafter accrued.  
51 For services and expenses related to the children's health insurance  
52 program provided pursuant to title XXI of the federal social  
53 security act ... 64,130,000 ..... (re. \$64,130,000)  
54  
55 Special Revenue Funds - Federal / Aid to Localities  
56 Federal Health and Human Services Fund - 265  
57 Children's Health Insurance Account  
58  
59 By chapter 54, section 1, of the laws of 2009:  
60 The money hereby appropriated is available for payment of aid  
61 heretofore accrued or hereafter accrued.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For services and expenses related to the children's health insurance  
 2 program, pursuant to title XXI of the federal social security act...  
 3 487,800,000 ..... (re. \$487,800,000)  
 4 For services and expenses related to the children's health insurance  
 5 program. Funds appropriated herein are supported by savings  
 6 resulting from the increased Federal Medical Assistance Percentage  
 7 (FMAP) provided pursuant to the American recovery and reinvestment  
 8 act of 2009 ... 31,400,000 ..... (re. \$31,400,000)  
 9

10 HEALTH CARE FINANCING PROGRAM

11  
 12 Special Revenue Funds - Other / State Operations  
 13 Miscellaneous Special Revenue Fund - 339  
 14 1200 - Nursing Home Receivership Account  
 15

16 By chapter 50, section 1, of the laws of 1986:  
 17 For purposes of making payments pursuant to subdivision 3 of section  
 18 2810 of the public health law ... 2,000,000 ..... (re. \$2,000,000)  
 19

20 HEALTH CARE REFORM ACT PROGRAM

21  
 22 Special Revenue Funds - Other / Aid to Localities  
 23 HCRA Resources Fund - 061  
 24 HCRA Program Account  
 25

26 By chapter 54, section 1, of the laws of 2009, as amended by chapter  
 27 502, section 4, of the laws of 2009:

28 For services and expenses of the physician loan repayment program  
 29 pursuant to subdivision 5-a of section 2807-m of the public health  
 30 law. All or part of this appropriation may be suballocated to the  
 31 NYS higher education services corporation. Notwithstanding any other  
 32 provision of law to the contrary, for state fiscal year 2009-2010  
 33 the liability of the state and the amount to be distributed or  
 34 otherwise expended by the state on or after November 1, 2009 shall  
 35 be determined by first calculating the amount of the expenditure or  
 36 other liability pursuant to such law, and then reducing the amount  
 37 so calculated by 12.5 percent of such amount, and that the amount of  
 38 this appropriation available for disbursement on or after November  
 39 1, 2009 shall be reduced by 12.5 percent of the amount that is  
 40 undisbursed as of such date ... 1,960,000 ..... (re. \$1,715,000)  
 41

42 For services and expenses of the physician practice support program  
 43 pursuant to subdivision 5-a of section 2807-m of the public health  
 44 law. Notwithstanding any other provision of law to the contrary, for  
 45 state fiscal year 2009-2010 the liability of the state and the  
 46 amount to be distributed or otherwise expended by the state on or  
 47 after November 1, 2009 shall be determined by first calculating the  
 48 amount of the expenditure or other liability pursuant to such law,  
 49 and then reducing the amount so calculated by 12.5 percent of such  
 50 amount, and that the amount of this appropriation available for  
 51 disbursement on or after November 1, 2009 shall be reduced by 12.5  
 52 percent of the amount that is undisbursed as of such date .....  
 53 4,900,000 ..... (re. \$4,287,500)  
 54

55 For state grants for the health workforce retraining program.  
 56 Notwithstanding section 2807-g of the public health law, or any  
 57 other provision of law to the contrary, funds hereby appropriated  
 58 may be made available to other state agencies and facilities  
 59 operated by the department of health for services and expenses  
 60 related to the worker retraining program as disbursed pursuant to  
 61 section 2807-g of the public health law. Of this amount \$8,900,000  
 62 shall be made available to fund training for workers in jobs and job  
 skills that meet the changing requirements of the health care  
 industry pursuant to section 2807-g(5) of the public health law.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Provided, however, that the director of the budget must approve the  
 2 release of any request for proposal or request for application or  
 3 any other procurement initiatives issued on or after April 1, 2007.  
 4 Further provided that any contract executed on or after April 1,  
 5 2007 must receive the prior approval of the director of the budget.  
 6 A portion of this appropriation may be transferred to state  
 7 operations appropriations. Funds appropriated herein are supported  
 8 by savings resulting from the increased Federal Medical Assistance  
 9 Percentage (FMAP) provided pursuant to the American recovery and  
 10 reinvestment act of 2009. Notwithstanding any other provision of law  
 11 to the contrary, for state fiscal year 2009-2010 the liability of  
 12 the state and the amount to be distributed or otherwise expended by  
 13 the state on or after November 1, 2009 shall be determined by first  
 14 calculating the amount of the expenditure or other liability  
 15 pursuant to such law, and then reducing the amount so calculated by  
 16 12.5 percent of such amount, and that the amount of this  
 17 appropriation available for disbursement on or after November 1,  
 18 2009 shall be reduced by 12.5 percent of the amount that is  
 19 undisbursed as of such date ... 21,100,000 ..... (re. \$18,462,500)

20 For additional state grants to improve access to infertility services,  
 21 treatments, and procedures. Funds appropriated herein are supported  
 22 by savings resulting from the increased Federal Medical Assistance  
 23 Percentage (FMAP) provided pursuant to the American recovery and  
 24 reinvestment act of 2009; provided, however, that the amount of this  
 25 appropriation available for expenditure and disbursement on and  
 26 after November 1, 2009 shall be reduced by 12.5 percent of the  
 27 amount that was undisbursed as of November 1, 2009 .....  
 28 4,600,000..... (re. 4,025,000)  
 29

30 By chapter 54, section 1, of the laws of 2007, as amended by chapter  
 31 496, section 5, of the laws of 2008 :

32 For additional state grants to improve access to infertility services,  
 33 treatments, and procedures, provided, however, that the amount of  
 34 this appropriation available for expenditure and disbursement on and  
 35 after September 1, 2008 shall be reduced by six percent of the  
 36 amount that was undisbursed as of August 15, 2008 .....  
 37 5,000,000 ..... (re. \$1,400,000)  
 38

39 Special Revenue Funds - Other / Aid to Localities  
 40 HCRA Resources Fund - 061  
 41 HCRA Transition Account  
 42

43 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,  
 44 section 1, of the laws of 2006:

45 For services, expenses, grants and transfers necessary to continue  
 46 existing or planned contracts or other financing arrangements for  
 47 the purposes of implementing the health care reform act program in  
 48 accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, and  
 49 2807-v of the public health law and utilizing allocations authorized  
 50 prior to July 1, 2005. The moneys hereby appropriated shall be  
 51 available for payments heretofore accrued or hereafter to accrue.  
 52 Notwithstanding any inconsistent provision of law, the moneys hereby  
 53 appropriated may be increased or decreased by interchange or trans-  
 54 fer with any appropriation of the department of health or by trans-  
 55 fer or suballocation to any appropriation of the department of  
 56 insurance, the office of mental health or the state office for the  
 57 aging subject to the approval of the director of the budget, who  
 58 shall file such approval with the department of audit and control  
 59 and copies thereof with the chairman of the senate finance committee  
 60 and the chairman of the assembly ways and means committee .....  
 61 600,000,000 ..... (re. \$100,000,000)  
 62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 MEDICAID MANAGEMENT INFORMATION SYSTEM 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 2009:

7 For services and expenses related to the operation of an electronic  
8 medicaid eligibility verification system and operation of a medicaid  
9 override application system, and operation of a medicaid management  
10 information system, and development and operation of a replacement  
11 medicaid system. The moneys hereby appropriated shall be available  
12 for payment of liabilities heretofore accrued and hereafter to  
13 accrue.

14 Notwithstanding any inconsistent provision of law and subject to the  
15 approval of the director of the budget, the amount appropriated  
16 herein may be increased or decreased by interchange with any other  
17 appropriation or with any other item or items within the amounts  
18 appropriated within the department of health special revenue funds -  
19 federal with the approval of the director of the budget who shall  
20 file such approval with the department of audit and control and  
21 copies thereof with the chairman of the senate finance committee and  
22 the chairman of the assembly ways and means committee .....  
23 105,254,000 ..... (re. \$65,100,000)

24

25 OFFICE OF MEDICAID MANAGEMENT PROGRAM

26

27 General Fund / State Operations

28 State Purposes Account - 003

29

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

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

61

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For suballocation to the state office for the aging for the health  
2 insurance information, counseling and assistance program .....  
3 1,000,000 ..... (re. \$1,000,000)  
4  
5 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,  
6 section 1, of the laws of 2007:  
7 For services and expenses of the medical assistance program. The  
8 moneys hereby appropriated are for activities related to the maxi-  
9 mization of the Federal Medicare Part D drug program .....  
10 2,000,000 ..... (re. \$2,000,000)  
11  
12 General Fund / Aid to Localities  
13 Local Assistance Account - 001  
14  
15 By chapter 54, section 1, of the laws of 2007:  
16 For transfer to the state office for the aging for the managed care  
17 consumer assistance program for the purpose of providing education,  
18 outreach, one-on-one counseling, monitoring of the implementation of  
19 medicare part D, and assistance with drug appeals and fair hearings  
20 related to medicare part D coverage for persons who are eligible for  
21 medical assistance and who are also beneficiaries under part D of  
22 title XVIII of the federal social security act and for participants  
23 of the elderly pharmaceutical insurance coverage program in accord-  
24 ance with the following sub-schedule .....  
25 2,000,000 ..... (re. \$896,000)  
26  
27 sub-schedule  
28  
29 Medicare Rights Center ..... 900,000  
30 Statewide Senior Action Network .... 400,000  
31 New York Legal Assistance Group .... 125,000  
32 Legal Aid Society of New York ..... 125,000  
33 Selfhelp Community Services, Inc. .. 125,000  
34 Empire Justice Center ..... 175,000  
35 Community Service Society ..... 150,000  
36  
37 For services and expenses, including transfer to the state office for  
38 the aging, for evidence based prevention programs .....  
39 100,000 ..... (re. \$15,000)  
40  
41 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,  
42 section 1, of the laws of 2007:  
43 For transfer to the office for the aging for the purpose of providing  
44 education, outreach, one-on-one counseling, monitoring of the imple-  
45 mentation of Medicare Part D, and assistance with drug appeals and  
46 fair hearings related to Medicare Part D coverage for persons who  
47 are eligible for medical assistance and who are also beneficiaries  
48 under Part D of title XVIII of the federal social security act and  
49 for participants of the elderly pharmaceutical insurance coverage  
50 program in accordance with the following sub- schedule .....  
51 2,000,000 ..... (re. \$211,000)  
52  
53 sub-schedule  
54  
55 Medicare Rights Center ..... 900,000  
56 Statewide Senior Action Network .... 400,000  
57 New York Legal Assistance Group .... 125,000  
58 Legal Aid Society of New York ..... 125,000  
59 Selfhelp Community Services, Inc. .. 125,000  
60 Empire Justice Center ..... 175,000  
61 Community Service Society ..... 150,000  
62

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

2

3 General Fund / Aid to Localities

4 Local Assistance Account - 001

5

6 By chapter 54, section 1, of the laws of 1998, as amended by chapter 54,  
7 section 1, of the laws of 2006:

8 The amount appropriated herein may be used in all or in part for  
9 grants to those entities seeking certification to operate comprehen-  
10 sive HIV special needs plans to aid in the development of the  
11 systems, organizational structures and networks necessary to operate  
12 a managed care program and for entities contracted to participate in  
13 support of SNP development and for contractual services related to  
14 medical necessity and quality of care reviews for medicaid recipi-  
15 ents with HIV or who have AIDS enrolled in special needs plans.  
16 Subject to the approval of the director of budget, all or part of  
17 this appropriation may be transferred to the office of managed care,  
18 general fund - state purposes account .....  
19 30,000,000 ..... (re. \$14,800,000)

20

21 Special Revenue Funds - Federal / Aid to Localities

22 Federal Health and Human Services Fund - 265

23 Medicaid Administration Transfer Account

24

25 By chapter 54, section 1, of the laws of 2009:

26 For reimbursement of local administrative expenses of medical  
27 assistance programs provided pursuant to title XIX of the federal  
28 social security act or its successor program.

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

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

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 the social services law pursuant to an estimate provided by the  
 2 commissioner of health of each local social services district's  
 3 share of payments made pursuant to section 367-b of the social  
 4 services law ... 481,800,000 ..... (re. \$325,000,000)  
 5 For reimbursement of administrative expenses of the medical assistance  
 6 program provided by the office of mental health, office of mental  
 7 retardation and developmental disabilities, and office of alcoholism  
 8 and substance abuse services provided pursuant to title XIX of the  
 9 federal social security act. The money hereby appropriated is  
 10 available for payment of aid heretofore accrued and hereafter to  
 11 accrue. Notwithstanding any other provision of law, the money hereby  
 12 appropriated may be increased or decreased by interchange with any  
 13 other appropriation of the department of health with the approval of  
 14 the director of budget ... 100,000,000 ..... (re. \$30,000,000)  
 15

16 By chapter 54, section 1, of the laws of 2008:  
 17 For reimbursement of local administrative expenses of medical assist-  
 18 ance programs provided pursuant to title XIX of the federal social  
 19 security act or its successor program.

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

30 Notwithstanding any other provision of law, the money hereby appropri-  
 31 ated may be increased or decreased by interchange, with any appropri-  
 32 ation of the department of health, and may be increased or  
 33 decreased by transfer or suballocation between these appropriated  
 34 amounts and appropriations of the office of mental health, the  
 35 office of mental retardation and developmental disabilities, the  
 36 office of alcoholism and substance abuse services, the department of  
 37 family assistance office of temporary and disability assistance and  
 38 office of children and family services with the approval of the  
 39 director of the budget, who shall file such approval with the  
 40 department of audit and control and copies thereof with the chairman  
 41 of the senate finance committee and the chairman of the assembly  
 42 ways and means committee.

43 Notwithstanding any inconsistent provision of law, in lieu of payments  
 44 authorized by the social services law, or payments of federal funds  
 45 otherwise due to the local social services districts for programs  
 46 provided under the federal social security act or the federal food  
 47 stamp act, funds herein appropriated, in amounts certified by the  
 48 state commissioner of temporary and disability assistance or the  
 49 state commissioner of health as due from local social services  
 50 districts each month as their share of payments made pursuant to  
 51 section 367-b of the social services law may be set aside by the  
 52 state comptroller in an interest-bearing account in order to ensure  
 53 the orderly and prompt payment of providers under section 367-b of  
 54 the social services law pursuant to an estimate provided by the  
 55 commissioner of health of each local social services district's  
 56 share of payments made pursuant to section 367-b of the social  
 57 services law ... 481,800,000 ..... (re. \$75,000,000)  
 58

59 By chapter 54, section 1, of the laws of 2007:  
 60 For reimbursement of local administrative expenses of medical assist-  
 61 ance programs provided pursuant to title XIX of the federal social  
 62 security act or its successor program.



DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

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

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

36 For the grant period October 1, 2007 to September 30, 2008 .....  
 37 240,900,000 ..... (re. \$30,000,000)

38  
39 MEDICAL ASSISTANCE PROGRAM

40  
41 General Fund / State Operations  
 42 State Purposes Account -003  
 43

44 The appropriation made by chapter 54, section 1, of the laws of 2009, to  
 45 the general fund / aid to localities, local assistance account -  
 46 001, as transferred and amended by this act, is further amended and  
 47 reappropriated to read:

48 Notwithstanding any inconsistent provision of law, subject to the  
 49 approval of a plan by the director of the budget, up to the amount  
 50 appropriated herein, together with any available federal matching  
 51 funds, may be transferred or suballocated to the [office of  
 52 temporary and disability assistance] state office for the aging for  
 53 services and expenses related to making improvements in the long-  
 54 term care system including long-term care restructuring, the nursing  
 55 home transition and diversion waiver, and point-of-entry initiatives  
 56 for the purpose of expanding and promoting a more coordinated level  
 57 of care for the delivery of quality services in the community .....  
 58 8,700,000 ..... (re. \$8,700,000)

59  
60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 The appropriation made by chapter 54, section 1, of the laws of 2008, to  
 2 the general fund / aid to localities, local assistance account -  
 3 001, as transferred and amended by this act, and is further amended  
 4 and reappropriated to read:  
 5 Notwithstanding any inconsistent provision of law, subject to the  
 6 approval of a plan by the director of the budget, up to the amount  
 7 appropriated herein, together with any available federal matching  
 8 funds, may be transferred or suballocated to the [office of  
 9 temporary and disability assistance] state office for the aging for  
 10 services and expenses related to making improvements in the longterm  
 11 care system including long-term care restructuring, the nursing home  
 12 transition and diversion waiver, and point-of-entry initiatives for  
 13 the purpose of expanding and promoting a more coordinated level of  
 14 care for the delivery of quality services in the community .....  
 15 9,900,000 ..... (re. \$8,372,000)  
 16

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

20 By chapter 54, section 1, of the laws of 2009:  
 21 For services and expenses related to the medical assistance program  
 22 for expanding participation in the Consumer Directed Personal  
 23 assistance program. Such activities shall include but not be limited  
 24 to contracting with peer based programs to assist persons eligible  
 25 for the consumer directed personal assistance program, providing  
 26 general education and outreach to increase awareness training for  
 27 discharge planners, local districts and others. Funds appropriated  
 28 herein are supported by savings resulting from the increased Federal  
 29 Medical Assistance Percentage (FMAP) provided pursuant to the  
 30 American recovery and reinvestment act of 2009 .....

31 500,000 .....

32 (re. \$500,000)

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

40 Notwithstanding section 112 and section 163 of the state finance law,  
 41 for chronic illness demonstration projects authorized by section  
 42 364-1 of the social services law, the commissioner of health may  
 43 allocate up to \$2,500,000 of the amount appropriated for contracts  
 44 without a request for proposal process or any other competitive  
 45 process ... 6,000,000 .....

46 (re. \$6,000,000)

47 Notwithstanding any other provision of law, the money herein  
 48 appropriated, together with any available federal matching funds, is  
 49 available for transfer or suballocation to the state university of  
 50 New York and its subsidiaries, or to contract without competition  
 51 for services with the state university of New York research  
 52 foundation, to provide support for the administration of the medical  
 53 assistance program including activities such as dental prior  
 54 approval, retrospective and prospective drug utilization review,  
 55 development of evidence based utilization thresholds, data analysis,  
 56 clinical consultation and peer review, clinical support for the  
 57 pharmacy and therapeutic committee, and other activities related to  
 58 utilization management for the medicaid program .....

59 6,000,000 .....

(re. \$6,000,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 The appropriation made by chapter 54, section 1, of the laws of 2009, is  
 2 hereby amended by transferring \$8,700,000 to the general fund /  
 3 state operations, state purposes account - 003, and is further  
 4 amended and reappropriated to read:  
 5 Notwithstanding any inconsistent provision of law, subject to the  
 6 approval of a plan by the director of the budget, up to the amount  
 7 appropriated herein, together with any available federal matching  
 8 funds, may be transferred to the [general fund - state purposes  
 9 account or suballocated to the state office for the aging] office of  
 10 temporary and disability assistance for services and expenses  
 11 related to making improvements in the long-term care system  
 12 including long-term care restructuring, the nursing home transition  
 13 and diversion waiver, and point-of-entry initiatives for the purpose  
 14 of expanding and promoting a more coordinated level of care for the  
 15 delivery of quality services in the community .....  
 16 [16,000,000] 7,300,000 ..... (re. \$7,300,000)  
 17

18 By chapter 54, section 1, of the laws of 2008:  
 19 Notwithstanding any inconsistent provision of law, subject to a plan  
 20 developed by the commissioner of health and approved by the director  
 21 of the budget, up to the amount appropriated herein, together with  
 22 any available federal matching funds, will be available for demon-  
 23 strations that develop and evaluate interventions targeted at medi-  
 24 caid beneficiaries who are otherwise exempt or excluded from manda-  
 25 tory Medicaid managed care and who have multiple comorbidities.  
 26 Notwithstanding section 112 and section 163 of the state finance law,  
 27 for chronic illness demonstration projects authorized by section  
 28 364-1 of the social services law, the commissioner of health may  
 29 allocate up to \$2,500,000 of the amount appropriated for contracts  
 30 without a request for proposal process or any other competitive  
 31 process ... 6,000,000 ..... (re. \$6,000,000)  
 32

33 The appropriation made by chapter 54, section 1, of the laws of 2008, is  
 34 hereby amended by transferring \$9,900,000 to the general fund /  
 35 state operations, state purposes account - 003, and is further  
 36 amended and reappropriated to read:  
 37 Notwithstanding any inconsistent provision of law, subject to the  
 38 approval of a plan by the director of the budget, up to the amount  
 39 appropriated herein, together with any available federal matching  
 40 funds, may be transferred to the [general fund - state purposes  
 41 account or suballocated to the state office for the aging] office of  
 42 temporary and disability assistance for services and expenses  
 43 related to making improvements in the longterm care system including  
 44 long-term care restructuring, the nursing home transition and  
 45 diversion waiver, and point-of-entry initiatives for the purpose of  
 46 expanding and promoting a more coordinated level of care for the  
 47 delivery of quality services in the community .....  
 48 [16,000,000] 6,100,000 ..... (re. \$4,707,000)  
 49

50 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,  
 51 section 1, of the laws of 2009:  
 52 Notwithstanding any inconsistent provision of law, subject to the  
 53 approval of a plan by the director of the budget, up to the amount  
 54 appropriated herein, together with any available federal matching  
 55 funds, may be transferred to the general fund - state purposes  
 56 account or suballocated to the state office for the aging for  
 57 services and expenses related to making improvements in the long-  
 58 term care system including long-term care restructuring, the nursing  
 59 home transition and diversion waiver, and point-of-entry initiatives  
 60 for the purpose of expanding and promoting a more coordinated level  
 61 of care for the delivery of quality services in the community .....  
 62 14,800,000 ..... (re. \$2,600,000)

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

5 By chapter 54, section 1, of the laws of 2009:

6 For services and expenses of the medical assistance program including  
7 hospital outpatient and emergency room services .....  
8 701,525,000 ..... (re. \$701,525,000)

9 For services and expenses of the medical assistance program including  
10 clinic services ... 791,900,000 ..... (re. \$791,900,000)

11 For services and expenses of the medical assistance program including  
12 managed care services ... 3,750,666,000 ..... (re. \$3,750,666,000)

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

15 Notwithstanding any inconsistent provision of law, rule or regulation  
16 to the contrary, for the period April 1, 2009 through March 31,  
17 2010, the commissioner of health is authorized to negotiate directly  
18 with pharmaceutical manufacturers for rebates under the medical  
19 assistance program and to enter into a contract or contracts with  
20 qualified entities for such purpose, which contract or contracts may  
21 be entered into without a competitive bid or request for proposal  
22 process, notwithstanding any inconsistent provision of sections 112  
23 and 163 of the state finance law, or section 142 of the economic  
24 development law, or any other law; provided, however, if this  
25 chapter appropriates sufficient additional funds to preclude such  
26 direct negotiation and such contracting, then the provisions of this  
27 paragraph shall not apply and shall be considered null and void as  
28 of February 28, 2009.

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

49 Notwithstanding any inconsistent provision of law, rule or regulation  
50 to the contrary, for the period September 1, 2009 through March 31,  
51 2010, for purposes of medical assistance coverage, the commissioner  
52 is authorized to limit the amount, frequency and duration of drug  
53 therapy through prior authorization as part of the drug utilization  
54 review program established under title 11-C of article 5 of the  
55 social services law; provided, however, that clinical prescribing  
56 guidelines relating to the quantity, frequency and duration of drug  
57 therapy will be developed by the drug utilization review board for  
58 the commissioner's use in determining when to require prior  
59 authorization of drugs in the drug utilization review program, and  
60 provided further that exceptions to any prior authorization imposed  
61 as a result of these guidelines shall include, but need not be  
62 limited to, provision for emergency circumstances where a medical

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1 condition requires alleviation of severe pain or which threatens to  
2 cause disability or to take a life if not promptly treated; provided  
3 further, however, if this chapter provides sufficient additional  
4 funding to cover the costs of drugs prescribed without the  
5 limitations as to amount, frequency and duration described herein,  
6 then the provisions of this section shall be null and void as of  
7 February 28, 2009.

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

19 Notwithstanding any inconsistent provision of law, rule or regulation  
20 to the contrary, for the period April 1, 2009 through March 31,  
21 2010, for the purposes of providing reimbursement under the medical  
22 assistance program, and subject to obtaining all necessary approvals  
23 under federal law and regulation to receive federal financial  
24 participation in the costs of services described herein, the  
25 commissioner of health is authorized to pay financial incentives to  
26 prescribing practitioners and to pharmacies for the purpose of  
27 encouraging the use of electronic prescriptions for drugs for which  
28 payments are made under this subdivision; provided that such  
29 payments shall be in the following amounts: for prescribing  
30 practitioners, eighty cents per dispensed electronic prescription;  
31 for dispensing pharmacies, twenty cents per dispensed electronic  
32 prescription; provided, however, that electronic prescribing  
33 software shall not use any means or permit any other person to use  
34 any means, including, but not limited to, advertising, instant  
35 messaging, and pop-up ads, to influence or attempt to influence,  
36 through economic incentives or otherwise, the prescribing decision  
37 of a prescribing practitioner at the point of care and that such  
38 means shall not be triggered or in specific response to the input,  
39 selection, or act of a prescribing practitioner or his or her agent  
40 in prescribing a certain pharmaceutical or directing a patient to a  
41 certain pharmacy. Provided however that if this chapter provides  
42 sufficient additional funding to eliminate financial incentives to  
43 prescribing practitioners and to pharmacies for the purpose of  
44 encouraging the use of electronic prescriptions for drugs for which  
45 payments are made under this subdivision, then the provisions of  
46 this section shall be deemed null and void as of February 28, 2009

47 2,028,383,000 ..... (re. \$2,028,383,000)

48 For services and expenses of the medical assistance program including  
49 transportation services ... 248,049,000 ..... (re. \$248,049,000)

50 For services and expenses of the medical assistance program including  
51 dental services ... 146,434,000 ..... (re. \$146,434,000)

52 For services and expenses of the medical assistance program including  
53 noninstitutional and other spending .....  
54 4,002,369,000 ..... (re. \$4,002,369,000)

55 For services and expenses of the medical assistance program including  
56 a series of targeted chronic illness demonstration projects.

57 Notwithstanding section 112 and section 163 of the state finance law,  
58 for chronic illness demonstration projects authorized by section  
59 364-1 of the social services law, the commissioner of health may  
60 allocate up to \$2,500,000 of the amount appropriated for contracts  
61 without a request for proposal process or any other competitive  
62 process ... 6,000,000 ..... (re. \$6,000,000)

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1 Notwithstanding any other provision of law, the money herein  
 2 appropriated, together with any available federal matching funds, is  
 3 available for transfer or suballocation to the state university of  
 4 New York and its subsidiaries, or to contract without competition  
 5 for services with the state university of New York research  
 6 foundation, to provide support for the administration of the medical  
 7 assistance program including activities such as dental prior  
 8 approval, retrospective and prospective drug utilization review,  
 9 development of evidence based utilization thresholds, data analysis,  
 10 clinical consultation and peer review, clinical support for the  
 11 pharmacy and therapeutic committee, and other activities related to  
 12 utilization management for the medicaid program .....  
 13 6,000,000 ..... (re. \$6,000,000)

14 For services and expenses of the medical assistance program including  
 15 medical services provided at state facilities operated by the office  
 16 of mental health, the office of mental retardation and developmental  
 17 disabilities and the office of alcoholism and substance abuse  
 18 services ... 3,200,000,000 ..... (re. \$3,200,000,000)  
 19

20 By chapter 53, section 1, of the laws of 2009, as amended by chapter  
 21 502, section 4, of the laws of 2009:

22 For services and expenses for the medical assistance program,  
 23 including administrative expenses for local social services  
 24 districts, pursuant to title XIX of the federal social security act  
 25 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, and for payment of state aid to municipalities  
 30 and to providers of family care where payment systems through the  
 31 fiscal intermediaries are not operational, shall be available to the  
 32 department net of disallowances, refunds, reimbursements, and  
 33 credits.

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

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

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1 Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of  
2 the public health law, subdivision 2-b of section 2808 of the public  
3 health law, section 21 of chapter 1 of the laws of 1999 and any  
4 other contrary provision of law, except with regard to subparagraph  
5 (iii) of paragraph (a) of subdivision 33 of section 2807-c of the  
6 public health law, for the period April 1, 2009 through March 31,  
7 2010, rates of payments by state governmental agencies for inpatient  
8 and outpatient services provided by general hospitals, for inpatient  
9 services and adult day health care outpatient services provided by  
10 residential health care facilities pursuant to article 28 of the  
11 public health law, except for residential health care facilities  
12 that provide extensive nursing, medical, psychological and  
13 counseling support services to children, for home health care  
14 services provided pursuant to article 36 of the public health law by  
15 certified home health agencies and long term home health care  
16 programs, and personal care services provided pursuant to paragraph  
17 (e) of subdivision 2 of section 365-a of the social services law,  
18 and including rates of payment for assisted living program services,  
19 the commissioner of health shall reflect zero trend factor  
20 projections for the 2008 calendar year.

21 Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of  
22 the public health law, subdivision 2-b of section 2808 of the public  
23 health law, section 21 of chapter 1 of the laws of 1999 and any  
24 other contrary provision of law, except with regard to subparagraph  
25 (iii) of paragraph (a) of subdivision 33 of section 2807-c of the  
26 public health law, for the period April 1, 2009 through March 31,  
27 2010, rates of payments by state governmental agencies for inpatient  
28 and outpatient services provided by general hospitals, for inpatient  
29 services and adult day health care outpatient services provided by  
30 residential health care facilities pursuant to article 28 of the  
31 public health law, except for residential health care facilities  
32 that provide extensive nursing, medical, psychological and  
33 counseling support services to children, for home health care  
34 services provided pursuant to article 36 of the public health law by  
35 certified home health agencies and long term home health care  
36 programs, and personal care services provided pursuant to paragraph  
37 (e) of subdivision 2 of section 365-a of the social services law,  
38 including personal care services provided in those local social  
39 service districts, including New York city, whose rates of payment  
40 for such services are established by such local social service  
41 districts pursuant to a rate-setting exemption issued by the  
42 commissioner of health to such local social service districts in  
43 accordance with applicable regulations, and including rates of  
44 payment for assisted living program services, shall reflect zero  
45 trend factor projections for the 2009 calendar year.

46 For services and expenses of the medical assistance program including  
47 hospital inpatient services.

48 Notwithstanding any inconsistent provision of section 2807-c of the  
49 public health law or any other contrary provision of law, and  
50 subject to the availability of federal financial participation,  
51 rates of payment by governmental agencies for general hospital  
52 inpatient services with regard to discharges occurring on and after  
53 December 1, 2009 through March 31, 2010, shall be in accordance with  
54 the following:

55 (a) For periods on and after December 1, 2009 through March 31, 2010,  
56 the operating cost component of such rates of payment shall reflect  
57 the use of 2005 operating costs as reported by each facility to the  
58 department of health prior to December 1, 2008 and as otherwise  
59 computed in accordance with the provisions of this section and shall  
60 be in accordance with the following:  
61

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- 1 (i) The computation of a case mix neutral statewide base price  
2 applicable to each rate period, but excluding adjustments for  
3 graduate medical education costs, high cost outlier costs and cost  
4 related to patient transfers, and as may be periodically adjusted to  
5 reflect changes in provider coding patterns and case-mix; and  
6 (ii) Only those 2005 base year costs which relate to the cost of  
7 services provided to medicaid inpatients, as determined by the  
8 applicable ratio of costs to charges methodology, shall be utilized  
9 for rate-setting and case-mix purposes;  
10 (iii) Such rates shall reflect the application of hospital specific  
11 wage equalization factors and power equalization factors reflecting  
12 differences in wage rates and utility costs;  
13 (iv) Such rates shall reflect the utilization of the all patient  
14 refined (APR) case mix methodology, utilizing diagnostic related  
15 groups with assigned weights that incorporate differing levels of  
16 severity of patient condition and the associated risk of mortality,  
17 and as may be periodically updated by the commissioner of health;  
18 (v) Such regulations may incorporate quality related measures  
19 pertaining to potentially preventable complications and  
20 readmissions;  
21 (vi) Such regulations shall address adjustments based on the costs of  
22 high cost outlier patients;  
23 (vii) Such rates shall continue to reflect trend factor adjustments as  
24 otherwise provided in paragraph (c) of subdivision 10 of section  
25 2807-c of the public health law;  
26 (viii) Such rates shall not include any adjustments pursuant to  
27 subdivision 9 of section 2807-c of the public health law;  
28 (ix) Rates for non-public, not-for-profit general hospitals which have  
29 not, as of the effective date of this section, published an  
30 ancillary charges schedule as provided in paragraph (j) of  
31 subdivision 1 of section 2803 of the public health law shall have  
32 their inlier payments increased by an amount equal to the statewide  
33 average of cost outlier payments as determined by such regulations;  
34 (x) Administrative rate appeals shall be permitted only with regard  
35 to: (A) the correction of computational errors or omissions of data,  
36 including with regard to the hospital specific computations  
37 pertaining to graduate medical education, wage equalization factor  
38 adjustments and power equalization factor adjustments, and (B)  
39 capital cost reimbursement.  
40 (xi) Rates for teaching general hospitals shall include reimbursement  
41 for direct and indirect graduate medical education and the  
42 commissioner of health shall specify the reports and information  
43 required to assess the cost, quality and health system needs for  
44 medical education provided; and  
45 (b) The provisions of this section shall not apply to those general  
46 hospitals or distinct units of general hospitals whose inpatient  
47 reimbursement does not, as of November 30, 2009, reflect case-based  
48 payments per diagnosis related group; and  
49 (c) Notwithstanding section 112 or 163 of the state finance law or any  
50 other law, rule or regulation to the contrary, the commissioner of  
51 health may contract with a vendor for consideration to develop the  
52 specifications for the diagnosis-related groups methodology as  
53 provided for in this section if the commissioner of health certifies  
54 to the state comptroller that such contract is in the best interest  
55 of the health of the people of the state. Notwithstanding that such  
56 specifications shall be available pursuant to article 6 of the  
57 public officers law, such contract may provide that the  
58 specifications for such adjusted or additional diagnosis-related  
59 groups provided by the vendor shall be subject to copyright  
60 protection pursuant to federal copyright law; and  
61



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- 1 (d) Notwithstanding any inconsistent provision of this section or any  
2 other contrary provision of law, the commissioner of health may, for  
3 rate periods on and after July 1, 2009 through March 31, 2010, and  
4 subject to the availability of federal financial participation, make  
5 additional adjustments of up to \$33,500,000 in aggregate to the  
6 inpatient rates of payment of eligible general hospitals, to  
7 facilitate improvements in hospital operations and finances, in  
8 accordance with the following:
- 9 (i) Such payments shall be available to non-public hospitals which, as  
10 determined by the commissioner of health, experience a reduction in  
11 their medicaid inpatient revenue as determined by the commissioner  
12 of health, as a result of the application of the provisions of  
13 paragraph (a) of this section.
- 14 (ii) Such payments shall be allocated based on each eligible  
15 facility's relative need as determined by the commissioner of  
16 health.
- 17 (iii) Such payments shall not be subject to retroactive adjustment or  
18 reconciliation and may be added to rates of payment or made as lump  
19 sum payments.
- 20 (iv) Each hospital receiving such payments shall, as a condition for  
21 eligibility for such payments, adopt a resolution of the board of  
22 directors of each such hospital setting forth its current financial  
23 condition and a plan for reforming and improving such financial  
24 condition, including ongoing board oversight, provided, however, if  
25 such report is not issued and adopted by each such board of  
26 directors, or if such report fails to set forth adequate progress,  
27 as determined by the commissioner of health, the commissioner of  
28 health may deem such facility ineligible for further such payments  
29 and may redistribute such further payments to other eligible  
30 facilities in accordance with the provisions of this paragraph. The  
31 commissioner of health shall be provided with copies of all such  
32 resolutions and reports; and
- 33 (e) Inpatient rate adjustments made pursuant to paragraphs (a) through  
34 (c) of this section shall result in a net statewide decrease in  
35 aggregate medicaid payments of no less than \$75,000,000 for the  
36 period December 1, 2009 through March 31, 2010; and
- 37 (f) If the commissioner of health determines that federal financial  
38 participation will not be available with regard to the provisions of  
39 paragraph (d)(ii) herein, the commissioner of health may deem such  
40 provision null and void and instead may allocate payments  
41 proportionally, based on each eligible facility's relative share of  
42 medicaid inpatient discharges in the year two years prior to the  
43 distribution year; and
- 44 (g) Provided, however, if this chapter appropriates sufficient  
45 additional funds to support payments for general hospital inpatient  
46 services using the methodology in existence on February 28, 2009 as  
47 set forth in section 2807-c of the public health law, the provisions  
48 of this section shall not apply and shall be considered null and  
49 void as of February 28, 2009.
- 50 Notwithstanding any inconsistent provision of law and subject to the  
51 availability of federal financial participation, for the period  
52 April 1, 2009 through March 31, 2010, rates of payment by  
53 governmental agencies for general hospitals which are certified by  
54 the office of alcoholism and substance abuse services to provide  
55 inpatient detoxification and withdrawal services and, with regard to  
56 inpatient services provided to patients who are determined to be in  
57 diagnosis-related groups numbered 743 , 744, 745, 746, 747, 748,  
58 749, 750, or 751, shall be made on a per diem basis in accordance  
59 with the following:
- 60 (a) For each of the regions within the state as described in paragraph  
61 (e) of this section the commissioner of health shall determine the  
62 average per diem cost incurred by general hospitals in that region

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- 1 subject to the provisions of this section with regard to inpatients  
2 requiring medically managed detoxification services, as defined by  
3 applicable regulations promulgated by the office of alcoholism and  
4 substance abuse services. In determining such costs the commissioner  
5 of health shall utilize 2006 costs and statistics as reported by  
6 such hospitals to the department of health prior to 2008; and
- 7 (b) Per diem payments for inpatients requiring medically managed  
8 inpatient detoxification services shall reflect 100 percent of the  
9 per diem amounts computed pursuant to paragraph (a) of this section  
10 for the applicable region in which the facility is located and as  
11 trended forward to adjust for inflation, provided however, that such  
12 payments shall be reduced by 50 percent for any such services  
13 provided on or after the sixth day of services through the tenth day  
14 of services, and further provided that no payments shall be made for  
15 any services provided on or after the eleventh day; and
- 16 (c) Per diem payments for inpatients requiring medically supervised  
17 inpatient detoxification services, as defined by applicable  
18 regulations promulgated by the office of alcoholism and substance  
19 abuse services, shall reflect 37.5 percent of the operating cost  
20 component of the rates of payment effective December 31, 2007 and  
21 62.5 percent of the per diem amounts computed pursuant to paragraph  
22 (a) of this section for the applicable region in which the facility  
23 is located for the period April 1, 2009 through December 31, 2009,  
24 and as trended forward to adjust for inflation, and shall reflect 75  
25 percent of such per diem amounts for periods on and after January 1,  
26 2010 through March 31, 2010, as trended forward to adjust for  
27 inflation, provided, however, that such payments shall be reduced by  
28 50 percent for any services provided on or after the sixth day of  
29 services through the tenth day of services, and further provided  
30 that no payments shall be made for any services provided on and  
31 after the eleventh day; and
- 32 (d) Per diem payments for inpatients placed in observation beds, as  
33 defined by applicable regulations promulgated by the office of  
34 alcoholism and substance abuse services, shall be at the same level  
35 as would be paid pursuant to paragraph (a) of this section,  
36 provided, however, that such payments shall not apply for more than  
37 two days of care, after which payments for such inpatients shall  
38 reflect their designation as requiring either medically managed  
39 detoxification services or medically supervised withdrawal services,  
40 and further provided that days of care provided in such observation  
41 beds shall, for reimbursement purposes, be fully reflected in the  
42 computation of the initial five days of care as set forth in  
43 paragraphs (a) and (b) of this section; and
- 44 (e) For the purposes of this paragraph, the regions of the state shall  
45 be as follows:
- 46 (i) New York city, consisting of the counties of Bronx, New York,  
47 Kings, Queens and Richmond;
- 48 (ii) Long Island, consisting of the counties of Nassau and Suffolk;
- 49 (iii) Northern metropolitan, consisting of the counties of Columbia,  
50 Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and  
51 Westchester;
- 52 (iv) Northeast, consisting of the counties of Albany, Clinton, Essex,  
53 Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga,  
54 Schenectady, Schoharie, Warren and Washington;
- 55 (v) Utica/Watertown, consisting of the counties of Franklin, Herkimer,  
56 Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison  
57 and Oneida
- 58 (vi) Central, consisting of the counties of Broome, Cayuga, Chemung,  
59 Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins,
- 60 (vii) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and  
61 Yates;

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- 1 (viii) Western, consisting of the counties of Allegany, Cattaraugus,  
2 Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming.
- 3 (f) Provided, however, if this chapter appropriates sufficient  
4 additional funds to support payments for hospital inpatient  
5 detoxification services using the methodology in existence on  
6 February 28, 2009 as set forth in section 2807-c(4)(l) of the public  
7 health law, the provisions of this section shall not apply and shall  
8 be considered null and void as of February 28, 2009.
- 9 Notwithstanding any inconsistent provision of paragraph (e) of  
10 subdivision 4 of section 2807-c of the public health law or any  
11 other contrary provision of law and subject to the availability of  
12 federal financial participation, the operating cost component of per  
13 diem rates of payment by governmental agencies for inpatient  
14 services provided by a general hospital or a distinct unit of a  
15 general hospital for services, as described below, that would  
16 otherwise be subject to the provisions of paragraph (e) of  
17 subdivision 4 of section 2807-c of the public health law, shall,  
18 with regard to days of service occurring on and after December 1,  
19 2009 through March 31, 2010, be in accord with the following:
- 20 (a) For physical medical rehabilitation services and for chemical  
21 dependency rehabilitation services, such rates shall reflect the use  
22 of 2005 operating costs for each respective category of services as  
23 reported by each facility to the department of health prior to  
24 December 1, 2008 and as adjusted for inflation pursuant to paragraph  
25 (c) of subdivision 10 of section 2807-c of the public health law, as  
26 otherwise modified by any applicable statute, provided, however,  
27 that such 2005 reported operating costs shall, for rate- setting  
28 purposes, be held to a ceiling of 110 percent of the average of such  
29 reported costs in the region in which the facility is located, as  
30 determined pursuant to clause (E) of subparagraph (iii) of paragraph  
31 (l) of subdivision 4 of section 2807-c of the public health law; and
- 32 (b) For services provided by rural hospitals designated as critical  
33 access hospitals in accordance with title XVIII of the federal  
34 social security act, such rates shall reflect the use of 2005  
35 operating costs as reported by each facility to the department of  
36 health prior to December 1, 2008 and as adjusted for inflation  
37 pursuant to paragraph (c) of subdivision 10 of section 2807-c of the  
38 public health law, as otherwise modified by any applicable statutes,  
39 provided, however, that such 2005 reported operating costs shall,  
40 for rate-setting purposes, be held to a ceiling of 110 percent of  
41 the average of such reported costs for all such designated hospitals  
42 statewide; and
- 43 (c) For inpatient services provided by specialty long term acute care  
44 hospitals and for inpatient services provided by cancer hospitals as  
45 so designated as of December 31, 2008, such rates shall reflect the  
46 use of 2005 operating costs for each respective category of facility  
47 as reported by each facility to the department of health prior to  
48 December 1, 2008 and as adjusted for inflation pursuant to paragraph  
49 (c) of subdivision 10 of section 2807-c of the public health law, as  
50 otherwise modified by any applicable statutes; and
- 51 (d) For facilities designated by the federal department of health and  
52 human services as exempt acute care children's hospitals, for which  
53 a discrete institutional cost report was filed for the 2006 calendar  
54 year, and which has reported medicaid discharges greater than 50  
55 percent of total discharges in such cost report, such rates shall  
56 reflect the use of 2006 operating costs as reported by each facility  
57 to the department of health prior to December 1, 2008 and as  
58 adjusted for inflation pursuant to paragraph (c) of subdivision 10  
59 of section 2807-c of the public health law, as otherwise modified by  
60 any applicable statutes, and as determined on a per case basis or  
61 per diem basis, as set forth in regulations promulgated by the  
62 commissioner of health; and

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1 (e) Rates established pursuant to this section shall be deemed as  
2 excluding reimbursement for physician services for inpatient  
3 services and claims for medicaid fee payments for such physician  
4 services for such inpatient care may be submitted separately from  
5 the rate in accordance with otherwise applicable law; and  
6 (f) Such rates of payment pursuant to this section for a general  
7 hospital or distinct unit of a general hospital without adequate  
8 cost experience shall be based on the lower of the facility's or  
9 unit's inpatient budgeted operating costs per day, adjusted to  
10 actual, or the applicable regional ceiling, if any; and  
11 (g) Provided, however, if this chapter appropriates sufficient  
12 additional funds to support payments for inpatient services provided  
13 by a general hospital or a distinct unit of a general hospital, as  
14 described in this paragraph, using the methodology in existence on  
15 February 28, 2009 as set forth in section 2807-c of the public  
16 health law, the provisions of this section shall not apply and shall  
17 be considered null and void as of February 28, 2009 .....  
18 4,590,302,000 ..... (re. \$4,590,302,000)  
19 For services and expenses of the medical assistance program including  
20 nursing home services.  
21 Notwithstanding any contrary provision of law, for the period April 1,  
22 2009 through March 31, 2010, for rates of payment by government  
23 agencies for inpatient services provided by residential health care  
24 facilities, in determining the operating component of a facility's  
25 rate for care provided for an AIDS patient in a residential health  
26 care facility designated as an AIDS facility or having a discrete  
27 AIDS unit, the operating component of such rates shall not reflect  
28 an occupancy factor increase .....  
29 3,924,050,000 ..... (re. \$3,924,050,000)  
30 For services and expenses of the medical assistance program including  
31 other long term care services .....  
32 3,014,989,000 ..... (re. \$3,014,989,000)  
33  
34 By chapter 54, section 1, of the laws of 2008:  
35 For services and expenses of the medical assistance program including  
36 hospital inpatient services .....  
37 4,816,106,000 ..... (re. \$2,316,106,000)  
38 For services and expenses of the medical assistance program including  
39 hospital outpatient and emergency room services .....  
40 671,764,000 ..... (re. \$371,764,000)  
41 For services and expenses of the medical assistance program including  
42 clinic services ... 792,156,000 ..... (re. \$392,156,000)  
43 For services and expenses of the medical assistance program including  
44 pharmacy services ... 1,620,653,000 ..... (re. \$620,653,000)  
45 For services and expenses of the medical assistance program including  
46 transportation services ... 213,019,000 ..... (re. \$153,019,000)  
47 For services and expenses of the medical assistance program including  
48 dental services ... 150,776,000 ..... (re. \$80,776,000)  
49 For services and expenses of the medical assistance program including  
50 a series of targeted chronic illness demonstration projects.  
51 Notwithstanding section 112 and section 163 of the state finance law,  
52 for chronic illness demonstration projects authorized by section  
53 364-1 of the social services law, the commissioner of health may  
54 allocate up to \$2,500,000 of the amount appropriated for contracts  
55 without a request for proposal process or any other competitive  
56 process ... 6,000,000 ..... (re. \$6,000,000)  
57 Notwithstanding any other provision of law, the money herein appropri-  
58 ated, together with any available federal matching funds, is avail-  
59 able for transfer or suballocation to the state university of New  
60 York and its subsidiaries, or to contract without competition for  
61 services with the state university of New York research foundation,  
62 to provide support for the administration of the medical assistance

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1 program including activities such as dental prior approval, retro-  
 2 spective and prospective drug utilization review, development of  
 3 evidence based utilization thresholds, data analysis, clinical  
 4 consultation and peer review, clinical support for the pharmacy and  
 5 therapeutic committee, and other activities related to utilization  
 6 management for the medicaid program .....  
 7 4,000,000 ..... (re. \$4,000,000)  
 8 For services and expenses of the medical assistance program including  
 9 medical services provided at state facilities operated by the office  
 10 of mental health, the office of mental retardation and developmental  
 11 disabilities and the office of alcoholism and substance abuse  
 12 services ... 2,700,000,000 ..... (re. \$1,100,000,000)  
 13

14 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,  
 15 section 3, of the laws of 2009:

16 For services and expenses of the medical assistance program including  
 17 nursing home services ... 3,615,247,000 ..... (re. \$2,287,247,000)

18 For services and expenses of the medical assistance program related to  
 19 residential health care facility rate increases for recruitment and  
 20 retention of health care workers ... 12,000,000 .. (re. \$12,000,000)  
 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 for the medical assistance program, includ-  
 25 ing administrative expenses for local social services districts,  
 26 pursuant to title XIX of the federal social security act or its  
 27 successor program.

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

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

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

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1 commissioner of health of each local social services district's  
2 share of payments made pursuant to section 367-b of the social  
3 services law.

4 Notwithstanding any inconsistent provision of law, rule or regulation  
5 to the contrary, for the period April 1, 2008 through March 31,  
6 2009, payment under the family health plus program established under  
7 title 11-D of the social services law for drugs which may not be  
8 dispensed without a prescription as required by section 6810 of the  
9 education law shall be made pursuant to the provisions of subdivi-  
10 sion 9 of section 367-a of the social services law; provided, howev-  
11 er, that payment for such drugs provided by medical practitioners  
12 shall be included in the capitation payment for services or supplies  
13 provided to persons eligible for health care services under the  
14 family health plus program, and payment for such drugs that are  
15 provided by an employer partnership for family health plus plan  
16 authorized by section 369-ff of the social services law, shall be  
17 included in the capitation payment for services or supplies provided  
18 to persons eligible for health care services under such plan; and  
19 provided further that, for such period, the provisions of paragraph  
20 (d) of subdivision 7 of section 367-a of the social services law  
21 shall apply to reimbursement of covered drugs dispensed to persons  
22 eligible for services as a result of their eligibility having been  
23 established under subdivision 2 of section 369-ee of the social  
24 services law.

25 Notwithstanding any inconsistent provision of law, rule or regulation  
26 to the contrary, including the provisions of sections 112 and 163 of  
27 the state finance law, for the period October 1, 2008 through March  
28 31, 2009, and subject to federal financial participation, the  
29 department of health is authorized to implement a specialty pharmacy  
30 program for the purpose of procuring certain specialty drugs at  
31 reduced cost. For this purpose, the department is authorized to  
32 enter into contracts with one or more contractors in order to obtain  
33 certain specialty drugs from a limited number of sources at reduced  
34 prices. For this purpose, specialty drugs include, but are not  
35 limited to, chemotherapy agents, hydration therapy agents, pain  
36 therapy agents, intravenous administration of antibiotics or other  
37 drugs, and total parenteral nutrition; provided, however, if this  
38 chapter appropriates sufficient additional funds to reimburse  
39 specialty pharmacy drugs as in effect for the period April 1, 2007  
40 through March 31, 2008, then the provisions of this paragraph shall  
41 not apply and shall be considered null and void as of March 31,  
42 2008.

43 Notwithstanding any inconsistent provision of law, rule or regulation  
44 to the contrary, for the period July 1, 2008 through March 31, 2009,  
45 the commissioner of health may, upon recommendation by the pharmacy  
46 and therapeutics committee, consider for inclusion in the preferred  
47 drug program established pursuant to section 272 of the public  
48 health law the therapeutic class of anti-depressants; provided,  
49 however, if this chapter appropriates sufficient additional funds to  
50 exclude anti-depressants from the preferred drug program then the  
51 provisions of this paragraph shall not apply and shall be considered  
52 null and void as of March 31, 2008.

53 Notwithstanding any inconsistent provision of law, rule or regulation  
54 to the contrary, for the period July 1, 2008 through March 31, 2009,  
55 no prior authorization under the preferred drug program shall be  
56 required when a prescriber prescribes a drug on the preferred drug  
57 list; provided, however, that the commissioner of health may identi-  
58 fy such a drug for which prior authorization is required pursuant to  
59 the provisions of the clinical drug review program established under  
60 section 274 of the public health law; provided, however, if this  
61 chapter appropriates sufficient additional funds to exclude prior  
62 authorization pursuant to the provisions of the clinical drug review

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1 program for drugs included on the preferred drug list then the  
2 provisions of this paragraph shall not apply and shall be considered  
3 null and void as of March 31, 2008.

4 Notwithstanding any inconsistent provision of law, rule or regulation  
5 to the contrary, for the period April 1, 2008 through March 31,  
6 2009, and subject to federal financial participation, the commis-  
7 sioner of health is authorized to establish a medication therapy  
8 management pilot program in one or more counties or regions of the  
9 state for the purpose of improving compliance with drug therapies  
10 and improving clinical outcomes. Payments under such program may be  
11 made to retail pharmacies for the provision of one-on-one medication  
12 regimen counseling services for persons determined by the commis-  
13 sioner to be eligible to receive such services. The commissioner is  
14 authorized to establish fees for such counseling services, subject  
15 to the approval of the director of the division of the budget;  
16 provided, however, if this chapter appropriates sufficient addi-  
17 tional funds to eliminate the medication therapy management pilot  
18 program then the provisions of this paragraph shall not apply and  
19 shall be considered null and void as of March 31, 2008.

20 Notwithstanding any inconsistent provision of law, rule or regulation  
21 to the contrary, for the period July 1, 2008 through March 31, 2009,  
22 medical assistance payment for drugs which may not be dispensed  
23 without a prescription shall be made at the following amounts: if  
24 the drug dispensed is a multiple source prescription drug or a  
25 brand-name prescription drug for which no specific upper limit has  
26 been set by the federal centers for medicare and medicaid services,  
27 the lower of the estimated acquisition cost of such drug to pharma-  
28 cies, or the dispensing pharmacy's usual and customary price charged  
29 to the general public; for sole and multiple source brand name  
30 drugs, estimated acquisition cost means the average wholesale price  
31 of a prescription drug based upon the package size dispensed from,  
32 as reported by the prescription drug pricing service used by the  
33 department of health, less 17 percent thereof, and updated monthly  
34 by the department; if the drug dispensed is a multiple source  
35 prescription drug for which an upper limit has been set by the  
36 federal centers for medicare and medicaid services, the lower of:  
37 (A) an amount equal to the specific upper limit set by such federal  
38 agency for the multiple source prescription drug; (B) the estimated  
39 acquisition cost of such drug to pharmacies which, for this purpose,  
40 shall mean the average wholesale price of a prescription drug based  
41 on the package size dispensed from, as reported by the prescription  
42 drug pricing service used by the department, less 25 percent there-  
43 of; (C) the maximum acquisition cost, if any, established pursuant  
44 to paragraph (e) of subdivision 9 of section 367-a of the social  
45 services law; or (D) the dispensing pharmacy's usual and customary  
46 price charged to the general public.

47 Notwithstanding any inconsistent provision of law, rule or regulation  
48 to the contrary, for the period July 1, 2008 through March 31, 2009,  
49 medical assistance payment to a specialized HIV pharmacy, as defined  
50 in paragraph (f) of subdivision 9 of section 367-a of the social  
51 services law, for drugs which may not be dispensed without a  
52 prescription shall be made at the following amounts: if the drug  
53 dispensed is a multiple source prescription drug or a brand-name  
54 prescription drug for which no specific upper limit has been set by  
55 the centers for medicare and medicaid services, the lower of the  
56 estimated acquisition cost of such drug to pharmacies, or the  
57 dispensing pharmacy's usual and customary price charged to the  
58 general public; for sole and multiple source brand name drugs, esti-  
59 mated acquisition cost means the average wholesale price of a  
60 prescription drug based upon the package size dispensed from, as  
61 reported by the prescription drug pricing service used by the  
62 department of health, less 17 percent thereof, and updated monthly

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1 by the department; for multiple source generic drugs, estimated  
2 acquisition cost means the lower of the average wholesale price of a  
3 prescription drug based on the package size dispensed from, as  
4 reported by the prescription drug pricing service used by the  
5 department, less 25 percent thereof, or the maximum acquisition  
6 cost, if any, established pursuant to paragraph (e) of subdivision 9  
7 of section 367-a of the social services law.

8 Notwithstanding any inconsistent provision of law, rule or regulation  
9 to the contrary, for the period October 1, 2008 through March 31,  
10 2009, the following services shall not be exempt from the system of  
11 utilization controls authorized by section 365-g of the social  
12 services law for the medical assistance program: mental health  
13 continuing treatment, day treatment, partial hospitalization, and  
14 intensive psychiatric rehabilitative treatment services provided  
15 pursuant to paragraph (c) of subdivision 2 of section 365-a of the  
16 social services law; alcoholism services and substance abuse  
17 services provided in clinics certified under article 28 of the  
18 public health law or article 22 or article 31 of the mental hygiene  
19 law; services performed by an article 28 hospital or diagnostic and  
20 treatment center on an ambulatory basis upon the order of a quali-  
21 fied practitioner to test, diagnose or treat the recipient; and  
22 psychiatric services and anesthesiology services provided by a  
23 physician; provided, however, if this chapter appropriates suffi-  
24 cient additional funds to support the exemptions from the system of  
25 utilization controls authorized by section 365-g of the social  
26 services law in existence prior to March 31, 2008 then the  
27 provisions of this paragraph shall not apply and shall be considered  
28 null and void as of March 31, 2008.

29 Notwithstanding any contrary provision of law, and contingent upon the  
30 availability of federal financial participation, for the period July  
31 1, 2008 through March 31, 2009, for the purpose of establishing the  
32 operating cost component of case based rates of payments by govern-  
33 mental agencies for general hospital inpatient services, with 75  
34 percent of such rates reflecting the operating cost component of  
35 rates of payment effective for December 31, 2007, as adjusted for  
36 inflation by application of 75 percent of the inflation adjustment  
37 attributed to the period January 1, 2008 through December 31, 2008  
38 computed pursuant to paragraph (c) of subdivision 10 of section  
39 2807-c of the public health law and with 25 percent of such rates  
40 reflecting the use of 2005 operating costs as reported by each  
41 general hospital to the department of health prior to 2008 and as  
42 computed in accordance with the following:

- 43 (a) 100 percent of such rates shall be based on each general hospi-  
44 tal's group category average inpatient reimbursable operating cost  
45 per discharge (price) determined in accordance with subdivision 7 of  
46 section 2807-c of the public health law; and  
47 (b) only those 2005 base year costs which relate to the cost of  
48 services provided to Medicaid inpatients, as determined by the  
49 applicable ratio of costs to charges methodology, shall be utilized  
50 for ratesetting process, provided, however, that the costs of  
51 providing services to inpatients enrolled in Medicaid managed care  
52 plans or in the family health plus program shall be excluded from  
53 such ratesetting computations; and  
54 (c) for the purposes of adjusting such rates to account for inflation  
55 from the 2005 base period, the adjustment factor methodology set  
56 forth in paragraph (c) of subdivision 10 of section 2807-c of the  
57 public health law, as reduced by 25 percent, with regard to trend  
58 projections attributable to the period January 1, 2008 through  
59 December 31, 2008 shall be utilized, provided, however, that for  
60 inflation attributable to the period January 1, 2006 through Decem-  
61 ber 31, 2007, the adjustment methodology utilized shall be the  
62



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- 1 hospital inpatient medicare market basket methodology as described  
2 in applicable federal regulations and effective for periods from  
3 October 1, 2005 through September 30, 2007; and  
4 (d) such rates shall be deemed as excluding reimbursement for physi-  
5 cian services for inpatient services and claims for medicaid fee  
6 payments for such physician services for such inpatient care may be  
7 submitted separately from such rates in accordance with otherwise  
8 applicable law; provided, however, if this chapter appropriates  
9 sufficient additional funds to support payments for general hospital  
10 inpatient services using the methodology in existence on June 30,  
11 2008 as set forth in section 2807-c of the public health law the  
12 provisions of this paragraph shall not apply and shall be considered  
13 null and void as of March 31, 2008.
- 14 Notwithstanding any contrary provision of law, and contingent upon the  
15 availability of federal financial participation, for the period  
16 April 1, 2008 through March 31, 2009, the operating cost component  
17 of rates of payment by governmental agencies to general hospitals  
18 which are certified by the office of alcoholism and substance abuse  
19 services to provide inpatient detoxification and withdrawal services  
20 and, with regard to inpatient services provided to patients  
21 discharges during such period who are determined to be in diagno-  
22 sis-related groups numbered 743, 744, 745, 746, 747, 748, 749, 750,  
23 or 751, as determined in accordance with applicable regulations,  
24 shall be made on a per diem basis in accordance with the following:
- 25 (a) for each of the regions within the state as described in subdivi-  
26 sion (e) of this section the commissioner of health shall determine  
27 the average per diem cost incurred by general hospitals in that  
28 region subject to the provisions of this section with regard to  
29 inpatients requiring medically managed detoxification services, as  
30 defined by applicable regulations promulgated by the office of alco-  
31 holism and substance abuse services. In determining such costs the  
32 commissioner of health shall utilize 2006 costs and statistics as  
33 reported by such hospitals to the department prior to 2008; and
- 34 (b) per diem payments for inpatients requiring medically managed inpa-  
35 tient detoxification services shall reflect 100 percent of the per  
36 diem amounts computed pursuant to subdivision (a) of this section  
37 for the applicable region in which the facility is located and as  
38 trended forward to adjust for inflation, provided however, that such  
39 payments shall be reduced by 50 percent for any such services  
40 provided on or after the sixth day of services through the tenth day  
41 of services, and further provided that no payments shall be made for  
42 any services provided on or after the eleventh day; and
- 43 (c) per diem payments for inpatients requiring medically supervised  
44 inpatient withdrawal services, as defined by applicable regulations  
45 promulgated by the office of alcoholism and substance abuse  
46 services, shall reflect 100 percent of the per diem amounts computed  
47 pursuant to subdivision (a) of this section for the applicable  
48 region in which the facility is located and as trended forward to  
49 adjust for inflation, provided, however, that such payments shall be  
50 reduced by 50 percent for any services provided on or after the  
51 sixth day of services through the tenth day of services, and further  
52 provided that no payments shall be made for any services provided on  
53 and after the eleventh day; and
- 54 (d) per diem payments for inpatients placed in observation beds, as  
55 defined by applicable regulations promulgated by the office of alco-  
56 holism and substance abuse services, shall be at the same level as  
57 would be paid pursuant to subdivision (a) of this section, provided,  
58 however, that such payments shall not apply for more than two days  
59 of care, after which payments for such inpatients shall reflect  
60 their designation as requiring either medically managed detoxifica-  
61 tion services or medically supervised withdrawal services, and  
62 further provided that days of care provided in such observation beds

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1 shall, for reimbursement purposes, be fully reflected in the compu-  
 2 tation of the initial five days of care as set forth in subdivisions  
 3 (b) and (c) of this section; and  
 4 (e) for the purposes of this section, the regions of the state shall  
 5 be as follows:

6 (A) New York City, consisting of the counties of Bronx, New York,  
 7 Kings, Queens and Richmond;  
 8 (B) Long Island, consisting of the counties of Nassau and Suffolk;  
 9 (C) Northern metropolitan, consisting of the counties of Columbia,  
 10 Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and  
 11 Westchester;  
 12 (D) Northeast, consisting of the counties of Albany, Clinton, Essex,  
 13 Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenec-  
 14 tady, Schoharie, Warren and Washington;  
 15 (E) Utica/Watertown, consisting of the counties of Franklin, Herkimer,  
 16 Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison  
 17 and Oneida;  
 18 (F) Central, consisting of the counties of Broome, Cayuga, Chemung,  
 19 Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;  
 20 (G) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and  
 21 Yates;  
 22 (H) Western, consisting of the counties of Allegany, Cattaraugus,  
 23 Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming; provided,  
 24 however, if this chapter appropriates sufficient additional funds to  
 25 support payments for general hospitals which are certified by the  
 26 office of alcoholism and substance abuse services to provide inpa-  
 27 tient detoxification services and withdrawal services using the  
 28 methodology in existence on March 31, 2008 as set forth in section  
 29 2807-c of the public health law the provisions of this paragraph  
 30 shall not apply and shall be considered null and void as of March  
 31 31, 2008.

32 Notwithstanding any inconsistent provision of law, rule or regulation  
 33 to the contrary and contingent on the availability of federal finan-  
 34 cial participation, for the period commencing July 1, 2008 through  
 35 March 31, 2009, up to \$60,000,000 of this appropriation, subject to  
 36 the approval of the director of the budget, will be available for  
 37 the purpose of increasing outpatient medical assistance rates of  
 38 payment for general hospital outpatient services, general hospital  
 39 emergency services, and ambulatory surgery services provided by a  
 40 hospital as defined by subdivision 1 of section 2801 of the public  
 41 health law.

42 Notwithstanding any inconsistent provision of law, rule or regulation  
 43 to the contrary and contingent on the availability of federal finan-  
 44 cial participation, for the period commencing July 1, 2008 through  
 45 March 31, 2009, up to \$24,000,000 of this appropriation, subject to  
 46 the approval of the director of the budget, will be available for  
 47 the purpose of increasing medical assistance reimbursement for  
 48 physician services, diagnostic and treatment centers, and funding  
 49 for primary care enhancements.

50 Notwithstanding any inconsistent provision of law, rule or regulation,  
 51 in determining rates of payment made by state governmental agencies  
 52 effective for services provided on and after April 1, 2008 through  
 53 March 31, 2009, for inpatient and outpatient services provided by  
 54 general hospitals and for inpatient services and adult day health  
 55 care outpatient services provided by residential health care facili-  
 56 ties pursuant to article 28 of the public health law, except for  
 57 residential health care facilities that provide extensive nursing,  
 58 medical, psychological and counseling support services to children,  
 59 for home health care services provided pursuant to article 36 of the  
 60 public health law by certified home health agencies and long term  
 61 home health care programs, other than for services provided to home  
 62 care patients diagnosed with AIDS as determined by applicable regu-

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1 lations, and personal care services provided pursuant to section  
2 365-a (2)(e) of the social services law, the commissioner of health  
3 shall apply a trend factor projection equal to 65 percent of the  
4 otherwise applicable trend factor projection attributable to the  
5 period January 1, 2008 through December 31, 2008 in accordance with  
6 paragraph (c) of subdivision 10 of section 2807-c of the public  
7 health law; provided, however, the trend factor methodology set  
8 forth in this section shall not be applicable to rates of payment  
9 made by state governmental agencies for general hospital inpatient  
10 services for discharges occurring on and after July 1, 2008 through  
11 March 31, 2009, insofar as such rates of payment are based on  
12 reported 2005 base year costs and insofar as such trend projections  
13 pertain to inflation attributable to the period January 1, 2006  
14 through December 31, 2007.

15 Notwithstanding any contrary provision of law, for the period April 1,  
16 2008 through March 31, 2009, the operating cost component of rates  
17 of payment by governmental agencies for inpatient services provided  
18 by residential health care facilities shall reflect the operating  
19 cost component of rates effective for October 1, 2006 for each  
20 facility, as adjusted for inflation by application of 75 percent of  
21 the inflation factor attributed to the period January 1, 2008  
22 through December 31, 2008 computed in accordance with paragraph (c)  
23 of subdivision 10 of section 2807-c of the public health law,  
24 provided, however, that such rates shall be further adjusted by a  
25 per diem add-on amount, as determined by the commissioner of health,  
26 reflecting the proportional amount of each facility's projected  
27 medicaid benefit to the total projected medicaid benefit for all  
28 facilities of the imputed use of the rate-setting methodology set  
29 forth in paragraph (b) of subdivision 2-b of section 2808 of the  
30 public health law, provided, however, that the rates for those  
31 facilities that do not qualify for such a per diem add-on adjustment  
32 shall be further adjusted to include the proportionate benefit, as  
33 determined by the commissioner of health, of the expiration of the  
34 opening paragraph and paragraph (a) of subdivision 16 of section  
35 2808 of the public health law and of paragraph (a) of subdivision 14  
36 of section 2808 of the public health law, and provided further,  
37 however, that the aggregate total of such per diem rate adjustments  
38 shall not exceed \$144,000,000, and provided further, however, that  
39 revisions to 2006 rates occurring on and after January 1, 2007,  
40 shall be incorporated into rates in effect for the period April 1,  
41 2008 through March 31, 2009, and provided further, however, that the  
42 capital cost component of such rates shall fully reflect the cost of  
43 local property taxes and payments made in lieu of local property  
44 taxes, as reported in each facility's applicable 2006 cost report,  
45 and provided further, however, that for the period April 1, 2008  
46 through March 31, 2009, voluntary facilities shall not be required  
47 to deposit reimbursement received for depreciation expenses into a  
48 segregated depreciation fund account, and provided further, however,  
49 that to ensure that the quality of resident care is maintained and  
50 improved no less than 65 percent of such diem add-on amount, as  
51 received by each eligible facility, shall be allocated for the  
52 purpose of recruitment and retention of non-supervisory workers or  
53 any worker with direct resident care responsibility or for purposes  
54 authorized under the nursing home quality improvement demonstration  
55 program as established by section 2808-d of the public health law,  
56 provided, however, that in no circumstance shall facilities be  
57 required to spend more than 75 percent of such funds for these  
58 purposes, and provided further, the commissioner of health is  
59 authorized to audit each such facility for the purpose of ensuring  
60 compliance with such allocation requirements and shall recoup any  
61 amount determined to have been in contravention of the requirements  
62 of this paragraph, provided, however, that, upon application of a

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1 facility, the commissioner of health may, after determining that  
2 other funds are not available, waive the application of this allo-  
3 cation requirement insofar as it is determined by the commissioner  
4 of health that additional funds must be expended by such facility to  
5 correct deficiencies that constitute a threat to resident safety;  
6 provided however, if this chapter appropriates sufficient additional  
7 funds to support reimbursement of nursing home rebasing for the  
8 period April 1, 2008 through March 31, 2009, using the methodology  
9 set forth in subdivision 2-b of section 2808 of the public health  
10 law as in effect on March 31, 2008, such methodology shall continue  
11 in effect for the period April 1, 2008 through March 31, 2009 and  
12 the provisions of this section shall not apply and shall be consid-  
13 ered null and void as of March 31, 2008.

14 Notwithstanding any inconsistent provision of law, rule or regulation  
15 to the contrary, for the period October 1, 2008 through March 31,  
16 2009, the department of health is authorized to conduct a personal  
17 care services demonstration project in the city of New York and is  
18 authorized to contract with an entity to manage necessary assess-  
19 ments and to authorize plans of care that meet the medical needs of  
20 consumers of personal care services in the city of New York under  
21 paragraph (e) of subdivision 2 of section 365-a of the social  
22 services law; provided that such project shall apply to those  
23 consumers who apply for such services on and after the date speci-  
24 fied in such contract and shall not apply to those consumers who are  
25 in receipt of such services on such date and whose authorization for  
26 services is uninterrupted after such date; provided, however, if  
27 this chapter appropriates sufficient additional funds to support the  
28 continued management of personal care services assessments and plans  
29 of care by the city of New York on and after October 1, 2008 through  
30 March 31, 2009, then the provisions of this section shall not apply  
31 and shall be considered null and void as of March 31, 2008.

32 Notwithstanding any inconsistent provision of law, rule or regulation,  
33 for purposes of establishing rates of payment for certified home  
34 health agency services for the period April 1, 2008 through March  
35 31, 2009, other than for services provided to patients diagnosed  
36 with AIDS, as determined pursuant to applicable regulations, no  
37 amount shall be included in the rate for any community-based agency  
38 that is in excess of 100 percent of the weighted average cost of all  
39 community-based agencies in each such agency's group, or that, in  
40 the case of hospital-based agencies, is in excess of 100 percent of  
41 the weighted average cost of community based agencies in the area in  
42 which such hospital-based agencies are located and, further, the  
43 computation of such rates and associated group average cost ceilings  
44 shall utilize cost and statistical data in the cost reports submit-  
45 ted by such agencies to the department of health for the 2005 calen-  
46 dar year; provided however, if this chapter appropriates sufficient  
47 additional funds to support reimbursement of certified home health  
48 agency for the period April 1, 2008 through March 31, 2009, using  
49 the methodology set forth in subdivision 2-a of section 3614 of the  
50 public health law as in effect on March 31, 2008, such methodology  
51 shall continue in effect for the period April 1, 2008 through March  
52 31, 2009 and the provisions of this section shall not apply and  
53 shall be considered null and void as of March 31, 2008.

54 Notwithstanding any inconsistent provision of law or regulation, for  
55 purposes of establishing rates of payment by governmental agencies  
56 for certified home health agencies for the period April 1, 2008  
57 through March 31, 2009, the reimbursable base year administrative  
58 and general costs for those certified home health agencies with  
59 annual expenses in excess of \$10,000,000, as determined using the  
60 reported base year cost data used to establish the statewide average  
61 administrative and general cost ceiling for the applicable rate  
62 year, shall not exceed the lower of such statewide average or 20

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1 percent of each such agency's total reimbursable base year costs;  
 2 provided however, if this chapter appropriates sufficient additional  
 3 funds to support reimbursement of certified home health agency for  
 4 the period April 1, 2008 through March 31, 2009, using the methodol-  
 5 ogy set forth in subdivision 2-a of section 3614 of the public  
 6 health law as in effect on March 31, 2008, such methodology shall  
 7 continue in effect for the period April 1, 2008 through March 31,  
 8 2009 and the provisions of this section shall not apply and shall be  
 9 considered null and void as of March 31, 2008.

10 Notwithstanding any inconsistent provision of law, rule or regulation,  
 11 for purposes of establishing rates of payment by governmental agen-  
 12 cies for long term home health care programs for the period April 1,  
 13 2008 through March 31, 2009, the reimbursable base year administra-  
 14 tive and general costs for those providers with annual expenses in  
 15 excess of \$10,000,000, as determined using the reported base year  
 16 cost data used to establish the statewide average administrative and  
 17 general ceiling for the applicable rate year, shall not exceed the  
 18 lower of such statewide average or 20 percent of each such provid-  
 19 er's total reimbursable base year costs; provided however, if this  
 20 chapter appropriates sufficient additional funds to support  
 21 reimbursement of certified home health agency administrative and  
 22 general costs for the period April 1, 2008 through March 31, 2009,  
 23 using the methodology set forth in subdivision 7-a of section 3614  
 24 of the public health law as in effect on March 31, 2008, such meth-  
 25 odology shall continue in effect for the period April 1, 2008  
 26 through March 31, 2009 and the provisions of this section shall not  
 27 apply and shall be considered null and void as of March 31, 2008.

28 Notwithstanding any inconsistent provision of law, rule or regulation  
 29 to the contrary, for the period October 1, 2008 through March 31,  
 30 2009, the commissioner of health is authorized to assume some or all  
 31 of the activities from a local social services official for the  
 32 provision and reimbursement of transportation costs set forth in  
 33 section 365-h of the social services law. If the commissioner elects  
 34 to assume such responsibility, the commissioner shall notify the  
 35 local social services official in writing as to the election, the  
 36 date upon which the election shall be effective and such information  
 37 as to transition of responsibilities as the commissioner deems  
 38 prudent. The commissioner is authorized to contract with a transpor-  
 39 tation manager to implement such election; provided, however, if  
 40 this chapter appropriates sufficient additional funds to support  
 41 transportation costs set forth in section 365-h of the social  
 42 services law then the provisions of this paragraph shall not apply  
 43 and shall be deemed null and void as of March 31, 2008.

44 For services and expenses of the medical assistance program including  
 45 other long term care services .....  
 46 2,865,953,000 ..... (re. \$1,659,853,000)  
 47 For services and expenses of the medical assistance program including  
 48 managed care services ... 3,472,795,000 ..... (re. \$1,722,795,000)  
 49 For services and expenses of the medical assistance program including  
 50 noninstitutional and other spending .....  
 51 4,237,131,000 ..... (re. \$2,857,131,000)  
 52

53 By chapter 54, section 1, of the laws of 2007:  
 54 For services and expenses for the medical assistance program, includ-  
 55 ing administrative expenses for local social services districts,  
 56 pursuant to title XIX of the federal social security act or its  
 57 successor program.

58 The moneys hereby appropriated are to be available for payment of aid  
 59 heretofore accrued or hereafter to accrue to municipalities, and to  
 60 providers of medical services pursuant to section 367-b of the  
 61 social services law, and for payment of state aid to municipalities  
 62 and to providers of family care where payment systems through the

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1 fiscal intermediaries are not operational, shall be available to the  
2 department net of disallowances, refunds, reimbursements, and cred-  
3 its.

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

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

33 Notwithstanding any inconsistent provision of law, rule or regulation,  
34 and contingent on the availability of federal financial partic-  
35 ipation, for the period commencing April 1, 2007 through March 31,  
36 2008, in order to reimburse public and non-public general hospitals  
37 for graduate medical education costs, the commissioner of health  
38 shall adjust such hospitals' inpatient medical assistance rates of  
39 payment established pursuant to section 2807-c of the public health  
40 law, including discrete rates of payment calculated pursuant to  
41 paragraph (a-3) of subdivision 1 of section 2807-c of the public  
42 health law, in accordance with the methodology set forth in subpara-  
43 graph (ii) of paragraph (d) of subdivision 25 of section 2807-c of  
44 the public health law used to calculate rate adjustments for nonpub-  
45 lic general hospitals for periods prior to April 1, 2007; provided,  
46 however, the 75 percent limit set forth in clause (C) of subpara-  
47 graph (ii) of paragraph (d) of subdivision 25 of section 2807-c of  
48 the public health law shall not apply to rate decreases calculated  
49 pursuant to this paragraph and no public general hospital shall  
50 receive a rate increase calculated pursuant to this paragraph.  
51 Provided however, if this chapter appropriates sufficient additional  
52 funds to support reimbursement of graduate medical education for the  
53 period April 1, 2007 through March 31, 2008, using the methodology  
54 set forth in paragraph (d) of subdivision 25 of section 2807-c of  
55 the public health law as in effect on March 31, 2007, such methodol-  
56 ogy shall continue in effect for the period April 1, 2007 through  
57 March 31, 2008 and the provisions of this paragraph shall not apply  
58 and shall be considered null and void as of March 31, 2007.

59 Notwithstanding any inconsistent provision of law or regulation to the  
60 contrary, residential health care facility rates of payment deter-  
61 mined pursuant to article 28 of the public health law for services  
62 provided on and after April 1, 2007 through March 31, 2008, except

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1 for the establishment of any statewide or any peer group base, mean,  
2 or ceiling prices per day, shall be calculated utilizing only the  
3 number of residents properly assessed and reported in each patient  
4 classification group and eligible for medical assistance pursuant to  
5 title 11 of article 5 of the social services law. Provided, however,  
6 if this chapter appropriates sufficient additional funds to support  
7 fully for the period of April 1, 2007, through March 31, 2008, using  
8 the methodology for computing the operating component of such rates  
9 of payment as in effect on March 31, 2007, such methodology for  
10 computing the operating component shall continue in effect for the  
11 period April 1, 2007, through March 31, 2008, and the provisions of  
12 this appropriation as set forth in this paragraph shall not be  
13 utilized.

14 Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of  
15 the public health law, subdivision 2-b of section 2808 of the public  
16 health law, and section 21 of chapter 1 of the laws of 1999 and any  
17 other inconsistent provision of law or regulation to the contrary,  
18 in determining rates of payment by state governmental agencies  
19 effective for services provided on and after April 1, 2007 through  
20 March 31, 2008 and thereafter for inpatient and outpatient services  
21 provided by general hospitals and for inpatient services and outpa-  
22 tient adult day health care services provided by residential health  
23 care facilities pursuant to article 28 of the public health law, the  
24 commissioner of health shall apply no trend factor projections  
25 attributable to the period January 1, 2007 through December 31,  
26 2007. The commissioner of health shall adjust rates of payment to  
27 reflect the exclusion of such specified trend factor projections or  
28 adjustments.

29 Notwithstanding any inconsistent provision of law, rule or regulation  
30 to the contrary, for the period April 1, 2007 through March 31,  
31 2008, no prior authorization shall be required under the preferred  
32 drug program for: atypical anti-psychotics; anti-retrovirals used in  
33 the treatment of HIV/AIDS; anti-rejection drugs used for the treat-  
34 ment of organ and tissue transplants; or any other therapeutic class  
35 for the treatment of mental illness or HIV/AIDS, recommended by the  
36 committee and approved by the commissioner under section 272 of the  
37 public health law. The committee may consider and recommend the  
38 inclusion of the therapeutic class of anti-depressants in the  
39 preferred drug program. Such recommendation may be adopted by the  
40 commissioner only after consultation with, and consideration of the  
41 recommendation of, the commissioner of the office of mental health.  
42 Provided, however, if this chapter appropriates sufficient addi-  
43 tional funds to support a preferred drug program as defined pursuant  
44 to the exemptions set forth in subdivision 12 of section 272 of the  
45 public health law as in effect on March 31, 2007, such exemptions  
46 for the preferred drug program shall continue in effect for the  
47 period April 1, 2007 through March 31, 2008 and the provisions of  
48 this paragraph shall not apply and shall be considered null and void  
49 as of March 31, 2007.

50 Notwithstanding any inconsistent provision of law, rule or regulation  
51 to the contrary, for the period April 1, 2007 through March 31,  
52 2008, the commissioner of health shall provide 10 days public notice  
53 on the department of health's website prior to any meeting of the  
54 pharmacy and therapeutics committee to develop recommendations  
55 concerning the preferred drug program; the commissioner shall  
56 provide notice of any recommendations developed by such committee  
57 regarding the preferred drug program, at least 10 days before any  
58 final determination by the commissioner, by making such information  
59 available on the department's website; within a reasonable time  
60 after a final determination regarding the preferred drug program,  
61 the commissioner shall provide public notice on the department's  
62 website of such determinations, including: the nature of the deter-

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1 mination; an analysis of the impact of the commissioner's determi-  
2 nation on state public health plan populations and providers; and  
3 the projected fiscal impact to the state public health plan programs  
4 of the commissioner's determination. Provided, however, if this  
5 chapter appropriates sufficient additional funds to support a  
6 preferred drug program as defined pursuant to the public notice  
7 requirements set forth in subdivisions 7, 8 and 9 of section 272 of  
8 the public health law as in effect on March 31, 2007, such public  
9 notice requirements for the preferred drug program shall continue in  
10 effect for the period April 1, 2007 through March 31, 2008 and the  
11 provisions of this paragraph shall not apply and shall be considered  
12 null and void as of March 31, 2007.

13 Notwithstanding any inconsistent provision of law, rule or regulation  
14 to the contrary, for the period April 1, 2007 through March 31,  
15 2008, in establishing a prior authorization requirement for a drug  
16 under the clinical drug review program, the commissioner shall, in  
17 addition to any other factor required by law to be considered,  
18 consider the cost of the drug compared to other drug therapies for  
19 the same disease. Provided, however, if this chapter appropriates  
20 sufficient additional funds to support a clinical drug program as  
21 defined pursuant to criteria for determining prior authorization set  
22 forth in subdivision 3 of section 274 of the public health law as in  
23 effect on March 31, 2007, such criteria for the clinical drug review  
24 program shall continue in effect for the period April 1, 2007  
25 through March 31, 2008 and the provisions of this paragraph shall  
26 not apply and shall be considered null and void as of March 31,  
27 2007.

28 Notwithstanding any inconsistent provision of law, rule or regulation  
29 to the contrary, for the period July 1, 2007 through March 31, 2008,  
30 medical assistance payment for drugs which may not be dispensed  
31 without a prescription shall be made at the following amounts: if  
32 the drug dispensed is a multiple source prescription drug or a  
33 brand-name prescription drug for which no specific upper limit has  
34 been set by the federal centers for medicare and medicaid services,  
35 the lower of the estimated acquisition cost of such drug to pharma-  
36 cies, or the dispensing pharmacy's usual and customary price charged  
37 to the general public; (i) for sole and multiple source brand name  
38 drugs, estimated acquisition cost means the average wholesale price  
39 of a prescription drug based upon the package size dispensed from,  
40 as reported by the prescription drug pricing service used by the  
41 department of health, less 15 percent thereof, and updated monthly  
42 by the department; for a specialized HIV pharmacy, as defined in  
43 paragraph (f) of subdivision 9 of section 367-a of the social  
44 services law, acquisition cost means the average wholesale price of  
45 a prescription drug based upon the package size dispensed from, as  
46 reported by the prescription drug pricing service used by the  
47 department, less 14 percent thereof, and updated monthly by the  
48 department; (ii) for multiple source generic drugs, estimated acqui-  
49 sition cost means the lower of the average wholesale price of a  
50 prescription drug based on the package size dispensed from, as  
51 reported by the prescription drug pricing service used by the  
52 department, less 30 percent thereof, or the maximum acquisition  
53 cost, if any, established pursuant to paragraph (e) of such subdivi-  
54 sion; or, for a specialized HIV pharmacy, acquisition cost means the  
55 lower of the average wholesale price of a prescription drug based on  
56 the package size dispensed from, as reported by the prescription  
57 drug pricing service used by the department, less 22 percent there-  
58 of, or the maximum acquisition cost, if any, established pursuant to  
59 such paragraph (e).

60



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1 Notwithstanding any inconsistent provision of law, rule or regulation  
2 to the contrary, for the period April 1, 2007 through March 31,  
3 2008, no supplemental medical assistance payments shall be made to  
4 providers of emergency medical transportation services that relate  
5 to such services provided during calendar year 2007.

6 Notwithstanding paragraph (c) of subdivision 3 of section 2807-c of  
7 the public health law and any inconsistent provision of law, rule or  
8 regulation to the contrary, for the period January 1, 2008 through  
9 March 31, 2008, adjustments to medical assistance rates of payment  
10 for rate periods on and after January 1, 2008, made pursuant to  
11 paragraph (c) of subdivision 3 of section 2807-c of the public  
12 health law shall, upon a determination by the commissioner of health  
13 and the director of the budget that such adjustments shall result in  
14 an aggregate increase in total medicaid payments to general hospi-  
15 tals for inpatient services, make such proportional adjustments to  
16 such rates of payments as are necessary to reduce such total aggre-  
17 gate payments to an aggregate total that reflects no such increase,  
18 provided, however, if this chapter appropriates sufficient addi-  
19 tional funds to fully fund such increase, the provisions of this  
20 paragraph shall not apply and shall be considered null and void as  
21 of January 1, 2008.

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

24 For the grant period October 1, 2006 to September 30, 2007 .....  
25 2,057,382,000 ..... (re. \$527,400,000)

26 For the grant period October 1, 2007 to September 30, 2008 .....  
27 3,102,074,000 ..... (re. \$322,800,000)

28 For services and expenses of the medical assistance program including  
29 hospital outpatient and emergency room services.

30 For the grant period October 1, 2006 to September 30, 2007 .....  
31 259,801,000 ..... (re. \$79,900,000)

32 For the grant period October 1, 2007 to September 30, 2008 .....  
33 389,702,000 ..... (re. \$91,700,000)

34 For services and expenses of the medical assistance program including  
35 clinic services.

36 For the grant period October 1, 2006 to September 30, 2007 .....  
37 344,352,000 ..... (re. \$134,000,000)

38 For the grant period October 1, 2007 to September 30, 2008 .....  
39 516,529,000 ..... (re. \$126,000,000)

40 For services and expenses of the medical assistance program including  
41 nursing home services.

42 For the grant period October 1, 2006 to September 30, 2007 .....  
43 1,447,430,000 ..... (re. \$325,700,000)

44 For the grant period October 1, 2007 to September 30, 2008 .....  
45 2,171,145,000 ..... (re. \$826,000,000)

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

48 For the grant period October 1, 2006 to September 30, 2007 .....  
49 1,041,109,000 ..... (re. \$600,400,000)

50 For the grant period October 1, 2007 to September 30, 2008 .....  
51 1,561,664,000 ..... (re. \$447,100,000)

52 For services and expenses of the medical assistance program including  
53 managed care services.

54 For the grant period October 1, 2006 to September 30, 2007 .....  
55 1,354,444,000 ..... (re. \$312,200,000)

56 For the grant period October 1, 2007 to September 30, 2008 .....  
57 2,031,666,000 ..... (re. \$235,500,000)

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

60 For the grant period October 1, 2006 to September 30, 2007 .....  
61 754,766,000 ..... (re. \$41,000,000)

62

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

2 1,125,248,000 ..... (re. \$28,000,000)

3 For services and expenses of the medical assistance program including

4 transportation services.

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

6 78,361,000 ..... (re. \$78,361,000)

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

8 117,541,000 ..... (re. \$64,000,000)

9 For services and expenses of the medical assistance program including

10 dental services.

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

12 60,361,000 ..... (re. \$38,400,000)

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

14 90,542,000 ..... (re. \$17,000,000)

15 For services and expenses of the medical assistance program including

16 noninstitutional and other spending.

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

18 1,749,193,000 ..... (re. \$477,700,000)

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

20 2,623,790,000 ..... (re. \$1,723,800,000)

21

22 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,

23 section 1, of the laws of 2008:

24 For services and expenses of the medical assistance program including

25 a series of targeted chronic illness demonstration projects.

26 Notwithstanding section 112 and section 163 of the state finance law,

27 for chronic illness demonstration projects authorized by section

28 364-1 of the social services law, the commissioner of health may

29 allocate up to \$2,500,000 of the amount appropriated for contracts

30 without a request for proposal or any other competitive process.

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

32 1,600,000 ..... (re. \$1,600,000)

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

34 2,400,000 ..... (re. \$2,400,000)

35

36 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,

37 section 1, of the laws of 2007:

38 For services and expenses for the medical assistance program, includ-

39 ing administrative expenses for local social services districts,

40 pursuant to title XIX of the federal social security act or its

41 successor program.

42 The moneys hereby appropriated are to be available for payment of aid

43 heretofore accrued or hereafter to accrue to municipalities, and to

44 providers of medical services pursuant to section 367-b of the

45 social services law, and for payment of state aid to municipalities

46 and to providers of family care where payment systems through the

47 fiscal intermediaries are not operational, shall be available to the

48 department net of disallowances, refunds, reimbursements, and cred-

49 its.

50 Notwithstanding any other provision of law, the money hereby appropri-

51 ated may be increased or decreased by interchange, with any appro-

52 priation of the department of health, and may be increased or

53 decreased by transfer or suballocation between these appropriated

54 amounts and appropriations of the department of family assistance

55 office of temporary and disability assistance, office of children

56 and family services, and state office for the aging with the

57 approval of the director of the budget, who shall file such approval

58 with the department of audit and control and copies thereof with the

59 chairman of the senate finance committee and the chairman of the

60 assembly ways and means committee.

61

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

16 Notwithstanding any inconsistent provision of law, up to \$500,000,000  
17 of the moneys hereby appropriated may be used for services and  
18 expenses including grants related to the federal-state health reform  
19 partnership program and/or its successor program and may be trans-  
20 ferred to the miscellaneous special revenue fund federal-state  
21 health reform partnership program account and/or other state agen-  
22 cies, provided, however, that the section 1115 waiver demonstration  
23 which is entitled the federal-state health reform partnership, is in  
24 effect in accordance with the terms and conditions approved by the  
25 secretary of the federal department of health and human services and  
26 accepted by the state, and further provided that funds appropriated  
27 for the federal-state health reform partnership program are  
28 disbursed only in accordance with those terms and conditions.

29 Notwithstanding any inconsistent provision of law, rule or regulation  
30 to the contrary, for the period January 1, 2007 through March 31,  
31 2007, persons who are eligible for medical assistance and who are  
32 also beneficiaries under part D of title XVIII of the federal social  
33 security act, shall not be eligible for medical assistance coverage  
34 of drugs which are denominated as "covered part D drugs" under  
35 section 1860D-2(e) of such act; provided however that, for purposes  
36 of this paragraph, "covered part D drugs" shall not mean atypical  
37 anti-psychotics, anti-depressants, anti-retrovirals used in the  
38 treatment of HIV/AIDS, or anti-rejection drugs used for the treat-  
39 ment of organ and tissue transplants.

40 Notwithstanding any inconsistent provision of law, rule or regulation  
41 to the contrary, up to \$20,000,000 may be used for the purpose of  
42 rebasing residential health care facilities effective January 1,  
43 2007 through March 31, 2007 in accordance with this paragraph, and  
44 as provided pursuant to a chapter of the laws of 2006. Notwith-  
45 standing any inconsistent provision of this section, or any other  
46 contrary provision of law and subject to the availability of federal  
47 financial participation, the operating cost component of rates of  
48 payment by governmental agencies for inpatient services provided for  
49 the period of January 1, 2007 through March 31, 2007, by residential  
50 health care facilities shall be in accordance with a chapter of the  
51 laws of 2006 which shall provide that for this period: (a) the oper-  
52 ating cost component of rates of payment shall reflect the operating  
53 cost component of rates effective for October 1, 2006, as adjusted  
54 for inflation in accordance with the chapter amendment pursuant to  
55 the laws of 2006; (b) the rate shall be further adjusted by a per  
56 diem add-on amount, as determined by the commissioner, reflecting  
57 the proportional amount of each facility's projected Medicaid bene-  
58 fit to the total projected Medicaid benefit for all facilities of  
59 the imputed use of the rate-setting methodology set forth in this  
60 subdivision, provided, however, that for those facilities that do  
61 not receive a per diem adjustment shall have their rates further  
62 adjusted to include the proportionate benefit, as determined by the

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1 commissioner of health, of the expiration of the opening paragraph  
2 and paragraph (a) of subdivision 16 and paragraph (a) of subdivision  
3 14 of section 2808 of the public health law, provided, however, that  
4 the aggregate total of such adjustments shall not exceed  
5 \$137,500,000 for this rate period; (c) rates for the period of Janu-  
6 ary 1 through March 31, 2007 shall fully reflect the cost of local  
7 property taxes and payments made in lieu of local property taxes, as  
8 reported in each facility's cost report submitted for the year two  
9 years prior to the rate year; (d) rates for the period of January 1  
10 through March 31, 2007, as computed pursuant to this paragraph,  
11 shall not be subject to case mix adjustment, provided, however, that  
12 a facility may, in accordance with its existing full house schedule  
13 of submission of patient review instruments, submit data in support  
14 of a request for a rate adjustment to reflect an increased facility  
15 case mix equal to or greater than .05, provided further, however,  
16 that such a facility will be required to continue to make such full  
17 house submissions in accordance with its existing submission sched-  
18 ular and in accordance with a chapter of the laws of 2006; (e) For  
19 the period January 1 through March 31, 2007, notwithstanding any  
20 contrary provision of law or regulation, voluntary facilities shall  
21 not be required to deposit reimbursement received for depreciation  
22 expenses into a segregated depreciation fund account.

23 Notwithstanding any inconsistent provision of law, rule or regulation  
24 to the contrary, for the period April 1, 2006 through March 31,  
25 2007, persons who are eligible for medical assistance shall not be  
26 eligible for medical assistance coverage of drugs for the treatment  
27 of sexual or erectile dysfunction, unless such drugs are used to  
28 treat a condition, other than sexual or erectile dysfunction, for  
29 which the drugs have been approved by the federal food and drug  
30 administration.

31 Notwithstanding any inconsistent provision of law, rule or regulation  
32 to the contrary, for the period April 1, 2006 through March 31,  
33 2007, "health care services" under the family health plus program  
34 shall not include drugs for the treatment of sexual or erectile  
35 dysfunction, unless such drugs are used to treat a condition, other  
36 than sexual or erectile dysfunction, for which the drugs have been  
37 approved by the federal food and drug administration.

38 Notwithstanding any inconsistent provision of law, rule or regulation  
39 to the contrary, for the period April 1, 2006 through March 31,  
40 2007, medical assistance payment for drugs which may not be  
41 dispensed without a prescription shall be made at the following  
42 amounts: if the drug dispensed is a multiple source prescription  
43 drug or a brand-name prescription drug for which no specific upper  
44 limit has been set by the federal centers for medicare and medicaid  
45 services, the lower of the estimated acquisition cost of such drug  
46 to pharmacies, or the dispensing pharmacy's usual and customary  
47 price charged to the general public; (i) for sole and multiple  
48 source brand name drugs, estimated acquisition cost means the aver-  
49 age wholesale price of a prescription drug based upon the package  
50 size dispensed from, as reported by the prescription drug pricing  
51 service used by the department of health, less 13.25 percent there-  
52 of, and updated monthly by the department; (ii) for multiple source  
53 generic drugs, estimated acquisition cost means the lower of the  
54 average wholesale price of a prescription drug based on the package  
55 size dispensed from, as reported by the prescription drug pricing  
56 service used by the department, less 20 percent thereof, or the  
57 maximum acquisition cost, if any, established pursuant to paragraph  
58 (e) of subdivision 9 of section 367-a of the social services law.

59 Notwithstanding any inconsistent provision of law, rule or regulation  
60 to the contrary, rates of payment by state governmental agencies  
61 effective for services provided on and after April 1, 2006 through  
62 March 31, 2007 and thereafter for inpatient and outpatient services

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1 provided by general hospitals and for inpatient services and outpa-  
2 tient adult day health care services provided by residential health  
3 care facilities pursuant to article 28 of the public health law, the  
4 commissioner of health shall apply a trend factor of 2.25 percent  
5 attributable to the period January 1, 2006 through December 31,  
6 2006, provided, however, that on reconciliation of the trend factor  
7 for the period January 1, 2006 through December 31, 2006 pursuant to  
8 paragraph (c) of subdivision 10 of section 2807-c of the public  
9 health law, such trend factor shall be the final U.S. consumer price  
10 index (CPI) for all urban consumers, as published by the U.S.  
11 Department of Labor, Bureau of Labor Statistics less twenty-five  
12 hundredths of a percentage point. The commissioner of health shall  
13 adjust rates of payment to reflect the exclusion of such specified  
14 trend factor projections or adjustments.

15 Notwithstanding any inconsistent provision of law, rule or regulation  
16 to the contrary, for the period April 1, 2006 through March 31,  
17 2007, for purposes of establishing rates of payment by governmental  
18 agencies for residential health care facilities licensed pursuant to  
19 the public health law, the operating component of the rate for any  
20 residential health care facility that has not achieved 90 percent or  
21 greater occupancy for any year within 5 calendar years from the date  
22 of commencing operation, shall be re-calculated utilizing the facil-  
23 ity's most recently available reported allowable costs divided by  
24 patient days imputed at 90 percent occupancy; provided further that  
25 such rates paid for this period shall not contain a payment factor  
26 for interest on current indebtedness if the residential health care  
27 facility cost report utilized to determine such payment factor also  
28 shows a withdrawal of equity, a transfer of assets, or a positive  
29 net income. The annual cost report filed by each residential health  
30 care facility for the 2005 calendar year shall be examined and in  
31 the event the operating costs reported by each such facility in such  
32 cost report is less than 90 percent of the operating costs reported  
33 in the cost report which is being utilized to set such facility's  
34 rates of payment for the period April 1, 2006 through March 31,  
35 2007, then such rates of payment shall be recalculated utilizing the  
36 operating cost data for 2005.

37 Notwithstanding any inconsistent provision of law, rule or regulation  
38 to the contrary for the period April 1, 2006 through March 31, 2007,  
39 for transfers made on or after February 8, 2006; "assets" means all  
40 income and resources of an individual and of the individual's  
41 spouse, including income and resources to which the individual or  
42 the individual's spouse is entitled but which are not received  
43 because of action by: the individual or the individual's spouse; a  
44 person with legal authority to act in place of or on behalf of the  
45 individual or the individual's spouse; a person acting at the direc-  
46 tion or upon the request of the individual or the individual's  
47 spouse; or by a court or administrative body with legal authority to  
48 act in place of or on behalf of the individual or the individual's  
49 spouse or at the direction or upon the request of the individual or  
50 the individual's spouse; "blind" has the same meaning given to such  
51 term in section 1614(a)(2) of the federal social security act;  
52 "disabled" has the same meaning given to such term in section  
53 1614(a)(3) of the federal social security act; "income" has the same  
54 meaning given to such term in section 1612 of the federal social  
55 security act; "resources" has the same meaning given to such term in  
56 section 1613 of the federal social security act, without regard to  
57 the exclusion provided for in subsection (a)(1) of such section;  
58 "look-back period" means the sixty-month period immediately preced-  
59 ing the date that an institutionalized individual is both institu-  
60 tionalized and has applied for medical assistance; "institutional-  
61 ized individual" means any individual who is an inpatient in a  
62 nursing facility, including an intermediate care facility for the

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1 mentally retarded, or who is an in-patient in a medical facility and  
2 is receiving a level of care provided in a nursing facility, or who  
3 is receiving care, services or supplies pursuant to a waiver granted  
4 pursuant to subsection (c) of section 1915 of the federal social  
5 security act; "intermediate care facility for the mentally retarded"  
6 means a facility certified under article sixteen of the mental  
7 hygiene law and which has a valid agreement with the department for  
8 providing intermediate care facility services and receiving payment  
9 therefor under title XIX of the federal social security act; "nurs-  
10 ing facility" means a nursing home as defined by section twenty-  
11 eight hundred one of the public health law and an intermediate care  
12 facility for the mentally retarded; "nursing facility services"  
13 means nursing care and health related services provided in a nursing  
14 facility; a level of care provided in a hospital which is equivalent  
15 to the care which is provided in a nursing facility; and care,  
16 services or supplies provided pursuant to a waiver granted pursuant  
17 to subsection (c) of section 1915 of the federal social security  
18 act.

19 Notwithstanding any inconsistent provision of law, rule or regulation  
20 to the contrary for the period April 1, 2006 through March 31, 2007,  
21 the uncompensated value of an asset is the fair market value of such  
22 asset at the time of transfer less any outstanding loans, mortgages,  
23 or other encumbrances on the asset, minus the amount of the compen-  
24 sation received in exchange for the asset.

25 Notwithstanding any inconsistent provision of law, rule or regulation  
26 to the contrary, in determining the medical assistance eligibility  
27 of an institutionalized individual for the period April 1, 2006  
28 through March 31, 2007, any transfer of an asset by the individual  
29 or the individual's spouse for less than fair market value made  
30 within or after the look-back period shall render the individual  
31 ineligible for nursing facility services for the period of time  
32 specified in law. The purchase of an annuity shall be treated as the  
33 disposal of an asset for less than fair market value unless: the  
34 state is named as the beneficiary in the first position for at least  
35 the total amount of medical assistance paid on behalf of the annui-  
36 tant, or the state is named in the second position after a community  
37 spouse or minor or disabled child and is named in the first position  
38 if such spouse or a representative of such child disposes of any  
39 such remainder for less than fair market value; and the annuity  
40 meets the requirements of section 1917(c)(1)(G) of the federal  
41 social security act. The purchase of a life estate interest in  
42 another person's home shall be treated as the disposal of an asset  
43 for less than fair market value unless the purchaser resided in such  
44 home for a period of at least one year after the date of purchase.  
45 The purchase of a promissory note, loan, or mortgage shall be treat-  
46 ed as the disposal of an asset for less than fair market value  
47 unless such note, loan, or mortgage meets the requirements of  
48 section 1917(c)(1)(I) of the federal social security act.

49 Notwithstanding any inconsistent provision of law, rule or regulation  
50 to the contrary for the period April 1, 2006 through March 31, 2007,  
51 an individual shall not be ineligible for services solely by reason  
52 of any such transfer to the extent that the asset transferred was a  
53 home and title to the home was transferred to: (A) the spouse of the  
54 individual; or (B) a child of the individual who is under the age of  
55 twenty-one years or blind or disabled; or (C) a sibling of the indi-  
56 vidual who has an equity interest in such home and who resided in  
57 such home for a period of at least one year immediately before the  
58 date the individual became an institutionalized individual; or (D) a  
59 child of the individual who was residing in such home for a period  
60 of at least two years immediately before the date the individual  
61 became an institutionalized individual, and who provided care to the  
62 individual which permitted the individual to reside at home rather

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1 than in an institution or facility; or the assets (A) were trans-  
2 ferred to the individual's spouse, or to another for the sole bene-  
3 fit of the individual's spouse; or (B) were transferred from the  
4 individual's spouse to another for the sole benefit of the individ-  
5 ual's spouse; or (C) were transferred to the individual's child who  
6 is blind or disabled, or to a trust established solely for the bene-  
7 fit of such child; or (D) were transferred to a trust established  
8 solely for the benefit of an individual under sixty-five years of  
9 age who is disabled; or a satisfactory showing is made that: (A) the  
10 individual or the individual's spouse intended to dispose of the  
11 assets either at fair market value, or for other valuable consider-  
12 ation; or (B) the assets were transferred exclusively for a purpose  
13 other than to qualify for medical assistance; or (C) all assets  
14 transferred for less than fair market value have been returned to  
15 the individual; or denial of eligibility would cause an undue hard-  
16 ship, such that application of the transfer of assets provision  
17 would deprive the individual of medical care such that the individ-  
18 ual's health or life would be endangered, or would deprive the indi-  
19 vidual of food, clothing, shelter, or other necessities of life.

20 The commissioner of health shall develop a hardship waiver process  
21 which shall include a timely process for determining whether an  
22 undue hardship waiver will be granted and a timely process under  
23 which an adverse determination can be appealed. The commissioner of  
24 health shall provide notice of the hardship waiver process in writ-  
25 ing to those individuals who are required to comply with the trans-  
26 fer of assets provision under this section. If such an individual is  
27 an institutionalized individual, the facility in which he or she is  
28 residing shall be permitted to file an undue hardship waiver appli-  
29 cation on behalf of such individual with the consent of the individ-  
30 ual or the personal representative of the individual.

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 any transfer made by an individual or the individual's spouse for  
34 less than fair market value shall cause the person to be ineligible  
35 for services for a period equal to the total, cumulative uncompen-  
36 sated value of all assets transferred during or after the look-back  
37 period, divided by the average monthly costs of nursing facility  
38 services provided to a private patient for a given period of time at  
39 the time of application, as determined pursuant to the regulations  
40 of the department. The average monthly costs of nursing facility  
41 services to a private patient for a given period of time at the time  
42 of application shall be presumed to be one hundred twenty percent of  
43 the average medical assistance rate of payment as of the first day  
44 of January of each year for nursing facilities within the region  
45 where the applicant resides, as established pursuant to paragraph  
46 (b) of subdivision sixteen of section twenty-eight hundred seven-c  
47 of the public health law. The period of ineligibility shall begin  
48 the first day of a month during or after which assets have been  
49 transferred for less than fair market value, or the first day the  
50 otherwise eligible individual is receiving services for which  
51 medical assistance coverage would be available based on an approved  
52 application for such care but for the transfer of assets for less  
53 than fair market value, whichever is later, and which does not occur  
54 in any other periods of ineligibility under this paragraph.

55 Notwithstanding any inconsistent provision of law, rule or regulation  
56 to the contrary for the period April 1, 2006 through March 31, 2007,  
57 in the case of an asset held by an individual in common with another  
58 person or persons in a joint tenancy, tenancy in common, or similar  
59 arrangement, the asset, or the affected portion of the asset, shall  
60 be considered transferred by such individual when any action is  
61

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1 taken, either by such individual or by any other person, that  
2 reduces or eliminates such individual's ownership or control of such  
3 asset.  
4 Notwithstanding any inconsistent provision of law, rule or regulation  
5 to the contrary for the period April 1, 2006 through March 31, 2007,  
6 in the case of a trust established by the individual, as determined  
7 pursuant to the regulations of the department, any payment, other  
8 than a payment to or for the benefit of the individual, from a revo-  
9 cable trust is considered to be a transfer of assets by the individ-  
10 ual and any payment, other than to or for the benefit of the indi-  
11 vidual, from the portion of an irrevocable trust which, under any  
12 circumstance, could be made available to the individual is consid-  
13 ered to be a transfer of assets by the individual and, further, the  
14 value of any portion of an irrevocable trust from which no payment  
15 could be made to the individual under any circumstances is consid-  
16 ered to be a transfer of assets by the individual as of the date of  
17 establishment of the trust, or, if later, the date on which the  
18 payment is foreclosed.  
19 For the grant period October 1, 2006 to September 30, 2007 .....  
20 12,985,613,000 ..... (re. \$170,902,000)  
21  
22 By chapter 54, section 1, of the laws of 2005:  
23 For the grant period October 1, 2005 to September 30, 2006 .....  
24 12,119,290,000 ..... (re. \$4,349,700,000)  
25  
26 OFFICE OF HEALTH INSURANCE PROGRAMS  
27  
28 General Fund / State Operations  
29 State Purposes Account - 003  
30  
31 By chapter 54, section 1, of the laws of 2009:  
32 For services and expenses related to creation of a state enrollment  
33 portal.  
34 Contractual services ... 32,000,000 ..... (re. \$32,000,000)  
35  
36 General Fund / Aid to Localities  
37 Local Assistance Account - 001  
38  
39 By chapter 54, section 1, of the laws of 2009:  
40 For grants to a New York state based not-for-profit organization with  
41 expertise in the New York state medicaid program for studies,  
42 reviews and analysis, to be performed in conjunction with the  
43 department of health, on medicaid policy, operational and other  
44 issues as defined by the department. All or a portion of this  
45 appropriation may be transferred to state operations appropriations  
46 ... 1,391,200 ..... (re. \$1,391,200)  
47 For services and expenses related to the Vera Institute of Justice  
48 Guardianship project. Funds appropriated herein are supported by  
49 savings resulting from the increased Federal Medical Assistance  
50 Percentage (FMAP) provided pursuant to the American recovery and  
51 reinvestment act of 2009 ... 500,000 ..... (re. \$500,000)  
52  
53 Special Revenue Funds - Federal / State Operations  
54 Federal Health and Human Services Fund - 265  
55  
56 The appropriation made by chapter 54, section 1, of the laws of 2009, is  
57 hereby amended by transferring \$75,000,000 to the special revenue  
58 funds - federal / aid to localities, federal health and human  
59 services fund - 265, and is reappropriated to read:  
60



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1 For services and expenses for the medical assistance program and  
 2 administration of the medical assistance program and survey and  
 3 certification program, provided pursuant to title XIX of the federal  
 4 social security act.  
 5 Notwithstanding any inconsistent provision of law and subject to the  
 6 approval of the director of the budget, moneys hereby appropriated  
 7 may be increased or decreased by transfer or suballocation between  
 8 these appropriated amounts and appropriations of other state  
 9 agencies and appropriations of the department of health.  
 10 Notwithstanding any inconsistent provision of law and subject to  
 11 approval of the director of the budget, moneys hereby appropriated  
 12 may be transferred or suballocated to other state agencies for  
 13 reimbursement to local government entities for services and expenses  
 14 related to administration of the medical assistance program .....  
 15 [846,697,000] 771,697,000 ..... (re. \$755,000,000)  
 16

17 By chapter 54, section 1, of the laws of 2008:  
 18 For services and expenses for the medical assistance program and  
 19 administration of the medical assistance program and survey and  
 20 certification program, provided pursuant to title XIX of the federal  
 21 social security act.  
 22 Notwithstanding any inconsistent provision of law and subject to the  
 23 approval of the director of the budget, moneys hereby appropriated  
 24 may be increased or decreased by transfer or suballocation between  
 25 these appropriated amounts and appropriations of other state agen-  
 26 cies and appropriations of the department of health. Notwithstanding  
 27 any inconsistent provision of law and subject to approval of the  
 28 director of the budget, moneys hereby appropriated may be trans-  
 29 ferred or suballocated to other state agencies for reimbursement to  
 30 local government entities for services and expenses related to  
 31 administration of the medical assistance program .....  
 32 846,697,000 ..... (re. \$807,376,000)  
 33

34 By chapter 54, section 1, of the laws of 2007, as transferred by chapter  
 35 54, section 1, of the laws of 2009:  
 36 For services and expenses for the medical assistance program and  
 37 administration of the medical assistance program and survey and  
 38 certification program, provided pursuant to title XIX of the federal  
 39 social security act.  
 40 Notwithstanding any inconsistent provision of law and subject to the  
 41 approval of the director of the budget, moneys hereby appropriated  
 42 may be increased or decreased by transfer or suballocation between  
 43 these appropriated amounts and appropriations of other state agen-  
 44 cies and appropriations of the department of health. Notwithstand-  
 45 ing any inconsistent provision of law and subject to approval of the  
 46 director of the budget, moneys hereby appropriated may be trans-  
 47 ferred or suballocated to other state agencies for reimbursement to  
 48 local government entities for services and expenses related to  
 49 administration of the medical assistance program.  
 50 For the grant period October 1, 2007 to September 30, 2008 .....  
 51 1,859,816,000 ..... (re. \$690,313,000)  
 52

53 By chapter 54, section 1, of the laws of 2006, as transferred by chapter  
 54 54, section 1, of the laws of 2009:  
 55 For services and expenses for the medical assistance program and  
 56 administration of the medical assistance program and survey and  
 57 certification program, provided pursuant to title XIX of the federal  
 58 social security act.  
 59 Notwithstanding any inconsistent provision of law and subject to the  
 60 approval of the director of the budget, moneys hereby appropriated  
 61 may be increased or decreased by transfer or suballocation between  
 62 these appropriated amounts and appropriations of other state agen-

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1       cies and appropriations of the department of health. Notwithstanding  
 2       any inconsistent provision of law and subject to approval of the  
 3       director of the budget, moneys hereby appropriated may be trans-  
 4       ferred or suballocated to other state agencies for reimbursement to  
 5       local government entities for services and expenses related to  
 6       administration of the medical assistance program.  
 7       For the grant period October 1, 2006 to September 30, 2007 .....  
 8       1,867,679,500 ..... (re. \$400,000,000)

9  
 10      By chapter 54, section 1, of the laws of 2005, as transferred by chapter  
 11      54, section 1, of the laws of 2009:

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

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

26      For the grant period October 1, 2005 to September 30, 2006 .....  
 27      1,836,697,000 ..... (re. \$6,000,000)

28  
 29      Special Revenue Funds - Federal / Aid to Localities  
 30      Federal Health and Human Services Fund - 265

31  
 32      The appropriation made by chapter 54, section 1, of the laws of 2009, to  
 33      the special revenue funds - federal / state operations, federal  
 34      health and human services fund - 265, as transferred and amended by  
 35      this act, is reappropriated to read:

36      For services and expenses for the medical assistance program and  
 37      administration of the medical assistance program and survey and  
 38      certification program, provided pursuant to title XIX of the federal  
 39      social security act.

40      Notwithstanding any inconsistent provision of law and subject to the  
 41      approval of the director of the budget, moneys hereby appropriated  
 42      may be increased or decreased by transfer or suballocation between  
 43      these appropriated amounts and appropriations of other state  
 44      agencies and appropriations of the department of health.  
 45      Notwithstanding any inconsistent provision of law and subject to  
 46      approval of the director of the budget, moneys hereby appropriated  
 47      may be transferred or suballocated to other state agencies for  
 48      reimbursement to local government entities for services and expenses  
 49      related to administration of the medical assistance program .....  
 50      75,000,000 ..... (re. \$61,000,000)

51  
 52      Special Revenue Funds - Other / Aid to Localities  
 53      Miscellaneous Special Revenue Fund - 339  
 54      Federal State Health Reform Partnership Account

55  
 56      By chapter 54, section 1, of the laws of 2009:  
 57      Notwithstanding any inconsistent provision of law, the money appropri-  
 58      ated herein shall be available for services and expenses including  
 59      grants related to the federal-state health reform partnership  
 60      program and/or its successor program, provided, however, that the  
 61      section 1115 waiver demonstration which is entitled the federal-  
 62      state health reform partnership, is in effect in accordance with the

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1 terms and conditions approved by the secretary of the federal  
 2 department of health and human services, and further provided that  
 3 funds appropriated for the federal-state health reform partnership  
 4 program are disbursed only in accordance with those terms and condi-  
 5 tions. Subject to the approval of the director of the budget, moneys  
 6 appropriated herein may be transferred or suballocated to the state  
 7 office for the aging and other state agencies .....  
 8 300,000,000 ..... (re. \$300,000,000)  
 9

10 By chapter 54, section 1, of the laws of 2008:  
 11 Notwithstanding any inconsistent provision of law, the money appropri-  
 12 ated herein shall be available for services and expenses including  
 13 grants related to the federal-state health reform partnership  
 14 program and/or its successor program, provided, however, that the  
 15 section 1115 waiver demonstration which is entitled the federal-  
 16 state health reform partnership, is in effect in accordance with the  
 17 terms and conditions approved by the secretary of the federal  
 18 department of health and human services, and further provided that  
 19 funds appropriated for the federal-state health reform partnership  
 20 program are disbursed only in accordance with those terms and condi-  
 21 tions. Subject to the approval of the director of the budget, moneys  
 22 appropriated herein may be transferred or suballocated to the state  
 23 office for the aging and other state agencies .....  
 24 300,000,000 ..... (re. \$300,000,000)  
 25

26 By chapter 54, section 1, of the laws of 2007, as transferred by chapter  
 27 54, section 1, of the laws of 2009:  
 28 Notwithstanding any inconsistent provision of the law, the money  
 29 appropriated herein shall be available for services and expenses  
 30 including grants related to the federal-state health reform partner-  
 31 ship program and/or its successor program, provided, however, that  
 32 the section 1115 waiver demonstration which is entitled the feder-  
 33 al-state health reform partnership, is in effect in accordance with  
 34 the terms and conditions approved by the secretary of the federal  
 35 department of health and human services, and further provided that  
 36 funds appropriated for the federal-state health reform partnership  
 37 program are disbursed only in accordance with those terms and condi-  
 38 tions. Subject to the approval of the director of the budget, moneys  
 39 appropriated herein may be transferred or suballocated to the state  
 40 office for the aging and other state agencies .....  
 41 300,000,000 ..... (re. \$213,000,000)  
 42

43 By chapter 54, section 1, of the laws of 2006, as transferred by chapter  
 44 54, section 1, of the laws of 2009:  
 45 Notwithstanding any inconsistent provision of law, the money appropri-  
 46 ated herein shall be available for services and expenses including  
 47 grants related to the federal-state health reform partnership  
 48 program and/or its successor program, provided, however, that the  
 49 section 1115 waiver demonstration which is entitled federal-state  
 50 health reform partnership, is in effect in accordance with the terms  
 51 and conditions approved by the secretary of the federal department  
 52 of health and human services and accepted by the state, and further  
 53 provided that funds appropriated for the federal-state health reform  
 54 partnership program are disbursed only in accordance with those  
 55 terms and conditions. Subject to the approval of the director of the  
 56 budget, moneys appropriated herein may be transferred or suballo-  
 57 cated to the state office for the aging and other state agencies ...  
 58 500,000,000 ..... (re. \$300,000,000)  
 59  
 60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 OFFICE OF HEALTH SYSTEMS MANAGEMENT  
2  
3 General Fund / State Operations  
4 State Purposes Account - 003  
5  
6 By chapter 54, section 1, of the laws of 2008:  
7 For services and expenses of the health e-link.  
8 Contractual services ... 750,000 ..... (re. \$747,000)  
9  
10 By chapter 54, section 1, of the laws of 2007, as transferred by chapter  
11 54, section 1, of the laws of 2009:  
12 For services and expenses of the health e-link.  
13 Contractual services ... 750,000 ..... (re. \$326,000)  
14  
15 General Fund / Aid to Localities  
16 Local Assistance Account - 001  
17  
18 By chapter 54, section 1, of the laws of 2009:  
19 For services and expenses related to the operation of the incident  
20 reporting system (NYPORTS). A portion of this appropriation may be  
21 transferred to state operations appropriations .....  
22 625,100 ..... (re. \$625,100)  
23  
24 Special Revenue Funds - Federal / Aid to Localities  
25 Federal Operating Grants Fund - 290  
26 United States Department of Justice Account  
27  
28 By chapter 54, section 1, of the laws of 2009:  
29 For expenses incurred in the administration of the prescription drug  
30 monitoring program relating to the prescribing and dispensing of  
31 controlled substances ... 400,000 ..... (re. \$400,000)  
32  
33 By chapter 54, section 1, of the laws of 2008:  
34 For expenses incurred in the administration of the prescription drug  
35 monitoring program relating to the prescribing and dispensing of  
36 controlled substances ... 400,000 ..... (re. \$400,000)  
37  
38 By chapter 54, section 1, of the laws of 2007, as transferred by chapter  
39 54, section 1, of the laws of 2009:  
40 For expenses incurred in the administration of the prescription drug  
41 monitoring program relating to the prescribing and dispensing of  
42 controlled substances.  
43 For grants beginning on or after November 1, 2007 .....  
44 400,000 ..... (re. \$311,000)  
45  
46 By chapter 54, section 1, of the laws of 2006, as transferred by chapter  
47 54, section 1, of the laws of 2009:  
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 By chapter 54, section 1, of the laws of 2005, as transferred by chapter  
55 54, section 1, of the laws of 2009:  
56 For expenses incurred in the administration of Harold Rogers  
57 prescription drug monitoring program relating to the prescribing and  
58 dispensing of controlled substances:  
59 For the grant period June 1, 2005 to May 31, 2006 .....  
60 350,000 ..... (re. \$1,500)  
61

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1 By chapter 54, section 1, of the laws of 2004, as transferred by chapter  
2 54, section 1, of the laws of 2009:  
3 For expenses incurred in the administration of Harold Rogers  
4 prescription drug monitoring program relating to the prescribing and  
5 dispensing of controlled substances:  
6 For the grant period October 1, 2003 to September 30, 2004 .....  
7 300,000 ..... (re. \$9,000)  
8  
9 Special Revenue Funds - Other / State Operations  
10 Miscellaneous Special Revenue Fund - 339  
11 Certificate of Need Account  
12  
13 By chapter 54, section 1, of the laws of 2009:  
14 For services and expenses related to the certificate of need program.  
15 Contractual services ... 1,970,000 ..... (re. \$1,890,000)  
16  
17 OFFICE OF LONG TERM CARE  
18  
19 General Fund / State Operations  
20 State Purposes Account - 003  
21  
22 By chapter 54, section 1, of the laws of 2009:  
23 For services and expenses related to the home health aide registry.  
24 Personal service--regular ... 300,000 ..... (re. \$300,000)  
25 Supplies and materials ... 700 ..... (re. \$700)  
26 Travel ... 1,300 ..... ( re. \$1,300)  
27 Contractual services ... 1,680,000 ..... (re. \$1,680,000)  
28 Equipment ... 18,000 ..... (re. \$18,000)  
29  
30 General Fund / Aid to Localities  
31 Local Assistance Account - 001  
32  
33 By chapter 54, section 1, of the laws of 2009:  
34 For services and expenses of the quality incentive payment program ...  
35 2,605,000 ..... (re. \$2,605,000)  
36 The monies hereby appropriated shall be available for the cost of  
37 housing subsidies to certain participants in the nursing home  
38 transition and diversion waiver program as authorized by chapters  
39 615 and 627 of the laws of 2004. A portion of such funds may be used  
40 for administration of the housing subsidies, either by state staff  
41 or a not-for-profit agency. A portion of this appropriation may be  
42 transferred to state operations appropriations. Up to 100 percent of  
43 this appropriation may be suballocated to the division of housing  
44 and community renewal ... 2,303,000 ..... (re. \$2,303,000)  
45 For additional services and expenses of the quality incentive payment  
46 program ... 2,068,000 ..... (re. \$2,068,000)  
47 For additional services and expenses for the enhancing abilities and  
48 life experience (EnABLE) program for the purpose of providing air  
49 conditioning in resident rooms. In distributing such funds, the  
50 department shall give priority to those applicants whose residents  
51 demonstrate the highest level of need, including but not limited to,  
52 those with psychiatric disabilities and the elderly, and  
53 consideration to applicants in the greatest financial need of such  
54 assistance ... 1,353,600 ..... (re. \$1,353,600)  
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 The monies hereby appropriated shall be available for the cost of  
59 housing subsidies to certain participants in the nursing home tran-  
60 sition and diversion waiver program as authorized by chapters 615  
61 and 627 of the laws of 2004. A portion of such funds may be used for  
62 administration of the housing subsidies, either by state staff or a

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 not-for-profit agency. A portion of this appropriation may be trans-  
 2 ferred to state operations appropriations. Up to 100 percent of this  
 3 appropriation may be suballocated to the division of housing and  
 4 community renewal, provided, however, that the amount of this appro-  
 5 priation available for expenditure and disbursement on and after  
 6 September 1, 2008 shall be reduced by six percent of the amount that  
 7 was undisbursed as of August 15, 2008 .....  
 8 2,450,000 ..... (re. \$2,303,000)

9  
 10 Special Revenue Funds - Other / Aid to Localities  
 11 HCRA Resources Fund - 061  
 12 Health Services Account  
 13

14 By chapter 54, section 1, of the laws of 2009:

15 For services and expenses related to adult home initiatives including  
 16 but not limited to, social and recreational services; programs to  
 17 support wellness including smoking cessation; falls prevention;  
 18 maintaining or improving physical mobility, cognitive functioning or  
 19 overall health; and advocacy and legal support.

20 Notwithstanding any inconsistent provision of law and subject to the  
 21 approval of the director of the budget, moneys hereby appropriated  
 22 may be transferred to the office of mental health, the office for  
 23 the aging, and the commission on quality of care and advocacy for  
 24 persons with disabilities. Moneys herein appropriated may be used  
 25 for the purpose of awarding grants to operators of adult homes,  
 26 enriched housing programs and residences through the enhancing  
 27 abilities and life experience (EnAbLE) program to improve the  
 28 quality of life and independence for residents. Use of program funds  
 29 may include, but shall not be limited to, independent living skills  
 30 training, vocational or educational programs; peer specialists;  
 31 employment specialist; or services and supports to allow residents  
 32 to maintain independence in their activities of daily living. Such  
 33 grants shall be made pursuant to criteria established by the  
 34 department of health. A preference in funding shall be granted to  
 35 applicants for use of program funds which would serve residents  
 36 receiving supplemental security income and/or safety net. No grants  
 37 shall be made unless the department of health receives satisfactory  
 38 documentation that the resident council of any facility for which  
 39 funds are requested has endorsed the proposed use of funds as set  
 40 forth in the grant application ... 2,477,800 ..... (re. \$2,477,800)

41 For additional services and expenses for the enhancing abilities and  
 42 life experience (EnAbLE) program to improve the quality of life of  
 43 residents. Use of program funds may include, but shall not be  
 44 limited to, providing air conditioning in resident rooms, providing  
 45 generators to facilities, improving the quality of food services and  
 46 other quality of life activities. 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 ... 1,833,900 ..... (re. \$1,833,900)  
 52

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

55 For services and expenses related to adult home initiatives including  
 56 but not limited to, social and recreational services; programs to  
 57 support wellness including smoking cessation; falls prevention;  
 58 maintaining or improving physical mobility, cognitive functioning or  
 59 overall health; and advocacy and legal support.

60 Notwithstanding any inconsistent provision of law and subject to the  
 61 approval of the director of the budget, moneys hereby appropriated  
 62 may be transferred to the office of mental health, the office for

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 the aging, and the commission on quality of care and advocacy for  
 2 persons with disabilities. Moneys herein appropriated may be used  
 3 for the purpose of awarding grants to operators of adult homes,  
 4 enriched housing programs and residences through the enhancing abil-  
 5 ities and life experience (EnAbLE) program to improve the quality of  
 6 life and independence for residents. Use of program funds may  
 7 include, but shall not be limited to, independent living skills  
 8 training, vocational or educational programs; peer specialists;  
 9 employment specialist; or services and supports to allow residents  
 10 to maintain independence in their activities of daily living. Such  
 11 grants shall be made pursuant to criteria established by the depart-  
 12 ment of health. A preference in funding shall be granted to appli-  
 13 cants for use of program funds which would serve residents receiving  
 14 supplemental security income and/or safety net. No grants shall be  
 15 made unless the department of health receives satisfactory documen-  
 16 tation that the resident council of any facility for which funds are  
 17 requested has endorsed the proposed use of funds as set forth in the  
 18 grant application, provided, however, that the amount of this appro-  
 19 priation available for expenditure and disbursement on and after  
 20 September 1, 2008 shall be reduced by six percent of the amount that  
 21 was undisbursed as of August 15, 2008 .....  
 22 2,636,000 ..... (re. \$2,478,000)

23 For additional services and expenses for the enhancing abilities and  
 24 life experience (EnAbLE) program to improve the quality of life of  
 25 residents. Use of program funds may include, but shall not be limit-  
 26 ed to, providing air conditioning in resident rooms, providing  
 27 generators to facilities, improving the quality of food services and  
 28 other quality of life activities. In distributing such funds, the  
 29 department shall give priority to those applicants whose residents  
 30 demonstrate the highest level of need, including but not limited to,  
 31 those with psychiatric disabilities and the elderly, and consider-  
 32 ation to applicants in the greatest financial need of such assist-  
 33 ance, provided, however, that the amount of this appropriation  
 34 available for expenditure and disbursement on and after September 1,  
 35 2008 shall be reduced by six percent of the amount that was undis-  
 36 bursed as of August 15, 2008 ... 1,951,000 ..... (re. \$1,834,000)  
 37

38 By chapter 54, section 1, of the laws of 2007, as transferred by chapter  
 39 54, section 1, of the laws of 2009:

40 For services and expenses related to adult home initiatives including  
 41 but not limited to, social and recreational services; programs to  
 42 support wellness including smoking cessation; falls prevention;  
 43 maintaining or improving physical mobility, cognitive functioning or  
 44 overall health; and advocacy and legal support.

45 Notwithstanding any inconsistent provision of law and subject to the  
 46 approval of the director of the budget, moneys hereby appropriated  
 47 may be transferred to the office of mental health, the office for  
 48 the aging, and the commission on quality of care and advocacy for  
 49 persons with disabilities. Moneys herein appropriated may be used  
 50 for the purpose of awarding grants to operators of adult homes,  
 51 enriched housing programs and residences through the enhancing abil-  
 52 ities and life experience (EnAbLE) program to improve the quality of  
 53 life and independence for residents. Use of program funds may  
 54 include, but shall not be limited to, independent living skills  
 55 training, vocational or educational programs; peer specialists;  
 56 employment specialist; or services and supports to allow residents  
 57 to maintain independence in their activities of daily living. Such  
 58 grants shall be made pursuant to criteria established by the depart-  
 59 ment of health. A preference in funding shall be granted to appli-  
 60 cants for use of program funds which would serve residents receiving  
 61 supplemental security income and/or safety net. No grants shall be  
 62 made unless the department of health receives satisfactory documen-

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 tation that the resident council of any facility for which funds are  
 2 requested has endorsed the proposed use of funds as set forth in the  
 3 grant application ... 2,750,000 ..... (re. \$2,690,000)  
 4 For additional services and expenses for the enhancing abilities and  
 5 life experience (EnAbLE) program for the purpose of providing air  
 6 conditioning in resident rooms. In distributing such funds, the  
 7 department shall give priority to those applicants whose residents  
 8 demonstrate the highest level of need, including but not limited to,  
 9 those with psychiatric disabilities and the elderly, and consider-  
 10 ation to applicants in the greatest financial need of such assistance  
 11 ... 2,000,000 ..... (re. \$1,739,000)  
 12

13 By chapter 54, section 1, of the laws of 2006, as transferred by chapter  
 14 54, section 1, of the laws of 2009:  
 15 For additional services and expenses for the enhancing abilities and  
 16 life experience (EnAbLE) program for the purpose of providing air  
 17 conditioning in resident rooms. In distributing such funds, the  
 18 department shall give priority to those applicants whose residents  
 19 demonstrate the highest level of need, including but not limited to,  
 20 those with psychiatric disabilities and the elderly, and consider-  
 21 ation to applicants in the greatest financial need of such assist-  
 22 ance ... 2,000,000 ..... (re. \$451,000)  
 23

24 WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

25  
 26 Special Revenue Funds - Federal / State Operations  
 27 Federal Health and Human Services Fund - 265  
 28

29 By chapter 54, section 1, of the laws of 2009:  
 30 For health prevention, diagnostic, detection and treatment services  
 31 1,556,000 ..... (re. \$1,556,000)  
 32

33 By chapter 54, section 1, of the laws of 2008:  
 34 For health prevention, diagnostic, detection and treatment services  
 35 ... 1,556,000 ..... (re. \$91,000)  
 36

37 By chapter 54, section 1, of the laws of 2007:  
 38 For health prevention, diagnostic, detection and treatment services.  
 39 For the grant period October 1, 2006 to September 30, 2007 .....  
 40 778,000 ..... (re. \$778,000)  
 41 For the grant period October 1, 2007 to September 30, 2008 .....  
 42 778,000 ..... (re. \$778,000)  
 43

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

48 By chapter 54, section 1, of the laws of 2009:  
 49 For health prevention, diagnostic, detection and treatment services  
 50 11,376,000 ..... (re. \$11,376,000)  
 51

52 By chapter 54, section 1, of the laws of 2008:  
 53 For health prevention, diagnostic, detection and treatment services  
 54 ... 11,376,000 ..... (re. \$6,602,000)  
 55

56 Special Revenue Funds - Federal / Aid to Localities  
 57 Federal Health and Human Services Fund - 265  
 58 Federal Block Grant Account  
 59  
 60



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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2009:  
2 For services and expenses of the various health prevention,  
3 diagnostic, detection and treatment services .....  
4 3,682,000 ..... (re. \$3,682,000)  
5  
6 By chapter 54, section 1, of the laws of 2008:  
7 For services and expenses of the various health prevention, diagnos-  
8 tic, detection and treatment services .....  
9 3,682,000 ..... (re. \$2,977,000)  
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 health prevention, diagnostic, detection and treatment services.  
16 For the grant period October 1, 2007 to September 30, 2008 .....  
17 5,291,000 ..... (re. \$1,043,000)  
18  
19 Special Revenue Funds - Federal / Aid to Localities  
20 Federal Block Grant Fund - 269  
21  
22 By chapter 54, section 1, of the laws of 2007:  
23 For services and expenses of the various health prevention, diagnos-  
24 tic, detection and treatment services.  
25 For the grant period October 1, 2007 to September 30, 2008 .....  
26 1,712,000 ..... (re. \$888,000)  
27  
28 Special Revenue Funds - Other / State Operations  
29 Combined Gifts, Grants and Bequests Fund - 020  
30 Breast Cancer Research and Education Account  
31  
32 By chapter 54, section 1, of the laws of 2009:  
33 For breast cancer research and education pursuant to section 97-yy of  
34 the state finance law as amended by chapter 550 of the laws of 2000.  
35 Contractual services ... 2,600,000 ..... (re. \$2,600,000)  
36  
37 By chapter 54, section 1, of the laws of 2005:  
38 For breast cancer research and education pursuant to section 97-yy of  
39 the state finance law as amended by chapter 550 of the laws of 2000  
40 ... 2,600,000 ..... (re. \$2,043,000)  
41  
42 Special Revenue Funds - Other / State Operations  
43 Combined Gifts, Grants and Bequests Fund - 020  
44 Multiple Sclerosis Research Account  
45  
46 By chapter 54, section 1, of the laws of 2009:  
47 For research into the causes and treatment of pediatric multiple  
48 sclerosis pursuant to section 95-d of the state finance law.  
49 Contractual services ... 20,000 ..... (re. \$20,000)  
50  
51 Special Revenue Fund - Other / State Operations  
52 Miscellaneous Special Revenue Fund - 339  
53 Empire State Stem Cell Research Account  
54  
55 By chapter 54, section 1, of the laws of 2009:  
56 For services and expenses, including grants, related to stem cell  
57 research pursuant to chapter 58 of the laws of 2007:  
58 Contractual services ... 50,000,000 ..... (re. \$49,795,000)  
59  
60 By chapter 54, section 1, of the laws of 2008:  
61 For services and expenses, including grants, related to stem cell  
62 research pursuant to chapter 58 of the laws of 2007:

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Contractual services ... 50,000,000 ..... (re. \$48,861,000)  
2  
3 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,  
4 section 1, of the laws of 2008:  
5 For services and expenses, including grants, related to stem cell  
6 research pursuant to chapter 58 of the laws of 2007:  
7 Contractual services ... 100,000,000 ..... (re. \$88,127,00)  
8  
9 Special Revenue Funds - Other / State Operations  
10 Miscellaneous Special Revenue Fund - 339  
11 Spinal Cord Injury Research Fund Account  
12  
13 By chapter 54, section 1, of the laws of 2009:  
14 For services and expenses related to spinal cord injury research  
15 pursuant to chapter 338 of the laws of 1998, in accordance with the  
16 following.  
17 Personal service--regular ... 224,000 ..... (re. \$224,000)  
18 Supplies and materials ... 50,000 ..... (re. \$50,000)  
19 Travel ... 45,000 ..... (re. \$45,000)  
20 Contractual services ... 7,978,000 ..... (re. \$7,978,000)  
21 Equipment ... 15,000 ..... (re. \$15,000)  
22 Fringe benefits ... 88,000 ..... (re. \$88,000)  
23 Indirect costs ... 129,000 ..... (re. \$129,000)  
24  
25 By chapter 54, section 1, of the laws of 2008:  
26 For services and expenses related to spinal cord injury research  
27 pursuant to chapter 338 of the laws of 1998, in accordance with the  
28 following.  
29 Contractual services ... 7,860,800 ..... (re. \$5,802,000)  
30  
31 By chapter 54, section 1, of the laws of 2007:  
32 For services and expenses related to spinal cord injury research  
33 pursuant to chapter 338 of the laws of 1998, in accordance with the  
34 following.  
35 Contractual services ... 8,004,794 ..... (re. \$5,418,000)  
36  
37 By chapter 54, section 1, of the laws of 2006:  
38 For expenses related to spinal cord injury research pursuant to chap-  
39 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$2,938,000)  
40  
41 By chapter 54, section 1, of the laws of 2005:  
42 For expenses related to spinal cord injury research pursuant to chap-  
43 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$2,870,000)  
44  
45 By chapter 54, section 1, of the laws of 2004:  
46 For expenses related to spinal cord injury research pursuant to chap-  
47 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$1,718,000)  
48  
49 By chapter 54, section 1, of the laws of 2003:  
50 For expenses related to spinal cord injury research pursuant to chap-  
51 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$2,369,000)  
52  
53 By chapter 54, section 1, of the laws of 2002:  
54 For expenses related to spinal cord injury research pursuant to chap-  
55 ter 338 of the laws of 1998 ... 8,500,000 ..... (re. \$465,000)  
56  
57 Total reappropriations for state operations and aid to  
58 localities ..... 57,529,051,123  
59 =====  
60  
61

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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 2010-11

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 .....	157,183,000
7		-----
8	All Funds .....	389,783,000
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 (12HE10HE) ..... 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 (12RP10HE) ..... 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 2010-11

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 (12591003) ..... 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 (12601003)  
30 ..... 7,600,000  
31  
32 WATER RESOURCES (CCP) ..... 157,183,000  
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 (12021057) ..... 157,183,000  
41

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2010-11

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

4		
5	Capital Projects Fund - Advances .....	108,000,000
6		-----
7	All Funds .....	108,000,000
8		=====

9  
10 Capital Projects Fund

11		
12	HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-	
13	ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP) .....	108,000,000
14		-----

15  
16 Health Care System Improvement Purpose

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 here-  
27 by appropriated shall be for payment of  
28 financial assistance heretofore accrued  
29 or hereafter to accrue (12BD10HE) ..... 108,000,000

30

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 All or a portion of the disbursements made pursuant to the reappropriations  
 2 ations made hereinafter from the capital projects fund may be eligi-  
 3 ble for reimbursement from proceeds of bonds issued by the dormitory  
 4 authority. The dormitory authority and the department of health  
 5 shall report quarterly to the director of the budget the amounts  
 6 expended from appropriations which are eligible for reimbursement  
 7 from the proceeds of the bonds. The director of the budget shall  
 8 review these reports and then certify to the comptroller amounts  
 9 expended from these appropriations which are reimbursable from bond  
 10 proceeds. Until such time as the dormitory authority determines that  
 11 amounts expended from these appropriations are not reimbursable from  
 12 bond proceeds, all such expenditures shall be considered to be reim-  
 13 burstable 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 2009:

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 (12HE09HE) ...  
 35 192,000,000 ..... (re. \$192,000,000)

36 For transfer to the Roswell park cancer institute corporation to  
 37 support capital projects in accordance with section 2818 of the  
 38 public health law establishing the health care system improvement  
 39 capital grant program (12RP09HE) .. 25,000,000 ... (re. \$12,500,000)

40 An advance for payments and grants in accordance with section 2818 of  
 41 the public health law establishing the health care system  
 42 improvement capital grant program, provided, however, that no  
 43 expenditures may be made from this appropriation until a  
 44 comprehensive plan of projects has been approved by the director of  
 45 the budget. The moneys hereby appropriated shall be for payment of  
 46 financial assistance heretofore accrued or hereafter to accrue  
 47 (12BD09HE) ... 108,000,000 ..... (re. \$108,000,000)

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

50 For payments and grants in accordance with section 2818 of the public  
 51 health law establishing the health care system improvement capital  
 52 grant program, including necessary support to facilitate closures,  
 53 conversions and consolidations within the health care delivery  
 54 system including operational support intended to maintain facility  
 55 viability the retirement of health care facility indebtedness,  
 56 provided, however, that no expenditures may be made from this approp-  
 57 riation until a comprehensive plan of projects has been approved by  
 58 the director of the budget. For purposes of HEAL NY, all such activ-  
 59 ities are deemed to constitute a capital expenditure. The moneys  
 60 hereby appropriated shall be for payment of financial assistance  
 61 heretofore accrued or hereafter to accrue (12HE08HE) .....  
 62 133,000,000 ..... (re. \$131,900,000)

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 For services and expenses related to local health care planning  
 2 including but not limited to: examining racial and ethnic dispari-  
 3 ties in the provision of health care; developing a process to meas-  
 4 ure and integrate consumer needs for health care services as the  
 5 basis for health care provider planning; assessing future long term  
 6 care needs taking into account consumer preferences for care; and  
 7 reviewing the impact of the migration of services from hospitals to  
 8 ambulatory care providers on the cost, quality and availability of  
 9 services. Notwithstanding section one hundred twelve or section one  
 10 hundred sixty-three of the state finance law, the commissioner of  
 11 health, at his or her discretion, may award, without a competitive  
 12 process, grants up to \$2 million to qualified health planning agen-  
 13 cies for such purposes. For the purposes of HEAL NY, such activities  
 14 are deemed to constitute a capital expenditure (12HE08HE) .....  
 15 7,000,000 ..... (re. \$6,200,000)  
 16 An advance for payments and grants in accordance with section 2818 of  
 17 the public health law establishing the health care system improve-  
 18 ment capital grant program, provided, however, that no expenditures  
 19 may be made from this appropriation until a comprehensive plan of  
 20 projects has been approved by the director of the budget. The moneys  
 21 hereby appropriated shall be for payment of financial assistance  
 22 heretofore accrued or hereafter to accrue (12BD08HE) .....  
 23 85,000,000 ..... (re. \$84,200,000)  
 24

25 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,  
 26 section 1, of the laws of 2009:

27 For payments and grants in accordance with section 2818 of the public  
 28 health law establishing the health care system improvement capital  
 29 grant program, including necessary support to facilitate closures,  
 30 conversions and consolidations within the health care delivery  
 31 system including the retirement of health care facility indebt-  
 32 edness, provided, however, that no expenditures may be made from  
 33 this appropriation until a comprehensive plan of projects has been  
 34 approved by the director of the budget. For purposes of HEAL NY,  
 35 all such activities are deemed to constitute a capital expenditure.  
 36 The moneys hereby appropriated shall be for payment of financial  
 37 assistance heretofore accrued or hereafter to accrue (12HE07HE) ...  
 38 140,000,000 ..... (re. \$126,500,000)  
 39

40 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,  
 41 section 1, of the laws of 2008:

42 An advance for payments and grants in accordance with section 2818 of  
 43 the public health law establishing the health care system improve-  
 44 ment capital grant program, provided, however, that no expenditures  
 45 may be made from this appropriation until a comprehensive plan of  
 46 projects has been approved by the director of the budget. The moneys  
 47 hereby appropriated shall be for payment of financial assistance  
 48 heretofore accrued or hereafter to accrue .....  
 49 (12BD07HE) ... 85,000,000 ..... (re. \$82,000,000)  
 50

51 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,  
 52 section 1, of the laws of 2009:

53 For payments and grants in accordance with section 2818 of the public  
 54 health law establishing the health care system improvement capital  
 55 grant program, including necessary support to facilitate closures,  
 56 conversions and consolidations within the health care delivery  
 57 system including the retirement of health care facility indebt-  
 58 edness, provided, however, that no expenditures may be made from  
 59 this appropriation until a comprehensive plan of projects has been  
 60 approved by the director of the budget. For purposes of HEAL NY,  
 61



DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 all such activities are deemed to constitute a capital expenditure.  
 2 The moneys hereby appropriated shall be for payment of financial  
 3 assistance heretofore accrued or hereafter to accrue (12HE06HE) ....  
 4 140,000,000 ..... (re. \$27,000,000)  
 5

6 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,  
 7 section 1, of the laws of 2008:

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 .....  
 15 (12BD06HE) ... 85,000,000 ..... (re. \$43,593,000)  
 16

17 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,  
 18 section 1, of the laws of 2009:

19 For payments and grants in accordance with section 2818 of the public  
 20 health law establishing the health care system improvement capital  
 21 grant program, including necessary support to facilitate closures,  
 22 conversions and consolidations within the health care delivery  
 23 system including the retirement of health care facility indebt-  
 24 edness, provided, however, that no expenditures may be made from  
 25 this appropriation until a comprehensive plan of projects has been  
 26 approved by the director of the budget. For purposes of HEAL NY, all  
 27 such activities are deemed to constitute a capital expenditure. The  
 28 moneys hereby appropriated shall be for payment of financial assist-  
 29 ance heretofore accrued or hereafter to accrue (12HE05HE) .....  
 30 65,000,000 ..... (re. \$14,900,000)  
 31

32 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,  
 33 section 1, of the laws of 2008:

34 An advance for payments in accordance with section 2817 of the public  
 35 health law establishing the community health care centers capital  
 36 program, provided, however, that no expenditures may be made from  
 37 this appropriation until a comprehensive plan of projects has been  
 38 approved by the director of the budget. The moneys hereby appropri-  
 39 ated shall be for payment of financial assistance heretofore accrued  
 40 or hereafter to accrue (12BD05CH) .....  
 41 10,000,000 ..... (re. \$10,000,000)

42 An advance for payments and grants in accordance with section 2818 of  
 43 the public health law establishing the health care system improve-  
 44 ment capital grant program, provided, however, that no expenditures  
 45 may be made from this appropriation until a comprehensive plan of  
 46 projects has been approved by the director of the budget. The moneys  
 47 hereby appropriated shall be for payment of financial assistance  
 48 heretofore accrued or hereafter to accrue (12BD05HE) .....  
 49 175,000,000 ..... (re. \$98,100,000)  
 50

51 LABORATORIES AND RESEARCH (CCP)

52  
 53 Capital Projects Fund

54  
 55 Preservation of Facilities Purpose

56  
 57 By chapter 54, section 1, of the laws of 2009:

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

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 division of the budget, funds of this appropriation may be  
2 transferred to the dormitory authority of the state of New York for  
3 capital projects (12590903) ... 8,000,000 ..... (re. \$7,400,000)  
4

5 By chapter 54, section 1, of the laws of 2008:  
6 To maintain and improve existing facilities including preparation of  
7 plans and for payment to the design and construction management  
8 account of the centralized services fund of the New York state  
9 office of general services. Upon the request of the commissioner of  
10 the department of health and approval of the director of the divi-  
11 sion of the budget, funds of this appropriation may be transferred  
12 to the dormitory authority of the state of New York for capital  
13 projects (12590803) ... 10,000,000 ..... (re. \$7,100,00)  
14

15 By chapter 54, section 1, of the laws of 2007:  
16 To maintain and improve existing facilities including preparation of  
17 plans and for payment to the design and construction management  
18 account of the centralized services fund of the New York state  
19 office of general services. Upon the request of the commissioner of  
20 the department of health and approval of the director of the divi-  
21 sion of the budget, funds of this appropriation may be transferred  
22 to the dormitory authority of the state of New York for capital  
23 projects (12590703) ... 10,000,000 ..... (re. \$3,923,000)  
24

25 By chapter 54, section 1, of the laws of 2006:  
26 To maintain and improve existing facilities including preparation of  
27 plans and for payment to the design and construction management  
28 account of the centralized services fund of the New York state  
29 office of general services. Upon the request of the commissioner of  
30 the department of health and approval of the director of the divi-  
31 sion of the budget, funds of this appropriation may be transferred  
32 to the dormitory authority of the state of New York for capital  
33 projects (12590603) ... 10,000,000 ..... (re. \$4,718,000)  
34

35 By chapter 54, section 1, of the laws of 2005:  
36 To maintain and improve existing facilities including preparation of  
37 plans and for payment to the design and construction management  
38 account of the centralized services fund of the New York state  
39 office of general services (12590503) .....  
40 4,000,000 ..... (re. \$794,000)  
41

42 By chapter 54, section 1, of the laws of 2004:  
43 To maintain and improve existing facilities including preparation of  
44 plans and for payment to the design and construction management  
45 account of the centralized services fund of the New York state  
46 office of general services (12590403) .....  
47 4,000,000 ..... (re. \$380,000)  
48

49 By chapter 54, section 1, of the laws of 2003:  
50 To maintain and improve existing facilities including preparation of  
51 plans and for payment to the design and construction management  
52 account of the centralized services fund of the New York state  
53 office of general services (12590303) .....  
54 4,000,000 ..... (re. \$1,987,000)  
55

56 Umbilical Cord Blood Bank Purpose

57  
58 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,  
59 section 1, of the laws of 2007:  
60 For payments and grants for the design and construction of an umbili-  
61 cal cord blood bank facility in Syracuse, New York. Upon the request  
62 of the Commissioner of the department of health and approval of the

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 Director of the division of the budget, these funds may be available  
2 and are authorized for transfer to the state university of New York  
3 construction fund (125906BB) ... 5,000,000 ..... (re. \$5,000,000)  
4

5 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)

6  
7 Capital Projects Fund

8  
9 Preservation of Facilities Purpose

10  
11 By chapter 54, section 1, of the laws of 2009:

12 For minor alterations, improvements and preventive maintenance of St.  
13 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,  
14 Batavia Nursing Home, and Montrose Nursing Home including  
15 preparation of plans and for payment to the design and construction  
16 management account of the centralized services fund of the New York  
17 state office of general services. Upon the request of the  
18 commissioner of the department of health and approval of the  
19 director of the division of the budget, funds of this appropriation  
20 may be transferred to the dormitory authority of the state of New  
21 York for capital projects [(12590903)] (12600903) .....  
22 7,600,000 ..... (re. \$6,700,000)  
23

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

25 For minor alterations, improvements and preventive maintenance of St.  
26 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,  
27 Batavia Nursing Home, and Montrose Nursing Home including prepara-  
28 tion of plans and for payment to the design and construction manage-  
29 ment account of the centralized services fund of the New York state  
30 office of general services. Upon the request of the commissioner of  
31 the department of health and approval of the director of the divi-  
32 sion of the budget, funds of this appropriation may be transferred  
33 to the dormitory authority of the state of New York for capital  
34 projects (12600803) ... 7,600,000 ..... (re. \$5,510,000)  
35

36 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,  
37 section 1, of the laws of 2008:

38 For minor alterations, improvements and preventive maintenance of the  
39 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,  
40 Batavia Nursing Home, and Montrose Nursing Home including prepara-  
41 tion of plans and for payment to the design and construction manage-  
42 ment account of the centralized services fund of the New York state  
43 office of general services. Upon the request of the commissioner of  
44 the department of health and approval of the director of the divi-  
45 sion of the budget, funds of this appropriation may be transferred  
46 to the dormitory authority of the state of New York for capital  
47 projects (12600703) ... 7,600,000 ..... (re. \$2,600,000)  
48

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

50 For minor alterations, improvements and preventive maintenance of the  
51 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,  
52 Batavia Nursing Home and Montrose Nursing Home including preparation  
53 of plans and for payment to the design and construction management  
54 account of the centralized services fund of the New York state  
55 office of general services. Upon the request of the commissioner of  
56 the department of health and approval of the director of the divi-  
57 sion of the budget, funds of this appropriation may be transferred  
58 to the dormitory authority of the state of New York for capital  
59 projects (12600603) ... 7,600,000 ..... (re. \$856,000)  
60  
61

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,  
2 section 1, of the laws of 2006:  
3 For minor alterations, improvements and preventive maintenance of the  
4 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,  
5 Batavia Nursing Home, and Montrose Nursing Home including prepara-  
6 tion of plans and for payment to the design and construction manage-  
7 ment account of the centralized services fund of the New York state  
8 office of general services. (12600503) .....  
9 7,600,000 ..... (re. \$143,000)  
10  
11 By chapter 54, section 1, of the laws of 2004:  
12 For minor alterations, improvements and preventive maintenance of the  
13 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home  
14 and Batavia Nursing Home including preparation of plans and for  
15 payment to the design and construction management account of the  
16 centralized services fund of the New York state office of general  
17 services (12600403) ... 7,600,000 ..... (re. \$2,363,000)  
18  
19 By chapter 54, section 1, of the laws of 2003:  
20 For minor alterations, improvements and preventive maintenance of St.  
21 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and  
22 Batavia Nursing Home including preparation of plans and for payment  
23 to the design and construction management account of the centralized  
24 services fund of the New York state office of general services  
25 (12600303) ... 7,600,000 ..... (re. \$2,556,000)  
26  
27 WATER RESOURCES (CCP)  
28  
29 Federal Capital Projects Fund  
30  
31 Water Resources Purpose  
32  
33 By chapter 54, section 1, of the laws of 2009:  
34 For federal grants for the safe drinking water revolving fund  
35 (12020957) ... 35,525,000 ..... (re. \$35,525,000)  
36 For federal grants for the safe drinking water revolving fund funded  
37 by the American recovery and reinvestment act of 2009. Funds  
38 appropriated herein shall be subject to all applicable reporting and  
39 accountability requirements contained in such act .....  
40 87,000,000 ..... (re. \$87,000,000)  
41  
42 By chapter 54, section 1, of the laws of 2008:  
43 For federal grants for the safe drinking water revolving fund  
44 (12020857) ... 9,980,000 ..... (re. \$9,980,000)  
45  
46 By chapter 54, section 1, of the laws of 2007:  
47 For federal grants for the safe drinking water revolving fund  
48 (12020757) ... 36,812,000 ..... (re. \$28,900,000)  
49  
50 By chapter 54, section 1, of the laws of 2006:  
51 For federal grants for the safe drinking water revolving fund  
52 (12020657) ... 32,937,000 ..... (re. \$1,200,000)  
53  
54 By chapter 54, section 1, of the laws of 2004:  
55 For federal grants for the safe drinking water revolving fund  
56 (12020457) ... 65,000,000 ..... (re. \$626,000)  
57

DEPARTMENT OF HEALTH  
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	33,274,000	0
6 Special Revenue Funds - Federal ....	50,804,000	48,127,000
7 Special Revenue Funds - Other .....	4,083,000	0
8	-----	-----
9 All Funds .....	88,161,000	48,127,000
10	=====	=====

11  
12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
16	-----	-----	-----	-----
17 GF-St/Local	33,274,000	0	0	33,274,000
18 SR-Federal	50,804,000	0	0	50,804,000
19 SR-Other	4,083,000	0	0	4,083,000
20	-----	-----	-----	-----
21 All Funds	88,161,000	0	0	88,161,000
22	=====	=====	=====	=====

23  
24 SCHEDULE

25  
26 MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM ..... 88,161,000

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 .....	23,341,000	
54 Temporary service .....	23,000	
55 Holiday/overtime compensation .....	120,000	
56	-----	
57 Amount available for personal service ....	23,484,000	
58	-----	

DEPARTMENT OF HEALTH  
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 NONPERSONAL SERVICE

2

3	Supplies and materials .....	870,000
4	Travel .....	309,000
5	Contractual services .....	8,949,000
6	Equipment .....	2,862,000
7		-----
8	Amount available for nonpersonal service..	12,990,000
9		-----

10 MAINTENANCE UNDISTRIBUTED

11

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 .....	36,974,000
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 2010-11

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	Total new appropriations for state operations and aid to		
25	localities .....		88,161,000
26			=====
27			



DEPARTMENT OF HEALTH  
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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 2009:  
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  
13 developmental disabilities and office of alcoholism and substance  
14 abuse services with the approval of the director of the budget, who  
15 shall file such approval with the department of audit and control  
16 and copies thereof with the chairman of the senate finance committee  
17 and the chairman of the assembly ways and means committee.  
18 For services and expenses related to the medicaid fraud and abuse  
19 program ... 52,284,000 ..... (re. \$48,127,000)  
20  
21 Total reappropriations for state operations and aid to  
22 localities ..... 48,127,000  
23 =====  
24

DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 Special Revenue Funds - Other .....	600,000,000	0
	-----	-----
7 All Funds .....	600,000,000	0
	=====	=====

10 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
	-----	-----	-----	-----
15 SR-Other	600,000,000	0	0	600,000,000
	-----	-----	-----	-----
17 All Funds	600,000,000	0	0	600,000,000
	=====	=====	=====	=====

20 SCHEDULE

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

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 this  
 31 appropriation to state operations and/or  
 32 local assistance in the office of mental  
 33 health, office of mental retardation and  
 34 developmental disabilities, and office of  
 35 alcoholism and substance abuse services of  
 36 the department, or to the general fund  
 37 from this appropriation by certificate of  
 38 approval ..... 300,000,000  
 39 -----  
 40 Program account subtotal ..... 300,000,000  
 41 -----

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

47 Amount appropriated for the various offices  
 48 of the department of mental hygiene and  
 49 for employee fringe benefits of any other  
 50 state agency. The director of the budget  
 51 is hereby authorized to transfer this  
 52 appropriation to state operations and/or  
 53 local assistance in the office of mental  
 54 health, office of mental retardation and  
 55 developmental disabilities, and office of  
 56 alcoholism and substance abuse services of  
 57 the department, or to the general fund  
 58 from this appropriation by certificate of  
 59 approval..... 300,000,000  
 60 -----  
 61 Program account subtotal ..... 300,000,000  
 62 -----

DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Total new appropriations for state operations and aid to	
2	localities .....	600,000,000
3		=====
4		

DEPARTMENT OF MENTAL HYGIENE  
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
 STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	153,000,000	146,740
6 Special Revenue Funds - Federal ....	146,560,000	196,771,000
7 Special Revenue Funds - Other .....	311,984,000	2,000,000
8 Capital Projects Funds .....	108,934,000	391,122,000
9	-----	-----
10 All Funds .....	720,478,000	590,039,740
11	=====	=====

12  
13 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
18 GF-St/Local	0	153,000,000	0	153,000,000
19 SR-Federal	6,445,000	140,115,000	0	146,560,000
20 SR-Other	123,905,000	188,079,000	0	311,984,000
21 Cap Proj	0	0	108,934,000	108,934,000
22	-----	-----	-----	-----
23 All Funds	130,350,000	481,194,000	108,934,000	720,478,000
24	=====	=====	=====	=====

25  
26 SCHEDULE

27  
28 COMMUNITY TREATMENT SERVICES PROGRAM ..... 394,560,000  
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 2010 or July 1, 2010 and for advances for  
52 the period beginning January 1, 2011.

53 The commissioner, pursuant to such contract  
54 and/or funding authorization letter, may  
55 pay from this appropriation all or a  
56 portion of the expenses incurred by such  
57 voluntary agencies arising out of loans  
58 obtained from the proceeds of bonds and  
59 notes issued by the dormitory authority of  
60 the state of New York or another

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 authorized entity approved by the division  
2 of the budget. Such expenses may include,  
3 but shall not be limited to, amounts  
4 relating to principal and interest and any  
5 other fees and charges arising from such  
6 loans.  
7 Notwithstanding any other provision of law,  
8 subject to the approval of the director of  
9 the budget, a portion of the money appro-  
10 priated herein may be made available for  
11 obligations and payments heretofore or  
12 hereafter accrued by the department of  
13 health for community alcoholism, chemical  
14 dependence, and substance abuse treatment  
15 services, including the state share of  
16 medical assistance payments.  
17 Notwithstanding any inconsistent provision  
18 of law, a portion of the money appropri-  
19 ated herein may be made available for  
20 transfer to the department of health for  
21 the state share of disproportionate share  
22 payments to voluntary nonprofit general  
23 hospitals pursuant to chapter 119 of the  
24 laws of 1997, as amended.  
25 Notwithstanding any inconsistent provisions  
26 of law, moneys from this appropriation may  
27 be used for expenses of localities,  
28 nonprofit and for-profit agencies that may  
29 arise from the assumption of operational  
30 responsibilities for programs when operat-  
31 ing certificates for such programs cease  
32 to be in effect and/or programs are placed  
33 into receivership pursuant to section  
34 19.41 of the mental hygiene law.  
35 Notwithstanding any inconsistent provision  
36 of law, including section 1 of part C of  
37 chapter 57 of the laws of 2006, as amended  
38 by section 2 of part I of chapter 58 of  
39 the laws of 2008 and part L of chapter 58  
40 of the laws of 2009, for the period  
41 commencing on April 1, 2009 and ending  
42 March 31, 2011 the commissioner shall not  
43 apply any cost of living adjustment for  
44 the purpose of establishing rates of  
45 payments, contracts or any other form of  
46 reimbursement.  
47 Notwithstanding any inconsistent provision  
48 of law, moneys from this appropriation  
49 shall not be available for unified  
50 services after June 30, 2010.  
51 No expenditure shall be made for such  
52 program until a certificate of allocation  
53 has been approved by the director of the  
54 budget and copies thereof filed with the  
55 state comptroller and chairs of the senate  
56 finance committee and the assembly ways  
57 and means committee.  
58 Notwithstanding any provision of law to the  
59 contrary, the commissioner of the office  
60 of alcoholism and substance abuse services

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 shall be authorized to continue contracts  
 2 which were executed on or before March 31,  
 3 2010 with entities providing services for  
 4 problem gambling and chemical dependency  
 5 prevention, treatment and recovery  
 6 services, without any additional require-  
 7 ments that such contracts be subject to  
 8 competitive bidding, a request for  
 9 proposal process or other administrative  
 10 procedures.

11 Notwithstanding any other provision of law,  
 12 the money hereby appropriated may be  
 13 transferred to state operations and/or any  
 14 appropriation of the office of alco-  
 15 holism and substance abuse services, with  
 16 the approval of the director of the budget  
 17 who shall file such approval with the  
 18 department of audit and control and copies  
 19 thereof with the chairman of the senate  
 20 finance committee and the chairman of the  
 21 assembly ways and means committee.

22 The state comptroller is hereby authorized  
 23 to receive funds from the office of alco-  
 24 holism and substance abuse services that  
 25 were returned from providers in the  
 26 current fiscal year in respect of a  
 27 settlement of local assistance funds from  
 28 prior fiscal years and is authorized to  
 29 refund such moneys to the credit of the  
 30 local assistance account of the general  
 31 fund for the purpose of reimbursing the  
 32 2010-11 appropriation.

33 Funds appropriated herein shall be available  
 34 in accordance with the following:

35 For services and expenses related to problem	
36 gambling and chemical dependence outpa-	
37 tient services .....	119,000,000
38 For the state share of medical assistance	
39 payments for outpatient services and the	
40 state share of disproportionate share	
41 payments .....	34,000,000
42	-----
43 Program account subtotal .....	153,000,000
44	-----

45  
 46 Special Revenue Funds - Federal / Aid to Localities  
 47 Federal Health and Human Services Fund - 265  
 48

49 For services and expenses of prevention,  
 50 intervention, and treatment programs  
 51 provided by the SAPT block grants.

52 Notwithstanding any inconsistent provision  
 53 of law, a portion of the funds hereby  
 54 appropriated may, subject to the approval  
 55 of the director of the budget, be trans-  
 56 ferred to state operations and/or any  
 57 appropriation of the office of alcoholism  
 58 and substance abuse services consistent  
 59 with the terms and conditions of the SAPT  
 60 block grant award.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 2010 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 ..... 82,000,000

14 For services and expenses associated with  
15 federal grant awards yet to be allocated  
16 by the federal department of health and  
17 human services. Notwithstanding any incon-  
18 sistent provision of law, the director of  
19 the budget is hereby authorized to trans-  
20 fer appropriation authority contained  
21 herein to state operations and/or any  
22 appropriation of the office of alcoholism  
23 and substance abuse services ..... 5,000,000

24 -----  
25 Program fund subtotal ..... 87,000,000  
26 -----

27  
28 Special Revenue Funds - Federal / Aid to Localities  
29 Federal Operating Grants Fund - 290  
30

31 For services and expenses related to home-  
32 less grants. Subject to a plan approved by  
33 the director of the budget, the amount  
34 appropriated herein may be made available  
35 to other state agencies for services and  
36 expenses related to federal homeless  
37 grants. The director of the budget is  
38 hereby authorized to transfer appropri-  
39 ation authority contained herein to state  
40 operations and/or any appropriation of the  
41 office of alcoholism and substance abuse  
42 services and/or any other federal fund in  
43 which federal homeless grants are actually  
44 received ..... 14,000,000

45 For services and expenses associated with  
46 federal grant awards yet to be allocated.  
47 Notwithstanding any inconsistent provision  
48 of law, the director of the budget is  
49 hereby authorized to transfer appropri-  
50 ation authority contained herein to state  
51 operations and/or any appropriation of the  
52 office of alcoholism and substance abuse  
53 services ..... 5,000,000

54 For services and expenses related to enforc-  
55 ing the underage drinking laws program  
56 grant. Notwithstanding any inconsistent  
57 provision of law, a portion of the funds  
58 hereby appropriated may, subject to the  
59 approval of the director of the budget, be  
60 transferred to state operations and/or any

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	appropriation of the office of alcoholism	
2	and substance abuse services consistent	
3	with the terms of the federal award .....	360,000
4		-----
5	Program fund subtotal .....	19,360,000
6		-----

7  
8 Special Revenue Funds - Other / Aid to Localities  
9 Miscellaneous Special Revenue Fund - 339  
10 Mental Hygiene Program Fund Account

11  
12 For payment, net of disallowances, of state  
13 financial assistance in accordance with  
14 the mental hygiene law related to treat-  
15 ment services.

16 Notwithstanding any other provisions of law,  
17 no payment shall be made from this appro-  
18 priation until the recipient agency has  
19 demonstrated that it has applied for and  
20 received, or received formal notification  
21 of refusal of, all forms of third-party  
22 reimbursement, including federal aid and  
23 patient fees. The moneys hereby appropriat-  
24 ed are available to reimburse or advance  
25 to localities and voluntary nonprofit  
26 agencies for expenditures heretofore  
27 accrued or hereafter to accrue during  
28 local fiscal periods commencing January 1,  
29 2010 or July 1, 2010 and for advances for  
30 the period beginning January 1, 2011.

31 The commissioner, pursuant to such contract  
32 and/or funding authorization letter, may  
33 pay from this appropriation all or a  
34 portion of the expenses incurred by such  
35 voluntary agencies arising out of loans  
36 obtained from the proceeds of bonds and  
37 notes issued by the dormitory authority of  
38 the state of New York or another  
39 authorized entity approved by the division  
40 of the budget. Such expenses may include,  
41 but shall not be limited to, amounts  
42 relating to principal and interest and any  
43 other fees and charges arising from such  
44 loans.

45 Notwithstanding any inconsistent provisions  
46 of law, moneys from this appropriation may  
47 be used for expenses of localities,  
48 nonprofit and for-profit agencies that may  
49 arise from the assumption of operational  
50 responsibilities for programs when operat-  
51 ing certificates for such programs cease  
52 to be in effect and/or programs are placed  
53 into receivership pursuant to section  
54 19.41 of the mental hygiene law.

55 Notwithstanding any inconsistent provision  
56 of law, including section 1 of part C of  
57 chapter 57 of the laws of 2006, as amended  
58 by section 2 of part I of chapter 58 of  
59 the laws of 2008 and part L of chapter 58



## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 of the laws of 2009, for the period  
2 commencing on April 1, 2009 and ending  
3 March 31, 2011 the commissioner shall not  
4 apply any cost of living adjustment for  
5 the purpose of establishing rates of  
6 payments, contracts or any other form of  
7 reimbursement.

8 Notwithstanding any inconsistent provision  
9 of law, moneys from this appropriation  
10 shall not be available for unified  
11 services after June 30, 2010.

12 No expenditure shall be made for such  
13 program until a certificate of allocation  
14 has been approved by the director of the  
15 budget and copies thereof filed with the  
16 state comptroller and chairs of the senate  
17 finance committee and the assembly ways  
18 and means committee.

19 Notwithstanding any provision of law to the  
20 contrary, the commissioner of the office  
21 of alcoholism and substance abuse services  
22 shall be authorized to continue contracts  
23 which were executed on or before March 31,  
24 2010 with entities providing services for  
25 problem gambling and chemical dependency  
26 prevention, treatment and recovery  
27 services, without any additional require-  
28 ments that such contracts be subject to  
29 competitive bidding, a request for  
30 proposal process or other administrative  
31 procedures.

32 Notwithstanding any other provision of law,  
33 the money hereby appropriated may be  
34 transferred to state operations and/or any  
35 appropriation of the office of alcoholism  
36 and substance abuse services, with the  
37 approval of the director of the budget who  
38 shall file such approval with the depart-  
39 ment of audit and control and copies ther-  
40 eof 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 The state comptroller is hereby authorized  
50 to receive funds from the office of alco-  
51 holism and substance abuse services that  
52 were returned from providers in the  
53 current fiscal year in respect of a  
54 settlement of local assistance funds from  
55 prior fiscal years and is authorized to  
56 refund such moneys to the credit of this  
57 fund for the purpose of reimbursing the  
58 2010-11 appropriation.

59 Funds appropriated herein shall be available  
60 in accordance with the following:

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses related to inpa-		
2	tient rehabilitation services .....	200,000	
3	For services and expenses related to resi-		
4	dential services .....	89,000,000	
5	For services and expenses related to crisis		
6	services .....	15,000,000	
7	For expenses related to debt service		
8	payments for capital projects funded by		
9	the proceeds of bonds and notes issued by		
10	the dormitory authority of the state of		
11	New York .....	31,000,000	
12		-----	
13	Program account subtotal .....	135,200,000	
14		-----	
15			
16	EXECUTIVE DIRECTION PROGRAM .....		58,552,000
17			-----
18			
19	Special Revenue Funds - Federal / State Operations		
20	Federal Health and Human Services Fund - 265		
21			
22	For services and expenses associated with		
23	administering the substance abuse		
24	prevention and treatment (SAPT) block		
25	grant.		
26	Notwithstanding any inconsistent provision		
27	of law, a portion of the funds hereby		
28	appropriated may, subject to the approval		
29	of the director of the budget, be trans-		
30	ferred to local assistance and/or any		
31	appropriation of the office of alcoholism		
32	and substance abuse services consistent		
33	with the terms and conditions of the SAPT		
34	block grant award.		
35			
36	Personal service .....	3,778,000	
37	Nonpersonal service .....	977,000	
38		-----	
39	Program fund subtotal .....	4,755,000	
40		-----	
41			
42	Special Revenue Funds - Federal / State Operations		
43	Federal Department of Education Fund - 267		
44			
45	For services and expenses associated with		
46	the administration of the federal safe and		
47	drug free schools and communities act		
48	consistent with the terms and conditions		
49	of the federal award.		
50	Notwithstanding any inconsistent provision		
51	of law, a portion of the funds hereby		
52	appropriated may, subject to the approval		
53	of the director of the budget, be trans-		
54	ferred to local assistance and/or any		
55	appropriation of the office of alcoholism		
56	and substance abuse services consistent		
57	with the terms of the federal award .....	147,000	
58		-----	
59	Program fund subtotal .....	147,000	
60		-----	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Funds - Federal / State Operations  
2 Federal Operating Grants Fund - 290  
3 Statewide Data Collection Account  
4  
5 For services and expenses related to the  
6 statewide data collection program as  
7 mandated in the 1988 federal anti-drug  
8 abuse act.  
9 Notwithstanding any inconsistent provision  
10 of law, moneys hereby appropriated may,  
11 subject to the approval of the director of  
12 the budget, be transferred to local  
13 assistance and/or any appropriation of the  
14 office of alcoholism and substance abuse  
15 services ..... 343,000  
16 -----  
17 Program account subtotal ..... 343,000  
18 -----  
19  
20 Special Revenue Funds - Other / State Operations  
21 Miscellaneous Special Revenue Fund - 339  
22 Credentialing Services Account  
23  
24 For services and expenses related to the  
25 credentialing of prevention, alcohol and  
26 substance abuse, and problem gambling  
27 counselors.  
28 Notwithstanding any inconsistent provision  
29 of law, moneys hereby appropriated may,  
30 subject to the approval of the director of  
31 the budget, be transferred to local  
32 assistance and/or any appropriation of the  
33 office of alcoholism and substance abuse  
34 services.  
35  
36 PERSONAL SERVICE  
37  
38 Personal service--regular ..... 626,000  
39 Holiday/overtime compensation ..... 8,000  
40 -----  
41 Amount available for personal service .... 634,000  
42 -----  
43  
44 NONPERSONAL SERVICE  
45  
46 Fringe benefits ..... 303,000  
47 Indirect costs ..... 25,000  
48 -----  
49 Amount available for nonpersonal service.. 328,000  
50 -----  
51 Program account subtotal ..... 962,000  
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 2010-11

1 appropriation of the office of alcoholism  
 2 and substance abuse services, and may be  
 3 increased or decreased by transfer or  
 4 suballocation between these appropriated  
 5 amounts and appropriations of the depart-  
 6 ment of health, the office of medicaid  
 7 inspector general, the office of mental  
 8 health, and the office of mental retarda-  
 9 tion and developmental disabilities with  
 10 the approval of the director of the budget  
 11 who shall file such approval with the  
 12 department of audit and control and copies  
 13 thereof with the chairman of the senate  
 14 finance committee and the chairman of the  
 15 assembly ways and means committee.

16 The state comptroller is hereby authorized  
 17 and directed to loan money in accordance  
 18 with the provisions set forth in subdivi-  
 19 sion 5 of section 4 of the state finance  
 20 law to the mental hygiene program fund  
 21 account.

PERSONAL SERVICE

25	Personal service--regular .....	26,000,000
26	Holiday/overtime compensation .....	25,000
27		-----
28	Amount available for personal service ....	26,025,000
29		-----

NONPERSONAL SERVICE

33	Supplies and materials .....	1,200,000
34	Travel .....	750,000
35	Contractual services .....	8,600,000
36	Equipment .....	300,000
37	Indirect costs .....	1,100,000
38	Fringe benefits .....	12,000,000
39		-----
40	Amount available for nonpersonal service..	23,950,000
41		-----
42	Program account subtotal .....	49,975,000
43		-----

44  
 45 Special Revenue Funds - Other / State Operations  
 46 Miscellaneous Special Revenue Fund - 339  
 47 Methadone Registry Services Account

48  
 49 For services and expenses related to the  
 50 operation of methadone services and a  
 51 patient registry for the prevention of  
 52 simultaneous enrollment in multiple metha-  
 53 done treatment programs.

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 2010-11

1		NONPERSONAL SERVICE	
2			
3	Contractual services .....		300,000
4			-----
5	Program account subtotal .....		300,000
6			-----
7			
8	Special Revenue Funds - Other / State Operations		
9	Miscellaneous Special Revenue Fund - 339		
10	Special Projects Account		
11			
12	For services and expenses related to special		
13	projects.		
14	Notwithstanding any inconsistent provision		
15	of law, moneys hereby appropriated may,		
16	subject to the approval of the director of		
17	the budget, be transferred to local		
18	assistance and/or any appropriation of the		
19	office of alcoholism and substance abuse		
20	services.		
21	Notwithstanding any other provision of law,		
22	up to \$2,000,000 of this appropriation		
23	shall be made available for services and		
24	expenses to support amounts for adminis-		
25	tration, research associates, equipment,		
26	travel, conference expenses, contractual		
27	services, grant writers to increase income		
28	from non-state sources, and other research		
29	initiatives. Funding will be provided		
30	through research foundation for mental		
31	hygiene, inc. resources, including, but		
32	not limited to, indirect costs recoveries,		
33	direct grant reimbursement, interest earn-		
34	ings and operating balances.		
35			
36		NONPERSONAL SERVICE	
37			
38	Supplies and materials .....		15,000
39	Travel .....		5,000
40	Contractual services .....		2,050,000
41			-----
42	Program account subtotal .....		2,070,000
43			-----
44			
45	INSTITUTIONAL SERVICES .....		71,798,000
46			-----
47			
48	Special Revenue Funds - Federal / State Operations		
49	Federal Health and Human Services Fund - 265		
50			
51	For services and expenses associated with		
52	administering the substance abuse		
53	prevention and treatment (SAPT) block		
54	grant.		
55	Notwithstanding any inconsistent provision		
56	of law, a portion of the funds hereby		
57	appropriated may, subject to the approval		
58	of the director of the budget, be trans-		
59	ferred to local assistance and/or any		
60	appropriation of the office of alcoholism		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 and substance abuse services consistent  
2 with the terms and conditions of the SAPT  
3 block grant award.

4		
5	Personal service .....	865,000
6	Nonpersonal service .....	335,000
7		-----
8	Program fund subtotal .....	1,200,000
9		-----

10  
11 Special Revenue Funds - Other / State Operations  
12 Miscellaneous Special Revenue Fund - 339  
13 Mental Hygiene Program Fund Account

14  
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 alcoholism  
19 and substance abuse services, with the  
20 approval of the director of the budget who  
21 shall file such approval with the depart-  
22 ment of audit and control and copies ther-  
23 eof with the chairman of the senate  
24 finance committee and the chairman of the  
25 assembly ways and means committee. The  
26 state comptroller is hereby authorized and  
27 directed to loan money in accordance with  
28 the provisions set forth in subdivision 5  
29 of section 4 of the state finance law to  
30 the mental hygiene program fund account.

31  
32 PERSONAL SERVICE

33		
34	Personal service--regular .....	19,000,000
35	Temporary service .....	750,000
36	Holiday/overtime compensation .....	1,000,000
37		-----
38	Amount available for personal service ....	20,750,000
39		-----

40  
41 NONPERSONAL SERVICE

42		
43	Supplies and materials .....	5,800,000
44	Travel .....	300,000
45	Contractual services .....	9,600,000
46	Equipment .....	400,000
47	Indirect costs .....	900,000
48	Fringe benefits .....	10,000,000
49		-----
50	Amount available for nonpersonal service..	27,000,000
51		-----
52	Program account subtotal .....	47,750,000
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

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1 transferred to local assistance and/or any  
 2 appropriation of the office of alcoholism  
 3 and substance abuse services, with the  
 4 approval of the director of the budget who  
 5 shall file such approval with the depart-  
 6 ment of audit and control and copies ther-  
 7 eof with the chairman of the senate  
 8 finance committee and the chairman of the  
 9 assembly ways and means committee. The  
 10 state comptroller is hereby authorized and  
 11 directed to loan money in accordance with  
 12 the provisions set forth in subdivision 5  
 13 of section 4 of the state finance law to  
 14 the mental hygiene patient income account.

PERSONAL SERVICE

15  
 16  
 17  
 18 Personal service--regular ..... 15,129,000  
 19 -----

NONPERSONAL SERVICE

20  
 21  
 22  
 23 Indirect costs ..... 614,000  
 24 Fringe benefits ..... 7,105,000  
 25 -----  
 26 Amount available for nonpersonal service.. 7,719,000  
 27 -----  
 28 Program account subtotal ..... 22,848,000  
 29 -----

30  
 31 PREVENTION AND PROGRAM SUPPORT ..... 86,634,000  
 32 -----

33  
 34 Special Revenue Funds - Federal / Aid to Localities  
 35 Federal Health and Human Services Fund - 265

36  
 37 For services and expenses related to  
 38 prevention, intervention and treatment  
 39 programs provided by the substance abuse  
 40 prevention and treatment (SAPT) block  
 41 grant.

42 Notwithstanding any inconsistent provision  
 43 of law, a portion of the funds hereby  
 44 appropriated may, subject to the approval  
 45 of the director of the budget, be trans-  
 46 ferred to state operations and/or any  
 47 appropriation of the office of alcoholism  
 48 and substance abuse services consistent  
 49 with the terms and conditions of the SAPT  
 50 block grant award.

51 Notwithstanding any provision of law to the  
 52 contrary, the commissioner of the office  
 53 of alcoholism and substance abuse services  
 54 shall be authorized to continue contracts  
 55 which were executed on or before March 31,  
 56 2010 with entities providing services for  
 57 problem gambling and chemical dependency  
 58 prevention, treatment and recovery  
 59 services, without any additional require-  
 60 ments that such contracts be subject to

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1	competitive bidding, a request for	
2	proposal process or other administrative	
3	procedures .....	29,000,000
4		-----
5	Program fund subtotal .....	29,000,000
6		-----

7

8 Special Revenue Funds - Federal / Aid to Localities

9 Federal Department of Education Fund - 267

10

11 For services and expenses related to

12 prevention from the federal safe and drug-

13 free schools and communities act consist-

14 ent with the terms and conditions of the

15 federal award.

16 Notwithstanding any inconsistent provision

17 of law, moneys hereby appropriated may,

18 subject to the approval of the director of

19 the budget, be transferred to state oper-

20 ations and/or any appropriation of the

21 office of alcoholism and substance abuse

22 services.

23 Notwithstanding any provision of law to the

24 contrary, the commissioner of the office

25 of alcoholism and substance abuse services

26 shall be authorized to continue contracts

27 which were executed on or before March 31,

28 2010 with entities providing services for

29 problem gambling and chemical dependency

30 prevention, treatment and recovery

31 services, without any additional require-

32 ments that such contracts be subject to

33 competitive bidding, a request for

34 proposal process or other administrative

35 procedures .....

		4,755,000
		-----

36		
37	Program fund subtotal .....	4,755,000
38		-----

39

40 Special Revenue Funds - Other / Aid to Localities

41 Miscellaneous Special Revenue Fund - 339

42 Mental Hygiene Program Fund Account

43

44 For payment, net of disallowances, of state

45 financial assistance in accordance with

46 the mental hygiene law related to problem

47 gambling and chemical dependency school

48 and community-based prevention, education,

49 and recovery programs, and program

50 support.

51 Notwithstanding any other provisions of law,

52 no payment shall be made from this appro-

53 priation until the recipient agency has

54 demonstrated it has applied for and

55 received, or received formal notification

56 of refusal of, all forms of third-party

57 reimbursement, including federal aid and

58 patient fees. The moneys hereby appropri-

59 ated are available to reimburse or advance

60 to localities and voluntary nonprofit



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1 agencies for expenditures heretofore  
2 accrued or hereafter to accrue during  
3 local fiscal periods commencing January 1,  
4 2010 or July 1, 2010 and for advances for  
5 the period beginning January 1, 2011.

6 No expenditure shall be made for such  
7 program until a certificate of allocation  
8 has been approved by the director of the  
9 budget and copies thereof filed with the  
10 state comptroller and chairs of the senate  
11 finance committee and the assembly ways  
12 and means committee.

13 Notwithstanding any other provision of law,  
14 the money hereby appropriated may be  
15 transferred to state operations and/or any  
16 appropriation of the office of alcoholism  
17 and substance abuse services, with the  
18 approval of the director of the budget who  
19 shall file such approval with the depart-  
20 ment of audit and control and copies ther-  
21 eof with the chairman of the senate  
22 finance committee and the chairman of the  
23 assembly ways and means committee. The  
24 state comptroller is hereby authorized and  
25 directed to loan money in accordance with  
26 the provisions set forth in subdivision 5  
27 of section 4 of the state finance law to  
28 the mental hygiene program fund account.

29 The state comptroller is hereby authorized  
30 to receive funds from the office of alco-  
31 holism and substance abuse services that  
32 were returned from providers in the  
33 current fiscal year in respect of a  
34 settlement of local assistance funds from  
35 prior fiscal years and is authorized to  
36 refund such moneys to the credit of this  
37 fund for the purpose of reimbursing the  
38 2010-11 appropriation.

39 Notwithstanding any inconsistent provision  
40 of law, including section 1 of part C of  
41 chapter 57 of the laws of 2006, as amended  
42 by section 2 of part I of chapter 58 of  
43 the laws of 2008 and part L of chapter 58  
44 of the laws of 2009, for the period  
45 commencing on April 1, 2009 and ending  
46 March 31, 2011 the commissioner shall not  
47 apply any cost of living adjustment for  
48 the purpose of establishing rates of  
49 payments, contracts or any other form of  
50 reimbursement.

51 Notwithstanding any inconsistent provision  
52 of law, moneys from this appropriation  
53 shall not be available for unified  
54 services after June 30, 2010.

55 Notwithstanding any provision of law to the  
56 contrary, the commissioner of the office  
57 of alcoholism and substance abuse services  
58 shall be authorized to continue contracts  
59 which were executed on or before March 31,  
60 2010 with entities providing services for

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1 problem gambling and chemical dependency  
 2 prevention and treatment services, without  
 3 any additional requirements that such  
 4 contracts be subject to competitive  
 5 bidding, a request for proposal process or  
 6 other administrative procedures. Of the  
 7 amounts appropriated herein, at least  
 8 \$15,549,568 shall be made available to the  
 9 New York City Department of Education for  
 10 the continuation of such school-operated  
 11 prevention programs provided by school  
 12 district employees ..... 45,000,000  
 13 -----  
 14 Program account subtotal ..... 45,000,000  
 15 -----

16  
 17 Special Revenue Fund - Other / Aid to Localities  
 18 Miscellaneous Special Revenue Fund - 339  
 19 License Plate Account

20  
 21 For services and expenses related to  
 22 prevention efforts targeted at youth.  
 23 Notwithstanding any inconsistent provision  
 24 of law, moneys hereby appropriated may,  
 25 subject to the approval of the director of  
 26 the budget, be transferred to state oper-  
 27 ations and/or any appropriation of the  
 28 office of alcoholism and substance abuse  
 29 services ..... 39,000  
 30 -----  
 31 Program account subtotal ..... 39,000  
 32 -----

33  
 34 Special Revenue Funds - Other / Aid to Localities  
 35 Chemical Dependence Service Fund - 346

36  
 37 For services and expenses of community chem-  
 38 ical dependence treatment and prevention  
 39 services programs including services and  
 40 expenses related to staff training, evalu-  
 41 ation, and workforce development activ-  
 42 ities.  
 43 Notwithstanding any provision of law, rule  
 44 or regulation to the contrary, a portion  
 45 of this appropriation related to enforce-  
 46 ment action fine and/or levy moneys may be  
 47 made available to localities and nonprofit  
 48 and for-profit agencies for payment of  
 49 expenses for facilities operating under a  
 50 receivership pursuant to section 19.41 of  
 51 the mental hygiene law. Such funds may  
 52 also be transferred to state operations  
 53 and/or any appropriation of the office of  
 54 alcoholism and substance abuse services  
 55 and appropriations of the department of  
 56 health, the office of medicaid inspector  
 57 general, the office of mental health, and  
 58 the office of mental retardation and  
 59 developmental disabilities with the  
 60 approval of the director of the budget who

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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 ..... 7,840,000  
6 -----  
7 Program fund subtotal ..... 7,840,000  
8 -----  
9  
10 Total new appropriations for state operations and aid to  
11 localities ..... 611,544,000  
12 =====  
13

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 COMMUNITY TREATMENT SERVICES PROGRAM  
2  
3 General Fund / Aid to Localities  
4 Local Assistance Account - 001  
5  
6 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,  
7 section 3, of the laws of 2009:  
8 New York Council on Problem Gambling ... 90,240 ..... (re. \$90,240)  
9 Our Lady of Lourdes Memorial Hospital, Inc. ....  
10 226,000 ..... (re. \$56,500)  
11  
12 Special Revenue Funds - Federal / Aid to Localities  
13 Federal Health and Human Services Fund - 265  
14  
15 By chapter 54, section 1, of the laws of 2009:  
16 For services and expenses of prevention, intervention, and treatment  
17 programs provided by the SAPT block grants.  
18 Notwithstanding any inconsistent provision of law, a portion of the  
19 funds hereby appropriated may, subject to the approval of the  
20 director of the budget, be transferred to state operations and/or  
21 any appropriation of the office of alcoholism and substance abuse  
22 services consistent with the terms and conditions of the SAPT block  
23 grant award.  
24 Notwithstanding any provision of law to the contrary, the commissioner  
25 of the office of alcoholism and substance abuse services shall be  
26 authorized to continue contracts which were executed on or before  
27 March 31, 2009 with entities providing services for problem gambling  
28 and chemical dependency prevention, treatment and recovery services,  
29 without any additional requirements that such contracts be subject  
30 to competitive bidding, a request for proposal process or other  
31 administrative procedures ... 81,058,000 ..... (re. \$81,058,000)  
32 For services and expenses associated with federal grant awards yet to  
33 be allocated by the federal department of health and human services.  
34 Notwithstanding any inconsistent provision of law, the director of  
35 the budget is hereby authorized to transfer appropriation authority  
36 contained herein to state operations and/or any appropriation of the  
37 office of alcoholism and substance abuse services .....  
38 5,000,000 ..... (re. \$5,000,000)  
39  
40 By chapter 54, section 1, of the laws of 2008:  
41 For services and expenses associated with federal grant awards yet to  
42 be allocated by the federal department of health and human services.  
43 Notwithstanding any inconsistent provision of law, the director of the  
44 budget is hereby authorized to transfer appropriation authority  
45 contained herein to state operations and/or any appropriation of the  
46 office of alcoholism and substance abuse services .....  
47 5,000,000 ..... (re. \$4,998,000)  
48  
49 By chapter 54, section 1, of the laws of 2008, as amended by chapter 54,  
50 section 1, of the laws of 2009:  
51 For services and expenses of prevention, intervention, and treatment  
52 programs provided by the SAPT block grants.  
53 Notwithstanding any inconsistent provision of law, a portion of the  
54 funds hereby appropriated may, subject to the approval of the direc-  
55 tor of the budget, be transferred to state operations and/or any  
56 appropriation of the office of alcoholism and substance abuse  
57 services consistent with the terms and conditions of the SAPT block  
58 grant award.  
59

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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 ... 81,058,000 ..... (re. \$22,213,000)  
 9

10 Special Revenue Funds - Federal / Aid to Localities  
 11 Federal Operating Grants Fund - 290  
 12

13 By chapter 54, section 1, of the laws of 2009:  
 14 For services and expenses related to homeless grants. Subject to a  
 15 plan approved by the director of the budget, the amount appropriated  
 16 herein may be made available to other state agencies for services  
 17 and expenses related to federal homeless grants. The director of the  
 18 budget is hereby authorized to transfer appropriation authority  
 19 contained herein to state operations and/or any appropriation of the  
 20 office of alcoholism and substance abuse services and/or any other  
 21 federal fund in which federal homeless grants are actually received  
 22 11,000,000 ..... (re. \$11,000,000)

23 For services and expenses associated with federal grant awards yet to  
 24 be allocated. Notwithstanding any inconsistent provision of law, the  
 25 director of the budget is hereby authorized to transfer  
 26 appropriation authority contained herein to state operations and/or  
 27 any appropriation of the office of alcoholism and substance abuse  
 28 services ... 5,000,000 ..... (re. \$5,000,000)

29 For services and expenses related to enforcing the underage drinking  
 30 laws program grant. Notwithstanding any inconsistent provision of  
 31 law, a portion of the funds hereby appropriated may, subject to the  
 32 approval of the director of the budget, be transferred to state  
 33 operations and/or any appropriation of the office of alcoholism and  
 34 substance abuse services consistent with the terms of the federal  
 35 award ... 360,000 ..... (re. \$360,000)  
 36

37 By chapter 54, section 1, of the laws of 2008:  
 38 For services and expenses related to homeless grants. Subject to a  
 39 plan approved by the director of the budget, the amount appropriated  
 40 herein may be made available to other state agencies for services  
 41 and expenses related to federal homeless grants. The director of the  
 42 budget is hereby authorized to transfer appropriation authority  
 43 contained herein to any other federal fund in which federal homeless  
 44 grants are actually received ... 11,000,000 ..... (re. \$7,325,000)

45 For services and expenses associated with federal grant awards yet to  
 46 be allocated. Notwithstanding any inconsistent provision of law, the  
 47 director of the budget is hereby authorized to transfer appropri-  
 48 ation authority contained herein to state operations and/or any  
 49 appropriation of the office of alcoholism and substance abuse  
 50 services ... 5,000,000 ..... (re. \$5,000,000)

51 For services and expenses related to enforcing the underage drinking  
 52 laws program grant.

53 Notwithstanding any inconsistent provision of law, a portion of the  
 54 funds hereby appropriated may, subject to the approval of the direc-  
 55 tor of the budget, be transferred to state operations and/or any  
 56 appropriation of the office of alcoholism and substance abuse  
 57 services consistent with the terms of the federal award .....  
 58 360,000 ..... (re. \$350,000)  
 59  
 60

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1 By chapter 54, section 1, of the laws of 2007:  
 2 For services and expenses related to homeless grants. Subject to a  
 3 plan approved by the director of the budget, the amount appropriated  
 4 herein may be made available to other state agencies for services  
 5 and expenses related to federal homeless grants. The director of the  
 6 budget is hereby authorized to transfer appropriation authority  
 7 contained herein to any other federal fund in which federal homeless  
 8 grants are actually received.  
 9 For grants beginning prior to April 1, 2007 .....  
 10 11,000,000 ..... (re. \$6,401,000)  
 11 For services and expenses related to enforcing the underage drinking  
 12 laws program grant.  
 13 Notwithstanding any inconsistent provision of law, a portion of the  
 14 funds hereby appropriated may, subject to the approval of the direc-  
 15 tor of the budget, be transferred to state operations in the office  
 16 of alcoholism and substance abuse services consistent with the terms  
 17 of the federal award for administrative and support services,  
 18 including fringe benefits, associated with this grant.  
 19 For grants beginning on or after April 1, 2007 .....  
 20 360,000 ..... (re. \$32,000)

21 EXECUTIVE DIRECTION PROGRAM

22  
 23 Special Revenue Funds - Federal / State Operations  
 24 Federal Health and Human Services Fund - 265  
 25  
 26  
 27 By chapter 54, section 1, of the laws of 2009:  
 28 For services and expenses associated with administering the substance  
 29 abuse prevention and treatment (SAPT) block grant.  
 30 Notwithstanding any inconsistent provision of law, a portion of the  
 31 funds hereby appropriated may, subject to the approval of the  
 32 director of the budget, be transferred to local assistance and/or  
 33 any appropriation of the office of alcoholism and substance abuse  
 34 services consistent with the terms and conditions of the SAPT block  
 35 grant award.  
 36 Personal service ... 3,578,000 ..... (re. \$1,500,000)  
 37 Nonpersonal service ... 977,000 ..... (re. \$500,000)  
 38  
 39 Special Revenue Funds - Federal / State Operations  
 40 Federal Department of Education Fund - 267  
 41

42 By chapter 54, section 1, of the laws of 2009:  
 43 For services and expenses associated with the administration of the  
 44 federal safe and drug free schools and communities act consistent  
 45 with the terms and conditions of the federal award.  
 46 Notwithstanding any inconsistent provision of law, a portion of the  
 47 funds hereby appropriated may, subject to the approval of the  
 48 director of the budget, be transferred to local assistance and/or  
 49 any appropriation of the office of alcoholism and substance abuse  
 50 services consistent with the terms of the federal award .....  
 51 147,000 ..... (re. \$147,000)  
 52  
 53 Special Revenue Funds - Federal / State Operations  
 54 Federal Operating Grants Fund - 290  
 55 Statewide Data Collection Account  
 56

57 By chapter 54, section 1, of the laws of 2009:  
 58 For services and expenses related to the statewide data collection  
 59 program as mandated in the 1988 federal anti-drug abuse act.

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1 Notwithstanding any inconsistent provision of law, moneys hereby  
 2 appropriated may, subject to the approval of the director of the  
 3 budget, be transferred to local assistance and/or any appropriation  
 4 of the office of alcoholism and substance abuse services .....  
 5 543,000 ..... (re. \$543,000)  
 6

7 INSTITUTIONAL SERVICES

8  
 9 Special Revenue Funds - Federal / State Operations  
 10 Federal Health and Human Services Fund - 265  
 11

12 By chapter 54, section 1, of the laws of 2009:

13 For services and expenses associated with administering the substance  
 14 abuse prevention and treatment (SAPT) block grant.

15 Notwithstanding any inconsistent provision of law, a portion of the  
 16 funds hereby appropriated may, subject to the approval of the  
 17 director of the budget, be transferred to local assistance and/or  
 18 any appropriation of the office of alcoholism and substance abuse  
 19 services consistent with the terms and conditions of the SAPT block  
 20 grant award.

21 Personal service ... 865,000 ..... (re. \$615,000)  
 22 Nonpersonal service ... 335,000 ..... (re. \$205,000)  
 23

24 PREVENTION AND PROGRAM SUPPORT

25  
 26 Special Revenue Funds - Federal / Aid to Localities  
 27 Federal Health and Human Services Fund - 265  
 28

29 By chapter 54, section 1, of the laws of 2009:

30 For services and expenses related to prevention, intervention and  
 31 treatment programs provided by the substance abuse prevention and  
 32 treatment (SAPT) block grant.

33 Notwithstanding any inconsistent provision of law, a portion of the  
 34 funds hereby appropriated may, subject to the approval of the  
 35 director of the budget, be transferred to state operations and/or  
 36 any appropriation of the office of alcoholism and substance abuse  
 37 services consistent with the terms and conditions of the SAPT block  
 38 grant award.

39 Notwithstanding any provision of law to the contrary, the commissioner  
 40 of the office of alcoholism and substance abuse services shall be  
 41 authorized to continue contracts which were executed on or before  
 42 March 31, 2009 with entities providing services for problem gambling  
 43 and chemical dependency prevention, treatment and recovery services,  
 44 without any additional requirements that such contracts be subject  
 45 to competitive bidding, a request for proposal process or other  
 46 administrative procedures ... 28,300,000 ..... (re. \$28,300,000)  
 47

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

49 For services and expenses related to prevention, intervention and  
 50 treatment programs provided by the substance abuse prevention and  
 51 treatment (SAPT) block grant. Notwithstanding any inconsistent  
 52 provision of law, moneys hereby appropriated may, subject to the  
 53 approval of the director of the budget, be transferred to state  
 54 operations and/or any appropriation of the office of alcoholism and  
 55 substance abuse services.

56 Notwithstanding any provision of law to the contrary, the commissioner  
 57 of the office of alcoholism and substance abuse services shall be  
 58 authorized to continue contracts which were executed on or before  
 59 March 31, 2008 with entities providing services for compulsive  
 60

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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 ... 28,300,000 ..... (re. \$1,820,000)  
5

6 By chapter 54, section 1, of the laws of 2007:  
7 For services and expenses associated with federal grant awards yet to  
8 be allocated by the U.S. department of education and/or the federal  
9 department of health and human services. Notwithstanding any incon-  
10 sistent provision of law, the director of the budget is hereby  
11 authorized to transfer appropriation authority contained herein to  
12 any other federal fund or program within the office of alcoholism  
13 and substance abuse services for aid to localities, administrative  
14 and support services, including fringe benefits, associated with the  
15 awarded grant.

16 For grants beginning prior to April 1, 2007 .....  
17 5,000,000 ..... (re. \$4,633,000)  
18

19 Special Revenue Funds - Federal / Aid to Localities  
20 Federal Department of Education Fund - 267  
21

22 By chapter 54, section 1, of the laws of 2009:  
23 For services and expenses related to prevention from the federal safe  
24 and drug-free schools and communities act consistent with the terms  
25 and conditions of the federal award.

26 Notwithstanding any inconsistent provision of law, moneys hereby  
27 appropriated may, subject to the approval of the director of the  
28 budget, be transferred to state operations and/or any appropriation  
29 of the office of alcoholism and 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, 2009 with entities providing services for problem gambling  
34 and chemical dependency prevention, treatment and recovery 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 ... 4,755,000 ..... (re. \$4,755,000)  
38

39 By chapter 54, section 1, of the laws of 2008:  
40 For services and expenses related to prevention from the federal safe  
41 and drug-free schools and communities act consistent with the terms  
42 and conditions of the federal award.

43 Notwithstanding any provision of law to the contrary, the commissioner  
44 of the office of alcoholism and substance abuse services shall be  
45 authorized to continue contracts which were executed on or before  
46 March 31, 2008 with entities providing services for compulsive  
47 gambling and chemical dependency prevention and treatment services,  
48 without any additional requirements that such contracts be subject  
49 to competitive bidding, a request for proposal process or other  
50 administrative procedures ... 4,755,000 ..... (re. \$4,755,000)  
51

52 By chapter 54, section 1, of the laws of 2007:  
53 For services and expenses related to prevention from the federal safe  
54 and drug-free schools and communities act consistent with the terms  
55 and conditions of the federal award.

56 Notwithstanding any provision of law to the contrary, the commissioner  
57 of the office of alcoholism and substance abuse services shall be  
58 authorized to continue contracts which were executed on or before  
59 March 31, 2007 with entities providing services for compulsive  
60



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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.  
5 For grants beginning on or after April 1, 2007 .....  
6 4,755,000 ..... (re. \$261,000)  
7  
8 Special Revenue Funds - Other / Aid to Localities  
9 Miscellaneous Special Revenue Fund - 339  
10 Mental Hygiene Program Fund Account  
11  
12 By chapter 54, section 1, of the laws of 2009:  
13 Notwithstanding any inconsistent provision of law up to \$2,000,000 of  
14 this appropriation may be transferred and/or suballocated, pursuant  
15 to a memoranda of understanding between the office of alcoholism and  
16 substance abuse services and the department of health, to the AIDS  
17 institute for the provision of primary health care services for  
18 persons enrolled in drug treatment programs. Funds appropriated  
19 herein are supported by savings resulting from the increased Federal  
20 Medical Assistance Percentage (FMAP) provided pursuant to the  
21 American recovery and reinvestment act of 2009 .....  
22 2,000,000 ..... (re. \$2,000,000)  
23  
24 Total reappropriations for state operations and aid to  
25 localities ..... 198,917,740  
26 =====  
27

DEPARTMENT OF MENTAL HYGIENE  
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
 CAPITAL PROJECTS 2010-11

1	For the comprehensive construction programs, purposes and	
2	projects as herein specified in accordance with the	
3	following:	
4		
5	Capital Projects Fund .....	10,888,000
6	Mental Hygiene Capital Improvement Fund - 389 .....	98,046,000
7		-----
8	All Funds .....	108,934,000
9		=====
10		
11	ADMINISTRATION PROGRAM (CCP) .....	1,328,000
12		-----
13		
14	Capital Projects Fund	
15	Administration Purpose	
16		
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 (53A11050) .....	1,328,000
25		
26	COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)	
27	.....	99,356,000
28		-----
29		
30	Capital Projects Fund	
31	Minor Rehabilitation Purpose	
32		
33		
34	For minor alterations and improvements to	
35	various facilities, including the	
36	payment of liabilities incurred prior to	
37	April 1, 2010, provided, however, that	
38	no expenditures may be made from this	
39	appropriation until a comprehensive plan	
40	of projects has been approved by the	
41	director of the budget (53031089) .....	4,810,000
42		
43	Mental Hygiene Capital Improvement Fund - 389	
44	Preservation of Facilities Purpose	
45		
46		
47	For alterations and improvements for pres-	
48	ervation of various facilities including	
49	rehabilitation projects and the acquisi-	
50	tion of property, provided, however,	
51	that no expenditures may be made from	
52	this appropriation until a comprehensive	
53	plan of projects has been approved by	
54	the director of the budget (53031003) ..	42,273,000
55		
56	New Facilities Purpose	
57		
58	For the acquisition of property, design,	
59	construction and extensive rehabili-	
60	tation of facilities for the purpose of	

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1 delivering chemical dependence services,  
2 pursuant to the mental hygiene law. No  
3 expenditure shall be made from this  
4 appropriation until a spending plan for  
5 proposed projects has been submitted by  
6 the commissioner of the office of alco-  
7 holism and substance abuse services and  
8 approved by the director of the budget  
9 (53AA1007) ..... 42,273,000  
10  
11 For the acquisition of property, design,  
12 construction and rehabilitation of resi-  
13 dential treatment beds to be developed for  
14 operation by voluntary-operated or local  
15 government operated chemical dependency  
16 treatment providers related to drug law  
17 reform. Notwithstanding any other inconsi-  
18 sistent provision of law, the moneys here-  
19 by appropriated may support up to 100  
20 percent of approved capital costs of such  
21 chemical dependency facilities. Notwith-  
22 standing any other inconsistent provision  
23 of law, and subject to approval of the  
24 director of the budget, funds from this  
25 appropriation may be paid to the dormitory  
26 authority of the state of New York or the  
27 office of general services to the design  
28 and construction management account pursu-  
29 ant to one or more certificates approved  
30 by the director of the budget for purposes  
31 of carrying out the projects provided for  
32 herein. No expenditure shall be made from  
33 this appropriation until a spending plan  
34 for the proposed projects has been submit-  
35 ted by the commissioner of the office of  
36 alcoholism and substance abuse services  
37 and approved by the director of the budget  
38 (53JD1007) ..... 10,000,000  
39  
40 DESIGN AND CONSTRUCTION SUPERVISION (CCP) ..... 3,500,000  
41 -----  
42  
43 Capital Projects Fund  
44  
45 Preparation of Plans Purpose  
46  
47 For payment to the design and construction  
48 management account of the centralized  
49 services fund of the New York state  
50 office of general services or to the  
51 dormitory authority of the state of New  
52 York for the purpose of preparation and  
53 review of plans, specifications, esti-  
54 mates, services, construction management  
55 and supervision, inspection, studies,  
56 appraisals, surveys, testing and envi-  
57 ronmental impact statements for new  
58 projects (53A61030) ..... 3,000,000  
59  
60

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1 Mental Hygiene Capital Improvement Fund - 389  
2  
3 Preparation of Plans Purpose  
4  
5 For payment to the design and construction  
6 management account of the centralized  
7 services fund of the New York state  
8 office of general services or to the  
9 dormitory authority of the state of New  
10 York for the purpose of preparation and  
11 review of plans, specifications, esti-  
12 mates, services, construction management  
13 and supervision, inspection, studies,  
14 appraisals, surveys, testing and envi-  
15 ronmental impact statements for new  
16 projects (53061030) ..... 500,000  
17  
18 INSTITUTIONAL SERVICES PROGRAM (CCP) ..... 4,000,000  
19 -----  
20  
21 Capital Projects Fund  
22  
23 Minor Rehabilitation Purpose  
24  
25 For minor alterations and improvements to  
26 various facilities, including the  
27 payment of liabilities incurred prior to  
28 April 1, 2010, provided, however, that  
29 no expenditures may be made from this  
30 appropriation until a comprehensive plan  
31 of projects has been approved by the  
32 director of the budget (53HD1089) ..... 1,000,000  
33  
34 Mental Hygiene Capital Improvement Fund - 389  
35  
36 Preservation of Facilities Purpose  
37  
38 For alterations and improvements for pres-  
39 ervation of various facilities including  
40 rehabilitation projects, provided,  
41 however, that no expenditures may be  
42 made from this appropriation until a  
43 comprehensive plan of projects has been  
44 approved by the director of the budget.  
45 This appropriation may be used for the  
46 cost of potential claims against  
47 contracts awarded by the dormitory  
48 authority of the state of New York. Upon  
49 request of the commissioner of the  
50 office of alcoholism and substance abuse  
51 services and approval by the director of  
52 the budget, this appropriation may be  
53 transferred to the dormitory authority  
54 of the state of New York (53A21003) .... 3,000,000  
55  
56

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1	NON-BONDABLE PROJECTS (CCP) .....	750,000
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 community	
11	facilities authorized by appropriations	
12	or reappropriations funded from the	
13	Mental Hygiene Capital Improvement Fund	
14	including liabilities incurred prior to	
15	April 1, 2010 or for payment to the	
16	dormitory authority of the state of New	
17	York for defeasance of bonds. Upon	
18	request of the commissioner of the	
19	office of alcoholism and substance abuse	
20	services and approval by the director of	
21	the budget, this appropriation may be	
22	transferred to the dormitory authority	
23	of the state of New York (53NB10NB) ....	750,000
24		

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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 2009:  
8 For minor alterations and improvements to various facilities,  
9 including the payment of liabilities incurred prior to April 1,  
10 2009, 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 (53030989) .....  
13 4,810,000 ..... (re. \$4,810,000)  
14  
15 By chapter 54, section 1, of the laws of 2008:  
16 For minor alterations and improvements to various facilities, includ-  
17 ing the payment of liabilities incurred prior to April 1, 2008,  
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 (53030889) .....  
21 4,810,000 ..... (re. \$4,810,000)  
22  
23 By chapter 54, section 1, of the laws of 2007:  
24 For minor alterations and improvements to various facilities, includ-  
25 ing the payment of liabilities incurred prior to April 1, 2007,  
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 (53030789) .....  
29 4,810,000 ..... (re. \$4,810,000)  
30  
31 By chapter 54, section 1, of the laws of 2006:  
32 For minor alterations and improvements to various facilities, includ-  
33 ing the payment of liabilities incurred prior to April 1, 2006,  
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 (53030689) .....  
37 4,810,000 ..... (re. \$4,810,000)  
38  
39 By chapter 54, section 1, of the laws of 2005:  
40 For minor alterations and improvements to various facilities, includ-  
41 ing the payment of liabilities incurred prior to April 1, 2005,  
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 (53030589) .....  
45 5,310,000 ..... (re. \$4,789,000)  
46  
47 By chapter 54, section 1, of the laws of 2004:  
48 For minor alterations and improvements to various facilities, includ-  
49 ing the payment of liabilities incurred prior to April 1, 2004,  
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 (53030489) .....  
53 5,310,000 ..... (re. \$532,000)  
54  
55 By chapter 54, section 1, of the laws of 2003:  
56 For minor alterations and improvements to various facilities, includ-  
57 ing the payment of liabilities incurred prior to April 1, 2003,  
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

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 the director of the budget (53030389) .....  
2 5,310,000 ..... (re. \$82,000)  
3  
4 Mental Hygiene Capital Improvement Fund - 389  
5  
6 Preservation of Facilities Purpose  
7  
8 By chapter 54, section 1, of the laws of 2009:  
9 For alterations and improvements for preservation of various  
10 facilities including rehabilitation projects and the acquisition of  
11 property, provided, however, that no expenditures may be made from  
12 this appropriation until a comprehensive plan of projects has been  
13 approved by the director of the budget (53030903) .....  
14 42,273,000 ..... (re. \$42,273,000)  
15  
16 By chapter 54, section 1, of the laws of 2008:  
17 For alterations and improvements for preservation of various facili-  
18 ties including rehabilitation projects and the acquisition of prop-  
19 erty, provided, however, that no expenditures may be made from this  
20 appropriation until a comprehensive plan of projects has been  
21 approved by the director of the budget (53030803) .....  
22 42,273,000 ..... (re. \$38,353,000)  
23  
24 By chapter 54, section 1, of the laws of 2007:  
25 For alterations and improvements for preservation of various facili-  
26 ties including rehabilitation projects and the acquisition of prop-  
27 erty, provided, however, that no expenditures may be made from this  
28 appropriation until a comprehensive plan of projects has been  
29 approved by the director of the budget (53030703) .....  
30 27,423,000 ..... (re. \$19,995,000)  
31  
32 By chapter 54, section 1, of the laws of 2006:  
33 For alterations and improvements for preservation of various facili-  
34 ties including rehabilitation projects and the acquisition of prop-  
35 erty, provided, however, that no expenditures may be made from this  
36 appropriation until a comprehensive plan of projects has been  
37 approved by the director of the budget (53030603) .....  
38 17,243,000 ..... (re. \$9,938,000)  
39  
40 By chapter 54, section 1, of the laws of 2005:  
41 For alterations and improvements for preservation of various facili-  
42 ties including rehabilitation projects and the acquisition of prop-  
43 erty, provided, however, that no expenditures may be made from this  
44 appropriation until a comprehensive plan of projects has been  
45 approved by the director of the budget (53030503) .....  
46 13,125,000 ..... (re. \$5,455,000)  
47  
48 New Facilities Purpose  
49  
50 By chapter 54, section 1, of the laws of 2009:  
51 For the acquisition of property, design, construction and extensive  
52 rehabilitation of facilities for the purpose of delivering chemical  
53 dependence services, pursuant to the mental hygiene law. No  
54 expenditure shall be made from this appropriation until a spending  
55 plan for proposed projects has been submitted by the commissioner of  
56 the office of alcoholism and substance abuse services and approved  
57 by the director of the budget (53AA0907) .....  
58 42,273,000 ..... (re. \$42,273,000)  
59

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1 By chapter 54, section 1, of the laws of 2009, as added by chapter 50,  
 2 section 5, of the laws of 2009:  
 3 For the acquisition of property, design, construction and  
 4 rehabilitation of residential treatment beds to be developed for  
 5 operation by voluntary-operated or local government operated  
 6 chemical dependency treatment providers related to drug law reform.  
 7 Notwithstanding any other inconsistent provision of law, the moneys  
 8 hereby appropriated may support up to 100 percent of approved  
 9 capital costs of such chemical dependency facilities.  
 10 Notwithstanding any other inconsistent provision of law, and subject  
 11 to approval of the director of the budget, funds from this  
 12 appropriation may be paid to the dormitory authority of the state of  
 13 New York or the office of general services to the design and  
 14 construction management account pursuant to one or more certificates  
 15 approved by the director of the budget for purposes of carrying out  
 16 the projects provided for herein. No expenditure shall be made from  
 17 this appropriation until a spending plan for the proposed projects  
 18 has been submitted by the commissioner of the office of alcoholism  
 19 and substance abuse services and approved by the director of the  
 20 budget (53JD0907) ... 10,000,000 ..... (re. \$10,000,000)  
 21

22 By chapter 54, section 1, of the laws of 2008:  
 23 For the acquisition of property, design, construction and extensive  
 24 rehabilitation of facilities for the purpose of delivering chemical  
 25 dependence services, pursuant to the mental hygiene law. No expendi-  
 26 ture shall be made from this appropriation until a spending plan for  
 27 proposed projects has been submitted by the commissioner of the  
 28 office of alcoholism and substance abuse services and approved by  
 29 the director of the budget (53AA0807) .....  
 30 66,273,000 ..... (re. \$61,501,000)  
 31

32 By chapter 54, section 1, of the laws of 2007:  
 33 For the acquisition of property, design, construction and extensive  
 34 rehabilitation of facilities for the purpose of delivering chemical  
 35 dependence services, pursuant to the mental hygiene law. No expendi-  
 36 ture shall be made from this appropriation until a spending plan for  
 37 proposed projects has been submitted by the commissioner of the  
 38 office of alcoholism and substance abuse services and approved by  
 39 the director of the budget (53AA0707) .....  
 40 27,423,000 ..... (re. \$12,359,000)

41 For the acquisition of property, design, construction and rehabili-  
 42 tation of 100 community residential treatment beds in Suffolk and  
 43 Nassau counties, to be developed for operation by voluntary-operated  
 44 or local government operated chemical dependency treatment provid-  
 45 ers. Notwithstanding any other inconsistent provision of law, the  
 46 moneys hereby appropriated may support up to 100 percent of approved  
 47 capital costs of such chemical dependency facilities. Notwithstand-  
 48 ing any other inconsistent provision of law, and subject to approval  
 49 of the director of the budget, funds from this appropriation may be  
 50 paid to the dormitory authority of the state of New York or the  
 51 office of general services to the design and construction management  
 52 account pursuant to one or more certificates approved by the direc-  
 53 tor of the budget for purposes of carrying out the projects provided  
 54 for herein. No expenditure shall be made from this appropriation  
 55 until a spending plan for the proposed projects has been submitted  
 56 by the commissioner of the office of alcoholism and substance abuse  
 57 services and approved by the director of the budget (53010707) .....  
 58 26,600,000 ..... (re. \$26,600,000)

59 For the acquisition of property, design, construction and rehabili-  
 60 tation of 100 intensive residential and/or community residential



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1 beds for veterans, to be developed for operation by voluntary-oper-  
 2 ated or local government operated chemical dependency treatment  
 3 providers. Notwithstanding any other inconsistent provision of law,  
 4 the moneys hereby appropriated may support up to 100 percent of  
 5 approved capital costs of such chemical dependency facilities.  
 6 Notwithstanding any other inconsistent provision of law, and subject  
 7 to approval of the director of the budget, funds from this appropri-  
 8 ation may be paid to the dormitory authority of the state of New  
 9 York or the office of general services to the design and  
 10 construction management account pursuant to one or more certificates  
 11 approved by the director of the budget for purposes of carrying out  
 12 the projects provided for herein. No expenditure shall be made from  
 13 this appropriation until a spending plan for the proposed projects  
 14 has been submitted by the commissioner of the office of alcoholism  
 15 and substance abuse services and approved by the director of the  
 16 budget (53020707) ... 25,400,000 ..... (re. \$25,400,000)  
 17

18 By chapter 54, section 1, of the laws of 2006:  
 19 For the acquisition of property, design, construction and extensive  
 20 rehabilitation of facilities for the purpose of delivering chemical  
 21 dependence services, pursuant to the mental hygiene law. No expendi-  
 22 ture shall be made from this appropriation until a spending plan for  
 23 proposed projects has been submitted by the commissioner of the  
 24 office of alcoholism and substance abuse services and approved by  
 25 the director of the budget (53AA0607) .....  
 26 17,243,000 ..... (re. \$8,659,000)

27 For the acquisition of property design, construction and rehabili-  
 28 tation of 108 beds for adolescents and/or women and their children,  
 29 to be developed for operation by voluntary-operated or local govern-  
 30 ment operated chemical dependency treatment providers. Notwith-  
 31 standing any other inconsistent provision of the law, the moneys  
 32 hereby appropriated may support up to 100 percent of approved capi-  
 33 tal costs of such chemical dependency facilities. Notwithstanding  
 34 any other inconsistent provision of the law, and subject to approval  
 35 of the director of the budget, funds from this appropriation may be  
 36 paid to the dormitory authority of the state of New York or the  
 37 office of general services to the design and construction management  
 38 account pursuant to one or more certificates approved by the direc-  
 39 tor of the budget for purposes of carrying out the projects provided  
 40 for herein. No expenditure shall be made from this appropriation  
 41 until a spending plan for the proposed projects has been submitted  
 42 by the commissioner of the office of alcoholism and substance abuse  
 43 services and approved by the director of the budget (53010607) .....  
 44 24,900,000 ..... (re. \$22,350,000)  
 45

46 By chapter 54, section 1, of the laws of 2005:  
 47 For the acquisition of property, design, construction and extensive  
 48 rehabilitation of facilities for the purpose of delivering chemical  
 49 dependence services, pursuant to the mental hygiene law. No expendi-  
 50 ture shall be made from this appropriation until a spending plan for  
 51 proposed projects has been submitted by the commissioner of the  
 52 office of alcoholism and substance abuse services and approved by  
 53 the director of the budget (53AA0507) .....  
 54 13,125,000 ..... (re. \$2,978,000)  
 55

56 By chapter 54, section 1, of the laws of 2004:  
 57 For the acquisition of property, design, construction and extensive  
 58 rehabilitation of facilities for the purpose of delivering chemical  
 59 dependence services, pursuant to the mental hygiene law. No expendi-  
 60 ture shall be made from this appropriation until a spending plan for

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1 proposed projects has been submitted by the commissioner of the  
 2 office of alcoholism and substance abuse services and approved by  
 3 the director of the budget (53AA0407) .....  
 4 12,970,000 ..... (re. \$8,079,000)  
 5

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

7 For the acquisition of property, design, construction and extensive  
 8 rehabilitation of facilities for the purpose of delivering chemical  
 9 dependence services, pursuant to the mental hygiene law. No expendi-  
 10 ture shall be made from this appropriation until a spending plan for  
 11 proposed projects has been submitted by the commissioner of the  
 12 office of alcoholism and substance abuse services and approved by  
 13 the director of the budget (53AA0307) .....  
 14 12,970,000 ..... (re. \$3,115,000)  
 15

16 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

17  
18 Capital Projects Fund

19  
20 Preparation of Plans Purpose

21  
22 By chapter 54, section 1, of the laws of 2009:

23 For payment to the design and construction management account of the  
 24 centralized services fund of the New York state office of general  
 25 services or to the dormitory authority of the state of New York for  
 26 the purpose of preparation and review of plans, specifications,  
 27 estimates, services, construction management and supervision,  
 28 inspection, studies, appraisals, surveys, testing and environmental  
 29 impact statements for new projects (53A60930) .....  
 30 3,000,000 ..... (re. \$1,942,000)  
 31

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

33 For payment to the design and construction management account of the  
 34 centralized services fund of the New York state office of general  
 35 services or to the dormitory authority of the state of New York for  
 36 the purpose of preparation and review of plans, specifications,  
 37 estimates, services, construction management and supervision,  
 38 inspection, studies, appraisals, surveys, testing and environmental  
 39 impact statements for new projects (53A60830) .....  
 40 2,000,000 ..... (re. \$763,000)  
 41

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

43 For: (1) the payment of all claims for personal injury, death or prop-  
 44 erty damage for which the New York State Medical Care Facilities  
 45 Finance Agency, the facilities development corporation, or the  
 46 dormitory authority of the state of New York might be liable occur-  
 47 ring upon, in or about any projects covered by the Agreement of  
 48 Lease entered into by the facilities development corporation, the  
 49 department of mental hygiene and the New York State Medical Care  
 50 Facilities Finance Agency under date of October 1, 1987 as from time  
 51 to time amended and supplemented and any and all penalties, costs,  
 52 including attorneys' fees, claims, demands and causes of action due  
 53 directly or indirectly to the use, disuse, misuse or interest in  
 54 such projects; (2) in the case of damage, loss or destruction of any  
 55 such project, or any part of any such project, the payment of the  
 56 costs of repairing, restoring, rebuilding or replacing the same in  
 57 accordance with the obligations of the facilities development corpo-  
 58 ration so to do from the proceeds of insurance under the provisions  
 59 of paragraph (b) of section 3.04 of the Agreement of Lease; and (3)  
 60 payments to the New York State Medical Care Facilities Finance Agen-

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1 cy of moneys at the times and in the amounts that annual rentals  
2 would be due with respect to each project during such time or times  
3 as each such project may be damaged or destroyed and not available  
4 for use by the department of mental hygiene in accordance with the  
5 terms of the Agreement of Lease.

6 Notwithstanding the provisions of any general or special law, the  
7 facilities development corporation may assign to the New York State  
8 Medical Care Facilities Finance Agency all or any portion of the  
9 moneys hereby appropriated for the purposes hereinabove set forth.  
10 Notwithstanding the foregoing, in the event the appropriation is  
11 insufficient to cover the losses, upon notification from the facili-  
12 ties development corporation, the director of the budget shall  
13 submit a request for additional appropriations to cover the addi-  
14 tional losses. Upon approval by the director of the budget, funds  
15 from this appropriation may be transferred to the office of mental  
16 health and the office of mental retardation and developmental disa-  
17 bilities for payment to the dormitory authority of the state of New  
18 York for the preparation of plans purpose (53WC0730) .....  
19 2,000,000 ..... (re. \$2,000,000)  
20

21 By chapter 54, section 1, of the laws of 2006:  
22 For payment to the design and construction management account of the  
23 centralized services fund of the New York state office of general  
24 services or to the dormitory authority of the state of New York for  
25 the purpose of preparation and review of plans, specifications,  
26 estimates, services, construction management and supervision,  
27 inspection, studies, appraisals, surveys, testing and environmental  
28 impact statements for new projects (53A60630) .....  
29 2,000,000 ..... (re. \$48,000)  
30

31 Mental Hygiene Capital Improvement Fund - 389

32  
33 Preparation of Plans Purpose

34  
35 By chapter 54, section 1, of the laws of 2009:  
36 For payment to the design and construction management account of the  
37 centralized services fund of the New York state office of general  
38 services or to the dormitory authority of the state of New York for  
39 the purpose of preparation and review of plans, specifications,  
40 estimates, services, construction management and supervision,  
41 inspection, studies, appraisals, surveys, testing and environmental  
42 impact statements for new projects (53060930) .....  
43 500,000 ..... (re. \$500,000)  
44

45 By chapter 54, section 1, of the laws of 2008:  
46 For payment to the design and construction management account of the  
47 centralized services fund of the New York state office of general  
48 services or to the dormitory authority of the state of New York for  
49 the purpose of preparation and review of plans, specifications,  
50 estimates, services, construction management and supervision,  
51 inspection, studies, appraisals, surveys, testing and environmental  
52 impact statements for new projects (53060830) .....  
53 500,000 ..... (re. \$500,000)  
54

55 INSTITUTIONAL SERVICES PROGRAM (CCP)

56  
57 Capital Projects Fund

58  
59 Minor Rehabilitation Purpose

60

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1 By chapter 54, section 1, of the laws of 2009:  
 2 For minor alterations and improvements to various facilities,  
 3 including the payment of liabilities incurred prior to April 1,  
 4 2009, provided, however, that no expenditures may be made from this  
 5 appropriation until a comprehensive plan of projects has been  
 6 approved by the director of the budget (53HD0989) .....  
 7 1,000,000 ..... (re. \$1,000,000)

8  
 9 By chapter 54, section 1, of the laws of 2008:  
 10 For minor alterations and improvements to various facilities, includ-  
 11 ing the payment of liabilities incurred prior to April 1, 2008,  
 12 provided, however, that no expenditures may be made from this appro-  
 13 priation until a comprehensive plan of projects has been approved by  
 14 the director of the budget (53HD0889) .....  
 15 500,000 ..... (re. \$500,000)

16  
 17 By chapter 54, section 1, of the laws of 2007:  
 18 For minor alterations and improvements to various facilities, includ-  
 19 ing the payment of liabilities incurred prior to April 1, 2007,  
 20 provided, however, that no expenditures may be made from this appro-  
 21 priation until a comprehensive plan of projects has been approved by  
 22 the director of the budget (53HD0789) .....  
 23 500,000 ..... (re. \$500,000)

24  
 25 By chapter 54, section 1, of the laws of 2006:  
 26 For minor alterations and improvements to various facilities, includ-  
 27 ing the payment of liabilities incurred prior to April 1, 2006,  
 28 provided, however, that no expenditures may be made from this appro-  
 29 priation until a comprehensive plan of projects has been approved by  
 30 the director of the budget (53HD0689) .....  
 31 500,000 ..... (re. \$500,000)

32  
 33 By chapter 54, section 1, of the laws of 2005:  
 34 For minor alterations and improvements to various facilities, includ-  
 35 ing the payment of liabilities incurred prior to April 1, 2005,  
 36 provided, however, that no expenditures may be made from this appro-  
 37 priation until a comprehensive plan of projects has been approved by  
 38 the director of the budget (53HD0589) .....  
 39 500,000 ..... (re. \$91,000)

40  
 41 By chapter 54, section 1, of the laws of 2004:  
 42 For minor alterations and improvements to various facilities, includ-  
 43 ing the payment of liabilities incurred prior to April 1, 2004,  
 44 provided, however, that no expenditures may be made from this appro-  
 45 priation until a comprehensive plan of projects has been approved by  
 46 the director of the budget (53HD0489) .....  
 47 500,000 ..... (re. \$352,000)

48  
 49 By chapter 54, section 1, of the laws of 2003:  
 50 For minor alterations and improvements to various facilities, includ-  
 51 ing the payment of liabilities incurred prior to April 1, 2003,  
 52 provided, however, that no expenditures may be made from this appro-  
 53 priation until a comprehensive plan of projects has been approved by  
 54 the director of the budget (53HD0389) .....  
 55 500,000 ..... (re. \$59,000)

56

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 Mental Hygiene Capital Improvement Fund - 389

2

3 Preservation of Facilities Purpose

4

5 By chapter 54, section 1, of the laws of 2009:

6 For alterations and improvements for preservation of various  
7 facilities including rehabilitation projects, provided, however,  
8 that no expenditures may be made from this appropriation until a  
9 comprehensive plan of projects has been approved by the director of  
10 the budget. This appropriation may be used for the cost of potential  
11 claims against contracts awarded by the dormitory authority of the  
12 state of New York. Upon request of the commissioner of the office of  
13 alcoholism and substance abuse services and approval by the director  
14 of the budget, this appropriation may be transferred to the  
15 dormitory authority of the state of New York (53A20903) .....  
16 3,000,000 ..... (re. \$3,000,000)

17

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

19 For alterations and improvements for preservation of various facili-  
20 ties including rehabilitation projects, provided, however, that no  
21 expenditures may be made from this appropriation until a comprehen-  
22 sive plan of projects has been approved by the director of the budg-  
23 et. This appropriation may be used for the cost of potential claims  
24 against contracts awarded by the dormitory authority of the state of  
25 New York. Upon request of the commissioner of the office of alcohol-  
26 ism and substance abuse services 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 (53A20803) .....  
29 3,000,000 ..... (re. \$3,000,000)

30

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

32 For alterations and improvements for preservation of various facili-  
33 ties including rehabilitation projects, provided, however, that no  
34 expenditures may be made from this appropriation until a comprehen-  
35 sive plan of projects has been approved by the director of the budg-  
36 et. This appropriation may be used for the cost of potential claims  
37 against contracts awarded by the dormitory authority of the state of  
38 New York. Upon request of the commissioner of the office of alcohol-  
39 ism and substance abuse services 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 (53A20703) .....  
42 1,000,000 ..... (re. \$1,000,000)

43

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

45 For alterations and improvements for preservation of various facili-  
46 ties including rehabilitation projects, provided, however, that no  
47 expenditures may be made from this appropriation until a comprehen-  
48 sive plan of projects has been approved by the director of the budg-  
49 et. This appropriation may be used for the cost of potential claims  
50 against contracts awarded by the dormitory authority of the state of  
51 New York. Upon request of the commissioner of the office of alcohol-  
52 ism and substance abuse services and approval by the director of the  
53 budget, this appropriation may be transferred to the dormitory  
54 authority of the state of New York (53A20603) .....  
55 7,800,000 ..... (re. \$7,800,000)

56

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

58 For alterations and improvements for preservation of various facili-  
59 ties including rehabilitation projects, provided, however, that no  
60 expenditures may be made from this appropriation until a comprehen-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 sive plan of projects has been approved by the director of the budg-  
 2 et. This appropriation may be used for the cost of potential claims  
 3 against contracts awarded by the dormitory authority of the state of  
 4 New York. Upon request of the commissioner of the office of alcohol-  
 5 ism and substance abuse services 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 (53A20503) .....  
 8 2,700,000 ..... (re. \$515,000)  
 9

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

11 For alterations and improvements for preservation of various facili-  
 12 ties including rehabilitation projects, provided, however, that no  
 13 expenditures may be made from this appropriation until a comprehen-  
 14 sive plan of projects has been approved by the director of the budg-  
 15 et. This appropriation may be used for the cost of potential claims  
 16 against contracts awarded by the dormitory authority of the state of  
 17 New York or the facilities development corporation. Upon request of  
 18 the commissioner of the office of alcoholism and substance abuse  
 19 services and approval by the director of the budget, this appropri-  
 20 ation may be transferred to the dormitory authority of the state of  
 21 New York (53A20403) ... 1,000,000 ..... (re. \$328,000)  
 22

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

24 For alterations and improvements for preservation of various facili-  
 25 ties including rehabilitation projects, provided, however, that no  
 26 expenditures may be made from this appropriation until a comprehen-  
 27 sive plan of projects has been approved by the director of the budg-  
 28 et. This appropriation may be used for the cost of potential claims  
 29 against contracts awarded by the dormitory authority of the state of  
 30 New York or the facilities development corporation. Upon request of  
 31 the commissioner of the office of alcoholism and substance abuse  
 32 services and approval by the director of the budget, this appropri-  
 33 ation may be transferred to the dormitory authority of the state of  
 34 New York (53PR0303) ... 1,000,000 ..... (re. \$407,000)  
 35

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

37 For alterations and improvements for preservation of various facili-  
 38 ties including rehabilitation projects, provided, however, that no  
 39 expenditures may be made from this appropriation until a comprehen-  
 40 sive plan of projects has been approved by the director of the budg-  
 41 et. This appropriation may be used for the cost of potential claims  
 42 against contracts awarded by the dormitory authority of the state of  
 43 New York or the facilities development corporation. Upon request of  
 44 the commissioner of the office of alcoholism and substance abuse  
 45 services and approval by the director of the budget, this appropri-  
 46 ation may be transferred to the dormitory authority of the state of  
 47 New York (53PR0203) ... 2,000,000 ..... (re. \$597,000)  
 48

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

50 For alterations and improvements for preservation of various facili-  
 51 ties including rehabilitation projects, provided, however, that no  
 52 expenditures may be made from this appropriation until a comprehen-  
 53 sive plan of projects has been approved by the director of the budg-  
 54 et. This appropriation may be used for the cost of potential claims  
 55 against contracts awarded by the dormitory authority of the state of  
 56 New York or the facilities development corporation. Upon request of  
 57 the commissioner of the office of alcoholism and substance abuse  
 58 services and approval by the director of the budget, this appropri-  
 59 ation may be transferred to the dormitory authority of the state of  
 60 New York (53PR0103) ... 2,000,000 ..... (re. \$1,042,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2000:  
2 For alterations and improvements for preservation of various facili-  
3 ties including rehabilitation projects, provided, however, that no  
4 expenditures may be made from this appropriation until a comprehen-  
5 sive plan of projects has been approved by the director of the budg-  
6 et. This appropriation may be used for the cost of potential claims  
7 against contracts awarded by the dormitory authority of the state of  
8 New York or the facilities development corporation. Upon request of  
9 the commissioner of the office of alcoholism and substance abuse  
10 services and approval by the director of the budget, this appropri-  
11 ation may be transferred to the dormitory authority of the state of  
12 New York (53PR0003) ... 1,937,000 ..... (re. \$707,000)  
13

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
2		
3		
4		
5	General Fund - State and Local .....	3,635,000
6	Special Revenue Funds - Federal ....	31,715,000
7	Special Revenue Funds - Other .....	0
8	Capital Projects Funds .....	1,931,019,000
9	Enterprise Funds .....	0
10	Internal Service Funds .....	0
11	-----	-----
12	All Funds .....	1,966,369,000
13	=====	=====

14  
15 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

16 Fund Type	17 State Operations	18 Aid to Localities	19 Capital Projects	20 Total
21 GF-St/Local	800,000	560,254,000	0	561,054,000
22 SR-Federal	2,038,000	46,807,000	0	48,845,000
23 SR-Other	2,117,040,000	674,122,000	0	2,791,162,000
24 Cap Proj	0	0	234,291,000	234,291,000
25 Enterprise	8,606,000	0	0	8,606,000
26 Internal Srv	2,810,000	0	0	2,810,000
27 All Funds	2,131,294,000	1,281,183,000	234,291,000	3,646,768,000
28	=====	=====	=====	=====

29  
30 SCHEDULE

31		
32	ADMINISTRATION AND FINANCE PROGRAM .....	115,530,000
33		-----
34		
35	Special Revenue Funds - Federal / State Operations	
36	Federal Health and Human Services Fund - 265	
37		
38	For administration of the community services	
39	block grant.	
40		
41	Personal service .....	814,000
42	Nonpersonal service .....	178,000
43	Fringe benefits .....	366,000
44		-----
45	Amount available .....	1,358,000
46		-----
47		
48	For administration of the federal New York	
49	makes work pay grant.	
50		
51	Personal service .....	193,000
52	Nonpersonal service .....	20,000
53	Fringe benefits .....	87,000
54		-----
55	Amount available .....	300,000
56		-----
57		
58		



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For administration of programs to assist and	
2	transition from homelessness(PATH) grants.	
3		
4	Personal service .....	125,000
5	Fringe benefits .....	55,000
6		-----
7	Amount available .....	180,000
8		-----
9	Program fund subtotal .....	1,838,000
10		-----
11		
12	Special Revenue Funds - Federal / State Operations	
13	Federal Operating Grants Fund - 290	
14		
15	Personal service .....	139,000
16	Fringe benefits .....	61,000
17		-----
18	Program fund subtotal .....	200,000
19		-----
20		
21	Special Revenue Funds - Other / State Operations	
22	Mental Hygiene Gifts and Donations Fund - 019	
23	Office of Mental Health Gifts and Donations Account	
24		
25	For nonpersonal service expenditures to	
26	benefit patients or for other purposes	
27	from investment income, private donations	
28	and other contributions.	
29		
30		
31		
32	Supplies and materials .....	200,000
33	Travel .....	35,000
34	Contractual services .....	125,000
35	Equipment .....	140,000
36		-----
37	Program account subtotal .....	500,000
38		-----
39		
40	Special Revenue Funds - Other / State Operations	
41	Combined Gifts, Grants and Bequests Fund - 020	
42	Office of Mental Health Grants and Bequests Account	
43		
44	For nonpersonal service expenditures to	
45	benefit patients from bequests from	
46	patients' families.	
47		
48		
49		
50	Supplies and materials .....	70,000
51		-----
52	Program account subtotal .....	70,000
53		-----
54		
55	Special Revenue Fund - Other / State Operations	
56	Miscellaneous Special Revenue Fund - 339	
57	Cook/Chill Account	
58		
59		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses related to the  
2 operation of the cook/chill production  
3 center at the Rockland psychiatric center.

4  
5 NONPERSONAL SERVICE

6		
7	Supplies and materials .....	1,650,000
8	Contractual services .....	1,650,000
9		-----
10	Program account subtotal .....	3,300,000
11		-----

12  
13 Special Revenue Funds - Other / State Operations  
14 Miscellaneous Special Revenue Fund - 339  
15 Mental Hygiene Program Fund Account

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

36 Notwithstanding any other provision of law  
37 to the contrary, any of the amounts  
38 appropriated herein may be increased or  
39 decreased by interchange or transfer  
40 without limit, with any appropriation of  
41 the office of mental health or by transfer  
42 or suballocation to any department, agency  
43 or public authority for expenditures  
44 incurred in the operation of such programs  
45 with the approval of the director of the  
46 budget who shall file such approval with  
47 the department of audit and control and  
48 copies thereof with the chairman of the  
49 senate finance committee and the chairman  
50 of the assembly ways and means committee.

51 Notwithstanding any other provision of law  
52 to the contrary, funds appropriated under  
53 this program shall not be used for the  
54 payment of tolls at the Robert F. Kennedy  
55 bridge, for vehicles driven by persons  
56 commuting to and from work who are  
57 employed at facilities located on Ward's  
58 island operated by the department of  
59 mental hygiene.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any inconsistent provision  
 2 of law, this appropriation is not  
 3 available to support the development or  
 4 production of reports required pursuant to  
 5 chapter 119 of the laws of 2007 for the  
 6 period beginning April 1, 2010 and ending  
 7 March 31, 2011.  
 8 The state comptroller is hereby authorized  
 9 and directed to loan money in accordance  
 10 with the provisions set forth in subdivi-  
 11 sion 5 of section 4 of the state finance  
 12 law to the mental hygiene program fund  
 13 account.  
 14  
 15 PERSONAL SERVICE  
 16  
 17 Personal service--regular ..... 43,529,000  
 18 Temporary service ..... 939,000  
 19 Holiday/overtime compensation ..... 287,000  
 20 -----  
 21 Amount available for personal service .... 44,755,000  
 22 -----  
 23  
 24 NONPERSONAL SERVICE  
 25  
 26 Supplies and materials ..... 3,702,000  
 27 Travel ..... 1,861,000  
 28 Contractual services ..... 23,023,000  
 29 Equipment ..... 3,623,000  
 30 Fringe benefits ..... 21,007,000  
 31 Indirect costs ..... 235,000  
 32 -----  
 33 Amount available for nonpersonal service.. 53,451,000  
 34 -----  
 35 Program account subtotal ..... 98,206,000  
 36 -----  
 37  
 38 Enterprise Funds / State Operations  
 39 Mental Health Sheltered Workshop Account - 351  
 40  
 41 PERSONAL SERVICE  
 42  
 43 Temporary service ..... 2,042,000  
 44 -----  
 45  
 46 NONPERSONAL SERVICE  
 47  
 48 Supplies and materials ..... 757,000  
 49 Travel ..... 123,000  
 50 Contractual services ..... 2,657,000  
 51 Equipment ..... 257,000  
 52 -----  
 53 Amount available for nonpersonal service.. 3,794,000  
 54 -----  
 55 Program account subtotal ..... 5,836,000  
 56 -----  
 57  
 58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Enterprise Funds / State Operations	
2	Mental Hygiene Community Stores Account - 353	
3		
4	PERSONAL SERVICE	
5		
6	Personal service--regular .....	608,000
7		-----
8		
9	NONPERSONAL SERVICE	
10		
11	Supplies and materials .....	1,679,000
12	Equipment .....	154,000
13	Fringe benefits .....	309,000
14	Indirect costs .....	20,000
15		-----
16	Amount available for nonpersonal service..	2,162,000
17		-----
18	Program account subtotal .....	2,770,000
19		-----
20		
21	Internal Service Funds / State Operations	
22	Mental Hygiene Revolving Account - 343	
23		
24	PERSONAL SERVICE	
25		
26	Personal service--regular .....	1,136,000
27		-----
28		
29	NONPERSONAL SERVICE	
30		
31	Supplies and materials .....	461,000
32	Travel .....	7,000
33	Contractual services .....	388,000
34	Equipment .....	236,000
35	Fringe benefits .....	564,000
36	Indirect costs .....	18,000
37		-----
38	Amount available for nonpersonal service..	1,674,000
39		-----
40	Program account subtotal .....	2,810,000
41		-----
42		
43	ADULT SERVICES PROGRAM .....	2,471,029,000
44		-----
45		
46	General Fund / State Operations	
47	State Purposes Account - 003	
48		
49	Notwithstanding any other provision of law	
50	to the contrary, funds appropriated under	
51	this program shall be used for the payment	
52	of tolls at the Robert F. Kennedy bridge,	
53	for vehicles driven by persons commuting	
54	to and from work who are employed at	
55	facilities located on Ward's island	
56	operated by the department of mental	
57	hygiene.	
58		
59		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2		
3	Travel .....	800,000
4		-----
5	Program account subtotal .....	800,000
6		-----

7  
8 General Fund / Aid to Localities  
9 Local Assistance Account - 001

10  
11 For services and expenses of various adult  
12 community mental health services, includ-  
13 ing transfer to the department of health  
14 to reimburse the department for the state  
15 share of medical assistance for various  
16 community mental health services.

17 For payment of state financial assistance,  
18 net of disallowances, for community mental  
19 health programs pursuant to article 41 and  
20 other provisions of the mental hygiene  
21 law. The moneys hereby appropriated for  
22 allocation to local governments and volun-  
23 tary agencies for services are available  
24 to reimburse or advance funds to local  
25 governments and voluntary agencies for  
26 expenditures made or to be made during  
27 local program years commencing January 1,  
28 2010 or July 1, 2010 and for advances for  
29 the period beginning January 1, 2011 for  
30 local governments and voluntary agencies  
31 with program years beginning January 1.

32 Notwithstanding any other provision of law,  
33 and except for transfers to the department  
34 of health to reimburse the department for  
35 the state share of medical assistance  
36 payments and as modified below, this  
37 appropriation shall be available for obli-  
38 gations for the period commencing July 1,  
39 2010 and ending June 30, 2011 and shall be  
40 available for expenditure from July 1,  
41 2010 through September 15, 2011.

42 An amount of this appropriation shall be  
43 available for the development of a demon-  
44 stration program approved by the  
45 commissioner and director of the budget,  
46 and notwithstanding the provisions of any  
47 other law to the contrary, for the purpose  
48 of testing and evaluating new methods or  
49 arrangements for organizing, financing,  
50 staffing and providing services for  
51 persons with serious mental illness, in  
52 one or more of Chautauqua, Erie, Genesee,  
53 Monroe, Onondaga and Wyoming counties.

54 Notwithstanding any provision of law to the  
55 contrary, the commissioner of the office  
56 of mental health shall be authorized to  
57 continue contracts which were executed on  
58 or before March 31, 2010 with entities  
59 providing services to persons with mental  
60 illness, without any additional require-

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 ments that such contracts be subject to  
2 competitive bidding, a request for  
3 proposals process or other administrative  
4 procedures.

5 No 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 with copies to be  
10 filed with the chairpersons of the senate  
11 finance committee and assembly ways and  
12 means committee. Furthermore, no expendi-  
13 ture shall be made until a certificate of  
14 allocation has been approved by the direc-  
15 tor of the budget with copies to be filed  
16 with the chairpersons of the senate  
17 finance committee and the assembly ways  
18 and means committee. The state comptroller  
19 is hereby authorized to receive funds from  
20 the office of mental health that were  
21 returned from providers in the current  
22 fiscal year in respect of a settlement of  
23 local assistance funds from prior fiscal  
24 years, and is authorized to refund such  
25 moneys to the credit of the local assist-  
26 ance account of the general fund for the  
27 purpose of reimbursing the 2010-11 appro-  
28 priation.

29 Notwithstanding any inconsistent provision  
30 of law, including section 1 of part C of  
31 chapter 57 of the laws of 2006, as amended  
32 by section 2 of part I of chapter 58 of  
33 the laws of 2008 and part L of chapter 58  
34 of the laws of 2009, for the period  
35 commencing on April 1, 2009 and ending  
36 March 31, 2011 the commissioner shall not  
37 apply any cost of living adjustment for  
38 the purpose of establishing rates of  
39 payments, contracts or any other form of  
40 reimbursement. Notwithstanding any  
41 inconsistent provision of law, funding  
42 shall not be available for unified  
43 services after June 30, 2010.

44 Notwithstanding any other provision of law  
45 to the contrary, any of the amounts  
46 appropriated herein may be increased or  
47 decreased by interchange or transfer  
48 without limit, with any appropriation of  
49 the office of mental health or by transfer  
50 or suballocation to any department, agency  
51 or public authority for expenditures  
52 incurred in the operation of such programs  
53 with the approval of the director of the  
54 budget who shall file such approval with  
55 the department of audit and control and  
56 copies thereof with the chairman of the  
57 senate finance committee and the chairman  
58 of the assembly ways and means committee:  
59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 .....	74,388,000
7	For services and expenses of various commu-	
8	nity mental health emergency programs,	
9	including comprehensive psychiatric emer-	
10	gency programs pursuant to section 41.51	
11	of the mental hygiene law .....	6,881,000
12	For transfer to the department of health to	
13	reimburse the department for the state	
14	share of medical assistance payments for	
15	various mental health services. Notwith-	
16	standing any inconsistent provision of	
17	law, a portion of the money herein appro-	
18	propriated may be made available for transfer	
19	to the department of health for the state	
20	share of disproportionate share payments	
21	to voluntary nonprofit general hospitals	
22	pursuant to chapter 119 of the laws of	
23	1997 as amended. For the period April 1,	
24	2010 through March 31, 2011, the office of	
25	mental health is authorized to recover	
26	from community residences and family-based	
27	treatment providers licensed by the office	
28	of mental health, consistent with	
29	contractual obligations of such providers	
30	and notwithstanding any other inconsistent	
31	provision of law to the contrary, for the	
32	January 1, 2003 through December 31, 2004	
33	periods for programs located outside of	
34	the city of New York and July 1, 2003	
35	through June 30, 2005 periods for programs	
36	located in the city of New York, in an	
37	amount equal to 50 percent of the income	
38	received by such providers which exceed	
39	the fixed amount of annual medicaid	
40	revenue limitations, as established by the	
41	commissioner of mental health .....	321,327,000
42		-----
43	Program account subtotal .....	402,596,000
44		-----
45		
46	Special Revenue Funds - Federal / Aid to Localities	
47	Federal Health and Human Services Fund - 265	
48		
49	For programs to assist and transition from	
50	homelessness (PATH) grants. Notwithstand-	
51	ing any inconsistent provision of law, a	
52	portion of this appropriation, consistent	
53	with the terms and conditions of the PATH	
54	grant, may be transferred to other	
55	programs within the office of mental	
56	health for aid to localities, administra-	
57	tive and support services, including	
58	fringe benefits, associated with the grant	
59	.....	4,800,000
60		

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses related to adult  
2 mental health services funded by the  
3 community mental health services block  
4 grant. Notwithstanding any inconsistent  
5 provision of law, a portion of this appro-  
6 priation, consistent with the terms and  
7 conditions of the block grant, may be  
8 transferred to other programs within the  
9 office of mental health for aid to locali-  
10 ties, administrative and support services,  
11 including fringe benefits, associated with  
12 the federal block grant ..... 17,206,000

13 For services and expenses associated with  
14 federal grant awards yet to be allocated  
15 by the federal department of health and  
16 human services. Notwithstanding any incon-  
17 sistent provision of law, the director of  
18 the budget is hereby authorized to trans-  
19 fer appropriation authority contained  
20 herein to any other federal fund or  
21 program within the office of mental health  
22 services for aid to localities, adminis-  
23 trative and support services, including  
24 fringe benefits, associated with the  
25 awarded grant ..... 5,000,000

26 For services and expenses associated with  
27 the federal New York makes work pay grant  
28 allocated by the federal department of  
29 health and human services. Notwithstanding  
30 any inconsistent provision of law, the  
31 director of the budget is hereby author-  
32 ized to transfer appropriation authority  
33 contained herein to any other federal fund  
34 or program within the office of mental  
35 health services for aid to localities,  
36 administrative and support services,  
37 including fringe benefits, associated with  
38 the awarded grant ..... 6,000,000

39 -----  
40 Program fund subtotal ..... 33,006,000  
41 -----  
42

43 Special Revenue Funds - Federal / Aid to Localities  
44 Federal Operating Grants Fund - 290  
45

46 For services and expenses related to home-  
47 less and shelter plus care grants. Subject  
48 to a plan approved by the director of the  
49 budget, the amount appropriated herein may  
50 be made available to other state agencies  
51 for services and expenses related to  
52 federal homeless and shelter plus care  
53 grants ..... 8,000,000

54 -----  
55 Program fund subtotal ..... 8,000,000  
56 -----  
57  
58



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Funds - Other / State Operations	
2	Miscellaneous Special Revenue Fund - 339	
3	Healthcare Emergency Preparedness Program	
4		
5	For services and expenses incurred by	
6	psychiatric centers participating in the	
7	healthcare emergency preparedness program.	
8		
9	Supplies and materials .....	200,000
10	Travel .....	5,000
11	Contractual services .....	45,000
12	Equipment .....	50,000
13		-----
14	Program account subtotal .....	300,000
15		-----

16		
17	Special Revenue Funds - Other / Aid to Localities	
18	Miscellaneous Special Revenue Fund - 339	
19	Medication Reimbursement Account	
20		
21	For services and expenses related to adult	
22	mental health services, including assisted	
23	outpatient treatment pursuant to article 9	
24	and other provisions of the mental hygiene	
25	law .....	7,580,000
26		-----
27	Program account subtotal .....	7,580,000
28		-----

29

30 Special Revenue Fund - Other / State Operations

31 Miscellaneous Special Revenue Fund - 339

32 Mental Hygiene Patient Income Account

33

34 Notwithstanding any other provision of law

35 to the contrary, any of the amounts

36 appropriated herein may be increased or

37 decreased by interchange or transfer

38 without limit, with any appropriation of

39 the office of mental health or by transfer

40 or suballocation to any department, agency

41 or public authority for expenditures

42 incurred in the operation of such programs

43 with the approval of the director of the

44 budget who shall file such approval with

45 the department of audit and control and

46 copies thereof with the chairman of the

47 senate finance committee and the chairman

48 of the assembly ways and means committee.

49 Notwithstanding any other provision of law

50 to the contrary, funds appropriated under

51 this program shall not be used for the

52 payment of tolls at the Robert F. Kennedy

53 bridge, for vehicles driven by persons

54 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 incon-

58 sistent provision of law, including subdivi-

59 sion (e) of section 7.17 or section

60 41.55 of the mental hygiene law, this

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 2010 and ending March 31, 2011, and shall  
 6 not be available for the continued opera-  
 7 tion of such facilities or wards. Monies  
 8 from this appropriation shall be made  
 9 available to the office of mental health  
 10 for the electronic court appearances of  
 11 respondents or witnesses at court  
 12 conferences, proceedings, hearings or  
 13 trials conducted pursuant to article 10 of  
 14 mental hygiene law, by means of an  
 15 independent audio-visual system.

16 The state comptroller is hereby authorized  
 17 and directed to loan money in accordance  
 18 with the provisions set forth in subdivi-  
 19 sion 5 of section 4 of the state finance  
 20 law to the mental hygiene patient income  
 21 account.

PERSONAL SERVICE

25	Personal service--regular .....	678,520,000
26	Temporary service .....	4,908,000
27	Holiday/overtime compensation .....	49,834,000
28		-----
29	Amount available for personal service ....	733,262,000
30		-----

NONPERSONAL SERVICE

34	Supplies and materials .....	69,636,000
35	Travel .....	2,428,000
36	Contractual services .....	61,360,000
37	Equipment .....	2,637,000
38	Fringe benefits .....	349,027,000
39	Indirect costs .....	24,624,000
40		-----
41	Amount available for nonpersonal service..	509,712,000
42		-----
43	Program account subtotal .....	1,242,974,000
44		-----

45  
 46 Special Revenue Funds - Other / State Operations  
 47 Miscellaneous Special Revenue Fund - 339  
 48 Mental Hygiene Program Fund Account  
 49

50 Notwithstanding any other provision of law  
 51 to the contrary, any of the amounts  
 52 appropriated herein may be increased or  
 53 decreased by interchange or transfer  
 54 without limit, with any appropriation of  
 55 the office of mental health or by transfer  
 56 or suballocation to any department, agency  
 57 or public authority for expenditures  
 58 incurred in the operation of such programs  
 59 with the approval of the director of the  
 60 budget who shall file such approval with

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 the department of audit and control and  
 2 copies thereof with the chairman of the  
 3 senate finance committee and the chairman  
 4 of the assembly ways and means committee.  
 5 Notwithstanding any other provision of law  
 6 to the contrary, funds appropriated under  
 7 this program shall not be used for the  
 8 payment of tolls at the Robert F. Kennedy  
 9 bridge, for vehicles driven by persons  
 10 commuting to and from work who are  
 11 employed at facilities located on Ward's  
 12 island operated by the department of  
 13 mental hygiene. Notwithstanding any incon-  
 14 sistent provision of law, including subdivi-  
 15 sion (e) of section 7.17 or section  
 16 41.55 of the mental hygiene law, this  
 17 appropriation is available to facilitate  
 18 the closure or restructuring of wards  
 19 designated by the commissioner of mental  
 20 health for the period beginning April 1,  
 21 2010 and ending March 31, 2011, and shall  
 22 not be available for the continued opera-  
 23 tion of such facilities or wards. Monies  
 24 from this appropriation shall be made  
 25 available to the office of mental health  
 26 for the electronic court appearances of  
 27 respondents or witnesses at court  
 28 conferences, proceedings, hearings or  
 29 trials conducted pursuant to article 10 of  
 30 mental hygiene law, by means of an  
 31 independent audio-visual system.  
 32 The state comptroller is hereby authorized  
 33 and directed to loan money in accordance  
 34 with the provisions set forth in subdivi-  
 35 sion 5 of section 4 of the state finance  
 36 law to the mental hygiene program fund  
 37 account.

PERSONAL SERVICE

41	Personal service--regular .....	82,879,000
42	Temporary service .....	113,000
43	Holiday/overtime compensation .....	22,448,000
44		-----
45	Amount available for personal service ....	105,440,000
46		-----

NONPERSONAL SERVICE

50	Supplies and materials .....	23,489,000
51	Travel .....	742,000
52	Contractual services .....	20,788,000
53	Equipment .....	704,000
54	Fringe benefits .....	45,614,000
55	Indirect costs .....	4,708,000
56		-----
57	Amount available for nonpersonal service..	96,045,000
58		-----

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	MAINTENANCE UNDISTRIBUTED	
2		
3	For transfer to the department of health	
4	medical assistance local assistance	
5	program for payments for outside hospital	
6	care .....	3,165,000
7		-----
8	Program account subtotal .....	204,650,000
9		-----

10  
 11 Special Revenue Funds - Other / Aid to Localities  
 12 Miscellaneous Special Revenue Fund - 339  
 13 Mental Hygiene Program Fund Account

14  
 15 The state comptroller is hereby authorized  
 16 and directed to loan money in accordance  
 17 with the provisions set forth in subdivi-  
 18 sion 5 of section 4 of the state finance  
 19 law to the mental hygiene program fund  
 20 account.

21 For payment of state financial assistance,  
 22 net of disallowances, for community mental  
 23 health programs pursuant to article 41 and  
 24 other provisions of the mental hygiene  
 25 law. The moneys hereby appropriated for  
 26 allocation to local governments and volun-  
 27 tary agencies for services are available  
 28 to reimburse or advance funds to local  
 29 governments and voluntary agencies for  
 30 expenditures made or to be made during  
 31 local program years commencing January 1,  
 32 2010 or July 1, 2010 and for advances for  
 33 the period beginning January 1, 2011 for  
 34 local governments and voluntary agencies  
 35 with program years beginning January 1.

36 Notwithstanding any other provision of law,  
 37 and except for transfers to the department  
 38 of health to reimburse the department for  
 39 the state share of medical assistance  
 40 payments and as modified below, this  
 41 appropriation shall be available for obli-  
 42 gations for the period commencing July 1,  
 43 2010 and ending June 30, 2011 and shall be  
 44 available for expenditure from July 1,  
 45 2010 through September 15, 2011.

46 An amount of this appropriation shall be  
 47 available for the development of a demon-  
 48 stration program approved by the commis-  
 49 sioner and the director of the budget, and  
 50 notwithstanding the provisions of any  
 51 other law to the contrary, for the purpose  
 52 of testing and evaluating new methods or  
 53 arrangements for organizing, financing,  
 54 staffing and providing services for  
 55 persons with serious mental illness, in  
 56 one or more of Chautauqua, Erie, Genesee,  
 57 Monroe, Onondaga and Wyoming counties.

58 Notwithstanding any provision of law to the  
 59 contrary, the commissioner of the office  
 60 of mental health shall be authorized to

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 continue contracts which were executed on  
2 or before March 31, 2010 with entities  
3 providing services to persons with mental  
4 illness, without any additional require-  
5 ments that such contracts be subject to  
6 competitive bidding, a request for  
7 proposals process or other administrative  
8 procedures.

9 No expenditures shall be made for such  
10 program prior to the approval of a method-  
11 ology for allocation in accordance with a  
12 plan approved by the commissioner and the  
13 director of the budget with copies to be  
14 filed with the chairpersons of the senate  
15 finance committee and assembly ways and  
16 means committee. Furthermore, no expendi-  
17 ture shall be made until a certificate of  
18 allocation has been approved by the direc-  
19 tor of the budget with copies to be filed  
20 with the chairpersons of the senate  
21 finance committee and the assembly ways  
22 and means committee. The state comptroller  
23 is hereby authorized to receive funds from  
24 the office of mental health that were  
25 returned from providers in the current  
26 fiscal year in respect of a settlement of  
27 local assistance funds from prior fiscal  
28 years, and is authorized to refund such  
29 moneys to the credit of the mental hygiene  
30 program fund account for the purpose of  
31 reimbursing the 2010-11 appropriation.

32 Notwithstanding any inconsistent provision  
33 of law, including section 1 of part C of  
34 chapter 57 of the laws of 2006, as amended  
35 by section 2 of part I of chapter 58 of  
36 the laws of 2008 and part L of chapter 58  
37 of the laws of 2009, for the period  
38 commencing on April 1, 2009 and ending  
39 March 31, 2011 the commissioner shall not  
40 apply any cost of living adjustment for  
41 the purpose of establishing rates of  
42 payments, contracts or any other form of  
43 reimbursement.

44 Notwithstanding any other provision of law  
45 to the contrary, any of the amounts  
46 appropriated herein may be increased or  
47 decreased by interchange or transfer  
48 without limit, with any appropriation of  
49 the office of mental health or by transfer  
50 or suballocation to any department, agency  
51 or public authority for expenditures  
52 incurred in the operation of such programs  
53 with the approval of the director of the  
54 budget who shall file such approval with  
55 the department of audit and control and  
56 copies thereof with the chairman of the  
57 senate finance committee and the chairman  
58 of the assembly ways and means committee:  
59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 ..... 220,065,000

30 For services and expenses associated with  
31 the provision of education, assessments,  
32 training, and monitoring to residents of  
33 adult homes, to implement a remediation  
34 plan resulting from a 2009 federal  
35 district court decision ..... 1,000,000

36 For services and expenses of various commu-  
37 nity mental health residential programs,  
38 including but not limited to community  
39 residences pursuant to sections 41.44 and  
40 41.38 of the mental hygiene law. Notwith-  
41 standing the provisions of section 31.03  
42 of the mental hygiene law and any other  
43 inconsistent provision of law, moneys  
44 appropriated for family care shall be  
45 available for, but not limited to, the  
46 purchase of substitute caretakers up to a  
47 maximum of 14 days and payments limited to  
48 \$686 per year based upon financial need  
49 for the personal needs of each client  
50 residing in the family care home ..... 350,058,000

51 -----  
52 Program account subtotal ..... 571,123,000  
53 -----

54  
55 CHILDREN AND YOUTH SERVICES PROGRAM ..... 477,869,000  
56 -----  
57  
58 General Fund / Aid to Localities  
59 Local Assistance Account - 001  
60

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses of various chil-  
2 dren and families community mental health  
3 services, including transfer to the  
4 department of health to reimburse the  
5 department for the state share of medical  
6 assistance for various community mental  
7 health services.

8 This appropriation anticipates the transfer  
9 of funds from the state education depart-  
10 ment to the office of mental health of  
11 tuition funds advanced in previous years  
12 and reimbursed by the child's school  
13 district of origin to the state of New  
14 York pursuant to chapter 810 of the laws  
15 of 1986 and applicable provisions of the  
16 education law.

17 For payment of state financial assistance,  
18 net of disallowances, for community mental  
19 health programs pursuant to article 41 and  
20 other provisions of the mental hygiene  
21 law. The moneys hereby appropriated for  
22 allocation to local governments and volun-  
23 tary agencies for services are available  
24 to reimburse or advance funds to local  
25 governments and voluntary agencies for  
26 expenditures made or to be made during  
27 local program years commencing January 1,  
28 2010 or July 1, 2010 and for advances for  
29 the period beginning January 1, 2011 for  
30 local governments and voluntary agencies  
31 with program years beginning January 1.

32 Notwithstanding any other provision of law,  
33 and except for transfers to the department  
34 of health to reimburse the department for  
35 the state share of medical assistance  
36 payments and as modified below, this  
37 appropriation shall be available for obli-  
38 gations for the period commencing July 1,  
39 2010 and ending June 30, 2011 and shall be  
40 available for expenditure from July 1,  
41 2010 through September 15, 2011.

42 Notwithstanding any provision of law to the  
43 contrary, the commissioner of the office  
44 of mental health shall be authorized to  
45 continue contracts which were executed on  
46 or before March 31, 2010 with entities  
47 providing services to persons with mental  
48 illness, without any additional require-  
49 ments that such contracts be subject to  
50 competitive bidding, a request for  
51 proposals process or other administrative  
52 procedures.

53 No expenditures shall be made for such  
54 program prior to the approval of a method-  
55 ology for allocation in accordance with a  
56 plan approved by the commissioner and the  
57 director of the budget with copies to be  
58 filed with the chairpersons of the senate  
59 finance committee and assembly ways and  
60 means committee. Furthermore, no expendi-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 ture shall be made until a certificate of  
 2 allocation has been approved by the direc-  
 3 tor of the budget with copies to be filed  
 4 with the chairpersons of the senate  
 5 finance committee and the assembly ways  
 6 and means committee. The state comptroller  
 7 is hereby authorized to receive funds from  
 8 the office of mental health that were  
 9 returned from providers in the current  
 10 fiscal year in respect of a settlement of  
 11 local assistance funds from prior fiscal  
 12 years, and is authorized to refund such  
 13 moneys to the credit of the local assist-  
 14 ance account of the general fund for the  
 15 purpose of reimbursing the 2010-11 appro-  
 16 priation.

17 Notwithstanding any inconsistent provision  
 18 of law, including section 1 of part C of  
 19 chapter 57 of the laws of 2006, as amended  
 20 by section 2 of part I of chapter 58 of  
 21 the laws of 2008 and part L of chapter 58  
 22 of the laws of 2009, for the period  
 23 commencing on April 1, 2009 and ending  
 24 March 31, 2011 the commissioner shall not  
 25 apply any cost of living adjustment for  
 26 the purpose of establishing rates of  
 27 payments, contracts or any other form of  
 28 reimbursement.

29 Notwithstanding any other provision of law  
 30 to the contrary, any of the amounts  
 31 appropriated herein may be increased or  
 32 decreased by interchange or transfer  
 33 without limit, with any appropriation of  
 34 the office of mental health or by transfer  
 35 or suballocation to any department, agency  
 36 or public authority for expenditures  
 37 incurred in the operation of such programs  
 38 with the approval of the director of the  
 39 budget who shall file such approval with  
 40 the department of audit and control and  
 41 copies thereof with the chairman of the  
 42 senate finance committee and the chairman  
 43 of the assembly ways and means committee:

44 For services and expenses of various commu-  
 45 nity mental health non-residential  
 46 programs, pursuant to article 41 of the  
 47 mental hygiene law, including but not  
 48 limited to sections 41.13 and 41.18 ..... 17,935,000

49 For services and expenses of various commu-  
 50 nity mental health emergency programs .... 2,438,000

51 For transfer to the department of health to  
 52 reimburse the department for the state  
 53 share of medical assistance payments for  
 54 various mental health services. Notwith-  
 55 standing any inconsistent provision of  
 56 law, a portion of the money herein appro-  
 57 priated may be made available for transfer  
 58 to the department of health for the state  
 59 share of disproportionate share payments  
 60 to voluntary nonprofit general hospitals



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 pursuant to chapter 119 of the laws of  
 2 1997 as amended. Notwithstanding any  
 3 provision of law to the contrary, the  
 4 state comptroller is hereby authorized to  
 5 refund moneys from the department of  
 6 health to the office of mental health,  
 7 consisting of medicaid reimbursement for  
 8 expenses previously incurred by the office  
 9 of mental health in prior fiscal years to  
 10 fund services provided by residential  
 11 treatment facilities for children and  
 12 youth. Such funds shall be credited to the  
 13 local assistance account of the general  
 14 fund for the purpose of reimbursing the  
 15 2010-11 appropriation. For the period  
 16 April 1, 2010 through March 31, 2011, the  
 17 office of mental health is authorized to  
 18 recover from community residences and  
 19 family-based treatment providers licensed  
 20 by the office of mental health, consistent  
 21 with contractual obligations of such  
 22 providers and notwithstanding any other  
 23 inconsistent provision of law to the  
 24 contrary, for the January 1, 2003 through  
 25 December 31, 2004 periods for programs  
 26 located outside of the city of New York  
 27 and July 1, 2003 through June 30, 2005  
 28 periods for programs located in the city  
 29 of New York, in an amount equal to 50  
 30 percent of the income received by such  
 31 providers which exceed the fixed amount of  
 32 annual medicaid revenue limitations, as  
 33 established by the commissioner of mental  
 34 health ..... 137,285,000  
 35 -----  
 36 Program account subtotal ..... 157,658,000  
 37 -----

38  
 39 Special Revenue Funds - Federal / Aid to Localities  
 40 Federal Health and Human Services Fund - 265  
 41

42 For services and expenses related to chil-  
 43 dren's mental health services funded by  
 44 the community mental health services block  
 45 grant. Notwithstanding any inconsistent  
 46 provision of law, a portion of this appro-  
 47 priation, consistent with the terms and  
 48 conditions of the block grant, may be  
 49 transferred to other programs within the  
 50 office of mental health for aid to locali-  
 51 ties, administrative and support services,  
 52 including fringe benefits, associated with  
 53 the federal block grant ..... 5,801,000  
 54 -----  
 55 Program fund subtotal ..... 5,801,000  
 56 -----  
 57  
 58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 to the contrary, any of the amounts  
 7 appropriated herein may be increased or  
 8 decreased by interchange or transfer  
 9 without limit, with any appropriation of  
 10 the office of mental health or by transfer  
 11 or suballocation to any department, agency  
 12 or public authority for expenditures  
 13 incurred in the operation of such programs  
 14 with the approval of the director of the  
 15 budget who shall file such approval with  
 16 the department of audit and control and  
 17 copies thereof with the chairman of the  
 18 senate finance committee and the chairman  
 19 of the assembly ways and means committee.

20 Notwithstanding any other provision of law  
 21 to the contrary, funds appropriated under  
 22 this program shall not be used for the  
 23 payment of tolls at the Robert F. Kennedy  
 24 bridge, for vehicles driven by persons  
 25 commuting to and from work who are  
 26 employed at facilities located on Ward's  
 27 island operated by the department of  
 28 mental hygiene. The state comptroller is  
 29 hereby authorized and directed to loan  
 30 money in accordance with the provisions  
 31 set forth in subdivision 5 of section 4 of  
 32 the state finance law to the mental  
 33 hygiene program fund account.  
 34

PERSONAL SERVICE

37	Personal service--regular .....	125,248,000
38	Temporary service .....	2,468,000
39	Holiday/overtime compensation .....	9,602,000
40		-----
41	Amount available for personal service ....	137,318,000
42		-----

NONPERSONAL SERVICE

46	Supplies and materials .....	13,038,000
47	Travel .....	683,000
48	Contractual services .....	11,203,000
49	Equipment .....	868,000
50	Fringe benefits .....	61,240,000
51	Indirect costs .....	2,907,000
52		-----
53	Amount available for nonpersonal service..	89,939,000
54		-----
55	Program account subtotal .....	227,257,000
56		-----

57  
58

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 services and expenses of various chil-  
12 dren and families community mental health  
13 services, including transfer to the  
14 department of health to reimburse the  
15 department for the state share of medical  
16 assistance for various community mental  
17 health services. This appropriation antic-  
18 ipates the transfer of funds from the  
19 state education department to the office  
20 of mental health of tuition funds advanced  
21 in previous years and reimbursed by the  
22 child's school district of origin to the  
23 state of New York pursuant to chapter 810  
24 of the laws of 1986 and applicable  
25 provisions of the education law.

26 For payment of state financial assistance,  
27 net of disallowances, for community mental  
28 health programs pursuant to article 41 and  
29 other provisions of the mental hygiene  
30 law. The moneys hereby appropriated for  
31 allocation to local governments and volun-  
32 tary agencies for services are available  
33 to reimburse or advance funds to local  
34 governments and voluntary agencies for  
35 expenditures made or to be made during  
36 local program years commencing January 1,  
37 2010 or July 1, 2010 and for advances for  
38 the period beginning January 1, 2011 for  
39 local governments and voluntary agencies  
40 with program years beginning January 1.

41 Notwithstanding any other provision of law,  
42 and except for transfers to the department  
43 of health to reimburse the department for  
44 the state share of medical assistance  
45 payments and as modified below, this  
46 appropriation shall be available for obli-  
47 gations for the period commencing July 1,  
48 2010 and ending June 30, 2011 and shall be  
49 available for expenditure from July 1,  
50 2010 through September 15, 2011.

51 Notwithstanding any provision of law to the  
52 contrary, the commissioner of the office  
53 of mental health shall be authorized to  
54 continue contracts which were executed on  
55 or before March 31, 2010 with entities  
56 providing services to persons with mental  
57 illness, without any additional require-  
58 ments that such contracts be subject to  
59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 competitive bidding, a request for  
2 proposals process or other administrative  
3 procedures.

4 No expenditures shall be made for such  
5 program prior to the approval of a method-  
6 ology for allocation in accordance with a  
7 plan approved by the commissioner and the  
8 director of the budget with copies to be  
9 filed with the chairpersons of the senate  
10 finance committee and assembly ways and  
11 means committee. Furthermore, no expendi-  
12 ture shall be made until a certificate of  
13 allocation has been approved by the direc-  
14 tor of the budget with copies to be filed  
15 with the chairpersons of the senate  
16 finance committee and the assembly ways  
17 and means committee. The state comptroller  
18 is hereby authorized to receive funds from  
19 the office of mental health that were  
20 returned from providers in the current  
21 fiscal year in respect of a settlement of  
22 local assistance funds from prior fiscal  
23 years, and is authorized to refund such  
24 moneys to the credit of the mental hygiene  
25 program fund account for the purpose of  
26 reimbursing the 2010-11 appropriation.

27 Notwithstanding any inconsistent provision  
28 of law, including section 1 of part C of  
29 chapter 57 of the laws of 2006, as amended  
30 by section 2 of part I of chapter 58 of  
31 the laws of 2008 and part L of chapter 58  
32 of the laws of 2009, for the period  
33 commencing on April 1, 2009 and ending  
34 March 31, 2011 the commissioner shall not  
35 apply any cost of living adjustment for  
36 the purpose of establishing rates of  
37 payments, contracts or any other form of  
38 reimbursement.

39 Notwithstanding any other provision of law  
40 to the contrary, any of the amounts  
41 appropriated herein may be increased or  
42 decreased by interchange or transfer  
43 without limit, with any appropriation of  
44 the office of mental health or by transfer  
45 or suballocation to any department, agency  
46 or public authority for expenditures  
47 incurred in the operation of such programs  
48 with the approval of the director of the  
49 budget who shall file such approval with  
50 the department of audit and control and  
51 copies thereof with the chairman of the  
52 senate finance committee and the chairman  
53 of the assembly ways and means committee:

54 For services and expenses of various commu-  
55 nity mental health non-residential  
56 programs, pursuant to article 41 of the  
57 mental hygiene law, including but not  
58 limited to sections 41.13 and 41.18 ..... 71,372,000

59 For services and expenses of various commu-  
60 nity mental health emergency programs .... 13,684,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses of various commu-  
 2 nity mental health residential programs,  
 3 including but not limited to community  
 4 residences pursuant to sections 41.44 and  
 5 41.38 of the mental hygiene law ..... 2,097,000  
 6 -----  
 7 Program account subtotal ..... 87,153,000  
 8 -----  
 9 -----

10 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT  
 11 PROGRAM ..... 7,766,000  
 12 -----  
 13 -----

14 Special Revenue Funds - Other / Aid to Localities  
 15 Miscellaneous Special Revenue Fund - 339  
 16 Mental Hygiene Program Fund Account

17  
 18 The state comptroller is hereby authorized  
 19 and directed to loan money in accordance  
 20 with the provisions set forth in subdivi-  
 21 sion 5 of section 4 of the state finance  
 22 law to the mental hygiene program fund  
 23 account.

24 For services and expenses of community  
 25 mental health support and workforce rein-  
 26 vestment services pursuant to chapter 62  
 27 of the laws of 2003, including transfer to  
 28 the department of health to reimburse the  
 29 department for the state share of medical  
 30 assistance for various community mental  
 31 health services.

32 Notwithstanding chapter 62 of the laws of  
 33 2003 or any provision of law to the  
 34 contrary, this special revenue appropri-  
 35 ation shall represent the full and  
 36 complete obligation of the state and the  
 37 office of mental health community mental  
 38 health support workforce reinvestment  
 39 program in fiscal year 2010-11.

40 For payment of state financial assistance,  
 41 net of disallowances, for community mental  
 42 health programs pursuant to article 41 and  
 43 other provisions of the mental hygiene  
 44 law. The moneys hereby appropriated for  
 45 allocation to local governments and volun-  
 46 tary agencies for services are available  
 47 to reimburse or advance funds to local  
 48 governments and voluntary agencies for  
 49 expenditures made or to be made during  
 50 local program years commencing January 1,  
 51 2010 or July 1, 2010 and for advances for  
 52 the period beginning January 1, 2011 for  
 53 local governments and voluntary agencies  
 54 with program years beginning January 1.

55 Notwithstanding any other provision of law,  
 56 and except for transfers to the department  
 57 of health to reimburse the department for  
 58 the state share of medical assistance  
 59 payments and as modified below, this  
 60 appropriation shall be available for obli-

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 gations for the period commencing July 1,  
2 2010 and ending June 30, 2011 and shall be  
3 available for expenditure from July 1,  
4 2010 through September 15, 2011.

5 Notwithstanding any provision of law to the  
6 contrary, the commissioner of the office  
7 of mental health shall be authorized to  
8 continue contracts which were executed on  
9 or before March 31, 2010 with entities  
10 providing services to persons with mental  
11 illness, without any additional require-  
12 ments that such contracts be subject to  
13 competitive bidding, a request for  
14 proposals process or other administrative  
15 procedures.

16 No expenditures shall be made for such  
17 program prior to the approval of a method-  
18 ology for allocation in accordance with a  
19 plan approved by the commissioner and the  
20 director of the budget with copies to be  
21 filed with the chairpersons of the senate  
22 finance committee and assembly ways and  
23 means committee. Furthermore, no expendi-  
24 ture shall be made until a certificate of  
25 allocation has been approved by the direc-  
26 tor of the budget with copies to be filed  
27 with the chairpersons of the senate  
28 finance committee and the assembly ways  
29 and means committee. The state comptroller  
30 is hereby authorized to receive funds from  
31 the office of mental health that were  
32 returned from providers in the current  
33 fiscal year in respect of a settlement of  
34 local assistance funds from prior fiscal  
35 years, and is authorized to refund such  
36 moneys to the credit of the mental hygiene  
37 program fund account for the purpose of  
38 reimbursing the 2010-11 appropriation.

39 Notwithstanding any inconsistent provision  
40 of law, including section 1 of part C of  
41 chapter 57 of the laws of 2006, as amended  
42 by section 2 of part I of chapter 58 of  
43 the laws of 2008 and part L of chapter 58  
44 of the laws of 2009, for the period  
45 commencing on April 1, 2009 and ending  
46 March 31, 2011 the commissioner shall not  
47 apply any cost of living adjustment for  
48 the purpose of establishing rates of  
49 payments, contracts or any other form of  
50 reimbursement.

51 Notwithstanding any other provision of law  
52 to the contrary, any of the amounts  
53 appropriated herein may be increased or  
54 decreased by interchange or transfer  
55 without limit, with any appropriation of  
56 the office of mental health or by transfer  
57 or suballocation to any department, agency  
58 or public authority for expenditures  
59 incurred in the operation of such programs  
60 with the approval of the director of the

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 budget who shall file such approval with  
2 the department of audit and control and  
3 copies thereof with the chairman of the  
4 senate finance committee and the chairman  
5 of the assembly ways and means committee:  
6 For services and expenses of various adult  
7 community mental health residential  
8 programs ..... 7,766,000  
9 -----  
10  
11 ENHANCED COMMUNITY SERVICES PROGRAM ..... 500,000  
12 -----  
13  
14 Special Revenue Funds - Other / Aid to Localities  
15 HCRA Resources Fund - 061  
16 Enhanced Community Services Account  
17  
18 For transfer to the department of health  
19 comprehensive care center for eating  
20 disorders development fund ..... 500,000  
21 -----  
22  
23 FORENSIC SERVICES PROGRAM ..... 251,915,000  
24 -----  
25  
26 Special Revenue Funds - Other / State Operations  
27 Miscellaneous Special Revenue Fund - 339  
28 Mental Hygiene Program Fund Account  
29  
30 Notwithstanding any other provision of law  
31 to the contrary, any of the amounts  
32 appropriated herein may be increased or  
33 decreased by interchange or transfer  
34 without limit, with any appropriation of  
35 the office of mental health or by transfer  
36 or suballocation to any department, agency  
37 or public authority for expenditures  
38 incurred in the operation of such programs  
39 with the approval of the director of the  
40 budget who shall file such approval with  
41 the department of audit and control and  
42 copies thereof with the chairman of the  
43 senate finance committee and the chairman  
44 of the assembly ways and means committee.  
45 Notwithstanding any other provision of law  
46 to the contrary, funds appropriated under  
47 this program shall not be used for the  
48 payment of tolls at the Robert F. Kennedy  
49 bridge, for vehicles driven by persons  
50 commuting to and from work who are  
51 employed at facilities located on Ward's  
52 island operated by the department of  
53 mental hygiene. The state comptroller is  
54 hereby authorized and directed to loan  
55 money in accordance with the provisions  
56 set forth in subdivision 5 of section 4 of  
57 the state finance law to the mental  
58 hygiene program fund account.  
59  
60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1		PERSONAL SERVICE	
2			
3	Personal service--regular .....	133,001,000	
4	Temporary service .....	2,484,000	
5	Holiday/overtime compensation .....	16,050,000	
6		-----	
7	Amount available for personal service ....	151,535,000	
8		-----	
9			
10		NONPERSONAL SERVICE	
11			
12	Supplies and materials .....	13,978,000	
13	Travel .....	943,000	
14	Contractual services .....	6,320,000	
15	Equipment .....	467,000	
16	Fringe benefits .....	69,227,000	
17	Indirect costs .....	9,445,000	
18		-----	
19	Amount available for nonpersonal service..	100,380,000	
20		-----	
21			
22	RESEARCH IN MENTAL ILLNESS PROGRAM .....		87,868,000
23			-----
24			
25	Special Revenue Funds - Other / State Operations		
26	Miscellaneous Special Revenue Fund - 339		
27	OMH-Research Recovery Account		
28			
29	For services and expenses to support central		
30	administration, research associates,		
31	equipment provided through external		
32	grants, travel, conference expenses,		
33	including the annual research conference,		
34	contractual services, grant writers to		
35	increase income from non-state sources,		
36	and other research initiatives. Funding		
37	will be provided through research founda-		
38	tion for mental hygiene, inc. resources,		
39	including, but not limited to, indirect		
40	costs recoveries, direct grant reimburse-		
41	ment, interest earnings and operating		
42	balances.		
43			
44		PERSONAL SERVICE	
45			
46	Personal service--regular .....	1,915,000	
47		-----	
48			
49		NONPERSONAL SERVICE	
50			
51	Contractual services .....	4,665,000	
52	Fringe benefits .....	650,000	
53		-----	
54	Amount available for nonpersonal service..	5,315,000	
55		-----	
56	Program account subtotal .....	7,230,000	
57		-----	
58			
59			



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 to the contrary, any of the amounts  
 7 appropriated herein may be increased or  
 8 decreased by interchange or transfer  
 9 without limit, with any appropriation of  
 10 the office of mental health or by transfer  
 11 or suballocation to any department, agency  
 12 or public authority for expenditures  
 13 incurred in the operation of such programs  
 14 with the approval of the director of the  
 15 budget who shall file such approval with  
 16 the department of audit and control and  
 17 copies thereof with the chairman of the  
 18 senate finance committee and the chairman  
 19 of the assembly ways and means committee.

20 Notwithstanding any other provision of law  
 21 to the contrary, funds appropriated under  
 22 this program shall not be used for the  
 23 payment of tolls at the Robert F. Kennedy  
 24 bridge, for vehicles driven by persons  
 25 commuting to and from work who are  
 26 employed at facilities located on Ward's  
 27 island operated by the department of  
 28 mental hygiene. The state comptroller is  
 29 hereby authorized and directed to loan  
 30 money in accordance with the provisions  
 31 set forth in subdivision 5 of section 4 of  
 32 the state finance law to the mental  
 33 hygiene program fund account.  
 34

PERSONAL SERVICE

35  
 36  
 37 Personal service--regular ..... 46,169,000  
 38 Temporary service ..... 86,000  
 39 Holiday/overtime compensation ..... 968,000

40 -----  
 41 Amount available for personal service .... 47,223,000  
 42 -----

NONPERSONAL SERVICE

43  
 44  
 45 Supplies and materials ..... 4,229,000  
 46 Travel ..... 114,000  
 47 Contractual services ..... 4,743,000  
 48 Equipment ..... 104,000  
 49 Fringe benefits ..... 21,154,000  
 50 Indirect costs ..... 3,071,000

51 -----  
 52  
 53 Amount available for nonpersonal service.. 33,415,000  
 54 -----

55 Program account subtotal ..... 80,638,000  
 56 -----

57  
 58 Total new appropriations for state operations and aid to  
 59 localities ..... 3,412,477,000  
 60 =====

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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 2009:  
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 By chapter 54, section 1, of the laws of 2008:  
12 Personal service ... 814,000 ..... (re. \$482,000)  
13 Nonpersonal service ... 178,000 ..... (re. \$106,000)  
14 Fringe benefits ... 366,000 ..... (re. \$133,000)  
15  
16 ADULT SERVICES 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 services and expenses to support a public awareness and education  
23 campaign specifically focused on suicide prevention among young  
24 Latina and elderly Asian women. The office of mental health shall  
25 contract through a request for proposal process with organizations  
26 with demonstrated experience in outreach to non-English speaking  
27 communities. The selected organizations shall partner with communi-  
28 ty-based organizations with experience providing mental health  
29 services to Latina, East Asian, South Asian, Southeast Asian, and  
30 Pacific Islander communities ... 1,000,000 ..... (re. \$600,000)  
31 For grants to community-based organizations providing support to  
32 parents with psychiatric disabilities. The office of mental health  
33 shall contract through a request for proposal process with communi-  
34 ty-based organizations for services and expenses of the following  
35 programs: (a) programs offering counseling services and parenting  
36 skills that enable individuals to be more effective parents and (b)  
37 programs providing training for legal professionals to recognize  
38 psychiatric disabilities in parents and connect such parents to  
39 services that enhance their parenting skills in an effort to prevent  
40 their children from entering the child welfare system. Of the amount  
41 appropriated herein no less than \$200,000 and up to \$350,000 shall  
42 be made available for transfer to the Commission on Quality of Care  
43 and Advocacy for Persons with Disabilities to increase legal  
44 services for parents with psychiatric disabilities through a request  
45 for proposal process ... 850,000 ..... (re. \$550,000)  
46 For services and expenses associated with a needs based request for  
47 proposals initiative assist community recovery providers efforts in  
48 critical physical plant improvements, transportation amelioration  
49 and/or renovation and rehabilitation enhancements .....  
50 500,000 ..... (re. \$500,000)  
51  
52 By chapter 54, section 1, of the laws of 2006:  
53 For services and expenses related to the addition of a minimum of 55  
54 scattered site supported apartments and attendant services to  
55 provide independent housing for persons with serious mental illness  
56 currently residing in impacted adult homes .....  
57 810,000 ..... (re. \$810,000)  
58 For services and expenses of contracts with municipalities, educa-  
59 tional institutions and/or not-for-profit agencies:  
60 Eating Disorders program initiatives ... 300,000 ..... (re. \$85,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2005:  
 2 For services and expenses of contracts with municipalities and/or  
 3 not-for-profit agencies:  
 4 Hospital audiences ... 175,000 ..... (re. \$10,000)  
 5 Mental Health Projects ... 350,000 ..... (re. \$5,000)  
 6  
 7 Special Revenue Funds - Federal / Aid to Localities  
 8 Federal Health and Human Services Fund - 265  
 9

10 By chapter 54, section 1, of the laws of 2009:  
 11 For programs to assist and transition from homelessness (PATH) grants.  
 12 Notwithstanding any inconsistent provision of law, a portion of this  
 13 appropriation, consistent with the terms and conditions of the PATH  
 14 grant, may be transferred to other programs within the office of  
 15 mental health for aid to localities, administrative and support  
 16 services, including fringe benefits, associated with the grant .....  
 17 4,800,000 ..... (re. \$4,234,000)  
 18 For services and expenses related to adult mental health services  
 19 funded by the community mental health services block grant.  
 20 Notwithstanding any inconsistent provision of law, a portion of this  
 21 appropriation, consistent with the terms and conditions of the block  
 22 grant, may be transferred to other programs within the office of  
 23 mental health for aid to localities, administrative and support  
 24 services, including fringe benefits, associated with the federal  
 25 block grant ... 16,777,000 ..... (re. \$8,285,000)  
 26 For services and expenses associated with federal grant awards yet to  
 27 be allocated by the federal department of health and human services.  
 28 Notwithstanding any inconsistent provision of law, the director of  
 29 the budget is hereby authorized to transfer appropriation authority  
 30 contained herein to any other federal fund or program within the  
 31 office of mental health services for aid to localities,  
 32 administrative and support services, including fringe benefits,  
 33 associated with the awarded grant ... 1,200,000 ... (re. \$1,200,000)  
 34

35 By chapter 54, section 1, of the laws of 2008:  
 36 For programs to assist and transition from homelessness (PATH) grants.  
 37 Notwithstanding any inconsistent provision of law, a portion of this  
 38 appropriation, consistent with the terms and conditions of the PATH  
 39 grant, may be transferred to other programs within the office of  
 40 mental health for aid to localities, administrative and support  
 41 services, including fringe benefits, associated with the grant .....  
 42 4,287,000 ..... (re. \$3,095,000)  
 43  
 44 Special Revenue Funds - Federal / Aid to Localities  
 45 Federal Operating Grants Fund - 290  
 46

47 By chapter 54, section 1, of the laws of 2009:  
 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 CHILDREN AND YOUTH SERVICES PROGRAM  
 55  
 56 General Fund / Aid to Localities  
 57 Local Assistance Account - 001  
 58  
 59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,  
2 section 3, of the laws of 2009:  
3 North Country Children's Mental Health Programs .....  
4 75,000 ..... (re. \$75,000)  
5  
6 By chapter 54, section 1, of the laws of 2006:  
7 For new and existing family support providers to work with and  
8 strengthen families of children being admitted to and/or currently  
9 receiving treatment from or soon to be discharged from mental health  
10 services, including but not limited to residential treatment facili-  
11 ties, community residences, hospitals, day treatment programs and  
12 home and community-based waiver programs .....  
13 1,000,000 ..... (re. \$1,000,000)  
14  
15 Special Revenue Funds - Federal / Aid to Localities  
16 Federal Health and Human Services Fund - 265  
17  
18 By chapter 54, section 1, of the laws of 2009:  
19 For services and expenses related to children's mental health services  
20 funded by the community mental health services block grant.  
21 Notwithstanding any inconsistent provision of law, a portion of this  
22 appropriation, consistent with the terms and conditions of the block  
23 grant, may be transferred to other programs within the office of  
24 mental health for aid to localities, administrative and support  
25 services, including fringe benefits, associated with the federal  
26 block grant ... 7,062,000 ..... (re. \$4,822,000)  
27  
28 Total reappropriations for state operations and aid to  
29 localities ..... 35,350,000  
30 =====  
31

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2010-11

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

4		
5	Capital Projects Fund .....	37,600,000
6	Mental Hygiene Capital Improvement Fund .....	196,691,000
7		-----
8	All Funds .....	234,291,000
9		=====

10		
11	COMMUNITY MENTAL HEALTH FACILITIES (CCP) .....	11,639,000
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 (50101089) ..... 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 (50121050) ..... 639,000

51  
52 Preservation of Facilities Purpose

53  
54 For the acquisition of property,  
55 construction and rehabilitation of new  
56 facilities and/or relocation of existing  
57 community mental health facilities under  
58 the auspice of municipalities and other  
59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2010-11

1 public and not-for-profit agencies,  
 2 approved by the commissioner of the  
 3 office of mental health, pursuant to  
 4 article 41 of the mental hygiene law  
 5 (50231003) ..... 5,000,000  
 6  
 7 DESIGN AND CONSTRUCTION SUPERVISION (CCP) ..... 14,000,000  
 8 -----  
 9

10 Capital Projects Fund

11  
12 Preparation of Plans Purpose

13  
 14 For payment to the design and construction  
 15 management account of the centralized  
 16 services fund of the New York state  
 17 office of general services or to the  
 18 dormitory authority of the state of New  
 19 York for the purpose of preparation and  
 20 review of plans, specifications, esti-  
 21 mates, services, construction management  
 22 and supervision, inspection, studies,  
 23 appraisals, surveys, testing and envi-  
 24 ronmental impact statements for new and  
 25 existing projects. Upon approval of the  
 26 director of the budget, funds from this  
 27 appropriation may be transferred to the  
 28 office of mental retardation and devel-  
 29 opmental disabilities and the office of  
 30 alcoholism and substance abuse services  
 31 for payment to the dormitory authority  
 32 of the state of New York for preparation  
 33 of plans purpose (50DC1030) ..... 2,000,000  
 34

35 Mental Hygiene Capital Improvement Fund - 389

36  
37 Preparation of Plans Purpose

38  
 39 For payment to the design and construction  
 40 management account of the centralized  
 41 services fund of the New York state  
 42 office of general services or to the  
 43 dormitory authority of the state of New  
 44 York for the purpose of preparation and  
 45 review of plans, specifications, esti-  
 46 mates, services, construction management  
 47 and supervision, inspection, studies,  
 48 appraisals, surveys, testing and envi-  
 49 ronmental impact statements for new and  
 50 existing projects. Upon request of the  
 51 commissioner of mental health and  
 52 approval by the director of the budget,  
 53 this appropriation may be transferred to  
 54 the dormitory authority of the state of  
 55 New York. Upon approval of the director  
 56 of the budget, funds from this appropri-  
 57 ation may be transferred to the office  
 58 of mental retardation and developmental  
 59

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2010-11

1 disabilities and the office of alcohol-

2 ism and substance abuse services for

3 payment to the dormitory authority of

4 the state of New York for preparation of

5 plans purpose (50311030) ..... 12,000,000

6

7 EXECUTIVE DIRECTION (CCP) ..... 3,717,000

8 -----

9

10 Mental Hygiene Capital Improvement Fund - 389

11

12 Administration Purpose

13

14 For payment of personal service and

15 nonpersonal service, including fringe

16 benefits, related to the administration

17 of the capital programs provided by the

18 office of mental health for new and

19 reappropriated state operated institu-

20 tional capital projects. Upon request of

21 the commissioner of mental health and

22 approval by the director of the budget,

23 this appropriation may be transferred to

24 the dormitory authority of the state of

25 New York (50991050) ..... 3,717,000

26

27 MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) . 203,935,000

28 -----

29

30 Capital Projects Fund

31

32 Energy Conservation Purpose

33

34 For payment of the cost of construction,

35 reconstruction and improvements, includ-

36 ing the preparation of designs, plans,

37 specifications and estimates for energy

38 conservation improvements to existing

39 facilities and programs. Upon request of

40 the commissioner of mental health and

41 approval by the director of the budget,

42 this appropriation may be transferred to

43 the dormitory authority of the state of

44 New York (50051005) ..... 4,500,000

45

46 Environmental Protection or Improvements Purpose

47

48 For payment of the cost of construction,

49 reconstruction and improvements, includ-

50 ing the preparation of designs, plans,

51 specifications and estimates for envi-

52 ronmental protection (50EP1006) ..... 4,100,000

53

54 Health and Safety Purpose

55

56 For payment of the cost of construction,

57 reconstruction and improvements, includ-

58 ing the preparation of designs, plans,

59 specifications and estimates, for health

60 and safety improvements to existing

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1 facilities and programs, provided,  
 2 however, that no expenditures may be  
 3 made from this appropriation until a  
 4 comprehensive plan of projects has been  
 5 approved by the director of the budget.  
 6 Upon request of the commissioner of  
 7 mental health and approval by the direc-  
 8 tor of the budget, this appropriation  
 9 may be transferred to the dormitory  
 10 authority of the state of New York  
 11 (50HS1001) ..... 6,000,000

12  
13 Preservation of Facilities Purpose

14  
 15 For payment of the cost of construction,  
 16 reconstruction and improvements, includ-  
 17 ing the preparation of designs, plans,  
 18 specifications and estimates to existing  
 19 facilities and programs, provided,  
 20 however, that no expenditures may be  
 21 made from this appropriation until a  
 22 comprehensive plan of projects has been  
 23 approved by the director of the budget  
 24 (50PF1003) ..... 14,000,000

25  
26 Mental Hygiene Capital Improvement Fund - 389

27  
28 Accreditation Purpose

29  
 30 For payment of the cost of land acquisi-  
 31 tion, construction, reconstruction and  
 32 improvements, including the preparation  
 33 of designs, plans, specifications and  
 34 estimates related to accreditation  
 35 improvements to existing facilities and  
 36 programs. This appropriation may be used  
 37 for payment of personal service, indi-  
 38 rect cost recovery, and fringe benefit  
 39 costs associated with New York State  
 40 employees assigned to such capital  
 41 projects. Upon request of the commis-  
 42 sioner of mental health and approval by  
 43 the director of the budget, this appro-  
 44 priation may be transferred to the  
 45 dormitory authority of the state of New  
 46 York (50061002) ..... 9,565,000

47  
48 Environmental Protection or Improvements Purpose

49  
 50 For payment of the cost of construction,  
 51 reconstruction and improvements, includ-  
 52 ing the preparations of designs, plans,  
 53 specifications and estimates for envi-  
 54 ronmental protection. Upon request of  
 55 the commissioner of mental health and  
 56 approval by the director of the budget,  
 57 this appropriation may be transferred to  
 58 the dormitory authority of the state of  
 59 New York (50061006) ..... 1,000,000



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CAPITAL PROJECTS 2010-11

1 Health and Safety Purpose  
2  
3 For payment of the cost of construction,  
4 reconstruction and improvements, includ-  
5 ing the preparation of designs, plans,  
6 specifications and estimates, for health  
7 and safety improvements to existing  
8 facilities and programs, provided,  
9 however, that no expenditures may be  
10 made from this appropriation until a  
11 comprehensive plan of projects has been  
12 approved by the director of the budget.  
13 This appropriation may be used for  
14 payment of personal service, indirect  
15 cost recovery, and fringe benefit costs  
16 associated with New York State employees  
17 assigned to such capital projects. Upon  
18 request of the commissioner of mental  
19 health and approval by the director of  
20 the budget, this appropriation may be  
21 transferred to the dormitory authority  
22 of the state of New York (50011001) .... 37,066,000  
23  
24 Preservation of Facilities Purpose  
25  
26 For payment of the cost of construction,  
27 reconstruction and improvements, includ-  
28 ing the preparation of designs, plans,  
29 specifications and estimates, and minor  
30 rehabilitation and improvements for the  
31 preservation of existing facilities and  
32 programs, provided, however, that no  
33 expenditures may be made from this  
34 appropriation until a comprehensive plan  
35 of projects has been approved by the  
36 director of the budget. This appropri-  
37 ation may be used for payment of  
38 personal service, indirect cost recov-  
39 ery, and fringe benefit costs associated  
40 with New York State employees assigned  
41 to such capital projects. Upon request  
42 of the commissioner of mental health and  
43 approval by the director of the budget,  
44 this appropriation may be transferred to  
45 the dormitory authority of the state of  
46 New York (50031003) ..... 110,767,000  
47  
48 Program Improvement or Program Change Purpose  
49  
50 For payment of the cost of construction,  
51 reconstruction and improvements, includ-  
52 ing the preparation of designs, plans,  
53 specifications and estimates related to  
54 improvements or changes to existing  
55 facilities and programs. Upon request of  
56 the commissioner of mental health and  
57 approval by the director of the budget,  
58 this appropriation may be transferred to  
59 the dormitory authority of the state of  
60 New York (50081008) ..... 16,937,000

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CAPITAL PROJECTS 2010-11

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, 2010 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	(502910NB) .....	1,000,000
24		

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

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 2009:

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 (50100989) .....  
17 6,000,000 ..... (re. \$6,000,000)

18

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

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 (50100889) .....  
29 6,000,000 ..... (re. \$6,000,000)

30

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

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 (50100789) .....  
41 6,000,000 ..... (re. \$6,000,000)

42

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

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 (50100689) .....  
53 6,000,000 ..... (re. \$4,843,000)

54

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

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 (50100589) .....  
 5 6,000,000 ..... (re. \$3,061,000)  
 6

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

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 (50100489) .....  
 17 6,000,000 ..... (re. \$2,645,000)  
 18

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

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 (50100389) .....  
 29 7,000,000 ..... (re. \$3,288,000)  
 30

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

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 (50100289) .....  
 41 6,000,000 ..... (re. \$1,199,000)  
 42

43 New Facilities Purpose

44  
45 By chapter 54, section 1, of the laws of 1998:

46 State aid to not-for-profit agencies for acquisition of property,  
 47 construction and rehabilitation of 200 supported/SRO beds, approved  
 48 by the commissioner of the office of mental health, pursuant to  
 49 Article 41 of the mental hygiene law. The moneys hereby appropriated  
 50 shall be available for payment of state aid grants for up to 50 per  
 51 centum of the reasonable capital costs of those premises acquired,  
 52 constructed or rehabilitated for the purpose of housing mentally ill  
 53 persons (3/99) (50139807) ... 8,000,000 ..... (re. \$3,062,000)  
 54

55 By chapter 54, section 1, of the laws of 1994, for:

56 State aid to municipalities and other public and not-for-profit  
 57 private agencies for acquisition of property, design, construction  
 58 and rehabilitation of community mental health facilities and associ-  
 59 ated programs including, but not limited to, article 28 or article  
 60

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 31 community mental health facilities or supported housing beds, and  
2 for state aid grants for facilities intended to serve mentally ill  
3 persons (50239407) ... 16,070,000 ..... (re. \$580,000)

4  
5 Mental Hygiene Capital Improvement Fund - 389

6  
7  
8 New Facilities Purpose

9  
10 By chapter 54, section 1, of the laws of 2008:

11 For payment to municipalities and not-for-profit community providers  
12 for the acquisition of property, design, construction and rehabili-  
13 tation of housing for mentally ill persons. To the extent that any  
14 portion of such appropriation is utilized to develop housing in any  
15 city having a population of one million or more, that portion of the  
16 appropriation shall be matched on a 50/50 basis (50VY0807) .....  
17 145,000,000 ..... (re. \$145,000,000)

18  
19 By chapter 54, section 1, of the laws of 2007:

20 For payment to municipalities and not-for-profit community providers  
21 for the acquisition of property, design, construction and rehabili-  
22 tation of housing for mentally ill persons. To the extent that any  
23 portion of such appropriation is utilized to develop housing in any  
24 city having a population of one million or more, that portion of the  
25 appropriation shall be matched on a 50/50 basis (50VY0707) .....  
26 200,000,000 ..... (re. \$200,000,000)

27  
28 By chapter 54, section 1, of the laws of 2006:

29 For payment to municipalities and other public and not-for-profit  
30 community providers approved by the commissioner of the office of  
31 mental health, pursuant to mental hygiene law, for the acquisition  
32 of property, construction and rehabilitation of supportive housing  
33 for mentally ill homeless persons (50VY0607) .....  
34 211,000,000 ..... (re. \$171,354,000)

35  
36 By chapter 54, section 1, of the laws of 2005:

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 up  
40 to eighty percent shall be matched on a 50/50 basis (50VY0507) .....  
41 75,000,000 ..... (re. \$46,808,000)

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

44 For payment to municipalities and not-for-profit community providers  
45 for the acquisition of property, design, construction and rehabili-  
46 tation of housing for mentally ill persons. Of such appropriation up  
47 to eighty percent shall be matched on a 50/50 basis (50VY0307) .....  
48 65,000,000 ..... (re. \$33,930,000)

49  
50 By chapter 54, section 1, of the laws of 1999:

51 For payment to municipalities and not-for-profit community providers  
52 for the acquisition of property, design, construction and rehabili-  
53 tation of housing for mentally ill persons. Of such appropriation  
54 eighty percent shall be matched on a 50/50 basis and twenty percent  
55 shall not require a match (50VY9907) .....  
56 50,000,000 ..... (re. \$21,998,000)

57  
58

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 1998:  
 2 For payment to municipalities and not-for-profit community providers  
 3 for the acquisition of property, design, construction and rehabili-  
 4 tation of SRO/supportive housing for mentally ill homeless persons,  
 5 to be matched on a 50/50 basis (50279807) .....  
 6 40,000,000 ..... (re. \$762,000)  
 7

8 By chapter 54, section 1, of the laws of 1993, as amended by chapter 54,  
 9 section 1, of the laws of 1996:  
 10 For the acquisition of property, construction and rehabilitation of  
 11 article 31 community mental health facilities and associated  
 12 programs and facilities under the auspice of municipalities and  
 13 other public and not-for-profit private agencies, approved by the  
 14 commissioner of the office of mental health, pursuant to article 41  
 15 of the mental hygiene law. The funds hereby appropriated shall be  
 16 used for the acquisition of property, construction and rehabili-  
 17 tation of community facilities (50149307) .....  
 18 42,000,000 ..... (re. \$1,211,000)

19 For acquisition of property, design, construction and rehabilitation  
 20 of community facilities under the auspice of municipalities and  
 21 other public and not-for-profit private agencies approved by the  
 22 commissioner of the office of mental health, pursuant to article 41  
 23 of the mental hygiene law. The funds hereby appropriated shall be  
 24 available for the costs of those portions of acquired, constructed  
 25 or rehabilitated facilities intended to house mentally ill persons.  
 26 All disbursements from funds apportioned from this appropriation  
 27 shall, for bonding purposes, be considered disbursements of the  
 28 Mental Hygiene Capital Improvement Fund (50139307) .....  
 29 13,000,000 ..... (re. \$594,000)  
 30

31 By chapter 54, section 1, of the laws of 1990:  
 32 For the acquisition of property, construction and rehabilitation of  
 33 article 31 community mental health facilities under the auspice of  
 34 municipalities and other public and not-for-profit private agencies  
 35 approved by the commissioner of the office of mental health, pursu-  
 36 ant to article 41 of the Mental Hygiene Law. Notwithstanding any  
 37 inconsistent provision of law to the contrary, these funds may be  
 38 expended for personal service and non-personal service, including  
 39 fringe benefits, related to the administration of projects financed  
 40 through the issuance of medical care facilities finance agency  
 41 mental health services facilities improvement bonds authorized by  
 42 this appropriation or any prior appropriation in force. The funds  
 43 hereby appropriated shall be made available in accordance with a  
 44 comprehensive plan for proposed projects approved by the director of  
 45 the budget, and pursuant to a certificate of approval of availabili-  
 46 ty issued by the director of the budget with copies of the certifi-  
 47 cate filed with the state comptroller, the chairperson of the  
 48 senate finance committee and the chairperson of the assembly ways  
 49 and means committee (50109007) ... 30,000,000 ..... (re. \$2,338,000)  
 50

51 Preservation of Facilities Purpose

52  
 53 By chapter 54, section 1, of the laws of 2009:  
 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 (50230903) ... 5,000,000 ..... (re. \$5,000,000)  
 60

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2008:  
 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 (50230803) ... 28,000,000 ..... (re. \$28,000,000)

8  
 9 By chapter 54, section 1, of the laws of 2007:  
 10 For the acquisition of property, construction and rehabilitation of  
 11 new facilities and/or relocation of existing community mental health  
 12 facilities under the auspice of municipalities and other public and  
 13 not-for-profit agencies, approved by the commissioner of the office  
 14 of mental health, pursuant to article 41 of the mental hygiene law  
 15 (50230703) ... 112,000,000 ..... (re. \$94,737,000)

16  
 17 By chapter 54, section 1, of the laws of 2006:  
 18 For the acquisition of property, construction and rehabilitation of  
 19 new facilities and/or relocation of existing community mental health  
 20 facilities under the auspice of municipalities and other public and  
 21 not-for-profit agencies, approved by the commissioner of the office  
 22 of mental health, pursuant to article 41 of the mental hygiene law  
 23 (50230603) ... 15,000,000 ..... (re. \$8,505,000)

24  
 25  
 26 By chapter 54, section 1, of the laws of 2001:  
 27 For the acquisition of property, construction, rehabilitation and/or  
 28 relocation of existing community mental health facilities under the  
 29 auspice of municipalities and other public and not-for-profit agen-  
 30 cies, approved by the commissioner of the office of mental health,  
 31 pursuant to article 41 of the mental hygiene law (50230103) .....  
 32 5,000,000 ..... (re. \$226,000)

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 2009:  
 41  
 42 For payment to the design and construction management account of the  
 43 centralized services fund of the New York state office of general  
 44 services or to the dormitory authority of the state of New York for  
 45 the purpose of preparation and review of plans, specifications,  
 46 estimates, services, construction management and supervision,  
 47 inspection, studies, appraisals, surveys, testing and environmental  
 48 impact statements for new and existing projects. Upon approval of  
 49 the director of the budget, funds from this appropriation may be  
 50 transferred to the office of mental retardation and developmental  
 51 disabilities and the office of alcoholism and substance abuse  
 52 services for payment to the dormitory authority of the state of New  
 53 York for preparation of plans purpose (50DC0930) .....  
 54 2,000,000 ..... (re. \$2,000,000)

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 Mental Hygiene Capital Improvement Fund - 389

2

3 Preparation of Plans Purpose

4

5 By chapter 54, section 1, of the laws of 2009:

6 For payment to the design and construction management account of the  
7 centralized services fund of the New York state office of general  
8 services or to the dormitory authority of the state of New York for  
9 the purpose of preparation and review of plans, specifications,  
10 estimates, services, construction management and supervision,  
11 inspection, studies, appraisals, surveys, testing and environmental  
12 impact statements for new and existing projects. 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. Upon approval of the director of  
16 the budget, funds from this appropriation may be transferred to the  
17 office of mental retardation and developmental disabilities and the  
18 office of alcoholism and substance abuse services for payment to the  
19 dormitory authority of the state of New York for preparation of  
20 plans purpose (50310930) ... 12,000,000 ..... (re. \$12,000,000)

21

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

23 For payment to the design and construction management account of the  
24 centralized services fund of the New York state office of general  
25 services or to the dormitory authority of the state of New York for  
26 the purpose of preparation and review of plans, specifications,  
27 estimates, services, construction management and supervision,  
28 inspection, studies, appraisals, surveys, testing and environmental  
29 impact statements for new and existing projects. Upon request of the  
30 commissioner of mental health and approval by the director of the  
31 budget, this appropriation may be transferred to the dormitory  
32 authority of the state of New York. Upon approval of the director of  
33 the budget, funds from this appropriation may be transferred to the  
34 office of mental retardation and developmental disabilities and the  
35 office of alcoholism and substance abuse services for payment to the  
36 dormitory authority of the state of New York for preparation of  
37 plans purpose (50310830) ... 12,000,000 ..... (re. \$4,000,000)

38

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

40 For payment to the design and construction management account of the  
41 centralized services fund of the New York state office of general  
42 services or to the dormitory authority of the state of New York for  
43 the purpose of preparation and review of plans, specifications,  
44 estimates, services, construction management and supervision,  
45 inspection, studies, appraisals, surveys, testing and environmental  
46 impact statements for new and existing projects. Upon request of the  
47 commissioner of mental health and approval by the director of the  
48 budget, this appropriation may be transferred to the dormitory  
49 authority of the state of New York. Upon approval of the director of  
50 the budget, funds from this appropriation may be transferred to the  
51 office of mental retardation and developmental disabilities and the  
52 office of alcoholism and substance abuse services for payment to the  
53 dormitory authority of the state of New York for preparation of  
54 plans purpose (50310730) ... 12,000,000 ..... (re. \$5,457,000)

55

56



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1 By chapter 54, section 1, of the laws of 2006:  
 2 For payment to the design and construction management account of the  
 3 centralized services fund of the New York state office of general  
 4 services or to the dormitory authority of the state of New York for  
 5 the purpose of preparation and review of plans, specifications,  
 6 estimates, services, construction management and supervision,  
 7 inspection, studies, appraisals, surveys, testing and environmental  
 8 impact statements for new and existing projects. Upon request of the  
 9 commissioner of mental health and approval by the director of the  
 10 budget, this appropriation may be transferred to the dormitory  
 11 authority of the state of New York. Upon approval of the director of  
 12 the budget, funds from this appropriation may be transferred to the  
 13 office of mental retardation and developmental disabilities and the  
 14 office of alcoholism and substance abuse services for payment to the  
 15 dormitory authority of the state of New York for preparation of  
 16 plans purpose (50310630) ... 8,000,000 ..... (re. \$2,000,000)  
 17

18 By chapter 54, section 1, of the laws of 2005:  
 19 For payment to the design and construction management account of the  
 20 centralized services fund of the New York state office of general  
 21 services or to the dormitory authority of the state of New York for  
 22 the purpose of preparation and review of plans, specifications,  
 23 estimates, services, construction management and supervision,  
 24 inspection, studies, appraisals, surveys, testing and environmental  
 25 impact statements for new and existing projects. Upon request of the  
 26 commissioner of mental health 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 approval of the director of  
 29 the budget, funds from this appropriation may be transferred to the  
 30 office of mental retardation and developmental disabilities and the  
 31 office of alcoholism and substance abuse services for payment to the  
 32 dormitory authority of the state of New York for preparation of  
 33 plans purpose (50310530) ... 8,000,000 ..... (re. \$1,885,000)  
 34

35 By chapter 54, section 1, of the laws of 2004:  
 36 For payment to the design and construction management account of the  
 37 centralized services fund of the New York state office of general  
 38 services or to the dormitory authority of the state of New York for  
 39 the purpose of preparation and review of plans, specifications,  
 40 estimates, services, construction management and supervision,  
 41 inspection, studies, appraisals, surveys, testing and environmental  
 42 impact statements for new and existing projects. Upon request of the  
 43 commissioner of mental health and approval by the director of the  
 44 budget, this appropriation may be transferred to the dormitory  
 45 authority of the state of New York. Upon approval of the director of  
 46 the budget, funds from this appropriation may be transferred to the  
 47 office of mental retardation and developmental disabilities and the  
 48 office of alcoholism and substance abuse services for payment to the  
 49 dormitory authority of the state of New York for preparation of  
 50 plans purpose (50310430) ... 8,000,000 ..... (re. \$2,563,000)  
 51

52 EXECUTIVE DIRECTION (CCP)  
 53  
 54 Mental Hygiene Capital Improvement Fund - 389  
 55  
 56 Administration Purpose  
 57

58 By chapter 54, section 1, of the laws of 2009:  
 59 For payment of personal service and nonpersonal service, including  
 60 fringe benefits, related to the administration of the capital

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 programs provided by the office of mental health for new and  
 2 reappropriated state operated institutional capital projects. Upon  
 3 request of the commissioner of mental health and approval by the  
 4 director of the budget, this appropriation may be transferred to the  
 5 dormitory authority of the state of New York (50990950) .....  
 6 3,717,000 ..... (re. \$3,717,000)  
 7

8 By chapter 54, section 1, of the laws of 2008:  
 9 For payment of personal service and nonpersonal service, including  
 10 fringe benefits, related to the administration of the capital  
 11 programs provided by the office of mental health for new and reap-  
 12 propriated state operated institutional capital projects. Upon  
 13 request of the commissioner of mental health and approval by the  
 14 director of the budget, this appropriation may be transferred to the  
 15 dormitory authority of the state of New York (50990850) .....  
 16 3,717,000 ..... (re. \$1,976,000)  
 17

18 By chapter 54, section 1, of the laws of 2004, as amended by chapter 54,  
 19 section 1, of the laws of 2005, as supplemented by a certificate of  
 20 transfer:  
 21 For payment of personal service and nonpersonal service, including  
 22 fringe benefits, related to the administration of the capital  
 23 programs provided by the office of mental health for new and reap-  
 24 propriated state operated institutional capital projects. Upon  
 25 request of the commissioner of mental health and approval by the  
 26 director of the budget, this appropriation may be transferred to the  
 27 dormitory authority of the state of New York (50990450) .....  
 28 3,591,000 ..... (re. \$428,000)  
 29

30 MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

31  
 32 Capital Projects Fund  
 33  
 34 Energy Conservation Purpose  
 35

36 By chapter 54, section 1, of the laws of 2009:  
 37 For payment of the cost of construction, reconstruction and  
 38 improvements, including the preparation of designs, plans,  
 39 specifications and estimates for energy conservation improvements to  
 40 existing facilities and programs. Upon request of the commissioner  
 41 of mental health and approval by the director of the budget, this  
 42 appropriation may be transferred to the dormitory authority of the  
 43 state of New York (50050905) ... 4,500,000 ..... (re. \$4,500,000)  
 44

45 By chapter 54, section 1, of the laws of 2008:  
 46 For payment of the cost of construction, reconstruction and improve-  
 47 ments, including the preparation of designs, plans, specifications  
 48 and estimates for energy conservation improvements to existing  
 49 facilities and programs. Upon request of the commissioner of mental  
 50 health and approval by the director of the budget, this appropri-  
 51 ation may be transferred to the dormitory authority of the state of  
 52 New York (50050805) ... 4,500,000 ..... (re. \$1,948,000)  
 53

54 Environmental Protection or Improvements Purpose

55  
 56 By chapter 54, section 1, of the laws of 2009:  
 57 For payment of the cost of construction, reconstruction and  
 58 improvements, including the preparation of designs, plans,  
 59 specifications and estimates for environmental protection (50EP0906)  
 60 ... 4,100,000 ..... (re. \$4,100,000)

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1 By chapter 54, section 1, of the laws of 2008:  
 2 For payment of the cost of construction, reconstruction and improve-  
 3 ments, including the preparation of designs, plans, specifications  
 4 and estimates for environmental protection (50EP0806) .....  
 5 4,100,000 ..... (re. \$3,152,000)  
 6

7 By chapter 54, section 1, of the laws of 2007:  
 8 For payment of the cost of construction, reconstruction and improve-  
 9 ments, including the preparation of designs, plans, specifications  
 10 and estimates for environmental protection (50EP0706) .....  
 11 8,010,000 ..... (re. \$1,633,000)  
 12

13 By chapter 54, section 1, of the laws of 2006:  
 14 For payment of the cost of construction, reconstruction and improve-  
 15 ments, including the preparation of designs, plans, specifications  
 16 and estimates for environmental protection (50EP0606) .....  
 17 6,550,000 ..... (re. \$393,000)  
 18

19 Health and Safety Purpose

20  
 21 By chapter 54, section 1, of the laws of 2009:  
 22 For payment of the cost of construction, reconstruction and  
 23 improvements, including the preparation of designs, plans,  
 24 specifications and estimates, for health and safety improvements to  
 25 existing facilities and programs, provided, however, that no  
 26 expenditures may be made from this appropriation until a  
 27 comprehensive plan of projects has been approved by the director of  
 28 the budget. Upon request of the commissioner of mental health and  
 29 approval by the director of the budget, this appropriation may be  
 30 transferred to the dormitory authority of the state of New York  
 31 (50HS0901) ... 8,410,000 ..... (re. \$8,410,000)  
 32

33 By chapter 54, section 1, of the laws of 2008:  
 34 For payment of the cost of construction, reconstruction and improve-  
 35 ments, including the preparation of designs, plans, specifications  
 36 and estimates, for health and safety improvements to existing facil-  
 37 ities and programs, provided, however, that no expenditures may be  
 38 made from this appropriation until a comprehensive plan of projects  
 39 has been approved by the director of the budget. Upon request of the  
 40 commissioner of mental health and approval by the director of the  
 41 budget, this appropriation may be transferred to the dormitory  
 42 authority of the state of New York (50HS0801) .....  
 43 7,010,000 ..... (re. \$4,926,000)  
 44

45 Preservation of Facilities Purpose

46  
 47 By chapter 54, section 1, of the laws of 2009:  
 48 For payment of the cost of construction, reconstruction and  
 49 improvements, including the preparation of designs, plans,  
 50 specifications and estimates to existing facilities and programs,  
 51 provided, however, that no expenditures may be made from this  
 52 appropriation until a comprehensive plan of projects has been  
 53 approved by the director of the budget (50PF0903) .....  
 54 12,000,000 ..... (re. \$12,000,000)  
 55

56 By chapter 54, section 1, of the laws of 2008:  
 57 For payment of the cost of construction, reconstruction and improve-  
 58 ments, including the preparation of designs, plans, specifications  
 59 and estimates to existing facilities and programs, provided, howev-  
 60

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 er, that no expenditures may be made from this appropriation until a  
2 comprehensive plan of projects has been approved by the director of  
3 the budget (50PF0803) ... 18,400,000 ..... (re. \$12,698,000)

4  
5 By chapter 54, section 1, of the laws of 2006:  
6 For payment for the renovation, improvements, space management and/or  
7 utilization activities at the St. Lawrence Psychiatric Center  
8 (50SL0603) ... 5,000,000 ..... (re. \$5,000,000)

9  
10 Mental Hygiene Capital Improvement Fund - 389

11  
12 Accreditation Purpose

13  
14 By chapter 54, section 1, of the laws of 2009:  
15 For payment of the cost of land acquisition, construction,  
16 reconstruction and improvements, including the preparation of  
17 designs, plans, specifications and estimates related to  
18 accreditation improvements to existing facilities and programs. This  
19 appropriation may be used for payment of personal service, indirect  
20 cost recovery, and fringe benefit costs associated with New York  
21 State employees assigned to such capital projects. Upon request of  
22 the commissioner of mental health and approval by the director of  
23 the budget, this appropriation may be transferred to the dormitory  
24 authority of the state of New York (50060902) .....  
25 347,480,000 ..... (re. \$347,480,000)

26  
27 By chapter 54, section 1, of the laws of 2008:  
28 For payment of the cost of land acquisition, construction, recon-  
29 struction and improvements, including the preparation of designs,  
30 plans, specifications and estimates related to accreditation imp-  
31 rovements to existing facilities and programs. This appropriation  
32 may be used for payment of personal service, indirect cost recovery,  
33 and fringe benefit costs associated with New York State employees  
34 assigned to such capital projects. Upon request of the commissioner  
35 of mental health and approval by the director of the budget, this  
36 appropriation may be transferred to the dormitory authority of the  
37 state of New York (50060802) ... 95,624,000 ..... (re. \$92,064,000)

38  
39 By chapter 54, section 1, of the laws of 2007:  
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 (50060702) .....  
47 164,153,000 ..... (re. \$156,368,000)

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 For payment of the cost of land acquisition, construction, recon-  
52 struction and improvements, including the preparation of designs,  
53 plans, specifications and estimates related to accreditation  
54 improvements to existing facilities and programs. Upon request of  
55 the commissioner of mental health and approval by the director of  
56 the budget, this appropriation may be transferred to the dormitory  
57 authority of the state of New York (50060602) .....  
58 70,352,000 ..... (re. \$30,464,000)

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1 By chapter 54, section 1, of the laws of 2005:  
2 For payment of the cost of land acquisition, construction, recon-  
3 struction and improvements, including the preparation of designs,  
4 plans, specifications and estimates related to accreditation  
5 improvements to existing facilities and programs. Upon request of  
6 the commissioner of mental health and approval by the director of  
7 the budget, this appropriation may be transferred to the dormitory  
8 authority of the state of New York (50060502) .....  
9 45,212,000 ..... (re. \$5,461,000)  
10

11 By chapter 54, section 1, of the laws of 2004:  
12 For payment of the cost of land acquisition, construction, recon-  
13 struction and improvements, including the preparation of designs,  
14 plans, specifications and estimates related to accreditation  
15 improvements to existing facilities and programs. Upon request of  
16 the commissioner of mental health and approval by the director of  
17 the budget, this appropriation may be transferred to the dormitory  
18 authority of the state of New York (50060402) .....  
19 8,500,000 ..... (re. \$1,371,000)  
20

21 Environmental Protection or Improvements Purpose  
22

23 By chapter 54, section 1, of the laws of 2009:  
24 For payment of the cost of construction, reconstruction and  
25 improvements, including the preparations of designs, plans,  
26 specifications and estimates for environmental protection. Upon  
27 request of the commissioner of mental health and approval by the  
28 director of the budget, this appropriation may be transferred to the  
29 dormitory authority of the state of New York (50060906) .....  
30 1,000,000 ..... (re. \$1,000,000)  
31

32 By chapter 54, section 1, of the laws of 2008:  
33 For payment of the cost of construction, reconstruction and improve-  
34 ments, including the preparations of designs, plans, specifications  
35 and estimates for environmental protection. Upon request of the  
36 commissioner of mental health and approval by the director of the  
37 budget, this appropriation may be transferred to the dormitory  
38 authority of the state of New York (50060806) .....  
39 1,000,000 ..... (re. \$1,000,000)  
40

41 By chapter 54, section 1, of the laws of 2007:  
42 For payment of the cost of construction, reconstruction and improve-  
43 ments, including the preparations of designs, plans, specifications  
44 and estimates for environmental protection. Upon request of the  
45 commissioner of mental health 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 (50060706) .....  
48 500,000 ..... (re. \$174,000)  
49

50 By chapter 54, section 1, of the laws of 2003:  
51 For payment of the cost of construction, reconstruction and improve-  
52 ments, including the preparations of designs, plans, specifications  
53 and estimates for environmental protection. Upon request of the  
54 commissioner of mental health and approval by the director of the  
55 budget, this appropriation may be transferred to the dormitory  
56 authority of the state of New York (50160306) .....  
57 2,000,000 ..... (re. \$599,000)  
58  
59

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 Health and Safety Purpose

2

3 By chapter 54, section 1, of the laws of 2009:

4 For payment of the cost of construction, reconstruction and  
5 improvements, including the preparation of designs, plans,  
6 specifications and estimates, for health and safety improvements to  
7 existing facilities and programs, provided, however, that no  
8 expenditures may be made from this appropriation until a  
9 comprehensive plan of projects has been approved by the director of  
10 the budget. This appropriation may be used for payment of personal  
11 service, indirect cost recovery, and fringe benefit costs associated  
12 with New York State employees assigned to such capital projects.  
13 Upon request of the commissioner of mental health and approval by  
14 the director of the budget, this appropriation may be transferred to  
15 the dormitory authority of the state of New York (50010901) .....  
16 38,125,000 ..... (re. \$38,125,000)

17

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

19 For payment of the cost of construction, reconstruction and improve-  
20 ments, including the preparation of designs, plans, specifications  
21 and estimates, for health and safety improvements to existing facil-  
22 ities and programs, provided, however, that no expenditures may be  
23 made from this appropriation until a comprehensive plan of projects  
24 has been approved by the director of the budget. This appropriation  
25 may be used for payment of personal service, indirect cost recovery,  
26 and fringe benefit costs associated with New York State employees  
27 assigned to such capital projects. Upon request of the commissioner  
28 of mental health and approval by the director of the budget, this  
29 appropriation may be transferred to the dormitory authority of the  
30 state of New York (50010801) .....  
31 60,276,000 ..... (re. \$51,006,000)

32

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

34 For payment of the cost of construction, reconstruction and improve-  
35 ments, including the preparation of designs, plans, specifications  
36 and estimates, for health and safety improvements to existing facil-  
37 ities and programs, provided, however, that no expenditures may be  
38 made from this appropriation until a comprehensive plan of projects  
39 has been approved by the director of the budget. Upon request of the  
40 commissioner of mental health and approval by the director of the  
41 budget, this appropriation may be transferred to the dormitory  
42 authority of the state of New York (50010701) .....  
43 28,963,000 ..... (re. \$10,957,000)

44

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

46 For payment of the cost of construction, reconstruction and improve-  
47 ments, including the preparation of designs, plans, specifications  
48 and estimates, for health and safety improvements to existing facil-  
49 ities and programs, provided, however, that no expenditures may be  
50 made from this appropriation until a comprehensive plan of projects  
51 has been approved by the director of the budget. Upon request of the  
52 commissioner of mental health and approval by the director of the  
53 budget, this appropriation may be transferred to the dormitory  
54 authority of the state of New York (50010601) .....  
55 19,130,000 ..... (re. \$1,634,000)

56

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

58 For payment of the cost of construction, reconstruction and improve-  
59 ments, including the preparation of designs, plans, specifications  
60 and estimates, for health and safety improvements to existing facil-

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1 ities and programs, provided, however, that no expenditures may be  
 2 made from this appropriation until a comprehensive plan of projects  
 3 has been approved by the director of the budget. Upon request of the  
 4 commissioner of mental health and approval by the director of the  
 5 budget, this appropriation may be transferred to the dormitory  
 6 authority of the state of New York (50010501) .....  
 7 43,797,000 ..... (re. \$3,265,000)

8  
9 By chapter 54, section 1, of the laws of 2004:

10 For payment of the cost of construction, reconstruction and improve-  
 11 ments, including the preparation of designs, plans, specifications  
 12 and estimates, for health and safety improvements to existing facil-  
 13 ities and programs, provided, however, that no expenditures may be  
 14 made from this appropriation until a comprehensive plan of projects  
 15 has been approved by the director of the budget. 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 (50010401) .....  
 19 29,350,000 ..... (re. \$807,000)

20  
21 Preservation of Facilities Purpose

22  
23 By chapter 54, section 1, of the laws of 2009:

24 For payment of the cost of construction, reconstruction and  
 25 improvements, including the preparation of designs, plans,  
 26 specifications and estimates, and minor rehabilitation and  
 27 improvements for the preservation of existing facilities and  
 28 programs, provided, however, that no expenditures may be made from  
 29 this appropriation until a comprehensive plan of projects has been  
 30 approved by the director of the budget. This appropriation may be  
 31 used for payment of personal service, indirect cost recovery, and  
 32 fringe benefit costs associated with New York State employees  
 33 assigned to such capital projects. Upon request of the commissioner  
 34 of mental health and approval by the director of the budget, this  
 35 appropriation may be transferred to the dormitory authority of the  
 36 state of New York (50030903) ... 45,396,000 ..... (re. \$45,396,000)

37  
38 By chapter 54, section 1, of the laws of 2008:

39 For payment of the cost of construction, reconstruction and improve-  
 40 ments, including the preparation of designs, plans, specifications  
 41 and estimates, and minor rehabilitation and improvements for the  
 42 preservation of existing facilities and programs, provided, however,  
 43 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. This appropriation may be used for payment of personal  
 46 service, indirect cost recovery, and fringe benefit costs associated  
 47 with New York State employees assigned to such capital projects.  
 48 Upon request of the commissioner of mental health and approval by  
 49 the director of the budget, this appropriation may be transferred to  
 50 the dormitory authority of the state of New York (50030803) .....  
 51 24,688,000 ..... (re. \$19,724,000)

52  
53 By chapter 54, section 1, of the laws of 2007:

54 For payment of the cost of construction, reconstruction and improve-  
 55 ments, including the preparation of designs, plans, specifications  
 56 and estimates, and minor rehabilitation and improvements for the  
 57 preservation of existing facilities and programs, provided, however,  
 58 that no expenditures may be made from this appropriation until a  
 59 comprehensive plan of projects has been approved by the director of  
 60 the budget. Upon request of the commissioner of mental health and

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 approval by the director of the budget, this appropriation may be  
2 transferred to the dormitory authority of the state of New York  
3 (50030703) ... 34,946,000 ..... (re. \$17,822,000)

4  
5 By chapter 54, section 1, of the laws of 2006:

6 For payment of the cost of construction, reconstruction and improve-  
7 ments, including the preparation of designs, plans, specifications  
8 and estimates, and minor rehabilitation and improvements for the  
9 preservation of existing facilities and programs, provided, however,  
10 that no expenditures may be made from this appropriation until a  
11 comprehensive plan of projects has been approved by the director of  
12 the budget. Upon request of the commissioner of mental health and  
13 approval by the director of the budget, this appropriation may be  
14 transferred to the dormitory authority of the state of New York  
15 (50030603) ... 21,804,000 ..... (re. \$4,634,000)

16  
17 By chapter 54, section 1, of the laws of 2005:

18 For payment of the cost of construction, reconstruction and improve-  
19 ments, including the preparation of designs, plans, specifications  
20 and estimates, and minor rehabilitation and improvements for the  
21 preservation of existing facilities and programs, provided, however,  
22 that no expenditures may be made from this appropriation until a  
23 comprehensive plan of projects has been approved by the director of  
24 the budget. Upon request of the commissioner of mental health 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 (50030503) ... 25,045,000 ..... (re. \$4,746,000)

28  
29 By chapter 54, section 1, of the laws of 2004:

30 For payment of the cost of construction, reconstruction and improve-  
31 ments, including the preparation of designs, plans, specifications  
32 and estimates, and minor rehabilitation and improvements for the  
33 preservation of existing facilities and programs, provided, however,  
34 that no expenditures may be made from this appropriation until a  
35 comprehensive plan of projects has been approved by the director of  
36 the budget. Upon request of the commissioner of mental health and  
37 approval by the director of the budget, this appropriation may be  
38 transferred to the dormitory authority of the state of New York  
39 (50030403) ... 29,350,000 ..... (re. \$4,383,000)

40  
41 Program Improvement or Program Change Purpose

42  
43 By chapter 54, section 1, of the laws of 2009:

44 For payment of the cost of construction, reconstruction and  
45 improvements, including the preparation of designs, plans,  
46 specifications and estimates related to improvements or changes to  
47 existing facilities and programs. Upon request of the commissioner  
48 of mental health and approval by the director of the budget, this  
49 appropriation may be transferred to the dormitory authority of the  
50 state of New York (50080908) ... 85,185,000 ..... (re. \$85,185,000)

51  
52 By chapter 54, section 1, of the laws of 2008:

53 For payment of the cost of construction, reconstruction and improve-  
54 ments, including the preparation of designs, plans, specifications  
55 and estimates related to improvements or changes to existing facili-  
56 ties and programs. Upon request of the commissioner of mental health  
57 and approval by the director of the budget, this appropriation may  
58 be transferred to the dormitory authority of the state of New York  
59 (50080808) ... 32,952,000 ..... (re. \$32,935,000)



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1 By chapter 54, section 1, of the laws of 2007:  
 2 For payment of the cost of construction, reconstruction and improve-  
 3 ments, including the preparation of designs, plans, specifications  
 4 and estimates related to improvements or changes to existing facili-  
 5 ties and programs. Upon request of the commissioner of mental health  
 6 and approval by the director of the budget, this appropriation may  
 7 be transferred to the dormitory authority of the state of New York  
 8 (50080708) ... 46,208,000 ..... (re. \$34,403,000)  
 9

10 By chapter 54, section 1, of the laws of 2006:  
 11 For payment of the cost of construction, reconstruction and improve-  
 12 ments, including the preparation of designs, plans, specifications  
 13 and estimates related to improvements or changes to existing facili-  
 14 ties and programs, including for costs associated with the civil  
 15 commitment of persons convicted of sexually violent offenses in  
 16 accordance with the mental hygiene law directly upon their release  
 17 or conditional release from a correctional facility. Upon request of  
 18 the commissioner of mental health and approval by the director of  
 19 the budget, this appropriation may be transferred to the dormitory  
 20 authority of the state of New York (50080608) .....  
 21 85,473,000 ..... (re. \$38,700,000)  
 22

23 By chapter 54, section 1, of the laws of 2005:  
 24 For payment of the cost of construction, reconstruction and improve-  
 25 ments, including the preparation of designs, plans, specifications  
 26 and estimates related to improvements or changes to existing facili-  
 27 ties and programs, provided, however, that no expenditures may be  
 28 made from this appropriation until a comprehensive plan of projects  
 29 has been approved by the director of the budget. Upon request of the  
 30 commissioner of mental health and approval by the director of the  
 31 budget, this appropriation may be transferred to the dormitory  
 32 authority of the state of New York (50080508) .....  
 33 14,146,000 ..... (re. \$1,899,000)  
 34

35 NON-BONDABLE PROJECTS (CCP)

36  
37 Capital Projects Fund

38  
39 Non-Bondable Purpose  
40

41 By chapter 54, section 1, of the laws of 2000:  
 42 For transfer to the Mental Hygiene Capital Improvement Fund for  
 43 reimbursement of the non-bondable cost of institutional projects  
 44 authorized by appropriations or reappropriations funded from the  
 45 Mental Hygiene Capital Improvement Fund including liabilities  
 46 incurred prior to April 1, 2000 or for payment to the dormitory  
 47 authority of the state of New York for defeasance of bonds. Upon  
 48 request of the commissioner of mental health and approval by the  
 49 director of the budget, this appropriation may be transferred to the  
 50 dormitory authority of the state of New York (50FO00NB) .....  
 51 8,000,000 ..... (re. \$5,045,000)  
 52

53 (APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

54  
55 EXECUTIVE DIRECTION (CCP)

56  
57 Capital Projects Fund

58  
59 Preservation of Facilities Purpose  
60

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 By chapter 1, section 8, of the laws of 1965, as amended by chapter 54,  
2 section 1, of the laws of 2006:  
3 (1) The payment of all claims for personal injury, death or property  
4 damage for which the New York State Medical Care Facilities Finance  
5 Agency or the facilities development corporation or the dormitory  
6 authority might be liable occurring upon, in or about any projects  
7 covered by the Agreement of Lease entered into by the facilities  
8 development corporation, the department of mental hygiene and the  
9 New York State Medical Care Facilities Finance Agency under date of  
10 October 1, 1987 as from time to time amended and supplemented and  
11 any and all penalties, costs, including attorneys' fees, claims,  
12 demands and causes of action due directly or indirectly to the use,  
13 disuse, misuse or interest in such projects; (2) in the case of  
14 damage, loss or destruction of any such project, or any part of any  
15 such project, the payment of the costs of repairing, restoring,  
16 rebuilding or replacing the same in accordance with the obligations  
17 of the facilities development corporation so to do from the proceeds  
18 of insurance under the provisions of paragraph (b) of section 3.04  
19 of the Agreement of Lease; and (3) payments to the New York State  
20 Medical Care Facilities Finance Agency of moneys at the times and in  
21 the amounts that annual rentals would be due with respect to each  
22 project during such time or times as each such project may be  
23 damaged or destroyed and not available for use by the department of  
24 mental hygiene in accordance with the terms of the Agreement of  
25 Lease.  
26 Notwithstanding the provisions of any general or special law, the  
27 facilities development corporation may assign to the New York State  
28 Medical Care Facilities Finance Agency all or any portion of the  
29 moneys hereby appropriated for the purposes hereinabove set forth.  
30 Notwithstanding the foregoing, in the event the appropriation is  
31 insufficient to cover the losses, upon notification from the Facili-  
32 ties Development Corporation, the director of the division of the  
33 budget shall submit a request for additional appropriations to cover  
34 the additional losses. Upon approval by the director of the budget,  
35 funds from this appropriation may be transferred to the office of  
36 mental retardation and developmental disabilities and the office of  
37 alcoholism and substance abuse services for payment to the dormitory  
38 authority of the state of New York (00638103) .....  
39 4,000,000 ..... (re. \$2,445,000)  
40

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	1,607,322,000	923,000
6 Special Revenue Funds - Federal ....	751,000	3,998,000
7 Special Revenue Funds - Other .....	3,017,666,000	0
8 Capital Projects Funds .....	139,560,000	309,730,000
9 Enterprise Funds .....	2,668,000	0
10 Internal Service Funds .....	350,000	0
11	-----	-----
12 All Funds .....	4,768,317,000	314,651,000
13	=====	=====

14 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

17 Fund Type	State 18 Operations	Aid to 19 Localities	Capital 20 Projects	Total
21 GF-St/Local	0	1,607,322,000	0	1,607,322,000
22 SR-Federal	751,000	0	0	751,000
23 SR-Other	2,255,692,000	761,974,000	0	3,017,666,000
24 Cap Proj	0	0	139,560,000	139,560,000
25 Enterprise	2,668,000	0	0	2,668,000
26 Internal Srv	350,000	0	0	350,000
27 All Funds	2,259,461,000	2,369,296,000	139,560,000	4,768,317,000
28	=====	=====	=====	=====

29 SCHEDULE

30 CENTRAL COORDINATION AND SUPPORT PROGRAM ..... 121,491,000

31  
32 Special Revenue Funds - Federal / State Operations  
33 Federal Operating Grants Fund - 290

34  
35 Notwithstanding any other provision of law,  
36 the money hereby appropriated may be  
37 transferred to local assistance and/or any  
38 appropriation of the office of mental  
39 retardation and developmental disabili-  
40 ties, with the approval of the director of  
41 the budget who shall file such approval  
42 with the department of audit and control  
43 and copies thereof with the chairman of  
44 the senate finance committee and the  
45 chairman of the assembly ways and means  
46 committee.

47 For services and expenses related to the  
48 administration of the federal senior  
49 companions program ..... 333,000  
50 For services and expenses associated with  
51 housing counseling assistance and training  
52 programs ..... 418,000  
53  
54 Program fund subtotal ..... 751,000  
55  
56  
57  
58  
59  
60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

PERSONAL SERVICE

30	Personal service--regular .....	61,750,000
31	Temporary service .....	572,000
32	Holiday/overtime compensation .....	202,000
33		-----
34	Amount available for personal service ....	62,524,000
35		-----

NONPERSONAL SERVICE

36		
37		
38		
39		
40	Supplies and materials .....	651,000
41	Travel .....	2,206,000
42	Contractual services .....	19,487,000
43	Equipment .....	3,809,000
44	Fringe benefits .....	28,762,000
45	Indirect costs .....	1,951,000
46		-----
47	Amount available for nonpersonal service..	56,866,000
48		-----
49	Program account subtotal .....	119,390,000
50		-----

51  
 52 Special Revenue Funds - Other / State Operations  
 53 Miscellaneous Special Revenue Fund - 339  
 54 Mental Hygiene Program Fund Account  
 55

56 For services and expenses of the assets for  
 57 independence program and other health and  
 58 human services programs.  
 59  
 60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 NONPERSONAL SERVICE

2

3 Contractual services ..... 1,000,000

4 -----

5 Program account subtotal ..... 1,000,000

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

16 NONPERSONAL SERVICE

17

18 Contractual services ..... 350,000

19 -----

20 Program account subtotal ..... 350,000

21 -----

22

23 COMMUNITY SERVICES PROGRAM ..... 3,737,459,000

24 -----

25

26 General Fund / Aid to Localities

27 Local Assistance Account - 001

28

29 For services and expenses of the community

30 services program, net of disallowances,

31 for community mental retardation and

32 developmental disabilities programs pursu-

33 ant to article 41 of the mental hygiene

34 law, and/or chapter 620 of the laws of

35 1974, chapter 660 of the laws of 1977,

36 chapter 412 of the laws of 1981, chapter

37 27 of the laws of 1987, chapter 729 of the

38 laws of 1989, chapter 329 of the laws of

39 1993 and other provisions of the mental

40 hygiene law. Notwithstanding any

41 inconsistent provision of law, the

42 following appropriation shall be net of

43 refunds, rebates, reimbursements, and

44 credits.

45 Notwithstanding any inconsistent provision

46 of law, the director of the budget is

47 authorized to make suballocations from

48 this appropriation to the department of

49 health medical assistance program.

50 Notwithstanding any other provision of law,

51 advances and reimbursement made pursuant

52 to subdivision (d) of section 41.15 and

53 section 41.18 of the mental hygiene law

54 shall be allocated pursuant to a plan and

55 in a manner prescribed by the agency head

56 and approved by the director of the budg-

57 et. No expenditure shall be made until a

58 certificate of allocation has been

59 approved by the director of the budget and

60 copies thereof filed with the state comp-

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 troller, and the chairs of the senate  
2 finance and assembly ways and means  
3 committees. The moneys hereby appropriated  
4 are available to reimburse or advance  
5 localities and voluntary non-profit agen-  
6 cies for expenditures made during local  
7 fiscal periods commencing January 1, 2010,  
8 April 1, 2010 or July 1, 2010, and for  
9 advances for the 3 month period beginning  
10 January 1, 2011.

11 Notwithstanding the provisions of article 41  
12 of the mental hygiene law or any other  
13 inconsistent provision of law, rule or  
14 regulation, the commissioner, pursuant to  
15 such contract and in the manner provided  
16 therein, may pay all or a portion of the  
17 expenses incurred by such voluntary  
18 agencies arising out of loans which are  
19 funded from the proceeds of bonds and  
20 notes issued by the dormitory authority of  
21 the state of New York.

22 Notwithstanding any other provision of law,  
23 the money hereby appropriated may be  
24 transferred to state operations and/or any  
25 appropriation of the office of mental  
26 retardation and developmental disabilities  
27 with the approval of the director of the  
28 budget who shall file such approval with  
29 the department of audit and control and  
30 copies thereof with the chairman of the  
31 senate finance committee and the chairman  
32 of the assembly ways and means committee.

33 Notwithstanding any inconsistent provision  
34 of law, moneys from this appropriation may  
35 be used for state aid of up to 100 percent  
36 of the net deficit costs of day training  
37 programs and family support services.

38 Notwithstanding any inconsistent provision  
39 of law, including section 1 of part C of  
40 chapter 57 of the laws of 2006, as amended  
41 by section 2 of part I of chapter 58 of  
42 the laws of 2008 and part L of chapter 58  
43 of the laws of 2009, for the period  
44 commencing on April 1, 2009 and ending  
45 March 31, 2011 the commissioner shall not  
46 apply any cost of living adjustment for  
47 the purpose of establishing rates of  
48 payments, contracts or any other form of  
49 reimbursement.

50 Notwithstanding any inconsistent provision  
51 of law, moneys from this appropriation  
52 shall not be available for unified  
53 services after June 30, 2010.

54 Notwithstanding any inconsistent provision  
55 of law, and pursuant to criteria estab-  
56 lished by the commissioner of the office  
57 of mental retardation and developmental  
58 disabilities and approved by the director  
59 of the budget, expenditures may be made  
60 from this appropriation for residential

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 facilities which are pending recertif-  
2 ication as intermediate care facilities  
3 for the developmentally disabled.  
4 Notwithstanding the provisions of section  
5 41.36 of the mental hygiene law and any  
6 other inconsistent provision of law,  
7 moneys from this appropriation may be used  
8 for payment up to \$250 per year per  
9 client, at such times and in such manner  
10 as determined by the commissioner on the  
11 basis of financial need for the personal  
12 needs of each client residing in voluntar-  
13 y-operated community residences and volun-  
14 tary-operated community residential alter-  
15 natives, including individualized  
16 residential alternatives under the home  
17 and community based services waiver. The  
18 commissioner shall, subject to the  
19 approval of the director of the budget,  
20 alter existing advance payment schedules  
21 for voluntary-operated community resi-  
22 dences established pursuant to subdivision  
23 (h) of section 41.36 of the mental hygiene  
24 law.  
25 Notwithstanding the provisions of section  
26 16.23 of the mental hygiene law and any  
27 other inconsistent provision of law, with  
28 relation to the operation of certified  
29 family care homes, including family care  
30 homes sponsored by voluntary not-for-pro-  
31 fit agencies, moneys from this appropri-  
32 ation may be used for payments to purchase  
33 general services including but not limited  
34 to respite providers, up to a maximum of  
35 14 days, at rates to be established by the  
36 commissioner and approved by the director  
37 of the budget in consideration of factors  
38 including, but not limited to, geographic  
39 area and number of clients cared for in  
40 the home and for payment at the rate of  
41 \$600 per year on the basis of financial  
42 need for the personal needs of each client  
43 residing in the family care home.  
44 Notwithstanding the provisions of subdivi-  
45 sion 12 of section 8 of the state finance  
46 law and any other inconsistent provision  
47 of law, moneys from this appropriation may  
48 be used for expenses of family care homes  
49 including payments to operators of certi-  
50 fied family care homes for damages caused  
51 by clients to personal and real property  
52 in accordance with standards established  
53 by the commissioner and approved by the  
54 director of the budget.  
55 Notwithstanding any inconsistent provision  
56 of law, moneys from this appropriation may  
57 be used for appropriate day program  
58 services and residential services includ-  
59 ing, but not limited to, direct housing  
60 subsidies to individuals, start-up

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 expenses for family care providers, envi-  
 2 ronmental modifications, adaptive technol-  
 3 ogies, appraisals, property options,  
 4 feasibility studies and preoperational  
 5 expenses.  
 6 Notwithstanding any inconsistent provision  
 7 of law, moneys from this appropriation may  
 8 be used for the operation of clinics  
 9 licensed pursuant to article 16 of the  
 10 mental hygiene law including, but not  
 11 limited to, supportive and habilitative  
 12 services consistent with the home and  
 13 community based services waiver.  
 14 Funds appropriated herein shall be available  
 15 in accordance with the following:  
 16 For the state share of medical assistance  
 17 services expenses incurred by the depart-  
 18 ment of health for the provision of  
 19 medical assistance services to the devel-  
 20 opmentally disabled ..... 1,477,523,000  
 21 For services and expenses related to the  
 22 provision of residential services to the  
 23 developmentally disabled ..... 19,014,000  
 24 For services and expenses related to the  
 25 provision of family support services to  
 26 the developmentally disabled ..... 62,023,000  
 27  
 28 For services and expenses related to the  
 29 provision of workshop, day training and  
 30 employment services to the developmentally  
 31 disabled ..... 46,229,000  
 32 For other services and expenses provided to  
 33 the developmentally disabled including but  
 34 not limited to hepatitis B, care at home  
 35 waiver, epilepsy services, Special  
 36 Olympics New York, Inc. and voluntary  
 37 fingerprinting ..... 2,533,000  
 38  
 39 Program account subtotal ..... 1,607,322,000  
 40 -----

41  
 42 Special Revenue Funds - Other / State Operations  
 43 Miscellaneous Special Revenue Fund - 339  
 44 Mental Hygiene Patient Income Account  
 45

46 Notwithstanding any inconsistent provision  
 47 of law, the state comptroller is hereby  
 48 authorized and directed to loan money in  
 49 accordance with the provisions set forth  
 50 in subdivision 5 of section 4 of the state  
 51 finance law to the mental hygiene patient  
 52 income account.

53 Notwithstanding any other provision of law,  
 54 the money hereby appropriated may be  
 55 transferred to local assistance and/or any  
 56 appropriation of the office of mental  
 57 retardation and developmental disabili-  
 58 ties, with the approval of the director of  
 59 the budget who shall file such approval  
 60 with the department of audit and control



DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 and copies thereof with the chairman of  
2 the senate finance committee and the  
3 chairman of the assembly ways and means  
4 committee.

6 PERSONAL SERVICE

8	Personal service--regular .....	516,092,000
9	Temporary service .....	1,251,000
10	Holiday/overtime compensation .....	42,238,000
11		-----
12	Amount available for personal service ....	559,581,000
13		-----

15 NONPERSONAL SERVICE

17	Nonpersonal service, including moneys for	
18	the community services program, net of	
19	refunds, rebates, reimbursements and cred-	
20	its.	
22	Supplies and materials .....	42,364,000
23	Travel .....	4,464,000
24	Contractual services .....	68,072,000
25	Equipment .....	21,205,000
26	Fringe benefits .....	257,419,000
27	Indirect costs .....	17,462,000
28		-----
29	Amount available for nonpersonal service..	410,986,000
30		-----

32 MAINTENANCE UNDISTRIBUTED

34	For expenses related to the payment of a	
35	provider of services assessment for the	
36	period April 1, 2010 through March 31,	
37	2011 pursuant to section 43.04 of the	
38	mental hygiene law .....	10,116,000
39		-----
40	Program account subtotal .....	980,683,000
41		-----

43 Special Revenue Funds - Other / Aid to Localities  
44 Miscellaneous Special Revenue Fund - 339  
45 Mental Hygiene Patient Income Account

47 Notwithstanding any inconsistent provision  
48 of law, moneys for this appropriation may  
49 be used for any purpose associated with  
50 an aid to localities appropriation  
51 provided, however, that these moneys may  
52 not be used for payment of the state share  
53 of medical assistance programs for which  
54 federal reimbursement will be claimed.  
55 Notwithstanding any other provisions of law,  
56 the money hereby appropriated may be  
57 transferred to state operations and/or any  
58 appropriation of the office of mental  
59 retardation and developmental disabili-  
60 ties, with the approval of the director of

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

7 Notwithstanding any inconsistent provision  
8 of law, the following appropriation  
9 amounts shall be net of refunds, rebates,  
10 reimbursements, and credits. The state  
11 comptroller is hereby authorized and  
12 directed to loan money in accordance with  
13 the provisions set forth in subdivision 5  
14 of section 4 of the state finance law to  
15 the mental hygiene patient income account.

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 and part L of chapter 58  
21 of the laws of 2009, for the period  
22 commencing on April 1, 2009 and ending  
23 March 31, 2011 the commissioner shall not  
24 apply any cost of living adjustment for  
25 the purpose of establishing rates of  
26 payments, contracts or any other form of  
27 reimbursement.

28 Funds appropriated herein shall be available  
29 in accordance with the following:

30 For services and expenses related to the	
31 provision of residential services to the	
32 developmentally disabled .....	193,416,000
33 For services and expenses related to the	
34 provision of day program services to the	
35 developmentally disabled .....	112,567,000
36 For services and expenses related to the	
37 provision of family support services to	
38 the developmentally disabled .....	16,916,000
39 For other services and expenses provided to	
40 the developmentally disabled including but	
41 not limited to hepatitis B, care at home	
42 waiver, epilepsy services, Special	
43 Olympics New York, Inc. and voluntary	
44 fingerprinting .....	3,825,000
45	-----
46 Program account subtotal .....	326,724,000
47	-----

48  
49 Special Revenue Funds - Other / State Operations  
50 Miscellaneous Special Revenue Fund - 339  
51 Mental Hygiene Program Fund Account  
52

53 Notwithstanding any inconsistent provision  
54 of law, the state comptroller is hereby  
55 authorized and directed to loan money in  
56 accordance with the provisions set forth  
57 in subdivision 5 of section 4 of the state  
58 finance law to the mental hygiene program  
59 fund account.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any other provision of law,  
 2 the money hereby appropriated may be  
 3 transferred to local assistance and/or any  
 4 appropriation of the office of mental  
 5 retardation and developmental disabili-  
 6 ties, with the approval of the director of  
 7 the budget who shall file such approval  
 8 with the department of audit and control  
 9 and copies thereof with the chairman of  
 10 the senate finance committee and the  
 11 chairman of the assembly ways and means  
 12 committee.

PERSONAL SERVICE

16	Personal service--regular .....	229,568,000
17	Temporary service .....	640,000
18	Holiday/overtime compensation .....	19,032,000
19		-----
20	Amount available for personal service ....	249,240,000
21		-----

NONPERSONAL SERVICE

25 Nonpersonal service, including moneys for  
 26 the community services program, net of  
 27 refunds, rebates, reimbursements and cred-  
 28 its.

30	Supplies and materials .....	2,654,000
31	Travel .....	918,000
32	Contractual services .....	9,083,000
33	Equipment .....	2,964,000
34	Fringe benefits .....	114,823,000
35	Indirect costs .....	7,798,000
36		-----
37	Amount available for nonpersonal service..	138,240,000
38		-----
39	Program account subtotal .....	387,480,000
40		-----

42 Special Revenue Funds - Other / Aid to Localities  
 43 Miscellaneous Special Revenue Fund - 339  
 44 OMRDD Joint Clinic Operating Account

46 For services and expenses of operating clin-  
 47 ic treatment facilities serving persons  
 48 with developmental disabilities.  
 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 disabili-  
 54 ties, with the approval of the director of  
 55 the budget who shall file such approval  
 56 with the department of audit and control  
 57 and copies thereof with the chairman of  
 58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 the senate finance committee and the  
2 chairman of the assembly ways and means  
3 committee ..... 250,000  
4 -----  
5 Program account subtotal ..... 250,000  
6 -----  
7  
8 Special Revenue Funds - Other / Aid to Localities  
9 Miscellaneous Special Revenue Fund - 339  
10 OMRDD - Provider of Service Account  
11  
12 For services and expenses related to mental  
13 retardation and developmental disabilities  
14 services associated with the New York  
15 state options for people through services  
16 initiative, in accordance with a  
17 programmatic and fiscal plan to be  
18 approved by the director of the budget.  
19 Notwithstanding any provision of law to the  
20 contrary, the director of the budget is  
21 authorized to make suballocations from  
22 this appropriation to the department of  
23 health medical assistance program.  
24 Notwithstanding any provision of law to the  
25 contrary, the moneys hereby appropriated,  
26 or so much thereof as may be necessary,  
27 are to be available for the purposes here-  
28 in specified for obligations heretofore  
29 accrued or hereafter to accrue ..... 337,000,000  
30 -----  
31 Program account subtotal ..... 337,000,000  
32 -----  
33  
34 Special Revenue Funds - Other / Aid to Localities  
35 Miscellaneous Special Revenue Fund - 339  
36 OMRDD - Day Services Account  
37  
38 For services and expenses related to the  
39 provision of HCBS waiver day services to  
40 individuals residing in intermediate care  
41 facilities.  
42 Notwithstanding any other provision of law,  
43 the money hereby appropriated may be  
44 transferred to state operations and/or any  
45 appropriation of the office of mental  
46 retardation and developmental disabili-  
47 ties, with the approval of the director of  
48 the budget who shall file such approval  
49 with the department of audit and control  
50 and copies thereof with the chairman of  
51 the senate finance committee and the  
52 chairman of the assembly ways and means  
53 committee ..... 98,000,000  
54 -----  
55 Program account subtotal ..... 98,000,000  
56 -----  
57  
58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 INSTITUTIONAL SERVICES PROGRAM ..... 742,913,000  
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 individuals  
10 from donated funds. Notwithstanding any  
11 other 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 individuals  
35 from donated funds. Notwithstanding any  
36 other 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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any other provision of law,  
 2 the money hereby appropriated may be  
 3 transferred to local assistance and/or any  
 4 appropriation of the office of mental  
 5 retardation and developmental disabili-  
 6 ties, and may be increased or decreased by  
 7 transfer or suballocation between these  
 8 appropriated amounts and appropriations of  
 9 the department of health, the office of  
 10 medicaid inspector general, the office of  
 11 mental health, and the office of alcohol-  
 12 ism and substance abuse services with the  
 13 approval of the director of the budget who  
 14 shall file such approval with the depart-  
 15 ment of audit and control and copies ther-  
 16 eof with the chairman of the senate  
 17 finance committee and the chairman of the  
 18 assembly ways and means committee. The  
 19 state comptroller is hereby authorized and  
 20 directed to loan money in accordance with  
 21 the provisions set forth in subdivision 5  
 22 of section 4 of the state finance law to  
 23 the mental hygiene patient income account.  
 24

PERSONAL SERVICE

27	Personal service--regular .....	229,033,000
28	Temporary service .....	426,000
29	Holiday/overtime compensation .....	18,444,000
30		-----
31	Amount available for personal service ....	247,903,000
32		-----

NONPERSONAL SERVICE

36	Supplies and materials .....	36,691,000
37	Travel .....	1,379,000
38	Contractual services .....	34,753,000
39	Equipment .....	10,366,000
40	Fringe benefits .....	117,048,000
41	Indirect costs .....	7,041,000
42		-----
43	Amount available for nonpersonal service..	207,278,000
44		-----

MAINTENANCE UNDISTRIBUTED

48	For expenses related to the payment of a	
49	provider of services assessment for the	
50	period April 1, 2010 through March 31,	
51	2011 pursuant to section 43.04 of the	
52	mental hygiene law .....	135,130,000
53		-----
54	Program account subtotal .....	590,311,000
55		-----

56  
 57 Special Revenue Funds - Other / State Operations  
 58 Miscellaneous Special Revenue Fund - 339  
 59 Mental Hygiene Program Fund Account  
 60

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any inconsistent provision  
 2 of law, the state comptroller is hereby  
 3 authorized and directed to loan money in  
 4 accordance with the provisions set forth  
 5 in subdivision 5 of section 4 of the state  
 6 finance law to the mental hygiene program  
 7 fund account.  
 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 retardation and developmental disabili-  
 13 ties, with the approval of the director of  
 14 the budget who shall file such approval  
 15 with the department of audit and control  
 16 and copies thereof with the chairman of  
 17 the senate finance committee and the  
 18 chairman of the assembly ways and means  
 19 committee.

PERSONAL SERVICE

22		
23	Personal service--regular .....	82,933,000
24	Temporary service .....	154,000
25	Holiday/overtime compensation .....	6,701,000
26		-----
27	Amount available for personal service ....	89,788,000
28		-----

NONPERSONAL SERVICE

31

32 Nonpersonal service, including moneys for  
 33 the community services program, net of  
 34 refunds, rebates, reimbursements and  
 35 credits.

36		
37	Supplies and materials .....	7,826,000
38	Travel .....	294,000
39	Contractual services .....	7,413,000
40	Equipment .....	2,211,000
41	Fringe benefits .....	38,391,000
42	Indirect costs .....	3,507,000
43		-----
44	Amount available for nonpersonal service..	59,642,000
45		-----
46	Program account subtotal .....	149,430,000
47		-----

48

49 Enterprise Funds / State Operations  
 50 Mental Retardation Sheltered Workshop Account - 352  
 51 Sheltered Workshop Fund OMRDD Account

52

53 For services and expenses including  
 54 salaries, supplies and materials of  
 55 sheltered workshops and vocational  
 56 rehabilitation work activities.  
 57 Notwithstanding any other provision of law,  
 58 the money hereby appropriated may be  
 59 transferred to local assistance and/or any  
 60 appropriation of the office of mental

DEPARTMENT OF MENTAL HYGIENE

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 retardation and developmental disabili-  
 2 ties, with the approval of the director of  
 3 the budget who shall file such approval  
 4 with the department of audit and control  
 5 and copies thereof with the chairman of  
 6 the senate finance committee and the  
 7 chairman of the assembly ways and means  
 8 committee.  
 9

NONPERSONAL SERVICE

12	Supplies and materials .....	700,000
13	Travel .....	10,000
14	Contractual services .....	800,000
15	Equipment .....	40,000
16		-----
17	Program account subtotal .....	1,550,000
18		-----

20 Enterprise Funds / State Operations  
 21 Mental Hygiene Community Stores Account - 353  
 22 MR Community Stores Fund Account  
 23

24 For services and expenses of community  
 25 stores located at various developmental  
 26 centers.  
 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 retardation and developmental disabili-  
 32 ties, with the approval of the director of  
 33 the budget who shall file such approval  
 34 with the department of audit and control  
 35 and copies thereof with the chairman of  
 36 the senate finance committee and the  
 37 chairman of the assembly ways and means  
 38 committee.  
 39

PERSONAL SERVICE

42	Personal service--regular .....	290,000
43		-----

NONPERSONAL SERVICE

47	Supplies and materials .....	722,000
48	Fringe benefits .....	94,000
49	Indirect costs .....	12,000
50		-----
51	Amount available for nonpersonal service..	828,000
52		-----
53	Program account subtotal .....	1,118,000
54		-----

56 RESEARCH IN MENTAL RETARDATION PROGRAM .....

		26,894,000
		-----



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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Funds - Other / State Operations  
 2 Combined Gifts, Grants and Bequests Fund - 020  
 3 Research in Mental Retardation Account

4  
 5 Amount available for genetic counseling and  
 6 research from external grants and  
 7 contributions.

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 retardation and developmental disabili-  
 13 ties, with the approval of the director of  
 14 the budget who shall file such approval  
 15 with the department of audit and control  
 16 and copies thereof with the chairman of  
 17 the senate finance committee and the  
 18 chairman of the assembly ways and means  
 19 committee.

NONPERSONAL SERVICE

23 Contractual services .....	150,000
24	-----
25 Program account subtotal .....	150,000
26	-----

27  
 28 Special Revenue Funds - Other / State Operations  
 29 Miscellaneous Special Revenue Fund - 339  
 30 Mental Hygiene Patient Income Account

31  
 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, and may be increased or decreased by  
 38 transfer or suballocation between these  
 39 appropriated amounts and appropriations of  
 40 the department of health, the office of  
 41 medicaid inspector general, the office of  
 42 mental health, and the office of alcohol-  
 43 ism and substance abuse services with the  
 44 approval of the director of the budget who  
 45 shall file such approval with the depart-  
 46 ment of audit and control and copies ther-  
 47 eof with the chairman of the senate  
 48 finance committee and the chairman of the  
 49 assembly ways and means committee. The  
 50 state comptroller is hereby authorized and  
 51 directed to loan money in accordance with  
 52 the provisions set forth in subdivision 5  
 53 of section 4 of the state finance law to  
 54 the mental hygiene patient income account.

PERSONAL SERVICE

58 Personal service--regular .....	16,150,000
------------------------------------	------------

59

## DEPARTMENT OF MENTAL HYGIENE

## OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

## STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Holiday/overtime compensation .....	353,000	
2			-----
3	Amount available for personal service ....	16,503,000	
4			-----
5			
6			NONPERSONAL SERVICE
7			
8	Supplies and materials .....	836,000	
9	Travel .....	7,000	
10	Contractual services .....	1,129,000	
11	Equipment .....	157,000	
12	Fringe benefits .....	7,597,000	
13	Indirect costs .....	515,000	
14			-----
15	Amount available for nonpersonal service..	10,241,000	
16			-----
17	Program account subtotal .....	26,744,000	
18			-----
19			
20	Total new appropriations for state operations and aid to		
21	localities .....	4,628,757,000	
22			=====
23			

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 CENTRAL COORDINATION AND SUPPORT 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 2009:

7 Notwithstanding any other provision of law, the money hereby  
8 appropriated may be transferred to aid to localities and/or any  
9 appropriation of the office of mental retardation and developmental  
10 disabilities, with the approval of the director of the budget who  
11 shall file such approval with the department of audit and control  
12 and copies thereof with the chairman of the senate finance committee  
13 and the chairman of the assembly ways and means committee.

14 For services and expenses of the Assets for Independence program and  
15 other health and human services programs .....

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

17

18 Special Revenue Funds - Federal / State Operations

19 Federal Health and Human Services Fund - 265

20 Real Choice Grant Account

21

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

23 For services and expenses related to the real choice through options  
24 for people through services grant.

25 For grants beginning prior to April 1, 2007 .....

26 2,865,000 ..... (re. \$1,908,000)

27

28 Special Revenue Funds - Federal / State Operations

29 Federal Operating Grants Fund - 290

30

31 By chapter 54, section 1, of the laws of 2009:

32 Notwithstanding any other provision of law, the money hereby  
33 appropriated may be transferred to local assistance and/or any  
34 appropriation of the office of mental retardation and developmental  
35 disabilities, with the approval of the director of the budget who  
36 shall file such approval with the department of audit and control  
37 and copies thereof with the chairman of the senate finance committee  
38 and the chairman of the assembly ways and means committee.

39 For services and expenses related to the administration of the federal  
40 senior companions program ... 333,000 ..... (re. \$333,000)

41 For services and expenses associated with housing counseling  
42 assistance and training programs ... 418,000 ..... (re. \$418,000)

43

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

45 For services and expenses related to the administration of the federal  
46 senior companions program ... 280,000 ..... (re. \$44,000)

47 For services and expenses associated with housing counseling assist-  
48 ance and training programs ... 350,000 ..... (re. \$295,000)

49

50 COMMUNITY SERVICES PROGRAM

51

52 General Fund / Aid to Localities

53 Local Assistance Account - 001

54

55 By chapter 54, section 1, of the laws of 2009:

56 New York Special Olympics ... 250,000 ..... (re. \$250,000)

57

58

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,  
2 section 3, of the laws of 2009:  
3 For services and expenses of contracts with municipalities, educa-  
4 tional institutions and/or not-for-profit agencies:  
5 Quality services for the Autism Community (QSAC) .....  
6 113,000 ..... (re. \$113,000)  
7  
8 By chapter 54, section 1, of the laws of 2006:  
9 For services and expenses of contracts with municipalities, educa-  
10 tional institutions and/or not-for-profit agencies:  
11 For services and expenses associated with a direct care worker  
12 recruitment and retention pilot project program .....  
13 2,500,000 ..... (re. \$560,000)  
14  
15 Total reappropriations for state operations and aid to  
16 localities ..... 4,921,000  
17 =====  
18

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

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

4		
5	Capital Projects Fund .....	57,025,000
6	Mental Hygiene Capital Improvement Fund - 389 .....	82,535,000
7		-----
8	All Funds .....	139,560,000
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,  
25 construction management and supervision,  
26 inspection, studies, appraisals,  
27 surveys, testing and environmental  
28 impact statements for new and existing  
29 projects associated with the community  
30 services and institutional services  
31 programs. Upon the request of the  
32 commissioner of the office of mental  
33 retardation and developmental disabili-  
34 ties and the approval of the director of  
35 the budget, this appropriation may be  
36 transferred to the dormitory authority  
37 of the state of New York. Upon approval  
38 by the director of the budget, funds  
39 from this appropriation may be trans-  
40 ferred to the office of mental health  
41 and the office of alcoholism and  
42 substance abuse services for payment to  
43 the dormitory authority of the state of  
44 New York for the preparation of plans  
45 purpose (51F21030) ..... 3,000,000

46  
47 For: (1) the payment of all claims for  
48 personal injury, death or property  
49 damage for which the New York State  
50 Medical Care Facilities Finance Agency,  
51 the facilities development corporation,  
52 or the dormitory authority of the state  
53 of New York might be liable occurring  
54 upon, in or about any projects covered  
55 by the Agreement of Lease entered into  
56 by the facilities development corpo-  
57 ration, the department of mental hygiene  
58 and the New York State Medical Care  
59 Facilities Finance Agency under date of  
60 October 1, 1987 as from time to time

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

1 amended and supplemented and any and all  
 2 penalties, costs, including attorneys'  
 3 fees, claims, demands and causes of  
 4 action due directly or indirectly to the  
 5 use, disuse, misuse or interest in such  
 6 projects; (2) in the case of damage,  
 7 loss or destruction of any such project,  
 8 or any part of any such project, the  
 9 payment of the costs of repairing,  
 10 restoring, rebuilding or replacing the  
 11 same in accordance with the obligations  
 12 of the facilities development corpo-  
 13 ration so to do from the proceeds of  
 14 insurance under the provisions of para-  
 15 graph (b) of section 3.04 of the Agree-  
 16 ment of Lease; and (3) payments to the  
 17 New York State Medical Care Facilities  
 18 Finance Agency of moneys at the times  
 19 and in the amounts that annual rentals  
 20 would be due with respect to each  
 21 project during such time or times as  
 22 each such project may be damaged or  
 23 destroyed and not available for use by  
 24 the department of mental hygiene in  
 25 accordance with the terms of the Agree-  
 26 ment of Lease.

27 Notwithstanding the provisions of any  
 28 general or special law, the facilities  
 29 development corporation may assign to  
 30 the New York State Medical Care Facili-  
 31 ties Finance Agency all or any portion  
 32 of the moneys hereby appropriated for  
 33 the purposes hereinabove set forth.

34 Notwithstanding the foregoing, in the  
 35 event the appropriation is insufficient  
 36 to cover the losses, upon notification  
 37 from the facilities development corpo-  
 38 ration, the director of the budget shall  
 39 submit a request for additional appro-  
 40 priations to cover the additional loss-  
 41 es. Upon approval by the director of the  
 42 budget, funds from this appropriation  
 43 may be transferred to the office of  
 44 mental health and the office of alcohol-  
 45 ism and substance abuse services for  
 46 payment to the dormitory authority of  
 47 the state of New York for the prepara-  
 48 tion of plans purpose (51WC1030) .....

2,000,000

50 Mental Hygiene Capital Improvement Fund - 389

52 Preparation of Plans Purpose

53  
 54 For payment to the design and construction  
 55 management account of the centralized  
 56 services fund of the New York state  
 57 office of general services or to the  
 58 dormitory authority for the purpose of  
 59 preparation and review of plans, spec-  
 60 ifications, estimates, services,

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

1 construction management and supervision,  
2 inspection, studies, appraisals,  
3 surveys, testing and environmental  
4 impact statements for new and existing  
5 projects associated with the institu-  
6 tional services program and the communi-  
7 ty services program. Upon the request of  
8 the commissioner of the office of mental  
9 retardation and developmental disabili-  
10 ties and the approval of the director of  
11 the budget, this appropriation may be  
12 transferred to the dormitory authority  
13 of the state of New York. Upon approval  
14 by the director of the budget, funds  
15 from this appropriation may be trans-  
16 ferred to the office of mental health  
17 and the office of alcoholism and  
18 substance abuse services for payment to  
19 the dormitory authority of the state of  
20 New York for the preparation of plans  
21 purpose (51F11030) ..... 6,000,000  
22  
23 INSTITUTIONAL SERVICES PROGRAM (CCP) ..... 57,200,000  
24 -----  
25  
26 Capital Projects Fund  
27  
28 Health and Safety Purpose  
29  
30 For alterations and improvements for  
31 health and safety projects at various  
32 facilities. Upon request of the commis-  
33 sioner of the office of mental retarda-  
34 tion and developmental disabilities and  
35 approval by the director of the budget,  
36 this appropriation may be transferred to  
37 the dormitory authority of the state of  
38 New York (51H11001) ..... 7,600,000  
39  
40 Preservation of Facilities Purpose  
41  
42 For alterations and improvements for pres-  
43 ervation of various facilities including  
44 rehabilitation projects. This appropri-  
45 ation may be used for the cost of poten-  
46 tial claims against contracts awarded by  
47 the dormitory authority of the state of  
48 New York. Upon request of the commis-  
49 sioner of the office of mental retarda-  
50 tion and developmental disabilities 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 (51P11003) ..... 4,600,000  
55  
56 For minor maintenance, preservation and  
57 alterations of facilities on the grounds  
58 of former developmental centers. Upon  
59 request of the commissioner of the  
60 office of mental retardation and devel-

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CAPITAL PROJECTS 2010-11

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 (51M21003) ..... 4,500,000  
6  
7 Mental Hygiene Capital Improvement Fund - 389  
8  
9 Health and Safety Purpose  
10  
11 For alterations and improvements for  
12 health and safety projects at various  
13 facilities. This appropriation may be  
14 used for the cost of potential claims  
15 against contracts awarded by the dormi-  
16 tory authority of the state of New York.  
17 Upon request of the commissioner of the  
18 office of mental retardation and devel-  
19 opmental disabilities and approval by  
20 the director of the budget, this appro-  
21 priation may be transferred to the  
22 dormitory authority of the state of New  
23 York (51H31001) ..... 40,500,000  
24  
25 NON-BONDABLE PROJECTS (CCP) ..... 1,000,000  
26 -----  
27  
28 Capital Projects Fund  
29  
30 Non-Bondable Purpose  
31  
32 For transfer to the Mental Hygiene Capital  
33 Improvement Fund for reimbursement of  
34 non-bondable costs of projects author-  
35 ized by appropriations or reappropri-  
36 ations funded from the Mental Hygiene  
37 Capital Improvement Fund including  
38 liabilities incurred prior to April 1,  
39 2010 or for payment to the dormitory  
40 authority of the state of New York for  
41 defeasance of bonds. Upon request of the  
42 commissioner of the office of mental  
43 retardation and developmental disabili-  
44 ties and approval by the director of the  
45 budget, this appropriation may be trans-  
46 ferred to the dormitory authority of the  
47 state of New York (51FL10NB) ..... 1,000,000  
48  
49 STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP) ..... 53,580,000  
50 -----  
51  
52 Capital Projects Fund  
53  
54 Administration Purpose  
55  
56 For payment of personal service and  
57 nonpersonal service costs related to the  
58 administration of capital projects for  
59 new and reappropriated appropriations.  
60 Upon request of the commissioner of the



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CAPITAL PROJECTS 2010-11

1 office of mental retardation and devel-  
2 opmental disabilities and approval by  
3 the director of the budget, this appro-  
4 priation may be transferred to the  
5 dormitory authority of the state of New  
6 York (51A110C1) ..... 2,750,000  
7  
8 Preservation of Facilities Purpose  
9  
10 For renovation and minor rehabilitation  
11 and improvements of state-owned communi-  
12 ty residential and day program facili-  
13 ties for the developmentally disabled.  
14 Upon request of the commissioner of the  
15 office of mental retardation and devel-  
16 opmental disabilities and approval by  
17 the director of the budget, this appro-  
18 priation may be transferred to the  
19 dormitory authority of the state of New  
20 York (51M11003) ..... 19,705,000  
21  
22 New Facilities Purpose  
23  
24 For alterations and improvements of sites  
25 leased for state-operated programs, and  
26 for the purchase of furniture and equip-  
27 ment for state-operated programs. Upon  
28 request of the commissioner of the  
29 office of mental retardation and devel-  
30 opmental disabilities and approval by  
31 the director of the budget, this appro-  
32 priation may be transferred to the  
33 dormitory authority of the state of New  
34 York (51L11007) ..... 1,800,000  
35  
36 Mental Hygiene Capital Improvement Fund - 389  
37  
38 Preservation of Facilities Purpose  
39  
40 For renovation and minor rehabilitation  
41 and improvements of state-owned communi-  
42 ty residential and day program facili-  
43 ties for the developmentally disabled.  
44 Upon request of the commissioner of the  
45 office of mental retardation and devel-  
46 opmental disabilities and approval by  
47 the director of the budget, this appro-  
48 priation may be transferred to the  
49 dormitory authority of the state of New  
50 York (51PR1003) ..... 1,000,000  
51  
52 New Facilities Purpose  
53  
54 For the acquisition and alterations and  
55 improvements of property to be used as  
56 state-operated community residential  
57 facilities. Upon request of the commis-  
58 sioner of the office of mental retarda-  
59 tion and developmental disabilities and  
60 approval by the director of the budget,

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

1 this appropriation may be transferred to  
2 the dormitory authority of the state of  
3 New York. Upon request of the commis-  
4 sioner of the office of mental retarda-  
5 tion and developmental disabilities, and  
6 approval by the director of the budget,  
7 this appropriation may be used for the  
8 acquisition and alterations and improve-  
9 ments of property to be used as not-for-  
10 profit facilities licensed pursuant to  
11 articles 16 and 41 of the mental hygiene  
12 law (51R11007) ..... 28,325,000  
13  
14 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) ..... 16,780,000  
15 -----  
16  
17 Capital Projects Fund  
18  
19 Preservation of Facilities Purpose  
20  
21 For state aid, to municipalities and other  
22 public and not-for-profit agencies,  
23 including the payment of liabilities  
24 incurred prior to April 1, 2010, for up  
25 to 100 per centum of the net cost of  
26 services and expenses related to the  
27 maintenance and improvement of voluntary  
28 not-for-profit provider operated commu-  
29 nity residential and day service  
30 programs (51201003) ..... 5,000,000  
31  
32 New Facilities Purpose  
33  
34 For state aid, to municipalities and other  
35 public and not-for-profit agencies,  
36 including the payment of liabilities  
37 incurred prior to April 1, 2010 for up  
38 to 100 per centum of the net cost of  
39 feasibility studies, property options,  
40 capital renovations, acquisition of  
41 property, construction, rehabilitation  
42 and capital costs incidental and appur-  
43 tenant to facilities required to be  
44 licensed pursuant to article 16, as  
45 defined in the mental hygiene law, and  
46 for services and expenses related to  
47 environmental modifications and adaptive  
48 technology services at voluntary not-  
49 for-profit provider operated community  
50 residential facilities, certified family  
51 care homes and private residences, as a  
52 loan and/or grant to family care provid-  
53 ers, for payment to other state and  
54 federal housing agencies, private corpo-  
55 rations and for capital development of  
56 residential housing or day program  
57 alternatives not currently defined in  
58 the mental hygiene law (51B11007) ..... 5,070,000  
59  
60

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

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 bilitation, 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 (513210H2) 6,710,000  
27

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

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 2009:

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 (51F10930) ... 6,000,000 ..... (re. \$3,750,000)

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 2009:

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 (51H10901) .....  
 38 7,500,000 ..... (re. \$7,500,000)

39

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

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 (51H10801) .....  
 46 6,400,000 ..... (re. \$6,400,000)

47

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

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 (51H10701) .....  
 54 7,325,000 ..... (re. \$7,190,000)

55

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

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

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1 the director of the budget, this appropriation may be transferred to  
 2 the dormitory authority of the state of New York (51H10601) .....  
 3 4,000,000 ..... (re. \$2,540,000)

4  
5 Preservation of Facilities Purpose

6  
7 By chapter 54, section 1, of the laws of 2009:

8 For alterations and improvements for preservation of various  
 9 facilities including rehabilitation projects. This appropriation may  
 10 be used for the cost of potential claims against contracts awarded  
 11 by the dormitory authority of the state of New York. Upon request of  
 12 the commissioner of the office of mental retardation and  
 13 developmental disabilities 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 (51P10903) .....  
 16 4,420,000 ..... (re. \$4,420,000)

17 For minor maintenance, preservation and alterations of facilities on  
 18 the grounds of former developmental centers. Upon request of the  
 19 commissioner of the office of mental retardation and developmental  
 20 disabilities and approval by the director of the budget, this  
 21 appropriation may be transferred to the dormitory authority of the  
 22 state of New York (51M20903) ... 4,100,000 ..... (re. \$4,100,000)

23  
24 By chapter 54, section 1, of the laws of 2008:

25 For alterations and improvements for preservation of various facili-  
 26 ties including rehabilitation projects. This appropriation may be  
 27 used for the cost of potential claims against contracts awarded by  
 28 the dormitory authority of the state of New York. Upon request of  
 29 the commissioner of the office of mental retardation and develop-  
 30 mental disabilities and approval by the director of the budget, this  
 31 appropriation may be transferred to the dormitory authority of the  
 32 state of New York (51P10803) .....  
 33 7,600,000 ..... (re. \$7,600,000)

34 For minor maintenance, preservation and alterations of facilities on  
 35 the grounds of former developmental centers. Upon request of the  
 36 commissioner of the office of mental retardation and developmental  
 37 disabilities and approval by the director of the budget, this appro-  
 38 priation may be transferred to the dormitory authority of the state  
 39 of New York (51M20803) ... 1,400,000 ..... (re. \$1,380,000)

40  
41 By chapter 54, section 1, of the laws of 2007:

42 For alterations and improvements for preservation of various facili-  
 43 ties including rehabilitation projects. This appropriation may be  
 44 used for the cost of potential claims against contracts awarded by  
 45 the dormitory authority of the state of New York. Upon request of  
 46 the commissioner of the office of mental retardation and develop-  
 47 mental disabilities and approval by the director of the budget, this  
 48 appropriation may be transferred to the dormitory authority of the  
 49 state of New York (51P10703) .....  
 50 4,180,000 ..... (re. \$3,130,000)

51 For minor maintenance, preservation and alterations of facilities on  
 52 the grounds of former developmental centers. Upon request of the  
 53 commissioner of the office of mental retardation and developmental  
 54 disabilities and approval by the director of the budget, this appro-  
 55 priation may be transferred to the dormitory authority of the state  
 56 of New York (51M20703) ... 3,300,000 ..... (re. \$2,750,000)

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1 By chapter 54, section 1, of the laws of 2006:  
 2 For alterations and improvements for preservation of various facili-  
 3 ties including rehabilitation projects. This appropriation may be  
 4 used for the cost of potential claims against contracts awarded by  
 5 the dormitory authority of the state of New York. Upon request of  
 6 the commissioner of the office of mental retardation and develop-  
 7 mental disabilities and approval by the director of the budget, this  
 8 appropriation may be transferred to the dormitory authority of the  
 9 state of New York (51P10603) ... 8,415,000 ..... (re. \$2,770,000)  
 10 For minor maintenance, preservation and alterations of facilities on  
 11 the grounds of former developmental centers. Upon request of the  
 12 commissioner of the office of mental retardation and developmental  
 13 disabilities and approval by the director of the budget, this appro-  
 14 priation may be transferred to the dormitory authority of the state  
 15 of New York (51M20603) ... 1,700,000 ..... (re. \$1,150,000)  
 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. This appropriation may be  
 20 used for the cost of potential claims against contracts awarded by  
 21 the dormitory authority of the state of New York or the facilities  
 22 development corporation. Upon request of the commissioner of the  
 23 office of mental retardation and developmental disabilities and  
 24 approval by the director of the budget, this appropriation may be  
 25 transferred to the dormitory authority of the state of New York  
 26 (51P10403) ... 8,180,000 ..... (re. \$1,740,000)  
 27 For minor maintenance, preservation and alterations of facilities on  
 28 the grounds of former developmental centers. Upon request of the  
 29 commissioner of the office of mental retardation and developmental  
 30 disabilities and approval by the director of the budget, this appro-  
 31 priation may be transferred to the dormitory authority of the state  
 32 of New York (51M20403) ... 2,600,000 ..... (re. \$850,000)  
 33

34 Mental Hygiene Capital Improvement Fund - 389

35  
36 Health and Safety Purpose

37  
38 By chapter 54, section 1, of the laws of 2009:  
 39 For alterations and improvements for health and safety projects at  
 40 various facilities. This appropriation may be used for the cost of  
 41 potential claims against contracts awarded by the dormitory  
 42 authority of the state of New York. Upon request of the commissioner  
 43 of the office of mental retardation and developmental disabilities  
 44 and approval by the director of the budget, this appropriation may  
 45 be transferred to the dormitory authority of the state of New York  
 46 (51H30901) ... 34,150,000 ..... (re. \$34,150,000)  
 47

48 By chapter 54, section 1, of the laws of 2008:  
 49 For alterations and improvements for health and safety projects at  
 50 various facilities. This appropriation may be used for the cost of  
 51 potential claims against contracts awarded by the dormitory authori-  
 52 ty of the state of New York. Upon request of the commissioner of the  
 53 office of mental retardation and developmental disabilities and  
 54 approval by the director of the budget, this appropriation may be  
 55 transferred to the dormitory authority of the state of New York  
 56 (51H30801) ... 33,200,000 ..... (re. \$33,030,000)  
 57  
 58

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1 By chapter 54, section 1, of the laws of 2007:  
 2 For alterations and improvements for health and safety projects at  
 3 various facilities. This appropriation may be used for the cost of  
 4 potential claims against contracts awarded by the dormitory authori-  
 5 ty of the state of New York. 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 (51H30701) ... 32,290,000 ..... (re. \$27,190,000)

10 For alterations and improvements for health and safety projects at  
 11 bernard fineson facilities on the creedmoor psychiatric center  
 12 campus and at Howard park. This appropriation may be used for the  
 13 cost of potential claims against contracts awarded by the dormitory  
 14 authority of the state of New York. Upon request of the commissioner  
 15 of the office of mental retardation and developmental disabilities  
 16 and approval by the director of the budget, this appropriation may  
 17 be transferred to the dormitory authority of the state of New York  
 18 (51BF0701) ... 11,000,000 ..... (re. \$10,990,000)

19  
 20 By chapter 54, section 1, of the laws of 2006:  
 21 For alterations and improvements for health and safety projects at  
 22 various facilities. This appropriation may be used for the cost of  
 23 potential claims against contracts awarded by the dormitory authori-  
 24 ty 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 transferred to the dormitory authority of the state of New York  
 28 (51H30601) ... 32,143,000 ..... (re. \$21,790,000)

29 For alterations and improvements for health and safety projects at  
 30 bernard fineson facilities on the creedmoor psychiatric center  
 31 campus and at Howard park. This appropriation may be used for the  
 32 cost of potential claims against contracts awarded by the dormitory  
 33 authority of the state of New York. Upon request of the commissioner  
 34 of the office of mental retardation and developmental disabilities  
 35 and approval by the director of the budget, this appropriation may  
 36 be transferred to the dormitory authority of the state of New York  
 37 (51BF0601) ... 27,000,000 ..... (re. \$230,000)

38  
 39 By chapter 54, section 1, of the laws of 2005:  
 40 For alterations and improvements for health and safety projects at  
 41 bernard fineson facilities on the creedmoor psychiatric center  
 42 campus and at Howard park. This appropriation may be used for the  
 43 cost of potential claims against contracts awarded by the dormitory  
 44 authority of the state of New York. Upon request of the commissioner  
 45 of the office of mental retardation and developmental disabilities  
 46 and approval by the director of the budget, this appropriation may  
 47 be transferred to the dormitory authority of the state of New York  
 48 (51BF0501) ... 40,000,000 ..... (re. \$4,090,000)

49  
 50 By chapter 54, section 1, of the laws of 2004:  
 51 For alterations and improvements for health and safety projects at  
 52 various facilities. This appropriation may be used for the cost of  
 53 potential claims against contracts awarded by the dormitory authori-  
 54 ty of the state of New York or the facilities development corpo-  
 55 ration. Upon request of the commissioner of the office of mental  
 56 retardation and developmental disabilities and approval by the  
 57 director of the budget, this appropriation may be transferred to the  
 58 dormitory authority of the state of New York (51H30401) .....  
 59 26,270,000 ..... (re. \$2,290,000)

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1 By chapter 54, section 1, of the laws of 2003:  
 2 For alterations and improvements for health and safety projects at  
 3 various facilities. This appropriation may be used for the cost of  
 4 potential claims against contracts awarded by the dormitory authori-  
 5 ty of the state of New York or the facilities development corpo-  
 6 ration. Upon request of the commissioner of the office of mental  
 7 retardation and developmental disabilities and approval by the  
 8 director of the budget, this appropriation may be transferred to the  
 9 dormitory authority of the state of New York (51H30301) .....  
 10 26,004,000 ..... (re. \$3,820,000)  
 11

12 By chapter 54, section 1, of the laws of 2001:  
 13 For alterations and improvements for health and safety projects at the  
 14 institute for basic research in developmental disabilities. Upon  
 15 request of the commissioner of the office of mental retardation and  
 16 developmental disabilities and approval by the director of the budg-  
 17 et, this appropriation may be transferred to the dormitory authority  
 18 of the state of New York (51IB0101) .....  
 19 7,000,000 ..... (re. \$4,270,000)  
 20

21 STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

22  
23 Capital Projects Fund

24  
25 Preservation of Facilities Purpose

26  
27 By chapter 54, section 1, of the laws of 2009:  
 28 For renovation and minor rehabilitation and improvements of state-  
 29 owned community residential and day program facilities for the  
 30 developmentally disabled. Upon request of the commissioner of the  
 31 office of mental retardation and developmental disabilities and  
 32 approval by the director of the budget, this appropriation may be  
 33 transferred to the dormitory authority of the state of New York  
 34 (51M10903) ... 19,380,000 ..... (re. \$19,380,000)  
 35

36 New Facilities Purpose

37  
38 By chapter 54, section 1, of the laws of 2009:  
 39 For alterations and improvements of sites leased for state-operated  
 40 programs, and for the purchase of furniture and equipment for state-  
 41 operated programs. Upon request of the commissioner of the office of  
 42 mental retardation and developmental disabilities and approval by  
 43 the director of the budget, this appropriation may be transferred to  
 44 the dormitory authority of the state of New York (51L10907) .....  
 45 11,600,000 ..... (re. \$11,600,000)  
 46

47 Mental Hygiene Capital Improvement Fund - 389

48  
49 Preservation of Facilities Purpose

50  
51 By chapter 54, section 1, of the laws of 2009:  
 52 For renovation and minor rehabilitation and improvements of state-  
 53 owned community residential and day program facilities for the  
 54 developmentally disabled. Upon request of the commissioner of the  
 55 office of mental retardation and developmental disabilities and  
 56 approval by the director of the budget, this appropriation may be  
 57 transferred to the dormitory authority of the state of New York  
 58 (51PR0903) ... 1,000,000 ..... (re. \$1,000,000)  
 59  
 60



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1 By chapter 54, section 1, of the laws of 2008:  
 2 For renovation and minor rehabilitation and improvements of state-  
 3 owned community residential and day program facilities for the  
 4 developmentally disabled. Upon request of the commissioner of the  
 5 office of mental retardation and developmental disabilities and  
 6 approval by the director of the budget, this appropriation may be  
 7 transferred to the dormitory authority of the state of New York  
 8 (51PR0803) ... 1,000,000 ..... (re. \$990,000)  
 9

10 By chapter 54, section 1, of the laws of 2007:  
 11 For renovation and minor rehabilitation and improvements of state-  
 12 owned community residential and day program facilities for the  
 13 developmentally disabled. Upon request of the commissioner of the  
 14 office of mental retardation and developmental disabilities and  
 15 approval by the director of the budget, this appropriation may be  
 16 transferred to the dormitory authority of the state of New York  
 17 (51PR0703) ... 1,000,000 ..... (re. \$160,000)  
 18

19 By chapter 54, section 1, of the laws of 2006:  
 20 For renovation and minor rehabilitation and improvements of state-  
 21 owned community residential and day program facilities for the  
 22 developmentally disabled. Upon request of the commissioner of the  
 23 office of mental retardation and developmental disabilities and  
 24 approval by the director of the budget, this appropriation may be  
 25 transferred to the dormitory authority of the state of New York  
 26 (51PR0603) ... 1,000,000 ..... (re. \$580,000)  
 27

28 By chapter 54, section 1, of the laws of 2005:  
 29 For renovation and minor rehabilitation and improvements of state-  
 30 owned community residential and day program facilities for the  
 31 developmentally disabled. Upon request of the commissioner of the  
 32 office of mental retardation and developmental disabilities 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 (51PR0503) ... 1,000,000 ..... (re. \$300,000)  
 36

37 New Facilities Purpose

38  
 39 By chapter 54, section 1, of the laws of 2009:  
 40 For the acquisition and alterations and improvements of property to be  
 41 used as state-operated community residential facilities. Upon  
 42 request of the commissioner of the office of mental retardation and  
 43 developmental disabilities and approval by the director of the  
 44 budget, this appropriation may be transferred to the dormitory  
 45 authority of the state of New York. Upon request of the commissioner  
 46 of the office of mental retardation and developmental disabilities,  
 47 and approval by the director of the budget, this appropriation may  
 48 be used for the acquisition and alterations and improvements of  
 49 property to be used as not-for-profit facilities licensed pursuant  
 50 to articles 16 and 41 of the mental hygiene law (51R10907) .....  
 51 14,675,000 ..... (re. \$14,675,000)  
 52

53 By chapter 54, section 1, of the laws of 2008:  
 54 For the acquisition and alterations and improvements of property to be  
 55 used as state-operated community residential facilities. Upon  
 56 request of the commissioner of the office of mental retardation and  
 57 developmental disabilities and approval by the director of the budg-  
 58 et, this appropriation may be transferred to the dormitory authority  
 59 of the state of New York. Upon request of the commissioner of the  
 60 office of mental retardation and developmental disabilities, and

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 approval by the director of the budget, this appropriation may be  
 2 used for the acquisition and alterations and improvements of proper-  
 3 ty to be used as not-for-profit facilities licensed pursuant to  
 4 articles 16 and 41 of the mental hygiene law (51R10807) .....  
 5 24,575,000 ..... (re. \$19,200,000)  
 6

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

8 For the acquisition and alterations and improvements of property to be  
 9 used as state-operated community residential facilities. Upon  
 10 request of the commissioner of the office of mental retardation and  
 11 developmental disabilities and approval by the director of the budg-  
 12 et, this appropriation may be transferred to the dormitory authority  
 13 of the state of New York. Upon request of the commissioner of the  
 14 office of mental retardation and developmental disabilities, and  
 15 approval by the director of the budget, this appropriation may be  
 16 used for the acquisition and alterations and improvements of proper-  
 17 ty to be used as not-for-profit facilities licensed pursuant to  
 18 articles 16 and 41 of the mental hygiene law (51R10707) .....  
 19 22,200,000 ..... (re. \$15,200,000)  
 20

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

22 For the acquisition and alterations and improvements of property to be  
 23 used as state-operated community residential facilities. Upon  
 24 request of the commissioner of the office of mental retardation and  
 25 developmental disabilities and approval by the director of the budg-  
 26 et, this appropriation may be transferred to the dormitory authority  
 27 of the state of New York. Upon request of the commissioner of the  
 28 office of mental retardation and developmental disabilities, and  
 29 approval by the director of the budget, this appropriation may be  
 30 used for the acquisition and alterations and improvements of proper-  
 31 ty to be used as not-for-profit facilities licensed pursuant to  
 32 articles 16 and 41 of the mental hygiene law (51R10607) .....  
 33 19,300,000 ..... (re. \$5,300,000)  
 34

35 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

36  
37 Capital Projects Fund

38  
39 Preservation of Facilities Purpose

40  
41 By chapter 54, section 1, of the laws of 2009:

42 For state aid, to municipalities and other public and not-for-profit  
 43 agencies, including the payment of liabilities incurred prior to  
 44 April 1, 2009, for up to 100 per centum of the net cost of services  
 45 and expenses related to the maintenance and improvement of voluntary  
 46 not-for-profit provider operated community residential and day  
 47 service programs (51200903) ... 5,000,000 ..... (re. \$5,000,000)  
 48

49 New Facilities Purpose

50  
51 By chapter 54, section 1, of the laws of 2009:

52 For state aid, to municipalities and other public and not-for-profit  
 53 agencies, including the payment of liabilities incurred prior to  
 54 April 1, 2009 for up to 100 per centum of the net cost of  
 55 feasibility studies, property options, capital renovations,  
 56 acquisition of property, construction, rehabilitation and capital  
 57 costs incidental and appurtenant to facilities required to be  
 58 licensed pursuant to article 16, as defined in the mental hygiene  
 59 law, and for services and expenses related to environmental  
 60 modifications and adaptive technology services at voluntary not-for-

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1 profit provider operated community residential facilities, certified  
 2 family care homes and private residences, as a loan and/or grant to  
 3 family care providers, for payment to other state and federal  
 4 housing agencies, private corporations and for capital development  
 5 of residential housing or day program alternatives not currently  
 6 defined in the mental hygiene law (51B10907) .....  
 7 4,375,000 ..... (re. \$4,375,000)

8  
 9 Mental Hygiene Capital Improvement Fund - 389

10  
11 Community Facilities Purpose

12  
13 By chapter 54, section 1, of the laws of 2009:

14 For the comprehensive construction programs, purposes and projects as  
 15 herein specified, and for departmental administrative costs related  
 16 thereto, consistent with section 41.34 of the mental hygiene law,  
 17 and for the acquisition of property, construction and  
 18 rehabilitation, including the payment of preoperational costs  
 19 incurred prior to occupancy, of article 16 community mental  
 20 retardation facilities and associated programs and facilities and  
 21 under the auspice of municipalities and other public and not-for-  
 22 profit private agencies approved by the commissioner of the office  
 23 of mental retardation and developmental disabilities, pursuant to  
 24 article 41 of the mental hygiene law and for management fees  
 25 associated with voluntary not-for-profit operated projects to be  
 26 financed through dormitory authority of the state of New York bonds  
 27 (513209H2) ... 6,450,000 ..... (re. \$6,450,000)

28  
29 By chapter 54, section 1, of the laws of 2008:

30 For the comprehensive construction programs, purposes and projects as  
 31 herein specified, and for departmental administrative costs related  
 32 thereto, consistent with section 41.34 of the mental hygiene law,  
 33 and for the acquisition of property, construction and rehabili-  
 34 tation, including the payment of preoperational costs incurred prior  
 35 to occupancy, of article 16 community mental retardation facilities  
 36 and associated programs and facilities and under the auspice of  
 37 municipalities and other public and not-for-profit private agencies  
 38 approved by the commissioner of the office of mental retardation and  
 39 developmental disabilities, pursuant to article 41 of the mental  
 40 hygiene law and for management fees associated with voluntary not-  
 41 for-profit operated projects to be financed through dormitory  
 42 authority of the state of New York bonds (513208H2) .....  
 43 6,400,000 ..... (re. \$6,400,000)

44

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund - State and Local .....	5,636,000	0
6 Special Revenue Funds - Federal ....	8,345,000	11,045,000
7 Special Revenue Funds - Other .....	4,663,000	0
8 Enterprise Funds .....	45,000	0
9	-----	-----
10 All Funds .....	18,689,000	11,045,000
11	=====	=====

12  
13 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
17	-----	-----	-----	-----
18 GF-St/Local	5,466,000	170,000	0	5,636,000
19 SR-Federal	8,345,000	0	0	8,345,000
20 SR-Other	4,185,000	478,000	0	4,663,000
21 Enterprise	45,000	0	0	45,000
22	-----	-----	-----	-----
23 All Funds	18,041,000	648,000	0	18,689,000
24	=====	=====	=====	=====

25  
26 SCHEDULE

27  
28 ADMINISTRATION PROGRAM ..... 9,996,000

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  
38 PERSONAL SERVICE

39  
40 Personal service--regular ..... 4,133,000  
41 Holiday/overtime compensation ..... 17,000  
42 -----  
43 Amount available for personal service .... 4,150,000  
44 -----

45  
46 NONPERSONAL SERVICE

47  
48 Supplies and materials ..... 44,000  
49 Travel ..... 196,000  
50 Contractual services ..... 932,000  
51 Equipment ..... 144,000  
52 -----  
53 Amount available for nonpersonal service.. 1,316,000  
54 -----  
55 Program account subtotal ..... 5,466,000  
56 -----

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Special Revenue Funds - Federal / State Operations	
2	Federal Health and Human Services Fund - 265	
3		
4	For services and expenses associated with	
5	federal grant awards yet to be allocated.	
6	Notwithstanding any inconsistent provision	
7	of law, the director of the budget is	
8	hereby authorized to transfer appropri-	
9	ation authority contained herein to any	
10	other federal fund or program within the	
11	commission on quality of care and advocacy	
12	for persons with disabilities .....	300,000
13		-----
14	Program fund subtotal .....	300,000
15		-----
16		
17	Special Revenue Funds - Other / State Operations	
18	Combined Gifts, Grants and Bequests Fund - 020	
19	Disability and Technical Assistance Account	
20		
21	For services and expenses related to disa-	
22	bility consultant services pursuant to	
23	chapter 58 of the laws of 2005.	
24		
25	PERSONAL SERVICE	
26		
27	Personal service--regular .....	57,000
28	Holiday/overtime compensation .....	1,000
29		-----
30	Amount available for personal service ....	58,000
31		-----
32		
33	NONPERSONAL SERVICE	
34		
35	Supplies and materials .....	3,000
36	Travel .....	9,000
37	Contractual services .....	56,000
38	Equipment .....	1,000
39	Fringe benefits .....	28,000
40	Indirect costs .....	2,000
41		-----
42	Amount available for nonpersonal service..	99,000
43		-----
44	Program account subtotal .....	157,000
45		-----
46		
47	Special Revenue Funds - Other / State Operations	
48	Miscellaneous Special Revenue Fund - 339	
49	Conference Fee Account	
50		
51	For services and expenses of the commission	
52	pursuant to chapter 58 of the laws of	
53	2005.	
54		
55	NONPERSONAL SERVICE	
56		
57	Supplies and materials .....	15,000
58	Travel .....	20,000
59		

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Contractual services .....	36,000
2		-----
3	Program account subtotal .....	71,000
4		-----
5		
6	Special Revenue Funds - Other / State Operations	
7	Miscellaneous Special Revenue Fund - 339	
8	Federal Salary Sharing Account	
9		
10	PERSONAL SERVICE	
11		
12	Personal service--regular .....	2,381,000
13	Holiday/overtime compensation .....	14,000
14		-----
15	Amount available for personal service ....	2,395,000
16		-----
17		
18	NONPERSONAL SERVICE	
19		
20	Supplies and materials .....	2,000
21	Travel .....	146,000
22	Contractual services .....	164,000
23	Equipment .....	15,000
24	Fringe benefits .....	1,160,000
25	Indirect costs .....	75,000
26		-----
27	Amount available for nonpersonal service..	1,562,000
28		-----
29	Program account subtotal .....	3,957,000
30		-----
31		
32	Enterprise Funds / State Operations	
33	Miscellaneous Enterprise Fund - 331	
34	Publications Account	
35		
36	NONPERSONAL SERVICE	
37		
38	Supplies and materials .....	5,000
39	Contractual services .....	15,000
40		-----
41	Program account subtotal .....	20,000
42		-----
43		
44	Enterprise Funds / State Operations	
45	Miscellaneous Enterprise Fund - 331	
46	TRAID Services Account	
47		
48	For services and expenses related to TRAID	
49	project activities including the provision	
50	of educational, outreach, training and	
51	support services pursuant to chapter 58 of	
52	the laws of 2005.	
53		
54	NONPERSONAL SERVICE	
55		
56	Supplies and materials .....	5,000
57	Travel .....	10,000
58	Contractual services .....	10,000
59		-----
60	Program account subtotal .....	25,000
61		-----

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	ADULT HOMES PROGRAM .....	230,000
2		-----
3		
4	General Fund / Aid to Localities	
5	Local Assistance Account - 001	
6		
7	For services and expenses related to the	
8	adult homes advocacy program .....	170,000
9		-----
10	Program account subtotal .....	170,000
11		-----
12		
13	Special Revenue Funds - Other / Aid to Localities	
14	HCRA Resources Fund - 061	
15	Adult Home Resident Council Support Project Account	
16		
17	For services and expenses related to the	
18	adult homes resident council support	
19	project .....	60,000
20		-----
21	Program account subtotal .....	60,000
22		-----
23		
24	CLIENT ASSISTANCE PROGRAM .....	721,000
25		-----
26		
27	Special Revenue Funds - Federal / State Operations	
28	Federal Department of Education Fund - 267	
29		
30	Personal service .....	82,000
31	Nonpersonal service .....	598,000
32	Fringe benefits .....	39,000
33	Indirect costs .....	2,000
34		-----
35		
36	PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM..	252,000
37		-----
38		
39	Special Revenue Funds - Federal / State Operations	
40	Federal Department of Education Fund - 267	
41		
42	For services and expenses related to assist-	
43	ing individuals with obtaining assistive	
44	technology services and devices consistent	
45	with federal grant requirements.	
46		
47	Personal service .....	52,000
48	Nonpersonal service .....	174,000
49	Fringe benefits .....	25,000
50	Indirect costs .....	1,000
51		-----
52		
53	PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECUR-	
54	ITY PROGRAM .....	335,000
55		-----
56		
57	Special Revenue Funds - Federal / State Operations	
58	Federal Operating Grants Fund - 290	
59		
60	Personal service .....	61,000
61	Nonpersonal service .....	243,000

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Fringe benefits .....	29,000	
2	Indirect costs .....	2,000	
3			-----
4			
5	PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED		
6	PROGRAM .....		2,397,000
7			-----
8			
9	Special Revenue Funds - Federal / State Operations		
10	Federal Health and Human Services Fund - 265		
11			
12	Personal service .....	484,000	
13	Nonpersonal service .....	1,676,000	
14	Fringe benefits .....	228,000	
15	Indirect costs .....	9,000	
16			-----
17			
18	PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL		
19	ILLNESS PROGRAM .....		2,036,000
20			-----
21			
22	Special Revenue Funds - Federal / State Operations		
23	Federal Health and Human Services Fund - 265		
24			
25	Personal service .....	577,000	
26	Nonpersonal service .....	1,176,000	
27	Fringe benefits .....	272,000	
28	Indirect costs .....	11,000	
29			-----
30			
31	PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN		
32	INJURY PROGRAM .....		123,000
33			-----
34			
35	Special Revenue Funds - Federal / State Operations		
36	Federal Health and Human Services Fund - 265		
37			
38	Nonpersonal service .....	123,000	
39			-----
40			
41	PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM ....		215,000
42			-----
43			
44	Special Revenue Funds - Federal / State Operations		
45	Federal Health and Human Services Fund - 265		
46			
47	Nonpersonal service .....	215,000	
48			-----
49			
50	PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM .....		1,154,000
51			-----
52			
53	Special Revenue Funds - Federal / State Operations		
54	Federal Department of Education Fund - 267		
55			
56	Personal service .....	136,000	
57	Nonpersonal service .....	951,000	
58	Fringe benefits .....	64,000	
59	Indirect costs .....	3,000	
60			-----
61			



COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	SURROGATE DECISION-MAKING COMMITTEE PROGRAM .....	418,000
2		-----
3		
4	Special Revenue Funds - Other / Aid to Localities	
5	Miscellaneous Special Revenue Fund - 339	
6	Federal Salary Sharing Account	
7		
8	For surrogate decision-making committee	
9	program contracts with local service	
10	providers .....	418,000
11		-----
12	Program account subtotal .....	418,000
13		-----
14		
15	TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISA-	
16	BILITIES .....	812,000
17		-----
18		
19	Special Revenue Funds - Federal / State Operations	
20	Federal Department of Education Fund - 267	
21	1031-OT-Education Account	
22		
23	For services and expenses related to TR Aid	
24	including for contract for the delivery of	
25	direct services to persons utilizing	
26	regional technology centers or other enti-	
27	ties funded through the TR Aid project	
28	pursuant to chapter 58 of the laws of	
29	2005.	
30		
31	Personal service .....	184,000
32	Nonpersonal service .....	537,000
33	Fringe benefits .....	87,000
34	Indirect costs .....	4,000
35		-----
36		
37	Total new appropriations for state operations and aid to	
38	localities .....	18,689,000
39		=====
40		

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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 2009:  
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  
10 appropriation authority contained herein to any other federal fund  
11 or program within the commission on quality of care and advocacy for  
12 persons 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 2009:  
20 Personal service ... 80,000 ..... (re. \$63,000)  
21 Nonpersonal service ... 533,000 ..... (re. \$533,000)  
22 Fringe benefits ... 34,000 ..... (re. \$27,000)  
23 Indirect costs ... 7,000 ..... (re. \$6,000)  
24  
25 By chapter 54, section 1, of the laws of 2008:  
26 Nonpersonal service ... 571,000 ..... (re. \$505,000)  
27  
28 PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM  
29  
30 Special Revenue Funds - Federal / State Operations  
31 Federal Department of Education Fund - 267  
32  
33 By chapter 54, section 1, of the laws of 2009:  
34 For services and expenses related to assisting individuals with  
35 obtaining assistive technology services and devices consistent with  
36 federal grant requirements.  
37 Personal service ... 56,000 ..... (re. \$56,000)  
38 Nonpersonal service ... 133,000 ..... (re. \$133,000)  
39 Fringe benefits ... 24,000 ..... (re. \$24,000)  
40 Indirect costs ... 4,000 ..... (re. \$4,000)  
41  
42 By chapter 54, section 1, of the laws of 2008:  
43 For services and expenses related to assisting individuals with  
44 obtaining assistive technology services and devices consistent with  
45 federal grant requirements ... 229,000 ..... (re. \$97,000)  
46  
47 PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM  
48  
49 Special Revenue Funds - Federal / State Operations  
50 Federal Operating Grants Fund - 290  
51  
52 By chapter 54, section 1, of the laws of 2009:  
53 Personal service ... 106,000 ..... (re. \$94,000)  
54 Nonpersonal service ... 243,000 ..... (re. \$219,000)  
55 Fringe benefits ... 45,000 ..... (re. \$11,000)  
56 Indirect costs ... 9,000 ..... (re. \$2,000)  
57  
58

COMMISSION ON QUALITY OF CARE AND  
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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 2009:  
7 Personal service ... 452,000 ..... (re. \$347,000)  
8 Nonpersonal service ... 1,348,000 ..... (re. \$1,348,000)  
9 Fringe benefits ... 189,000 ..... (re. \$146,000)  
10 Indirect costs ... 36,000 ..... (re. \$30,000)  
11  
12 By chapter 54, section 1, of the laws of 2008:  
13 Nonpersonal service ... 1,354,000 ..... (re. \$1,326,000)  
14  
15 By chapter 54, section 1, of the laws of 2007:  
16 For the grant period October 1, 2007 to September 30, 2008:  
17 Nonpersonal service ... 1,264,000 ..... (re. \$360,000)  
18  
19 PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS  
20  
21 Special Revenue Funds - Federal / State Operations  
22 Federal Health and Human Services Fund - 265  
23  
24 By chapter 54, section 1, of the laws of 2009:  
25 Personal service ... 588,000 ..... (re. \$465,000)  
26 Nonpersonal service ... 796,000 ..... (re. \$796,000)  
27 Fringe benefits ... 246,000 ..... (re. \$195,000)  
28 Indirect costs ... 47,000 ..... (re. \$40,000)  
29  
30 By chapter 54, section 1, of the laws of 2008:  
31 Nonpersonal service ... 887,000 ..... (re. \$721,000)  
32  
33 By chapter 54, section 1, of the laws of 2007:  
34 For the grant period October 1, 2007 to September 30, 2008:  
35 Nonpersonal service ... 706,000 ..... (re. \$ 97,000)  
36  
37 PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY 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 2009:  
43 Nonpersonal service ... 167,000 ..... (re. \$167,000)  
44  
45 By chapter 54, section 1, of the laws of 2008:  
46 Nonpersonal service ... 89,000 ..... (re. \$17,000)  
47  
48 PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM  
49  
50 Special Revenue Funds - Federal / State Operations  
51 Federal Health and Human Services Fund - 265  
52  
53 By chapter 54, section 1, of the laws of 2009:  
54 Nonpersonal service ... 223,000 ..... (re. \$223,000)  
55  
56 By chapter 54, section 1, of the laws of 2008:  
57 Nonpersonal service ... 181,000 ..... (re. \$87,000)  
58  
59

COMMISSION ON QUALITY OF CARE AND  
 ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM  
 2  
 3 Special Revenue Funds - Federal / State Operations  
 4 Federal Department of Education Fund - 267  
 5  
 6 By chapter 54, section 1, of the laws of 2009:  
 7 Personal service ... 155,000 ..... (re. \$121,000)  
 8 Nonpersonal service ... 668,000 ..... (re. \$668,000)  
 9 Fringe benefits ... 65,000 ..... (re. \$51,000)  
 10 Indirect costs ... 13,000 ..... (re. \$11,000)  
 11  
 12 By chapter 54, section 1, of the laws of 2008:  
 13 Nonpersonal service ... 704,000 ..... (re. \$542,000)  
 14  
 15 TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM  
 16  
 17 Special Revenue Funds - Federal / State Operations  
 18 Federal Department of Education Fund - 267  
 19 1031-OT-Education Account  
 20  
 21 By chapter 54, section 1, of the laws of 2009:  
 22 For services and expenses related to TR Aid including for contract for  
 23 the delivery of direct services to persons utilizing regional  
 24 technology centers or other entities funded through the TR Aid  
 25 project pursuant to chapter 58 of the laws of 2005.  
 26 Personal service ... 185,000 ..... (re. \$185,000)  
 27 Nonpersonal service ... 431,000 ..... (re. \$431,000)  
 28 Fringe benefits ... 77,000 ..... (re. \$77,000)  
 29 Indirect costs ... 14,000 ..... (re. \$14,000)  
 30  
 31 By chapter 54, section 1, of the laws of 2008:  
 32 For services and expenses related to TR Aid including for contract for  
 33 the delivery of direct services to persons utilizing regional tech-  
 34 nology centers or other entities funded through the TR Aid project  
 35 pursuant to chapter 58 of the laws of 2005 .....  
 36 845,000 ..... (re. \$506,000)  
 37  
 38 Total reappropriations for state operations and aid to  
 39 localities ..... 11,045,000  
 40 =====  
 41

## 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 2010-11

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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