

S. 6604

A. 9704

S E N A T E - A S S E M B L Y

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.

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

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

e) The several amounts specified in this chapter as capital projects - reappropriations, or so much thereof as shall be sufficient to accomplish the purpose of the appropriations, as appropriated by comprehensive construction programs (hereinafter referred to by the abbreviation CCP), purposes, and projects, being the undisbursed balances of the prior year's appropriations, are reappropriated and unless otherwise amended or repealed in part or total in this chapter shall continue to be available for the same purposes as the prior appropriations or as otherwise amended for the fiscal year beginning April 1, 2010.

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

For the purpose of complying with section 25 of the state finance law, the year, chapter and section of the last act reappropriating a former original appropriation or any part thereof are, unless otherwise indicated, chapter 54, section 1 or 2, of the laws of 2009.

f) The several amounts named herein, or so much thereof as shall be sufficient to accomplish the purpose designated, being the unexpended balances of the prior year's appropriations, are hereby reappropriated from the same funds and made available for the same purposes as the prior year's appropriations, unless herein amended, for the fiscal year beginning April 1, 2010. Certain reappropriations in this chapter are shown using abbreviated text, with three leader dots (an ellipsis) followed by three spaces (...) used to indicate where existing law that is being continued is not shown. However, unless a change is clearly indicated by the use of brackets [-] for deletions and underscores for additions, the purposes, amounts, funding source and all other aspects pertinent to each item of appropriation shall be as last appropriated.

For the purpose of complying with the state finance law, the year, chapter and section of the last act reappropriating a former original appropriation or any part thereof is, unless otherwise indicated, chapter 54, section 1 or 2, of the laws of 2009.

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

h) The appropriations contained in this chapter shall be available for the fiscal year beginning on April 1, 2010.

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

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

10 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

	State Operations	Aid to Localities	Capital Projects	Total
11 Fund Type				
12	-----	-----	-----	-----
13				
14 GF-St/Local	2,748,400	110,294,000	0	113,042,400
15 SR-Federal	11,252,000	113,985,000	0	125,237,000
16 SR-Other	250,000	980,000	0	1,230,000
17 Enterprise	100,000	0	0	100,000
18	-----	-----	-----	-----
19 All Funds	14,350,400	225,259,000	0	239,609,400
20	=====	=====	=====	=====

21 SCHEDULE

22 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM 14,350,400

23 -----

24 General Fund / State Operations

25 State Purposes Account - 003

26 PERSONAL SERVICE

27 Personal service--regular 2,348,200

28 Temporary service 7,300

29 -----

30 Amount available for personal service 2,355,500

31 -----

32 NONPERSONAL SERVICE

33 Supplies and materials 48,300

34 Travel 92,100

35 Contractual services 227,900

36 Equipment 24,600

37 -----

38 Amount available for nonpersonal service 392,900

39 -----

40 Program account subtotal 2,748,400

41 -----

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

 3 For programs provided under the titles of
 4 the federal older Americans act and other
 5 health and human services programs 9,394,000
 6 For purposes of Congregate Nutritional
 7 Services funded by the American recovery
 8 and reinvestment act of 2009. Funds appro-
 9 priated herein shall be subject to all
 10 applicable reporting and accountability
 11 requirements contained in such act 150,000
 12 For purposes of Home-Delivered Nutritional
 13 Services funded by the American recovery
 14 and reinvestment act of 2009. Funds appro-
 15 priated herein shall be subject to all
 16 applicable reporting and accountability
 17 requirements contained in such act 65,000
 18 -----
 19 Program fund subtotal 9,609,000
 20 -----

 21 Special Revenue Funds - Federal / State Operations
 22 Federal Operating Grants Fund - 290
 23 Office for the Aging Federal Grants Account

 24 For services and expenses related to the
 25 provision of aging services programs 1,200,000
 26 -----
 27 Program account subtotal 1,200,000
 28 -----

 29 Special Revenue Funds - Federal / State Operations
 30 Federal Operating Grants Fund - 290
 31 Senior Community Service Employment Account

 32 For the senior community service employment
 33 program provided under title V of the
 34 federal older Americans act 393,000
 35 For additional expenses of the senior commu-
 36 nity service employment program provided
 37 under title V of the federal older Ameri-
 38 cans act funded by the American recovery
 39 and reinvestment act of 2009. Funds appro-
 40 priated herein shall be subject to all
 41 applicable reporting and accountability
 42 requirements contained in such act 50,000
 43 -----
 44 Program account subtotal 443,000
 45 -----

 46 Special Revenue Funds - Other / State Operations

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Combined Gifts, Grants and Bequests Fund - 020	
2	Aging Grants and Bequest Account	
3	For service and expenses of the state office	
4	for the aging.	
5		
	NONPERSONAL SERVICE	
6	Supplies and materials	50,000
7	Travel	50,000
8	Contractual services	150,000
9		-----
10	Program account subtotal	250,000
11		-----
12	Enterprise Funds / State Operations	
13	Miscellaneous Enterprise Fund - 331	
14	Aging Enterprises Account	
15	For service and expenses related to video	
16	and other media.	
17		
	NONPERSONAL SERVICE	
18	Contractual services	100,000
19		-----
20	Program account subtotal	100,000
21		-----
22	COMMUNITY SERVICES PROGRAM	225,259,000
23		-----
24	General Fund / Aid to Localities	
25	Local Assistance Account - 001	
26	For services and expenses, including the	
27	payment of liabilities incurred prior to	
28	April 1, 2010, related to the community	
29	services elderly grant program. No expend-	
30	itures shall be made from this appropri-	
31	ation until the director of the budget has	
32	approved a plan submitted by the office	
33	outlining the amounts and purposes of such	
34	expenditures and the allocation of funds	
35	among the counties. Notwithstanding any	
36	provision of law, rule or regulation to	
37	the contrary, subject to the approval of	
38	the director of the budget, funds appro-	
39	priated herein for the community services	
40	for the elderly program (CSE) and the	
41	expanded in-home services for the elderly	
42	program (EISEP) may be used in accordance	

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1 with a waiver or reduction in county main-
 2 tenance of effort requirements established
 3 pursuant to section 214 of the elder law,
 4 except for base year expenditures. To the
 5 extent that funds hereby appropriated are
 6 sufficient to exceed the per capita limit
 7 established in section 214 of the elder
 8 law, the excess funds shall be available
 9 to supplement the existing per capita
 10 level in a uniform manner consistent with
 11 statutory allocations 15,312,000
 12 For planning and implementation, including
 13 the payment of liabilities incurred prior
 14 to April 1, 2010, of a program of expanded
 15 in-home, case management and ancillary
 16 community services for the elderly
 17 (EISEP). No expenditures shall be made
 18 from this appropriation until the director
 19 of the budget has approved a plan submit-
 20 ted by the office outlining the amounts
 21 and purposes of such expenditures and the
 22 allocation of funds among the counties,
 23 including the city of New York 46,035,000
 24 For services and expenses of grants to area
 25 agencies on aging for the establishment
 26 and operation of caregiver resource
 27 centers 353,000
 28 For services and expenses, including the
 29 payment of liabilities incurred prior to
 30 April 1, 2010, associated with the supple-
 31 mental nutrition assistance program
 32 (SNAP), including a suballocation to the
 33 department of agriculture and markets to
 34 be transferred to state operations for
 35 administrative costs of the farmers market
 36 nutrition program. No expenditure shall be
 37 made from this appropriation until the
 38 director of the budget has approved a plan
 39 submitted by the office outlining the
 40 amounts and purpose of such expenditures
 41 and the allocation of funds among the
 42 counties 21,380,000
 43 Local grants for services and expenses of
 44 the long-term care ombudsman program 690,000
 45 For services and expenses of the retired and
 46 senior volunteer program (RSVP) 433,000
 47 For services and expenses of the EAC/Nassau
 48 senior respite program 237,000
 49 For services and expenses of the home aides
 50 of central New York, Inc. senior respite
 51 program 142,000
 52 For services and expenses of the New York

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

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

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

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1	For programs provided under the titles of	
2	the federal older Americans act and other	
3	health and human services programs.	
4	Title III-b social services	26,000,000
5	Title III-c nutrition programs, including a	
6	suballocation to the department of health	
7	for nutrition program activities	41,000,000
8	Title III-e caregivers	12,000,000
9	Health and human services programs	7,000,000
10	Nutrition services incentive program	16,000,000
11	For purposes of Congregate Nutritional	
12	Services funded by the American recovery	
13	and reinvestment act of 2009. Funds appro-	
14	priated herein shall be subject to all	
15	applicable reporting and accountability	
16	requirements contained in such act	2,350,000
17	For purposes of Home-Delivered Nutritional	
18	Services funded by the American recovery	
19	and reinvestment act of 2009. Funds appro-	
20	priated herein shall be subject to all	
21	applicable reporting and accountability	
22	requirements contained in such act	1,135,000
23		-----
24	Program fund subtotal	105,485,000
25		-----
26	Special Revenue Funds - Federal / Aid to Localities	
27	Federal Operating Grants Fund - 290	
28	Office for the Aging Federal Grants Account	
29	For services and expenses related to the	
30	provision of aging services programs	600,000
31		-----
32	Program account subtotal	600,000
33		-----
34	Special Revenue Funds - Federal / Aid to Localities	
35	Federal Operating Grants Fund - 290	
36	Senior Community Service Employment Account	
37	For the senior community service employment	
38	program provided under title V of the	
39	federal older Americans act	7,000,000
40	For the senior community service employment	
41	program provided under title V of the	
42	federal older Americans act funded by the	
43	American recovery and reinvestment act of	
44	2009. Funds appropriated herein shall be	
45	subject to all applicable reporting and	
46	accountability requirements contained in	
47	such act	900,000
48		-----

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1	Program account subtotal	7,900,000
2		-----
3	Special Revenue Fund - Other / Aid to Localities	
4	Combined Gifts, Grants and Bequests Fund - 020	
5	Aging Grants and Bequest Account	
6	For services and expenses of the state	
7	office for the aging	980,000
8		-----
9	Program account subtotal	980,000
10		-----
11	Total new appropriations for state operations and aid to	
12	localities	239,609,400
13		=====

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM

2 General Fund / State Operations
 3 State Purposes Account - 003

4 By chapter 54, section 1 of the laws of 2008, as amended by chapter 54,
 5 section 1, of the laws of 2009:
 6 For services and support of the Alzheimer's Advisory Coordinating
 7 Council, established pursuant to chapter 58 of the laws of 2007. The
 8 funds appropriated hereby shall be suballocated to the department of
 9 health ... 50,000 (re. \$30,000)

10 The appropriation made by chapter 54, section 1 of the laws of 2007, is
 11 hereby amended and reappropriated to read:
 12 For services and support of the Alzheimer's Advisory Coordinating
 13 Council, established pursuant to [a] chapter 58 of the laws of 2007.
 14 The funds appropriated hereby shall be suballocated to the depart-
 15 ment of health ... 75,000 (re. \$65,000)
 16 For additional services and support of the Alzheimer's Advisory Coor-
 17 dinating Council, established pursuant to [a] chapter 58 of the laws
 18 of 2007.
 19 The funds appropriated hereby shall be suballocated to the department
 20 of health ... 150,000 (re. \$105,000)

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

23 By chapter 54, section 1, of the laws of 2009, amended:
 24 For programs provided under the titles of the federal older Americans
 25 act and other health and human services programs
 26 9,394,000 (re. \$9,394,000)
 27 For purposes of Congregate Nutritional Services funded by the American
 28 recovery and reinvestment act of 2009. Funds appropriated herein
 29 shall be subject to all applicable reporting and accountability
 30 requirements contained in such act ... 150,000 (re. \$150,000)
 31 For purposes of Home-Delivered Nutritional Services funded by the
 32 American recovery and reinvestment act of 2009. Funds appropriated
 33 herein shall be subject to all applicable reporting and accountabil-
 34 ity requirements contained in such act
 35 65,000 (re. \$65,000)

36 By chapter 54, section 1, of the laws of 2008:
 37 For programs provided under the titles of the federal older Americans
 38 act and other health and human services programs
 39 8,700,000 (re. \$1,096,000)

40 Special Revenue Funds - Federal / State Operations
 41 Federal Operating Grants Fund - 290
 42 Senior Community Service Employment Account

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

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1 For the senior community service employment program provided under
 2 title V of the federal older Americans act
 3 393,000 (re. \$393,000)
 4 For additional expenses of the senior community service employment
 5 program provided under title V of the federal older Americans act
 6 funded by the American recovery and reinvestment act of 2009. Funds
 7 appropriated herein shall be subject to all applicable reporting and
 8 accountability requirements contained in such act
 9 50,000 (re. \$50,000)

10 COMMUNITY SERVICES PROGRAM

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

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

14 For additional services and expenses of the Community Services for the
 15 Elderly program ... 1,000,000 (re. \$1,000,000)
 16 For additional services and expenses of the Expanded In-Home Services
 17 for the Elderly Program ... 2,000,000 (re. \$2,000,000)
 18 For services and expenses, including the payment of liabilities
 19 incurred prior to April 1, 2009, associated with the supplemental
 20 nutrition assistance program (SNAP), including a suballocation to
 21 the department of agriculture and markets to be transferred to state
 22 operations for administrative costs of the farmers market nutrition
 23 program. No expenditure shall be made from this appropriation until
 24 the director of the budget has approved a plan submitted by the
 25 office outlining the amounts and purpose of such expenditures and
 26 the allocation of funds among the counties
 27 21,380,000 (re. \$600,000)
 28 For additional services and expenses of the Supplemental Nutrition
 29 Assistance Program ... 2,000,000 (re. \$2,000,000)
 30 For state aid grants to providers of respite services to the elderly.
 31 Funding priority shall be given to the renewal of existing contracts
 32 with the state office for the aging. No expenditures shall be made
 33 from this appropriation until the director of the budget has
 34 approved a plan submitted by the office outlining the amounts to be
 35 distributed by provider ... 656,000 (re. \$634,000)
 36 For state aid grants to providers of social model adult day services.
 37 Funding priority shall be given to the renewal of existing contracts
 38 with the state office for the aging. No expenditures shall be made
 39 from this appropriation until the director of the budget has
 40 approved a plan submitted by the office outlining the amounts to be
 41 distributed by provider ... 872,000 (re. \$872,000)
 42 For state aid grants to naturally occurring retirement communities
 43 (NORC). Funding priority shall be given to the renewal of existing
 44 contracts with the state office for the aging. No expenditures shall
 45 be made from this appropriation until the director of the budget has
 46 approved a plan submitted by the office outlining the amounts to be
 47 distributed by provider ... 2,027,000 (re. \$2,027,000)
 48 For state aid grants to neighborhood naturally occurring retirement
 49 communities (NNORC). Funding priority shall be given to the renewal

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 of existing contracts with the state office for the aging. No
 2 expenditures shall be made from this appropriation until the direc-
 3 tor of the budget has approved a plan submitted by the office
 4 outlining the amounts to be distributed by provider
 5 2,027,000 (re. \$2,027,000)
 6 For state matching funds for services and expenses to match federally
 7 funded model projects and/or demonstration grant programs, a portion
 8 of which may be transferred to state operations or to other entities
 9 as necessary to meet federal grant objectives
 10 236,000 (re. \$184,000)
 11 For grants in aid to up to seven designated area agencies on aging for
 12 the creation of regional caregiver centers for excellence for the
 13 purpose of providing education and training to caregivers, the
 14 development and implementation of innovative approaches to assisting
 15 caregivers and reducing caregiver stress, provision of technical
 16 assistance and training to caregiver program coordinators and other
 17 programs and other activities to directly support community caregiv-
 18 ers. At least 20 percent of the amount appropriated shall be used to
 19 provide respite services to informal caregivers
 20 230,000 (re. \$230,000)
 21 For up to eight community empowerment initiative start up grants to
 22 enable communities, neighborhoods, elders and families to develop
 23 their own supportive services that enable older persons to "age in
 24 place" and stay in their own neighborhoods
 25 245,000 (re. \$245,000)
 26 For additional services and expenses related to the enriched social
 27 adult day services demonstration project to help older New Yorkers
 28 age in place in the community while avoiding spend-down to medicaid.
 29 No more than eight and one half percent of the amount appropriated
 30 for such purpose may be expended by the office for the aging for
 31 services and expenses in connection with the evaluation of the
 32 demonstration project which shall be conducted by the center for
 33 functional assessment research (CFAR) at the university of Buffalo.
 34 An amount not to exceed 10 percent of the allocation may be used for
 35 administration for the office. Funds appropriated herein are
 36 supported by savings resulting from the increased Federal Medical
 37 Assistance Percentage (FMAP) provided pursuant to the American
 38 recovery and reinvestment act of 2009 ... 245,000 ... (re. \$245,000)
 39 For the managed care consumer assistance program for the purpose of
 40 providing education, outreach, one-on-one counseling, monitoring of
 41 the implementation of medicare part D, and assistance with drug
 42 appeals and fair hearings related to medicare part D coverage for
 43 persons who are eligible for medical assistance and who are also
 44 beneficiaries under part D of title XVIII of the federal social
 45 security act and for participants of the elderly pharmaceutical
 46 insurance coverage program (EPIC) in accordance with the following:
 47 Medicare Rights Center ... 414,000 (re. \$414,000)
 48 New York StateWide Senior Action Council, Inc.
 49 185,000 (re. \$185,000)
 50 New York Legal Assistance Group ... 58,000 (re. \$58,000)
 51 Legal Aid Society of New York ... 58,000 (re. \$58,000)
 52 Selfhelp Community Services, Inc. ... 58,000 (re. \$58,000)

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1 Empire Justice Center ... 81,000 (re. \$81,000)
 2 Community Service Society ... 69,000 (re. \$69,000)
 3 For additional services and expenses related to the managed care
 4 consumer assistance program for the purpose of providing education,
 5 outreach, one-on-one counseling, monitoring of the implementation of
 6 medicare part D, and assistance with drug appeals and fair hearings
 7 related to medicare part D coverage for persons who are eligible for
 8 medical assistance and who are also beneficiaries under part D of
 9 title XVIII of the federal social security act and for participants
 10 of the elderly pharmaceutical insurance coverage program (EPIC) in
 11 accordance with the following. Funds appropriated herein are
 12 supported by savings resulting from the increased Federal Medical
 13 Assistance Percentage (FMAP) provided pursuant to the American
 14 recovery and reinvestment act of 2009:
 15 Medicare Rights Center ... 379,000 (re. \$379,000)
 16 New York Statewide Senior Action Council, Inc.
 17 169,000 (re. \$169,000)
 18 New York Legal Assistance Group ... 53,000 (re. \$53,000)
 19 Legal Aid Society of New York ... 53,000 (re. \$53,000)
 20 Selfhelp Community Services, Inc. ... 53,000 (re. \$53,000)
 21 Empire Justice Center ... 74,000 (re. \$74,000)
 22 Community Service Society ... 63,000 (re. \$63,000)

23 By chapter 54, section 1 of the laws of 2008:
 24 For state matching funds for services and expenses to match federally
 25 funded model projects and/or demonstration grant programs, a portion
 26 of which may be transferred to state operations or to other entities
 27 as necessary to meet federal grant objectives
 28 236,000 (re. \$149,000)

29 By chapter 54, section 1 of the laws of 2008, as amended by chapter 496,
 30 section 5 of the laws of 2008:
 31 For state aid grants to providers of respite services to the elderly.
 32 Funding priority shall be given to the renewal of existing contracts
 33 with the state office for the aging. No expenditures shall be made
 34 from this appropriation until the director of the budget has
 35 approved a plan submitted by the office outlining the amounts to be
 36 distributed by provider, provided, however, that the amount of this
 37 appropriation available for expenditure and disbursement on and
 38 after September 1, 2008 shall be reduced by six percent of the
 39 amount that was undisbursed as of August 15, 2008
 40 698,000 (re. \$394,000)
 41 For state aid grants to providers of social model adult day services.
 42 Funding priority shall be given to the renewal of existing contracts
 43 with the state office for the aging. No expenditures shall be made
 44 from this appropriation until the director of the budget has
 45 approved a plan submitted by the office outlining the amounts to be
 46 distributed by provider, provided, however, that the amount of this
 47 appropriation available for expenditure and disbursement on and
 48 after September 1, 2008 shall be reduced by six percent of the
 49 amount that was undisbursed as of August 15, 2008
 50 928,000 (re. \$236,000)

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. \$120,000)
 6 For services and expenses related to the enriched social adult day
 7 services demonstration project to help older New Yorkers age in
 8 place in the community while avoiding spend-down to medicaid. No
 9 more than eight and one half percent of the amount appropriated for
 10 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 ... 245,000 (re. \$245,000)

16 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,
 17 section 3, of the laws of 2009:
 18 For continuation of the pilot programs in geriatric in-home medical
 19 care initiatives, including in-home visits and consultations by
 20 physicians ... 564,000 (re. \$388,000)
 21 For end of life care initiatives grants ... 150,000 ... (re. \$141,000)

22 By chapter 54, section 1, of the laws of 2008, as amended by chapter 54,
 23 section 1, of the laws of 2009:
 24 For grants in aid to up to seven designated area agencies on aging for
 25 the creation of regional caregiver centers for excellence for the
 26 purpose of providing education and training to caregivers, the
 27 development and implementation of innovative approaches to assisting
 28 caregivers and reducing caregiver stress, provision of technical
 29 assistance and training to caregiver program coordinators and other
 30 programs and other activities to directly support community caregiv-
 31 ers. At least 20 percent of the amount appropriated shall be used to
 32 provide respite services to informal caregivers
 33 230,000 (re. \$230,000)

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

36 By chapter 54, section 1, of the laws of 2009:
 37 For programs provided under the titles of the federal older Americans
 38 act and other health and human services programs.
 39 Title III-b social services ... 26,000,000 (re. \$26,000,000)
 40 Title III-c nutrition programs, including a suballocation to the
 41 department of health for nutrition program activities
 42 41,000,000 (re. \$30,015,000)
 43 Title III-e caregivers ... 12,000,000 (re. \$12,000,000)
 44 Health and human services programs ... 5,000,000 (re. \$5,000,000)
 45 Nutrition services incentive program
 46 16,000,000 (re. \$16,000,000)
 47 For purposes of Congregate Nutritional Services funded by the American
 48 recovery and reinvestment act of 2009. Funds appropriated herein

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 shall be subject to all applicable reporting and accountability
 2 requirements contained in such act ... 2,350,000 .. (re. \$2,350,000)
 3 For purposes of Home-Delivered Nutritional Services funded by the
 4 American recovery and reinvestment act of 2009. Funds appropriated
 5 herein shall be subject to all applicable reporting and accountabil-
 6 ity requirements contained in such act
 7 1,135,000 (re. \$1,135,000)

8 By chapter 54, section 1, of the laws of 2008:
 9 For programs provided under the titles of the federal older Americans
 10 act and other health and human services programs.
 11 Title III-b social services ... 26,000,000 (re. \$1,262,000)
 12 Title III-c nutrition programs, including a suballocation to the
 13 department of health for nutrition program activities
 14 41,000,000 (re. \$99,000)
 15 Title III-e caregivers ... 12,000,000 (re. \$705,000)
 16 Health and human services programs ... 5,000,000 (re. \$4,010,000)
 17 Nutrition services incentive program
 18 16,000,000 (re. \$5,003,000)

19 By chapter 54, section 1, of the laws of 2007:
 20 For programs provided under the titles of the federal older Americans
 21 act and other health and human services programs:
 22 For the grant period October 1, 2006 to September 30, 2007: ...
 23 57,500,000 (re. \$19,000)

24 Special Revenue Funds - Federal / Aid to Localities
 25 Federal Operating Grants Fund - 290
 26 Office for the Aging Federal Grants Account

27 By chapter 54, section 1, of the laws of 2009:
 28 For services and expenses related to the provision of aging services
 29 programs ... 600,000 (re. \$600,000)

30 Special Revenue Funds - Federal / Aid to Localities
 31 Federal Operating Grants Fund - 290
 32 Senior Community Service Employment Account

33 By chapter 54, section 1, of the laws of 2009:
 34 For the senior community service employment program provided under
 35 title V of the federal older Americans act
 36 7,000,000 (re. \$6,337,000)
 37 For the senior community service employment program provided under
 38 title V of the federal older Americans act funded by the American
 39 recovery and reinvestment act of 2009. Funds appropriated herein
 40 shall be subject to all applicable reporting and accountability
 41 requirements contained in such act ... 900,000 (re. \$799,000)

42 Total reappropriations for state operations and aid to
 43 localities 138,416,000
 44 =====

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

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
3 Special Revenue Funds - Federal	4,750,000	2,855,000
4 Enterprise Funds	10,000	0
5	-----	-----
6 All Funds	4,760,000	2,855,000
7	=====	=====

8 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
11 -----				-----
12 SR-Federal	4,750,000	0	0	4,750,000
13 Enterprise	10,000	0	0	10,000
14 -----				-----
15 All Funds	4,760,000	0	0	4,760,000
16 =====				=====

17 SCHEDULE

18 DEVELOPMENTAL DISABILITIES PLANNING PROGRAM 4,760,000
19 -----

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

22 For services and expenses related to the
23 provision of services to the develop-
24 mentally disabled under the provisions of
25 the federal developmental disabilities
26 bill of rights act of nineteen hundred
27 seventy-five.

28 Personal service	1,165,000
29 Nonpersonal service	445,000
30 Fringe benefits	516,000
31 Indirect costs	12,000
32 Maintenance undistributed	2,612,000
33 -----	
34 Program fund subtotal	4,750,000
35 -----	

36 Enterprise Funds / State Operations
37 Miscellaneous Enterprise Fund - 331
38 Developmental Disabilities Planning Council Publications
39 Account

40 For services and expenses incurred by the
41 developmental disabilities planning coun-

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	cil related to producing, reproducing,	
2	distributing, and mailing printed,	
3	recorded and electronic media.	
4		
	NONPERSONAL SERVICE	
5	Supplies and materials	10,000
6		-----
7	Program account subtotal	10,000
8		-----
9	Total new appropriations for state operations and aid to	
10	localities	4,760,000
11		=====

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 DEVELOPMENTAL DISABILITIES PLANNING PROGRAM

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

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

5 For services and expenses related to the provision of services to the
 6 developmentally disabled under the provisions of the federal devel-
 7 opmental disabilities bill of rights act of nineteen hundred seven-
 8 ty-five.

9	Personal service ... 1,130,000	(re. \$420,000)
10	Nonpersonal service ... 449,000	(re. \$220,000)
11	Fringe benefits ... 448,000	(re. \$224,000)
12	Indirect costs ... 12,000	(re. \$6,000)
13	Maintenance undistributed ... 2,511,000	(re. \$1,780,000)

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

15 For services and expenses related to the provision of services to the
 16 developmentally disabled under the provisions of the federal devel-
 17 opmental disabilities bill of rights act of nineteen hundred seven-
 18 ty-five.

19	Maintenance undistributed ... 2,531,000	(re. \$205,000)
----	---	-----------------

20	Total reappropriations for state operations and aid to	
21	localities	2,855,000
22		=====

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

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

11 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
14 -----	-----	-----	-----	-----
15 GF-St/Local	284,329,500	11,454,748,690	0	11,739,078,190
16 SR-Federal	1,211,800,200	35,081,612,000	0	36,293,412,200
17 SR-Other	539,927,587	6,826,707,300	0	7,366,634,887
18 Cap Proj	0	0	497,783,000	497,783,000
19 Enterprise	10,000	0	0	10,000
20 -----	-----	-----	-----	-----
21 All Funds	2,036,067,287	53,363,067,990	497,783,000	55,896,918,277
22 =====	=====	=====	=====	=====

23 SCHEDULE

24 ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM 74,522,900

25 -----

26 General Fund / State Operations

27 State Purposes Account - 003

28 PERSONAL SERVICE

29 Personal service--regular 9,109,000

30 Temporary service 10,000

31 Holiday/overtime compensation 50,000

32 -----

33 Amount available for personal service 9,169,000

34 -----

35 NONPERSONAL SERVICE

36 Supplies and materials 1,077,400

37 Travel 406,500

38 Contractual services 20,122,000

39 Equipment 628,300

40 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Amount available for nonpersonal service 22,234,200

2 -----

3 MAINTENANCE UNDISTRIBUTED

4 For services and expenses of health e-link.

5 Contractual services 750,000

6 -----

7 Program account subtotal 32,153,200

8 -----

9 General Fund / Aid to Localities

10 Local Assistance Account - 001

11 Notwithstanding any inconsistent provision
 12 of law, effective October 1, 2006, expend-
 13 itures made from this appropriation shall
 14 effectively provide a cost of living
 15 adjustment to the office of minority
 16 health, as determined by the commissioner
 17 of the department of health. The commis-
 18 sioner of the department of health shall
 19 determine the standards and requirements
 20 necessary to qualify for such increases.
 21 Further, each local government unit or
 22 direct contract provider receiving such
 23 funding shall submit a written certifi-
 24 cation regarding the use of such funds to
 25 be provided in the format proscribed by
 26 the department. Funds shall be allocated
 27 from this appropriation pursuant to a plan
 28 prepared by the commissioner and approved
 29 by the director of the budget 29,000

30 For services and expenses of the office of
 31 minority health including competitive
 32 grants to promote community strategic
 33 planning or new or improved health care
 34 delivery systems and networks in minority
 35 areas. Up to \$102,000 of this appropri-
 36 ation may be transferred to state oper-
 37 ations for administration 532,000

38 -----

39 Program account subtotal 561,000

40 -----

41 Special Revenue Funds - Federal / State Operations

42 Federal USDA-Food and Nutrition Services Fund - 261

43 Child and Adult Care Food Account

44 For various food and nutritional services 940,700

45 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal	940,700
2		-----
3	Special Revenue Funds - Federal / State Operations	
4	Federal USDA-Food and Nutrition Services Fund - 261	
5	Federal Food and Nutrition Services Account	
6	For various food and nutritional services	2,264,500
7		-----
8	Program account subtotal	2,264,500
9		-----
10	Special Revenue Funds - Federal / State Operations	
11	Federal Health and Human Services Fund - 265	
12	For administration of the national health	
13	services corps. Notwithstanding any incon-	
14	sistent provision of law, and subject to	
15	the approval of the director of the budg-	
16	et, moneys hereby appropriated may be	
17	suballocated to the higher education	
18	services corporation	479,000
19		-----
20	Program fund subtotal	479,000
21		-----
22	Special Revenue Funds - Federal / State Operations	
23	Federal Health and Human Services Fund - 265	
24	Federal Block Grant Account	
25	For various health prevention, diagnostic,	
26	detection and treatment services	6,654,000
27		-----
28	Program account subtotal	6,654,000
29		-----
30	Special Revenue Funds - Other / State Operations	
31	Combined Gifts, Grants and Bequests Fund - 020	
32	Technology Transfer Account	
33	For services and expenses related to the	
34	department of health's patent and technol-	
35	ogy transfer program. The department of	
36	health may receive and deposit revenue	
37	from the sale and licensing of inventions	
38	pursuant to a technology and patent trans-	
39	fer policy established in accordance with	
40	section 64-a of the public officers law.	
41	Notwithstanding any other provision of law,	
42	these funds may be used for payments to	
43	Health Research, Inc. as reimbursement for	
44	expenses incurred in its patent and tech-	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 nology transfer operations, to support
 2 research, training, and infrastructure
 3 development in the department's research
 4 facilities, and for payments to inventors.
 5 The moneys hereby appropriated shall be
 6 available for liabilities heretofore and
 7 hereafter to accrue.

8 NONPERSONAL SERVICE

9 Contractual services 496,000
 10 -----
 11 Program account subtotal 496,000
 12 -----

13 Special Revenue Funds - Other / State Operations
 14 Miscellaneous Special Revenue Fund - 339
 15 Administration Program Account

16 For services and expenses, including indi-
 17 rect costs, related to the administration
 18 program.

19 PERSONAL SERVICE

20 Personal service--regular 6,866,000
 21 Holiday/overtime compensation 170,000
 22 -----
 23 Amount available for personal service 7,036,000
 24 -----

25 NONPERSONAL SERVICE

26 Supplies and materials 1,000
 27 Travel 41,000
 28 Contractual services 2,706,000
 29 Fringe benefits 3,011,700
 30 -----
 31 Amount available for nonpersonal service 5,759,700
 32 -----
 33 Program account subtotal 12,795,700
 34 -----

35 Special Revenue Funds - Other / State Operations
 36 Miscellaneous Special Revenue Fund - 339
 37 Health-SPARCS Account

38 For all services and expenses, including
 39 indirect costs, related to the statewide
 40 planning and research cooperative system.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	3,796,400
Holiday/overtime compensation	55,000

Amount available for personal service	3,851,400

NONPERSONAL SERVICE

Supplies and materials	52,000
Travel	18,000
Contractual services	2,053,000
Equipment	800,000
Fringe benefits	1,622,400
Indirect costs	797,200

Amount available for nonpersonal service	5,342,600

Program account subtotal	9,194,000

Special Revenue Funds - Other / State Operations
 Miscellaneous Special Revenue Fund - 339
 Professional Medical Conduct Account

For services and expenses, including indi-
 rect costs, related to the professional
 medical conduct program.

PERSONAL SERVICE

Personal service--regular	4,156,600
Holiday/overtime compensation	10,000

Amount available for personal service	4,166,600

NONPERSONAL SERVICE

Supplies and materials	45,000
Travel	82,000
Contractual services	1,173,000
Equipment	32,000
Fringe benefits	1,274,000

Amount available for nonpersonal service	2,606,000

Program account subtotal	6,772,600

Special Revenue Funds - Other / State Operations

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

MAINTENANCE UNDISTRIBUTED

1
 2 For suballocation to the office of children
 3 and family services through a memorandum
 4 of understanding with the AIDS institute,
 5 for services and expenses related to HIV
 6 policy development and training.
 7 Personal service--regular 150,000
 8 -----
 9 For suballocation to the state education
 10 department through a memorandum of under-
 11 standing with the AIDS institute, for
 12 services and expenses of the provision of
 13 AIDS education by AIDS regional training
 14 coordinators for staff in elementary and
 15 secondary schools.
 16 Contractual services 200,000
 17 -----
 18 For suballocation to the division of human
 19 rights through a memorandum of understand-
 20 ing with the AIDS institute, for services
 21 and expenses of the office of AIDS
 22 discrimination investigation.
 23 Personal service--regular 97,000
 24 Supplies and materials 2,600
 25 Travel 400
 26 -----
 27 Amount available 100,000
 28 -----
 29 Amount available for maintenance undis-
 30 tributed 450,000
 31 -----
 32 Program account subtotal 16,000,100
 33 -----
 34 General Fund / Aid to Localities
 35 Local Assistance Account - 001
 36 Notwithstanding any inconsistent provision
 37 of law, effective October 1, 2006, expend-
 38 itures made from this appropriation shall
 39 effectively provide a cost of living
 40 adjustment for providers of the following
 41 services, as determined by the commission-
 42 er of the department of health, regional
 43 and targeted HIV, STD, and hepatitis C
 44 services, HIV, STD, and hepatitis C
 45 prevention, HIV health care and supportive
 46 services, hepatitis C programs and HIV,

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 STD, and hepatitis C clinical and provider
 2 education programs.
 3 The commissioner of the department of health
 4 shall determine the standards and require-
 5 ments necessary to qualify for such
 6 increases and the department may suballo-
 7 cate funds as needed. Further, each local
 8 government unit or direct contract provid-
 9 er receiving such funding shall submit a
 10 written certification regarding the use of
 11 such funds to be provided in the format
 12 proscribed by the department.
 13 Funds shall be allocated from this appropri-
 14 ation pursuant to a plan prepared by the
 15 commissioner and approved by the director
 16 of the budget 6,245,000
 17 For services and expenses for regional and
 18 targeted HIV, STD, and hepatitis C
 19 services 3,090,000
 20 For services and expenses for HIV, STD, and
 21 hepatitis C prevention 12,258,000
 22 For services and expenses for HIV health
 23 care and supportive services 6,188,000
 24 For services and expenses for hepatitis C
 25 programs 1,131,000
 26 -----
 27 Program account subtotal 28,912,000
 28 -----
 29 Special Revenue Funds - Other / Aid to Localities
 30 HCRA Resources Fund - 061
 31 Health Care Services Account
 32 For services and expenses for regional and
 33 targeted HIV, STD, and hepatitis C
 34 services 25,464,000
 35 For services and expenses for HIV, STD, and
 36 hepatitis C prevention 25,147,000
 37 For services and expenses for HIV health
 38 care and supportive services 20,143,000
 39 For services and expenses for HIV clinical
 40 and provider education programs 4,262,000
 41 -----
 42 Program account subtotal 75,016,000
 43 -----
 44 CENTER FOR COMMUNITY HEALTH PROGRAM 1,788,710,690
 45 -----
 46 General Fund / State Operations
 47 State Purposes Account - 003

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	2,743,000
Holiday/overtime compensation	20,000

Amount available for personal service	2,763,000

NONPERSONAL SERVICE

Supplies and materials	201,000
Travel	117,000
Contractual services	8,730,000
Equipment	309,000

Amount available for nonpersonal service	9,357,000

Program account subtotal	12,120,000

General Fund / Aid to Localities
Local Assistance Account - 001

State aid to municipalities for the operation of local health departments and laboratories and for the provision of general public health services pursuant to article 6 of the public health law for activities under the jurisdiction of the commissioner of health.

Notwithstanding any other provision of article 6 of the public health law, a county may obtain reimbursement pursuant to this act, only after the county chief financial officer certifies, in the municipal health services plan, that county tax levies used to fund services carried out by the county health department have not been added to or supplanted directly or indirectly by any funds obtained by the county pursuant to the Master Settlement Agreement entered into on November 23, 1998 by the state and leading United States tobacco product manufacturers, except in the case of a public health emergency, as determined by the commissioner of health.

Notwithstanding annual aggregate limits for bad debt and charity care allowances and any other provision of law, up to \$1,700,000 shall be transferred to the medical assistance program general fund - local assistance account for eligible

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 publicly sponsored certified home health
 2 agencies that demonstrate losses from a
 3 disproportionate share of bad debt and
 4 charity care, pursuant to chapter 884 of
 5 the laws of 1990. Within the maximum
 6 limits specified herein, the department
 7 shall transfer only those funds which are
 8 necessary to meet the state share require-
 9 ments for disproportionate share adjust-
 10 ments expected to be paid for the period
 11 January 1, 2010 through December 31, 2010.
 12 The moneys hereby appropriated shall be
 13 available for payment of financial assist-
 14 ance heretofore accrued 284,763,000
 15 For services and expenses related to public
 16 health emergencies as declared by the
 17 counties or the commissioner of the
 18 department of health, and approved by the
 19 director of the budget in accordance with
 20 article 6 of public health law. Notwith-
 21 standing any provision of the law to the
 22 contrary, a portion of these funds may be
 23 transferred to any program, fund, or
 24 account within the department to respond
 25 to any identified emergency, pursuant to
 26 approval by the director of the budget.
 27 Any such funds transferred to the general
 28 fund - state purposes account shall be
 29 available for personal service and nonper-
 30 sonal service expenditures 40,000,000
 31 For services and expenses of a rabies
 32 program, including but not limited to
 33 reimbursement to counties for rabies
 34 expenses such as human post-exposure
 35 vaccination, and research studies in the
 36 control of wildlife rabies, pursuant to
 37 United States department of agriculture
 38 approval if necessary, to control the
 39 spread of rabies. A portion of this appro-
 40 priation may be transferred to state oper-
 41 ations appropriations for administration
 42 of this program 1,542,000
 43 State grants for a program of family plan-
 44 ning services pursuant to article 2 of the
 45 public health law 28,595,000
 46 For services and expenses including payment
 47 of health insurance premiums and
 48 reimbursement of health care providers for
 49 services rendered to individuals enrolled
 50 in the cystic fibrosis program pursuant to
 51 chapter 851 of the laws of 1987. The
 52 amounts appropriated pursuant to such

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 appropriation may be suballocated to other
 2 state agencies or accounts for expendi-
 3 tures incurred in the operation of
 4 programs funded by such appropriation
 5 subject to the approval of the director of
 6 the budget 573,000
 7 For services and expenses to implement the
 8 early intervention program act of 1992.
 9 Notwithstanding any inconsistent provision
 10 of law, rule or regulation, for the early
 11 intervention program, for the period April
 12 1, 2010 through March 31, 2011, early
 13 intervention program providers who
 14 received payment of \$500,000 or more for
 15 services that were covered under the
 16 medical assistance program, as determined
 17 by the department based upon the most
 18 recent year for which complete information
 19 exists, shall, in the first instance and
 20 where applicable, seek payment from the
 21 medical assistance program or an insurance
 22 policy or plan for those children covered
 23 under both the medical assistance program
 24 and an insurance policy or plan, prior to
 25 claiming payment from a municipality for
 26 services rendered to such children,
 27 provided, however, that if this chapter
 28 appropriates sufficient additional funds
 29 to support continued municipal claiming to
 30 the medical assistance program for all
 31 providers who render services under the
 32 early intervention program in accordance
 33 with section 2559 of the public health
 34 law, including those that receive payment
 35 of \$500,000 or more for services covered
 36 under the medical assistance program then
 37 this language shall be considered null and
 38 void as of March 31, 2010. Notwithstanding
 39 any inconsistent provision of law, rule or
 40 regulation, for early intervention program
 41 purposes, for the period April 1, 2010
 42 through March 31, 2011, where a policy of
 43 accident and health insurance or a
 44 contract subject to the provisions of the
 45 insurance law, including a contract issued
 46 pursuant to article 43 of the insurance
 47 law, provides coverage for a service
 48 provided to the insured under title 2-A of
 49 article 25 of the public health law, the
 50 individualized family services plan as
 51 defined in section 2541 of the public
 52 health law and certified by the early

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

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

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1 ance heretofore accrued or hereafter to
 2 accrue. Notwithstanding the provisions of
 3 any other law to the contrary, for state
 4 fiscal year 2010-2011 the liability of the
 5 state and the amount to be distributed or
 6 otherwise expended by the state pursuant
 7 to section 2557 of the public health law
 8 shall be determined by first calculating
 9 the amount of the expenditure or other
 10 liability pursuant to such law, and then
 11 reducing the amount so calculated by two
 12 percent of such amount 170,500,000
 13 The moneys hereby appropriated shall be
 14 available for respite services for fami-
 15 lies of eligible children. Such moneys
 16 shall be allocated to each municipality by
 17 the department of health as determined by
 18 the department, to reimburse such munici-
 19 palities in the amount of 50 percent of
 20 the costs of respite services provided to
 21 eligible children and their families with
 22 the approval of the early intervention
 23 official, in accordance with section 2547
 24 of the public health law, section 69-4.18
 25 of title 10 of the New York codes rules
 26 and regulation and standards established
 27 by the department for the provision of
 28 respite services. The moneys allocated to
 29 each municipality by the department shall
 30 be the total amount of respite funds
 31 available for such purpose 1,861,000
 32 For services and expenses of a comprehensive
 33 adolescent pregnancy prevention program. A
 34 portion of this appropriation may be
 35 transferred to state operations appropri-
 36 ations for administration of this program.
 37 Notwithstanding any inconsistent provision
 38 of law, a portion of these funds may be
 39 suballocated to the office of children and
 40 family services to continue contracting
 41 with existing providers for the adolescent
 42 pregnancy prevention and services program
 43 until the program is transferred to the
 44 department of health 11,259,000
 45 For services and expenses of the osteoporo-
 46 sis prevention and education program. The
 47 commissioner of health, pursuant to a plan
 48 subject to the approval of the director of
 49 the budget, may transfer funds to the
 50 state operations budget of Helen Hayes
 51 hospital for this program 65,000

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1 For services and expenses associated with
 2 red cross emergency response preparedness,
 3 including support for capital projects and
 4 ensuring an adequate blood supply. Funds
 5 shall be allocated from this appropriation
 6 pursuant to a plan prepared by the commis-
 7 sioner of health and approved by the
 8 director of the budget 2,200,000
 9 Notwithstanding any inconsistent provision
 10 of law, effective October 1, 2006, expend-
 11 itures made from this appropriation shall
 12 effectively provide a cost of living
 13 adjustment for providers of the following
 14 services, as determined by the commis-
 15 sioner of the department of health, red cross
 16 emergency preparedness, nutrition educa-
 17 tion and outreach, obesity prevention and
 18 diabetes programs, nutritional services to
 19 pregnant women, infants and children,
 20 hunger prevention and nutrition assistance
 21 program, Indian health, asthma, prenatal
 22 care assistance program, rape crisis,
 23 comprehensive adolescent pregnancy
 24 prevention, family planning, school
 25 health, sudden infant death syndrome
 26 education and outreach, childhood lead
 27 poisoning prevention, children with
 28 special health care needs, regional peri-
 29 natal centers, migrant health, dental
 30 services, osteoporosis prevention, cancer
 31 services programs, healthy heart,
 32 Alzheimer's disease assistance centers,
 33 Alzheimer's research and education, tobac-
 34 co control, rabies, tick-borne disease,
 35 immunization, universal prenatal and post-
 36 partum home visitation, public health
 37 campaign, sexually transmitted diseases,
 38 and tuberculosis control. The commissioner
 39 of the department of health shall deter-
 40 mine the standards and requirements neces-
 41 sary to qualify for such increases and the
 42 department may suballocate funds as need-
 43 ed. Further, each local government unit or
 44 direct contract provider receiving such
 45 funding shall submit written certification
 46 regarding the use of such funds to be
 47 provided in the format prescribed by the
 48 department. Funds shall be allocated from
 49 this appropriation pursuant to a plan
 50 prepared by the commissioner and approved
 51 by the director of the budget 28,910,000

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses of the public
 2 health management leaders of tomorrow
 3 program, provided a portion of this appro-
 4 priation shall be suballocated to univer-
 5 sity at Albany school of public health 554,000
 6 For services and expenses of a study of
 7 racial disparities 295,000
 8 For services and expenses, including grants,
 9 for statewide emergency contraception
 10 outreach and education, training and
 11 assistance as approved by the commission-
 12 er. A portion of this appropriation may be
 13 transferred to state operations appropri-
 14 ations for administration of this program
 15 2,206,000
 16 For services and expenses of a public health
 17 genomics. A portion of this appropriation
 18 may be transferred to state operations
 19 appropriations for administration of this
 20 program 50,000
 21 For services and expenses for stockpile
 22 storage for vaccines and supplies. A
 23 portion of this appropriation may be
 24 transferred to state operations appropri-
 25 ations for administration of this program
 26 1,200,000
 27 For grants-in-aid to contract for hyperten-
 28 sion prevention, screening, and treatment
 29 programs 246,000
 30 For grants to sudden infant death syndrome
 31 centers 39,000
 32 For services and expenses of the tick-borne
 33 disease institute, including grants for
 34 research and prevention, detection, and
 35 treatment of Lyme disease and other tick-
 36 borne illnesses 147,000
 37 For services and expenses including an
 38 education program related to a children's
 39 asthma program. The department shall make
 40 grants within the amounts appropriated
 41 therefor to local health agencies, health
 42 care providers, school, school-based
 43 health centers and community-based organ-
 44 izations and other organizations with
 45 demonstrated interest and expertise in
 46 serving persons with asthma to develop and
 47 implement regional or community plans
 48 which may include the following activ-
 49 ities: self-management programs in elemen-
 50 tary schools, conducting public and
 51 provider education programs and implement-
 52 ing protocols for collection of data on

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 asthma-related school absenteeism and
 2 emergency room visits. In making grants
 3 the commissioner may give priority consid-
 4 eration to entities serving areas of the
 5 state with high incidence and prevalence
 6 of asthma. A portion of this appropriation
 7 may be transferred to state operations
 8 appropriations for administration of this
 9 program 226,000
 10 For services and expenses associated with
 11 new and existing school based health
 12 centers 4,438,060
 13 For services and expenses related to the
 14 school based health clinics program,
 15 notwithstanding any inconsistent provision
 16 of law to the contrary, funds shall be
 17 available for the statewide school based
 18 health clinics program to provide grants
 19 to certain school based health centers
 20 pursuant to the following:
 21 Anthony Jordon Health Center 28,005
 22 Bronx Lebanon Hospital 119,023
 23 Chenango Memorial Hospital 14,877
 24 East Harlem Council for Human Services 12,252
 25 Family Health Network 8,725
 26 Kaleida Health 178,534
 27 Lutheran Medical Center 56,636
 28 Nassau Health Care Corporation 11,377
 29 NY Presbyterian Hospital 209,104
 30 Renaissance-Harlem Hospital 84,892
 31 Sisters of Charity 35,007
 32 Suffolk County DOH 9,627
 33 Threshold Center for Alternative Youth
 34 Services 21,879
 35 University of Rochester 49,010
 36 Via Health-Rochester General Hospital 16,628
 37 William F. Ryan Community Health Center 17,504
 38 For services and expenses to support grants
 39 to community health centers and comprehen-
 40 sive diagnostic and treatment centers for
 41 the purpose of furnishing primary health
 42 care services, including outreach, health
 43 education and dental care, to migrant and
 44 seasonal farmworkers and their families,
 45 of which no less than 70 percent shall be
 46 dedicated to community health centers
 47 receiving federal funding for such purpose
 48 pursuant to section 330(g) of the federal
 49 public health service act 430,000
 50 For services and expenses of a minority male
 51 wellness and screening program 53,900

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of a Latino health	
2	outreach initiative	73,500
3	For services and expenses of health	
4	promotion initiatives. A portion of this	
5	appropriation may be transferred to state	
6	operations appropriations for adminis-	
7	tration of this program	1,000,000
8	For services and expenses of a universal	
9	prenatal and postpartum home visitation	
10	program	1,956,000
11	For services and expenses to support the STD	
12	center of excellence	480,000
13	For services and expenses for childhood	
14	asthma coalitions. A portion of this	
15	appropriation may be transferred to state	
16	operations appropriations for adminis-	
17	tration of this program	1,232,000
18	For services and expenses related to	
19	evidenced based cancer services programs	
20	9,006,750
21	For services and expenses related to obesity	
22	and diabetes programs	7,205,000
23	For services and expenses related to provid-	
24	ing nutritional services and to provide	
25	nutritional education to pregnant women,	
26	infants, and children, including suballo-	
27	cations to the department of agriculture	
28	and markets for the farmer's market nutri-	
29	tion program and migrant worker services	
30	and the office of temporary and disability	
31	assistance for prenatal care assistance	
32	program activities. A portion of this	
33	appropriation may be transferred to state	
34	operations appropriations for adminis-	
35	tration of this program	19,811,300
36	For services and expenses, including operat-	
37	ing expenses related to providing nutri-	
38	tional services and nutrition education	
39	for hunger prevention and nutrition	
40	assistance. A portion of this appropri-	
41	ation may be transferred to state oper-	
42	ations appropriations for administration	
43	of this program	29,702,500
44	For state grants to improve access to infer-	
45	tility services, treatments, and proce-	
46	dures. Funds shall be allocated from this	
47	appropriation pursuant to a plan prepared	
48	by the commissioner of health and approved	
49	by the director of the budget	1,847,000
50		-----
51	Program account subtotal	653,340,090
52		-----

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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 Child and Adult Care Food Account

 4 For various food and nutritional services 9,262,000
 5 -----
 6 Program account subtotal 9,262,000
 7 -----

 8 Special Revenue Funds - Federal / Aid to Localities
 9 Federal USDA-Food and Nutrition Services Fund - 261
 10 Child and Adult Care Food Account

 11 For various federal food and nutritional
 12 services. The moneys hereby appropriated
 13 shall be available for payment of finan-
 14 cial assistance heretofore accrued 243,230,000
 15 -----
 16 Program account subtotal 243,230,000
 17 -----

 18 Special Revenue Funds - Federal / State Operations
 19 Federal USDA-Food and Nutrition Services Fund - 261
 20 Federal Food and Nutrition Services Account

 21 For various food and nutritional services 58,947,000
 22 -----
 23 Program account subtotal 58,947,000
 24 -----

 25 Special Revenue Funds - Federal / Aid to Localities
 26 Federal USDA-Food and Nutrition Services Fund - 261
 27 Federal Food and Nutrition Services Account

 28 For various federal food and nutritional
 29 services. The moneys hereby appropriated
 30 shall be available for payment of finan-
 31 cial assistance heretofore accrued 492,970,000
 32 -----
 33 Program account subtotal 492,970,000
 34 -----

 35 Special Revenue Funds - Federal / State Operations
 36 Federal USDA - Food and Nutrition Services Fund - 261
 37 Women, Infants, and Children (WIC) Civil Monetary
 38 Account

 39 For services and expenses of the department
 40 of health related to the special supple-
 41 mental nutrition program for women,
 42 infants and children.

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NONPERSONAL SERVICE

Contractual services 5,000,000

 Program account subtotal 5,000,000

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

For various health prevention, diagnostic,
 detection and treatment services. The
 amounts appropriated pursuant to such
 appropriation may be suballocated to other
 state agencies or accounts for expendi-
 tures incurred in the operation of
 programs funded by such appropriation
 subject to the approval of the director of
 the budget 29,993,000

 Program fund subtotal 29,993,000

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

For various health prevention, diagnostic,
 detection and treatment services. The
 amounts appropriated pursuant to such
 appropriation may be suballocated to other
 state agencies or accounts for expendi-
 tures incurred in the operation of
 programs funded by such appropriation
 subject to the approval of the director of
 the budget 42,803,000

 Program fund subtotal 42,803,000

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

For various health prevention, diagnostic,
 detection and treatment services. The
 amounts appropriated pursuant to such
 appropriation may be suballocated to other
 state agencies or accounts for expendi-
 tures incurred in the operation of
 programs funded by such appropriation
 subject to the approval of the director of
 the budget 24,014,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1		-----
2	Program account subtotal	24,014,000
3		-----
4	Special Revenue Funds - Federal / Aid to Localities	
5	Federal Health and Human Services Fund - 265	
6	Federal Block Grant Account	
7	For various health prevention, diagnostic,	
8	detection and treatment services.	
9	The commissioner of health is hereby author-	
10	ized to waive any provisions of the public	
11	health law and regulations, to issue	
12	appropriate operating certificates, and to	
13	enter into contracts with article 28	
14	facilities, to provide funds, to estab-	
15	lish, support and conduct projects to	
16	provide improved and expanded school	
17	health services for preschool and school-	
18	age children. No more than 10 per centum	
19	of the amount appropriated for such	
20	purpose shall be expended for services and	
21	expenses in connection with the adminis-	
22	tration and evaluation of such grants.	
23	Grants awarded under this appropriation	
24	shall be distributed and administered in	
25	accordance with regulations established by	
26	the commissioner of health. The amounts	
27	appropriated pursuant to such appropri-	
28	ation may be suballocated to other state	
29	agencies or accounts for expenditures	
30	incurred in the operation of programs	
31	funded by such appropriation subject to	
32	the approval of the director of the budget	
33	57,475,000
34		-----
35	Program account subtotal	57,475,000
36		-----
37	Special Revenue Funds - Federal / State Operations	
38	Federal Department of Education Fund - 267	
39	Individuals with Disabilities-Part C Account	
40	For activities related to a handicapped	
41	infants and toddlers program	24,249,000
42	For activities related to a handicapped	
43	infants and toddlers program funded by the	
44	American recovery and reinvestment act of	
45	2009. Funds appropriated herein shall be	
46	subject to all applicable reporting and	
47	accountability requirements contained in	
48	such act. The amount appropriated for	

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 state operations may be interchanged to
 2 the appropriation for federal prevention
 3 and wellness aid to localities without
 4 limitation 2,800,000
 5 -----
 6 Program account subtotal 27,049,000
 7 -----

8 Special Revenue Funds - Federal / Aid to Localities
 9 Federal Department of Education Fund - 267
 10 Individuals with Disabilities-Part C Account

11 For activities related to a handicapped
 12 infants and toddlers program 51,578,000
 13 For activities related to a handicapped
 14 infants and toddlers program funded by the
 15 American recovery and reinvestment act of
 16 2009. Funds appropriated herein shall be
 17 subject to all applicable reporting and
 18 accountability requirements contained in
 19 such act. The amount appropriated for
 20 state operations may be interchanged to
 21 the appropriation for federal prevention
 22 and wellness state operations without
 23 limitation 2,800,000
 24 -----
 25 Program account subtotal 54,378,000
 26 -----

27 Special Revenue Funds - Other / State Operations
 28 Combined Gifts, Grants and Bequests Fund - 020
 29 Autism Awareness and Research Account

30 For services and expenses related to autism
 31 awareness and research pursuant to section
 32 404-v of the vehicle and traffic law and
 33 section 95-e of the state finance law, as
 34 added by chapter 301 of the laws of 2004.

35 NONPERSONAL SERVICE

36 Contractual services 20,000
 37 -----
 38 Program account subtotal 20,000
 39 -----

40 Special Revenue Funds - Other / Aid to Localities
 41 Combined Gifts, Grants and Bequests Fund - 020
 42 NYS Prostate Cancer Research, Detection and Education
 43 Account

44 For prostate cancer research, detection and

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1	education pursuant to chapter 273 of the	
2	laws of 2004	1,000,000
3		-----
4	Program account subtotal	1,000,000
5		-----
6	Special Revenue Funds - Other / State Operations	
7	Combined Gifts, Grants and Bequests Fund - 020	
8	Prostate and Testicular Cancer Research and Education	
9	Account	
10	For prostate and testicular cancer research	
11	and education pursuant to section 97-ccc	
12	of the state finance law.	
13	NONPERSONAL SERVICE	
14	Contractual services	149,000
15		-----
16	Program account subtotal	149,000
17		-----
18	Special Revenue Funds - Other / Aid to Localities	
19	HCRA Resources Fund - 061	
20	Health Care Services Account	
21	For services and expenses of a statewide	
22	public health campaign for tuberculosis	
23	control and prevention and for screening	
24	and education activities regarding sexual-	
25	ly transmitted diseases, provided that any	
26	funds allocated under this appropriation	
27	shall not supplant existing local funds or	
28	state funds allocated to county health	
29	departments under article 6 of the public	
30	health law. Up to \$300,000 of this appro-	
31	priation may be transferred to state oper-	
32	ations for the administration of this	
33	program by the department of health	5,917,000
34	For services and expenses related to the	
35	Indian health program. The moneys hereby	
36	appropriated shall be for payment of	
37	financial assistance heretofore accrued or	
38	hereafter to accrue. Up to 2.5 percent of	
39	this appropriation may be transferred to	
40	the general fund-state purposes account	
41	for the nonpersonal service administration	
42	of this program	16,121,000
43	State aid to municipalities for medical	
44	services for the rehabilitation of phys-	
45	ically handicapped children, pursuant to	
46	article 6 of the public health law	3,685,000

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1	For services and expenses for a school	
2	health program	3,981,000
3	For services and expenses of the prenatal	
4	care assistance program. Up to 100 percent	
5	of this appropriation may be suballocated	
6	to the medical assistance program general	
7	fund - local assistance account to be	
8	matched by federal funds	2,432,000
9	For services and expenses related to tobacco	
10	enforcement, education and related activ-	
11	ities, pursuant to chapter 433 of the laws	
12	of 1997. Of amounts appropriated herein,	
13	up to \$500,000 may be used for educational	
14	programs. A portion of this appropriation	
15	may be transferred to state operations	2,303,000
16	For services and expenses related to	
17	evidenced based cancer services programs	18,417,000
18		-----
19	Program account subtotal	52,856,000
20		-----
21	Special Revenue Funds - Other / Aid to Localities	
22	HCRA Resources Fund - 061	
23	Hospital Based Grants Program Account	
24	For services and expenses related to provid-	
25	ing nutritional services to pregnant	
26	women, infants, and children. Notwith-	
27	standing any other provision of law to the	
28	contrary, up to 5 percent of the amount	
29	appropriated may be transferred to the	
30	general fund - state purposes account for	
31	the administration of this program by the	
32	department of health	7,993,600
33	For grants in aid to contract for hyperten-	
34	sion prevention, screening and treatment	
35	programs	669,000
36	State grants for a program of family plan-	
37	ning services pursuant to article 2 of the	
38	public health law	2,300,000
39	For grants to rape crisis centers for	
40	services to rape victims and programs to	
41	prevent rape. This appropriation shall be	
42	suballocated to the division of criminal	
43	justice services	128,000
44	For services and expenses for a school	
45	health program	2,007,000
46	For services and expenses of tuberculosis	
47	treatment, detection and prevention	599,000
48	For services and expenses of a lead poison-	
49	ing prevention program	192,000
50		-----

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1	Program account subtotal	13,888,600
2		-----
3	Special Revenue Funds - Other / State Operations	
4	HCRA Resources Fund - 061	
5	Tobacco Control and Cancer Services Account	
6	For services and expenses related to the	
7	tobacco control and cancer services	
8	programs authorized pursuant to sections	
9	2807-r and 1399-ii of the public health	
10	law.	
11	PERSONAL SERVICE	
12	Personal service--regular	2,159,000
13	Holiday/overtime compensation	6,000
14		-----
15	Amount available for personal service	2,165,000
16		-----
17	NONPERSONAL SERVICE	
18	Supplies and materials	10,000
19	Travel	45,000
20	Contractual services	50,000
21	Equipment	30,000
22	Fringe benefits	957,000
23	Indirect costs	680,000
24		-----
25	Amount available for nonpersonal service	1,772,000
26		-----
27	Program account subtotal	3,937,000
28		-----
29	Special Revenue Funds - Other / State Operations	
30	Miscellaneous Special Revenue Fund - 339	
31	Cable Television Account	
32	For services and expenses related to public	
33	service education, with specific emphasis	
34	on public health issues.	
35	NONPERSONAL SERVICE	
36	Contractual services	454,000
37		-----
38	Program account subtotal	454,000
39		-----
40	Special Revenue Funds - Other / State Operations	
41	Miscellaneous Special Revenue Fund - 339	

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 CSFP Salvage Account
 2 For services and expenses of the department
 3 of health related to the commodity supple-
 4 mental food program.
 5
 6 NONPERSONAL SERVICE
 6 Contractual services 25,000
 7 -----
 8 Program account subtotal 25,000
 9 -----
 10 Special Revenue Funds - Other / State Operations
 11 Miscellaneous Special Revenue Fund - 339
 12 Diabetes Research and Education Account
 13 For diabetes research and education pursuant
 14 to chapter 339 of the laws of 2001.
 15
 16 NONPERSONAL SERVICE
 16 Contractual services 100,000
 17 -----
 18 Program account subtotal 100,000
 19 -----
 20 Special Revenue Funds - Other / Aid to Localities
 21 Miscellaneous Special Revenue Fund - 339
 22 Early Intervention Program Account
 23 For services and expenses to implement the
 24 early intervention program act of 1992, as
 25 amended by a chapter of the laws of 2010.
 26 The moneys hereby appropriated shall be
 27 available for payment of financial assist-
 28 ance heretofore accrued or hereafter to
 29 accrue, and shall be available for early
 30 intervention program administrative costs
 31 and for the state share for reimbursement
 32 of early intervention services. A portion
 33 of these funds shall be available to
 34 transfer to state operations for adminis-
 35 tration of this program 1,000,000
 36 -----
 37 Program account subtotal 1,000,000
 38 -----
 39 Special Revenue Funds - Other / Aid to Localities
 40 Miscellaneous Special Revenue Fund - 339
 41 Local Public Health Services Account

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1	For services and expenses of the local	
2	public health services program. Notwith-	
3	standing section 607 of the public health	
4	law these funds shall be allocated for	
5	state aid to municipalities for a program	
6	of immunization against German measles,	
7	and other communicable diseases, pursuant	
8	to article 6 of the public health law	1,095,000
9	For state aid to municipalities, notwith-	
10	standing section 607 of the public health	
11	law, for the operation of local health	
12	departments and for the provision of	
13	general public health services pursuant to	
14	article 6 of the public health law for	
15	activities under the jurisdiction of the	
16	commissioner of health	3,036,000
17	Notwithstanding any other provision of law	
18	to the contrary, this appropriation is	
19	available for transfer to the state oper-	
20	ations miscellaneous special revenue fund	
21	- local public health services program	
22	account, in the administration and execu-	
23	tive direction program fiscal management	
24	group	285,000
25	Notwithstanding any other provision of law	
26	to the contrary, this appropriation is	
27	available for contractual audits of local-	
28	ities to supplement the audits performed	
29	by the department of health	209,000
30		-----
31	Program account subtotal	4,625,000
32		-----
33	Special Revenue Funds - Other / State Operations	
34	Miscellaneous Special Revenue Fund - 339	
35	Tobacco Enforcement and Education Account	
36	For services and expenses related to tobacco	
37	enforcement, education and related activ-	
38	ities, pursuant to chapter 162 of the laws	
39	of 2002.	
40		
	NONPERSONAL SERVICE	
41	Contractual services	75,000
42		-----
43	Program account subtotal	75,000
44		-----
45	CENTER FOR ENVIRONMENTAL HEALTH PROGRAM	75,262,700
46		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Federal Block Grant Account	
2	For services and expenses of various health	
3	prevention, diagnostic, detection and	
4	treatment services	6,808,000
5		-----
6	Program account subtotal	6,808,000
7		-----
8	Special Revenue Funds - Federal / Aid to Localities	
9	Federal Health and Human Services Fund - 265	
10	Federal Block Grant Account	
11	For services and expenses of various health	
12	prevention, diagnostic, detection and	
13	treatment services	3,687,000
14		-----
15	Program account subtotal	3,687,000
16		-----
17	Special Revenue Funds - Federal / State Operations	
18	Federal Operating Grants Fund - 290	
19	Federal Environmental Protection Agency Grants Account	
20	For various environmental projects including	
21	suballocation for the department of envi-	
22	ronmental conservation	9,703,000
23		-----
24	Program account subtotal	9,703,000
25		-----
26	Special Revenue Funds - Other / State Operations	
27	Environmental Conservation Special Revenue Fund - 301	
28	Low Level Radioactive Waste Account	
29	For services and expenses of the low-level	
30	radioactive waste siting program.	
31	PERSONAL SERVICE	
32	Personal service--regular	668,400
33	Holiday/overtime compensation	5,500
34		-----
35	Amount available for personal service	673,900
36		-----
37	NONPERSONAL SERVICE	
38	Supplies and materials	20,000
39	Travel	41,000
40	Contractual services	184,800
41	Equipment	15,500

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Fringe benefits	298,000
2	Indirect costs	203,600
3		-----
4	Amount available for nonpersonal service	762,900
5		-----

6 MAINTENANCE UNDISTRIBUTED

7	For suballocation to the energy research and	
8	development authority, pursuant to chapter	
9	673 of the laws of 1986, as amended by	
10	chapters 368 and 913 of the laws of 1990	150,000
11		-----
12	Program account subtotal	1,586,800
13		-----

14 Special Revenue Funds - Other / State Operations
 15 Environmental Protection and Oil Spill Compensation Fund
 16 - 303

17 For services and expenses related to the oil
 18 spill relocation network program.

19 PERSONAL SERVICE

20	Personal service--regular	173,800
21	Holiday/overtime compensation	2,000
22		-----
23	Amount available for personal service	175,800
24		-----

25 NONPERSONAL SERVICE

26	Supplies and materials	6,900
27	Travel	2,000
28	Contractual services	22,900
29	Equipment	4,000
30	Fringe benefits	78,200
31	Indirect costs	53,100
32		-----
33	Amount available for nonpersonal service	167,100
34		-----
35	Program fund subtotal	342,900
36		-----

37 Special Revenue Funds - Other / State Operations
 38 Clean Air Fund - 314
 39 Operating Permit Program Account

40 For services and expenses of the department
 41 of health in developing, implementing and
 42 operating the operating permit program.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	415,600
Holiday/overtime compensation	5,500

Amount available for personal service	421,100

NONPERSONAL SERVICE

Supplies and materials	3,500
Travel	5,000
Contractual services	25,000
Equipment	8,000
Fringe benefits	185,300
Indirect costs	125,700

Amount available for nonpersonal service	352,500

Program account subtotal	773,600

Special Revenue Funds - Other / State Operations
 Miscellaneous Special Revenue Fund - 339
 Asbestos Safety Training Account

For services and expenses of the asbestos
 safety training program.

PERSONAL SERVICE

Personal service--regular	286,600
Holiday/overtime compensation	5,500

Amount available for personal service	292,100

NONPERSONAL SERVICE

Supplies and materials	3,200
Travel	30,000
Contractual services	63,000
Equipment	11,600
Fringe benefits	129,400
Indirect costs	87,800

Amount available for nonpersonal service	325,000

Program account subtotal	617,100

Special Revenue Funds - Other / State Operations

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Miscellaneous Special Revenue Fund - 339	
2	Occupational Health Clinics Account	
3	For services and expenses of implementing	
4	and operating a statewide network of occu-	
5	pational health clinics for diagnostic,	
6	screening, treatment, referral, and educa-	
7	tion services.	
8	PERSONAL SERVICE	
9	Personal service--regular	322,700
10	Holiday/overtime compensation	5,500
11		-----
12	Amount available for personal service	328,200
13		-----
14	NONPERSONAL SERVICE	
15	Supplies and materials	4,000
16	Travel	3,700
17	Contractual services	9,550,000
18	Equipment	3,400
19	Fringe benefits	146,500
20	Indirect costs	100,100
21		-----
22	Amount available for nonpersonal service	9,807,700
23		-----
24	Program account subtotal	10,135,900
25		-----
26	Special Revenue Funds - Other / State Operations	
27	Miscellaneous Special Revenue Fund - 339	
28	Radiological Health Protection Program Account	
29	For services and expenses related to the	
30	radiological health protection account.	
31	PERSONAL SERVICE	
32	Personal service--regular	2,184,000
33	Temporary service	12,000
34	Holiday/overtime compensation	7,500
35		-----
36	Amount available for personal service	2,203,500
37		-----
38	NONPERSONAL SERVICE	
39	Supplies and materials	31,000
40	Travel	156,000
41	Contractual services	56,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Equipment	39,400
2	Fringe benefits	976,300
3	Indirect costs	666,500
4		-----
5	Amount available for nonpersonal service	1,925,200
6		-----
7	Program account subtotal	4,128,700
8		-----
9	Special Revenue Funds - Other / State Operations	
10	Miscellaneous Special Revenue Fund - 339	
11	Radon Detection Device Account	
12	For services and expenses of the radon	
13	detection device distribution program.	
14	NONPERSONAL SERVICE	
15	Contractual services	200,000
16		-----
17	Program account subtotal	200,000
18		-----
19	Special Revenue Funds - Other / State Operations	
20	Drinking Water Program Management and Administration	
21	Fund - 366	
22	For services and expenses of the state	
23	revolving funds program.	
24	PERSONAL SERVICE	
25	Personal service--regular	4,357,500
26	Holiday/overtime compensation	10,500
27		-----
28	Amount available for personal service	4,368,000
29		-----
30	NONPERSONAL SERVICE	
31	Supplies and materials	88,800
32	Travel	131,000
33	Contractual services	1,147,600
34	Equipment	117,700
35	Fringe benefits	1,936,400
36		-----
37	Amount available for nonpersonal service	3,421,500
38		-----
39	Program fund subtotal	7,789,500
40		-----
41	Special Revenue Funds - Other / State Operations	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Drinking Water Program Management and Administration	
2	Fund - 366	
3	Federal ARRA Account	
4	For services and expenses of the drinking	
5	water state revolving Fund funded by the	
6	American recovery and reinvestment act of	
7	2009. Funds appropriated herein shall be	
8	Subject to all applicable reporting and	
9	Accountability requirements contained in	
10	such act	5,208,700
11		-----
12	Program account subtotal	5,208,700
13		-----
14	CHILD HEALTH INSURANCE PROGRAM	1,078,841,400
15		-----
16	Special Revenue Funds - Federal / State Operations	
17	Federal Health and Human Services Fund - 265	
18	Children's Health Insurance Account	
19	The money hereby appropriated is available	
20	for payment of aid heretofore accrued or	
21	hereafter accrued.	
22	For services and expenses related to the	
23	children's health insurance program	
24	provided pursuant to title XXI of the	
25	federal social security act	64,108,000
26		-----
27	Program account subtotal	64,108,000
28		-----
29	Special Revenue Funds - Federal / Aid to Localities	
30	Federal Health and Human Services Fund - 265	
31	Children's Health Insurance Account	
32	The money hereby appropriated is available	
33	for payment of aid heretofore accrued or	
34	hereafter accrued.	
35	For services and expenses related to the	
36	children's health insurance program,	
37	pursuant to title XXI of the federal	
38	social security act.	519,200,000
39		-----
40	Program account subtotal	519,200,000
41		-----
42	Special Revenue Funds - Other / State Operations	
43	HCRA Resources Fund - 061	
44	Children's Health Insurance Account	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 The money hereby appropriated is available
 2 for payment of aid heretofore accrued or
 3 hereafter accrued.
 4 For services and expenses related to the
 5 children's health insurance program
 6 authorized pursuant to title 1-A of arti-
 7 cle 25 of the public health law.

8 PERSONAL SERVICE

9 Personal service--regular 3,023,400
 10 Temporary service 5,000
 11 Holiday/overtime compensation 45,000
 12 -----
 13 Amount available for personal service 3,073,400
 14 -----

15 NONPERSONAL SERVICE

16 Supplies and materials 171,000
 17 Travel 123,000
 18 Contractual services 9,466,000
 19 Equipment 400,000
 20 Fringe benefits 1,252,300
 21 Indirect costs 847,700
 22 -----
 23 Amount available for nonpersonal service 12,260,000
 24 -----
 25 Program account subtotal 15,333,400
 26 -----

27 Special Revenue Funds - Other / Aid to Localities
 28 HCRA Resources Fund - 061
 29 Children's Health Insurance Account

30 The money hereby appropriated is available
 31 for payment of aid heretofore accrued or
 32 hereafter accrued.
 33 For services and expenses related to the
 34 children's health insurance program
 35 authorized pursuant to title 1-A of arti-
 36 cle 25 of the public health law 480,200,000
 37 -----
 38 Program account subtotal 480,200,000
 39 -----

40 DIVISION OF MANAGED CARE AND PROGRAM EVALUATION 17,376,500
 41 -----

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular 11,312,500

NONPERSONAL SERVICE

Supplies and materials 156,000

Travel 130,000

Contractual services 5,518,000

Equipment 160,000

Amount available for nonpersonal service 5,964,000

MAINTENANCE UNDISTRIBUTED

For evaluation of the partnership and F-SHRP
waiver programs.

Notwithstanding any other provisions of law,
the money herein appropriated, together
with any available federal matching funds,
is available for transfer or suballo-
cation to the state university of New York
and its subsidiaries, to provide support
for an evaluation of New York state's
section 1115 demonstration program, the
federal-state health reform partnership
(F-SHRP).

Contractual services 100,000

Program account subtotal 17,376,500

ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 378,528,000

Special Revenue Funds - Other / Aid to Localities

HCRA Resources Fund - 061

EPIC Premium Account

For services and expenses of the program for
elderly pharmaceutical insurance coverage,
including reimbursement to pharmacies
participating in such program.

Notwithstanding any inconsistent provision
of law, rule or regulation to the contra-
ry, for the period July 1, 2010 through
March 31, 2011, for a participant in the
program for elderly pharmaceutical insur-
ance coverage whose prescription drug

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 expenses are paid or reimbursable under
2 the provisions of the medicare program,
3 assistance under the program for elderly
4 pharmaceutical insurance coverage shall be
5 limited to prescription drugs covered by
6 the participant's medicare plan and to
7 drugs excluded from medicare coverage in
8 accordance with section 1860-D-2 of the
9 federal social security act, and in such
10 cases the program for elderly pharmaceu-
11 tical insurance coverage shall cover the
12 amount that is the responsibility of the
13 participant under the medicare plan bene-
14 fit, subject to the participant's cost-
15 sharing responsibility on such amount
16 under sections 247 or 248 of the elder
17 law; provided however that, if this chap-
18 ter appropriates sufficient additional
19 funds to permit the elderly pharmaceutical
20 insurance coverage program to provide
21 coverage for prescription drugs without
22 regard to such limitation, then the
23 provisions of this paragraph shall not
24 apply and shall be considered null and
25 void as of March 31, 2010.

26 Notwithstanding any inconsistent provision
27 of law, rule or regulation to the contra-
28 ry, for the period January 1, 2011 through
29 March 31, 2011, under the elderly pharma-
30 ceutical insurance coverage program, the
31 requirement that, as a condition of eligi-
32 bility for benefits under such program, a
33 program participant who is eligible for
34 medicare part D drug coverage under
35 section 1860D of the federal social secu-
36 rity act be required to enroll in medicare
37 part D at the first available enrollment
38 period and to maintain such enrollment
39 shall not be waived if such enrollment
40 would result in significant additional
41 financial liability by the participant,
42 including, but not limited to, individuals
43 in a medicare advantage plan whose cost
44 sharing would be increased; provided
45 further that elderly pharmaceutical insur-
46 ance coverage program representation of
47 program participants in the pursuit of
48 medicare part D coverage and the medicare
49 savings programs shall be permitted
50 notwithstanding additional financial
51 liability on behalf of such program
52 participants; provided further that, if

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 this chapter appropriates sufficient addi-
 2 tional funds to permit a waiver of the
 3 medicare part D enrollment requirement and
 4 the representation requirement described
 5 herein if the participant incurs signif-
 6 icant additional financial liability, or
 7 additional financial liability, respec-
 8 tively, then the provisions of this para-
 9 graph shall not apply and shall be consid-
 10 ered null and void as of March 31, 2010.
 11 The moneys hereby appropriated shall be
 12 available for payment of financial assist-
 13 ance heretofore accrued 178,850,000
 14 For a grant to the medicare rights center to
 15 assist seniors enrolled in the elderly
 16 pharmaceutical insurance coverage program
 17 in selecting, accessing, and maximizing
 18 medicare part D coverage 750,000
 19 For a grant to the American association of
 20 retired persons to assist seniors enrolled
 21 in the elderly pharmaceutical insurance
 22 coverage program in selecting, accessing,
 23 and maximizing medicare part D coverage 750,000
 24 -----
 25 Program account subtotal 180,350,000
 26 -----

27 Special Revenue Funds - Other / State Operations
 28 Miscellaneous Special Revenue Fund - 339
 29 EPIC Premium Account

30 PERSONAL SERVICE

31 Personal service--regular 2,109,600
 32 -----

33 NONPERSONAL SERVICE

34 Supplies and materials 30,000
 35 Travel 25,000
 36 Contractual services 16,997,900
 37 Equipment 15,000
 38 Fringe benefits 975,500
 39 -----
 40 Amount available for nonpersonal service 18,043,400
 41 -----

42 MAINTENANCE UNDISTRIBUTED

43 For suballocation to the state office for
 44 the aging for the administration of the

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 elderly pharmaceutical insurance coverage
2 program.

3 Personal service--regular 225,000
4 -----
5 Program account subtotal 20,378,000
6 -----

7 Special Revenue Funds - Other / Aid to Localities
8 Miscellaneous Special Revenue Fund - 339
9 EPIC Premium Account

10 For services and expenses of the program for
11 elderly pharmaceutical insurance coverage,
12 including reimbursement to pharmacies
13 participating in such program.

14 Notwithstanding any inconsistent provision
15 of law, rule or regulation to the contra-
16 ry, for the period July 1, 2010 through
17 March 31, 2011, for a participant in the
18 program for elderly pharmaceutical insur-
19 ance coverage whose prescription drug
20 expenses are paid or reimbursable under
21 the provisions of the medicare program,
22 assistance under the program for elderly
23 pharmaceutical insurance coverage shall be
24 limited to prescription drugs covered by
25 the participant's medicare plan and to
26 drugs excluded from medicare coverage in
27 accordance with section 1860-D-2 of the
28 federal social security act, and in such
29 cases the program for elderly pharmaceu-
30 tical insurance coverage shall cover the
31 amount that is the responsibility of the
32 participant under the medicare plan bene-
33 fit, subject to the participant's cost-
34 sharing responsibility on such amount
35 under sections 247 or 248 of the elder
36 law; provided however that, if this chap-
37 ter appropriates sufficient additional
38 funds to permit the elderly pharmaceutical
39 insurance coverage program to provide
40 coverage for prescription drugs without
41 regard to such limitation, then the
42 provisions of this paragraph shall not
43 apply and shall be considered null and
44 void as of March 31, 2010.

45 Notwithstanding any inconsistent provision
46 of law, rule or regulation to the contra-
47 ry, for the period January 1, 2011 through
48 March 31, 2011, under the elderly pharma-
49 ceutical insurance coverage program, the

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 requirement that, as a condition of eligi-
 2 bility for benefits under such program, a
 3 program participant who is eligible for
 4 medicare part D drug coverage under
 5 section 1860D of the federal social secu-
 6 rity act be required to enroll in medicare
 7 part D at the first available enrollment
 8 period and to maintain such enrollment
 9 shall not be waived if such enrollment
 10 would result in significant additional
 11 financial liability by the participant,
 12 including, but not limited to, individuals
 13 in a medicare advantage plan whose cost
 14 sharing would be increased; provided
 15 further that elderly pharmaceutical insur-
 16 ance coverage program representation of
 17 program participants in the pursuit of
 18 medicare part D coverage and the medicare
 19 savings programs shall be permitted
 20 notwithstanding additional financial
 21 liability on behalf of such program
 22 participants; provided further that, if
 23 this chapter appropriates sufficient addi-
 24 tional funds to permit a waiver of the
 25 medicare part D enrollment requirement and
 26 the representation requirement described
 27 herein if the participant incurs signif-
 28 icant additional financial liability, or
 29 additional financial liability, respec-
 30 tively, then the provisions of this para-
 31 graph shall not apply and shall be consid-
 32 ered null and void as of March 31, 2010.
 33 The moneys hereby appropriated shall be
 34 available for payment of financial assist-
 35 ance heretofore accrued 177,800,000
 36 -----
 37 Program account subtotal 177,800,000
 38 -----
 39 HEALTH CARE FINANCING PROGRAM 19,295,700
 40 -----
 41 General Fund / State Operations
 42 State Purposes Account - 003
 43 PERSONAL SERVICE
 44 Personal service--regular 4,346,000
 45 Temporary service 10,000
 46 Holiday/overtime compensation 40,000
 47 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses related to admin-
 2 istration of statutory duties for the
 3 collections authorized by sections 2807-j,
 4 2807-s, 2807-t and 2807-v of the public
 5 health law and the assessments authorized
 6 by sections 2807-d, 3614-a and 3614-b of
 7 the public health law and section 367-i of
 8 the social services law pursuant to chap-
 9 ter 41 of the laws of 1992.

10 PERSONAL SERVICE

11 Personal service--regular 2,372,700
 12 Holiday/overtime compensation 10,000
 13 -----
 14 Amount available for personal service 2,382,700
 15 -----

16 NONPERSONAL SERVICE

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

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

38 PERSONAL SERVICE

39 Personal service--regular 2,477,500
 40 Holiday/overtime compensation 40,000
 41 -----
 42 Amount available for personal service 2,517,500
 43 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

NONPERSONAL SERVICE

1		
2	Supplies and materials	82,000
3	Travel	20,000
4	Contractual services	239,000
5	Equipment	182,000
6	Fringe benefits	1,086,200
7	Indirect costs	766,200
8		-----
9	Amount available for nonpersonal service	2,375,400
10		-----
11	Program account subtotal	4,892,900
12		-----
13	HEALTH CARE REFORM ACT PROGRAM	503,316,000
14		-----
15	Special Revenue Funds - Other / Aid to Localities	
16	HCRA Resources Fund - 061	
17	HCRA Program Account	
18	For services, expenses, grants and transfers	
19	necessary to implement the health care	
20	reform act program in accordance with	
21	section 2807-j, 2807-k, 2807-l, 2807-m,	
22	2807-p, 2807-s and 2807-v of the public	
23	health law. The moneys hereby appropriated	
24	shall be available for payments heretofore	
25	accrued or hereafter to accrue. Notwith-	
26	standing any inconsistent provision of	
27	law, the moneys hereby appropriated may be	
28	increased or decreased by interchange or	
29	transfer with any appropriation of the	
30	department of health or by transfer or	
31	suballocation to any appropriation of the	
32	department of insurance, the office of	
33	mental health and the state office for the	
34	aging subject to 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. With the approval of the	
41	director of the budget, up to 5 percent of	
42	this appropriation may be used for state	
43	operations purposes. At the direction of	
44	the director of the budget, funds may also	
45	be transferred directly to the general	
46	fund for the purpose of repaying a draw on	
47	the tobacco revenue guarantee fund.	
48	For services and expenses related to gradu-	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 ate medical education (GME) innovative
 2 reform initiatives 21,280,000
 3 For services and expenses of the empire
 4 clinical research investigator program
 5 (ECRIP) 9,120,000
 6 For services and expenses of the New York
 7 state area health education center program
 8 2,500,000
 9 For services and expenses of the ambulatory
 10 care training program pursuant to subdivi-
 11 sion 5-a of section 2807-m of the public
 12 health law 4,300,000
 13 For services and expenses of the physician
 14 loan repayment program pursuant to subdivi-
 15 sion 5-a of section 2807-m of the public
 16 health law. All or part of this appropri-
 17 ation may be suballocated to the NYS high-
 18 er education services corporation 2,700,000
 19 For services and expenses of the physician
 20 practice support program pursuant to
 21 subdivision 5-a of section 2807-m of the
 22 public health law 6,800,000
 23 For services and expenses related to physi-
 24 cian workforce studies pursuant to subdivi-
 25 sion 5-a of section 2807-m of the public
 26 health law 516,000
 27 For services and expenses of the diversity
 28 in medicine/post-baccalaureate program
 29 pursuant to subdivision 5-a of section
 30 2807-m of the public health law 1,700,000
 31 For transfer to Roswell park cancer insti-
 32 tute corporation 71,600,000
 33 For suballocation to the state insurance
 34 department related to the physicians
 35 excess medical malpractice program 127,400,000
 36 For transfer to health research incorporated
 37 (HRI) for the AIDS drug assistance program
 38 42,300,000
 39 For state grants for the health workforce
 40 retraining program. Notwithstanding
 41 section 2807-g of the public health law,
 42 or any other provision of law to the
 43 contrary, funds hereby appropriated may be
 44 made available to other state agencies and
 45 facilities operated by the department of
 46 health for services and expenses related
 47 to the worker retraining program as
 48 disbursed pursuant to section 2807-g of
 49 the public health law. Provided, however,
 50 that the director of the budget must
 51 approve the release of any request for
 52 proposal or request for application or any

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 other procurement initiatives issued on or
 2 after April 1, 2007. Further provided that
 3 any contract executed on or after April 1,
 4 2007 must receive the prior approval of
 5 the director of the budget. A portion of
 6 this appropriation may be transferred to
 7 state operations appropriations 28,400,000
 8 For services and expenses related to the
 9 tobacco use prevention and control program
 10 including grants to support cancer
 11 research. A portion of this appropriation
 12 may be transferred to state operations
 13 appropriations 57,100,000
 14 For state grants for rural health care
 15 access development 9,800,000
 16 For state grants for rural health network
 17 development 6,400,000
 18 For services and expenses, including grants,
 19 related to emergency assistance distrib-
 20 utions as designated by the commissioner
 21 of health. Notwithstanding section 112 or
 22 163 of the state finance law or any other
 23 contrary provision of law, such distrib-
 24 utions shall be limited to providers or
 25 programs where, as determined by the
 26 commissioner of health, emergency assist-
 27 ance is vital to protect the life or safe-
 28 ty of patients, to ensure the retention of
 29 facility caregivers or other staff, or in
 30 instances where health facility operations
 31 are jeopardized, or where the public
 32 health is jeopardized or other emergency
 33 situations exist 2,900,000
 34 For transfer to the pool administrator for
 35 distributions related to school based
 36 health clinics 5,600,000
 37 For services and expenses related to audit-
 38 ing or payment of audit contracts to
 39 determine payor and provider compliance
 40 requirements. All or a portion of this
 41 appropriation may be transferred to state
 42 operations appropriations 14,700,000
 43 For services and expenses related to audit-
 44 ing or payment of audit contracts to
 45 determine hospital compliance with para-
 46 graph 6 of subdivision (a) of section
 47 405.4 of title 10, NYCRR. All or a portion
 48 of this appropriation may be transferred
 49 to state operations appropriations 2,500,000
 50 For transfer to the pool administrator for
 51 state grants for poison control centers. A
 52 portion of this appropriation may be

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 transferred to state operations appropri-
 2 ations. Notwithstanding any inconsistent
 3 provision of law, rule or regulation,
 4 allocations made pursuant to subparagraph
 5 (iv) of paragraph (c) of subdivision 1 of
 6 section 2807-1 of the public health law
 7 for distributions to poison control
 8 centers pursuant to subdivision 7 of
 9 section 2500-d of the public health law
 10 shall be reduced by \$2,000,000 for the
 11 period April 1, 2010 through March 31,
 12 2011; provided, however, if this chapter
 13 provides sufficient additional funding to
 14 support distributions to poison control
 15 centers at amounts set forth in subpara-
 16 graph (iv) of paragraph (c) of subdivision
 17 1 of section 2807-1 of the public health
 18 law, then the provisions of this section
 19 shall be null and void as of March 31,
 20 2010 2,500,000
 21 For services and expenses related to the
 22 pool administration. All or a portion of
 23 this appropriation may be transferred to
 24 state operations appropriations 4,200,000
 25 For additional state grants to improve
 26 access to infertility services, treat-
 27 ments, and procedures 2,200,000
 28 For services and expenses related to school
 29 based health centers. The total amount of
 30 funds provided herein shall be distributed
 31 to school-based health center providers
 32 based on the ratio of each provider's
 33 total enrollment for all sites to the
 34 total enrollment of all providers. This
 35 formula shall be applied to the total
 36 amount made available herein, provided,
 37 however, that notwithstanding any contrary
 38 provision of law, the commissioner of
 39 health may establish minimum and maximum
 40 awards for providers 2,800,000
 41 For payments for uncompensated care to
 42 eligible voluntary non-profit diagnostic
 43 and treatment centers 54,400,000
 44 For transfer to the dormitory authority of
 45 the state of New York for the health
 46 facility restructuring program 19,600,000
 47 -----
 48 Program account subtotal 503,316,000
 49 -----
 50 INSTITUTIONAL MANAGEMENT PROGRAM 158,128,787
 51 -----

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1 Special Revenue Funds - Other / State Operations
 2 Combined Gifts, Grants and Bequests Fund - 020
 3 Batavia Home Donation Account

4 For services and expenses of patient bene-
 5 fits and other activities and other
 6 services as funded by gifts and donations.

7 NONPERSONAL SERVICE

8 Supplies and materials 50,000
 9 -----
 10 Program account subtotal 50,000
 11 -----

12 Special Revenue Funds - Other / State Operations
 13 Combined Gifts, Grants and Bequests Fund - 020
 14 Helen Hayes Hospital Account

15 For services and expenses of patient bene-
 16 fits and other activities and services as
 17 funded by gifts and donations.

18 NONPERSONAL SERVICE

19 Supplies and materials 35,000
 20 -----
 21 Program account subtotal 35,000
 22 -----

23 Special Revenue Funds - Other / State Operations
 24 Combined Gifts, Grants and Bequests Fund - 020
 25 New York City Veterans' Home Donation Account

26 For services and expenses of patient bene-
 27 fits and other activities and other
 28 services as funded by gifts and donations.

29 NONPERSONAL SERVICE

30 Supplies and materials 50,000
 31 -----
 32 Program account subtotal 50,000
 33 -----

34 Special Revenue Funds - Other / State Operations
 35 Combined Gifts, Grants and Bequests Fund - 020
 36 Montrose Donation Account

37 For services and expenses of patient bene-
 38 fits and other activities and other
 39 services as funded by gifts and donations.

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NONPERSONAL SERVICE

Supplies and materials	50,000
Program account subtotal	50,000

Special Revenue Funds - Other / State Operations
 Combined Gifts, Grants and Bequests Fund - 020
 Oxford Gifts and Donations Account

For services and expenses of patient bene-
 fits and other activities and services as
 funded by gifts and donations.

NONPERSONAL SERVICE

Supplies and materials	200,000
Program account subtotal	200,000

Special Revenue Funds - Other / State Operations
 Miscellaneous Special Revenue Fund - 339
 Helen Hayes Hospital Account

For services and expenses of the Helen Hayes
 hospital including an affiliation agree-
 ment contract. Up to \$304,273 of this
 amount may be suballocated to the depart-
 ment of law for services and expenses of a
 collection unit at Helen Hayes hospital.

PERSONAL SERVICE

Personal service--regular	31,306,344
Temporary service	3,150,000
Holiday/overtime compensation	1,103,211
Amount available for personal service	35,559,555

NONPERSONAL SERVICE

Supplies and materials	3,024,121
Travel	32,000
Contractual services	17,823,000
Equipment	823,000
Fringe benefits	2,908,000
Indirect costs	200,000

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1	Amount available for nonpersonal service	24,810,121
2		-----
3	Program account subtotal	60,369,676
4		-----

5 Special Revenue Funds - Other / State Operations
 6 Miscellaneous Special Revenue Fund - 339
 7 New York City Veterans' Home Account

8 For services and expenses of the New York
 9 city veterans' home. Up to \$400,000 of
 10 this amount may be suballocated to the
 11 department of law for services and
 12 expenses of a collection unit at the New
 13 York city veterans' home for the New York
 14 state home for veterans and their depen-
 15 dents at Oxford, the New York city veter-
 16 ans' home, the Western New York veterans'
 17 home and New York state veterans' home at
 18 Montrose.

19 PERSONAL SERVICE

20	Personal service--regular	12,644,326
21	Temporary service	2,117,718
22	Holiday/overtime compensation	2,677,966
23		-----
24	Amount available for personal service	17,440,010
25		-----

26 NONPERSONAL SERVICE

27	Supplies and materials	905,000
28	Travel	52,000
29	Contractual services	10,696,000
30	Equipment	466,000
31	Fringe benefits	6,661,000
32	Indirect costs	75,000
33		-----
34	Amount available for nonpersonal service	18,855,000
35		-----
36	Program account subtotal	36,295,010
37		-----

38 Special Revenue Funds - Other / State Operations
 39 Miscellaneous Special Revenue Fund - 339
 40 New York State Home for Veterans and Their Dependents at
 41 Oxford Account

42 For services and expenses of the New York
 43 state home for veterans and their depen-
 44 dents at Oxford.

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PERSONAL SERVICE

Personal service--regular	15,324,381
Temporary service	895,000
Holiday/overtime compensation	1,112,000

Amount available for personal service	17,331,381

NONPERSONAL SERVICE

Supplies and materials	4,073,000
Travel	65,000
Contractual services	2,397,000
Equipment	513,000
Fringe benefits	1,157,000
Indirect costs	60,000

Amount available for nonpersonal service	8,265,000

Program account subtotal	25,596,381

Special Revenue Funds - Other / State Operations
 Miscellaneous Special Revenue Fund - 339
 New York State Home for Veterans in the Lower-Hudson
 Valley Account

For services and expenses of the New York
 state home for veterans in the lower-Hud-
 son Valley account.

PERSONAL SERVICE

Personal service--regular	12,106,539
Temporary service	1,809,000
Holiday/overtime compensation	2,241,921

Amount available for personal service	16,157,460

NONPERSONAL SERVICE

Supplies and materials	2,267,020
Travel	13,000
Contractual services	4,470,940
Equipment	365,000
Indirect costs	14,000

Amount available for nonpersonal service	7,129,960

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1	Program account subtotal	23,287,420
2		-----
3	Special Revenue Funds - Other / State Operations	
4	Miscellaneous Special Revenue Fund - 339	
5	Western New York Veterans' Home Account	
6	For services and expenses of the Western New	
7	York veterans' home.	
8		
	PERSONAL SERVICE	
9	Personal service--regular	7,607,300
10	Temporary service	385,000
11	Holiday/overtime compensation	870,000
12		-----
13	Amount available for personal service	8,862,300
14		-----
15		
	NONPERSONAL SERVICE	
16	Supplies and materials	989,600
17	Travel	22,500
18	Contractual services	1,694,900
19	Equipment	595,000
20	Indirect costs	21,000
21		-----
22	Amount available for nonpersonal service	3,323,000
23		-----
24	Program account subtotal	12,185,300
25		-----
26	Enterprise Funds / State Operations	
27	Miscellaneous Enterprise Fund - 331	
28	Oxford Arts and Crafts Fund Account	
29	For services and expenses of patient bene-	
30	fits and other activities and services as	
31	funded by receipts from the sale of arts	
32	and crafts.	
33		
	NONPERSONAL SERVICE	
34	Supplies and materials	10,000
35		-----
36	Program account subtotal	10,000
37		-----
38	MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM	199,724,000
39		-----
40	General Fund / State Operations	

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1 State Purposes Account - 003

2 For services and expenses for payment of
3 liabilities accrued heretofore and here-
4 after to accrue.

5 NONPERSONAL SERVICE

6 Contractual services 94,505,000
7 -----
8 Program account subtotal 94,505,000
9 -----

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

12 For services and expenses related to the
13 operation of an electronic medicaid eligi-
14 bility verification system and operation
15 of a medicaid override application system,
16 and operation of a medicaid management
17 information system, and development and
18 operation of a replacement medicaid
19 system. The moneys hereby appropriated
20 shall be available for payment of liabil-
21 ities heretofore accrued and hereafter to
22 accrue.

23 Notwithstanding any inconsistent provision
24 of law and subject to the approval of the
25 director of the budget, the amount appro-
26 priated herein may be increased or
27 decreased by interchange with any other
28 appropriation or with any other item or
29 items within the amounts appropriated
30 within the department of health special
31 revenue funds - federal 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 105,219,000
38 -----
39 Program fund subtotal 105,219,000
40 -----

41 MAINTENANCE UNDISTRIBUTED 0
42 -----

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

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Less amounts appropriated as offsets from
 2 the special revenue funds - other, miscel-
 3 laneous special revenue fund - 339, quali-
 4 ty of care account, hospital and nursing
 5 home management account, nurses aide
 6 registry account, third-party health
 7 insurance recoveries account and medicaid
 8 inquiry account. Notwithstanding any
 9 contrary provision of law, these offsets
 10 shall reduce general fund appropriations
 11 within the various programs of the depart-
 12 ment of health funded from the state
 13 purposes account (112,822,000)
 14 -----
 15 Program account subtotal (112,822,000)
 16 -----

17 Special Revenue Funds - Other / State Operations
 18 Miscellaneous Special Revenue Fund - 339
 19 Hospital and Nursing Home Management Account

20 Amount appropriated as an offset to the
 21 general fund - state purposes account with
 22 various department of health programs. The
 23 director of the budget is hereby author-
 24 ized to apportion funds to the various
 25 programs of this agency from this appro-
 26 priation by certificate of approval 11,800,000
 27 -----
 28 Program account subtotal 11,800,000
 29 -----

30 Special Revenue Funds - Other / State Operations
 31 Miscellaneous Special Revenue Fund - 339
 32 Nurses Aide Registry Account

33 Amount appropriated as an offset to the
 34 general fund - state purposes account with
 35 various department of health programs. The
 36 director of the budget is hereby author-
 37 ized to apportion funds to the various
 38 programs of this agency from this appro-
 39 priation by certificate of approval 300,000
 40 -----
 41 Program account subtotal 300,000
 42 -----

43 Special Revenue Funds - Other / State Operations
 44 Miscellaneous Special Revenue Fund - 339
 45 Quality of Care Account

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Amount appropriated as an offset to the
 2 general fund - state purposes account with
 3 various department of health programs. The
 4 director of the budget is hereby author-
 5 ized to apportion funds to the various
 6 programs of this agency from this appro-
 7 priation by certificate of approval 99,472,000
 8 -----
 9 Program account subtotal 99,472,000
 10 -----

11 Special Revenue Funds - Other / State Operations
 12 Miscellaneous Special Revenue Fund - 339
 13 Third-Party Health Insurance Recoveries Account

14 Amount appropriated as an offset to the
 15 general fund - state purposes account with
 16 various department of health programs. The
 17 director of the budget is hereby author-
 18 ized to apportion funds to the various
 19 programs of this agency from this appro-
 20 priation by certificate of approval 1,250,000
 21 -----
 22 Program account subtotal 1,250,000
 23 -----

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

26 Less amounts appropriated as an offset from
 27 the special revenue funds - other, miscel-
 28 laneous special revenue fund - 339, quali-
 29 ty of care account. Notwithstanding any
 30 contrary provision of law, this offset
 31 shall reduce general fund appropriations
 32 within the various programs of the depart-
 33 ment of health funded from the local
 34 assistance account (7,288,000)
 35 -----
 36 Program account subtotal (7,288,000)
 37 -----

38 Special Revenue Funds - Other / Aid to Localities
 39 Miscellaneous Special Revenue Fund - 339
 40 Quality of Care Account

41 Amount appropriated as an offset to the
 42 general fund - local assistance account
 43 with various department of health
 44 programs. The director of the budget is
 45 hereby authorized to apportion funds to
 46 the various programs of this agency from

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 this appropriation by certificate of
 2 approval 7,288,000
 3 -----
 4 Program account subtotal 7,288,000
 5 -----

6 MEDICAL ASSISTANCE ADMINISTRATION PROGRAM 1,159,500,000
 7 -----

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

10 For state reimbursement of local administra-
 11 tive expenses for medical assistance
 12 programs notwithstanding section 153 of
 13 the social services law.

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

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

43 Notwithstanding any inconsistent provision
 44 of law, in lieu of payments authorized by
 45 the social services law, or payments of
 46 federal funds otherwise due to the local
 47 social services districts for programs
 48 provided under the federal social security
 49 act or the federal food stamp act, funds

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1 herein appropriated, in amounts certified
 2 by the state commissioner of temporary and
 3 disability assistance or the state commis-
 4 sioner of health as due from local social
 5 services districts each month as their
 6 share of payments made pursuant to section
 7 367-b of the social services law may be
 8 set aside by the state comptroller in an
 9 interest-bearing account in order to
 10 ensure the orderly and prompt payment of
 11 providers under section 367-b of the
 12 social services law pursuant to an esti-
 13 mate provided by the commissioner of
 14 health of each local social services
 15 district's share of payments made pursuant
 16 to section 367-b of the social services
 17 law 454,050,000
 18 For contractual services related to medical
 19 necessity and quality of care reviews
 20 related to medicaid patients. Subject to
 21 the approval of the director of the budg-
 22 et, all or part of this appropriation may
 23 be transferred to the health care stand-
 24 ards and surveillance program, general
 25 fund - local assistance account 3,700,000
 26 The amount appropriated herein, together
 27 with any federal matching funds obtained,
 28 may be available to the department,
 29 subject to the approval of the director of
 30 the budget, for contractual services
 31 related to a third party entity responsi-
 32 ble for education of persons eligible for
 33 medical assistance regarding their options
 34 for enrollment in managed care plans.
 35 Subject to the approval of the director of
 36 the budget, all or a part of this appro-
 37 priation may be transferred to the office
 38 of managed care, general fund - state
 39 purposes account. Notwithstanding any
 40 other provision of law, the money hereby
 41 appropriated may be increased or decreased
 42 by interchange, with any appropriation of
 43 the department of health, and may be
 44 increased or decreased by transfer or
 45 suballocation between these appropriated
 46 amounts 23,500,000
 47 For state reimbursement of administrative
 48 expenses for the medical assistance
 49 program provided by the office of mental
 50 health, office of mental retardation and
 51 developmental disabilities and office of
 52 alcoholism and substance abuse services.

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 The money hereby appropriated is available
 2 for payment of aid heretofore accrued and
 3 hereafter to accrue. Notwithstanding any
 4 other provision of law, the money hereby
 5 appropriated may be increased or decreased
 6 by interchange with any other appropri-
 7 ation of the department of health with the
 8 approval of the director of the budget 100,000,000
 9 -----
 10 Program account subtotal 581,250,000
 11 -----

12 Special Revenue Funds - Federal / Aid to Localities
 13 Federal Health and Human Services Fund - 265
 14 Medicaid Administration Transfer Account

15 For reimbursement of local administrative
 16 expenses of medical assistance programs
 17 provided pursuant to title XIX of the
 18 federal social security act or its succes-
 19 sor program.

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

36 Notwithstanding any other provision of law,
 37 the money hereby appropriated may be
 38 increased or decreased by interchange,
 39 with any appropriation of the department
 40 of health, and may be increased or
 41 decreased by transfer or suballocation
 42 between these appropriated amounts and
 43 appropriations of the office of mental
 44 health, the office of mental retardation
 45 and developmental disabilities, the office
 46 of alcoholism and substance abuse
 47 services, the department of family assist-
 48 ance office of temporary and disability
 49 assistance and office of children and
 50 family services with the approval of the

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 director of the budget, who shall file
 2 such approval with the department of audit
 3 and control and copies thereof with the
 4 chairman of the senate finance committee
 5 and the chairman of the assembly ways and
 6 means committee.
 7 Notwithstanding any inconsistent provision
 8 of law, in lieu of payments authorized by
 9 the social services law, or payments of
 10 federal funds otherwise due to the local
 11 social services districts for programs
 12 provided under the federal social security
 13 act or the federal food stamp act, funds
 14 herein appropriated, in amounts certified
 15 by the state commissioner of temporary and
 16 disability assistance or the state commis-
 17 sioner of health as due from local social
 18 services districts each month as their
 19 share of payments made pursuant to section
 20 367-b of the social services law may be
 21 set aside by the state comptroller in an
 22 interest-bearing account in order to
 23 ensure the orderly and prompt payment of
 24 providers under section 367-b of the
 25 social services law pursuant to an esti-
 26 mate provided by the commissioner of
 27 health of each local social services
 28 district's share of payments made pursuant
 29 to section 367-b of the social services
 30 law 478,250,000
 31 For reimbursement of administrative expenses
 32 of the medical assistance program provided
 33 by the office of mental health, office of
 34 mental retardation and developmental disa-
 35 bilities, and office of alcoholism and
 36 substance abuse services provided pursuant
 37 to title XIX of the federal social securi-
 38 ty act. The money hereby appropriated is
 39 available for payment of aid heretofore
 40 accrued and hereafter to accrue. Notwith-
 41 standing any other provision of law, the
 42 money hereby appropriated may be increased
 43 or decreased by interchange with any other
 44 appropriation of the department of health
 45 with the approval of the director of budg-
 46 et 100,000,000
 47 -----
 48 Program account subtotal 578,250,000
 49 -----
 50 MEDICAL ASSISTANCE PROGRAM 48,253,364,000
 51 -----

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1 General Fund / Aid to Localities
2 Local Assistance Account - 001

3 For the medical assistance program, includ-
4 ing administrative expenses, for local
5 social services districts, and for medical
6 care rates for authorized child care agen-
7 cies.

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

20 Notwithstanding any inconsistent provision
21 of law to the contrary, funds may be used
22 by the department for outside legal
23 assistance on issues involving the federal
24 government, the conduct of preadmission
25 screening and annual resident reviews
26 required by the state's medicaid program,
27 computer matching with insurance carriers
28 to insure that medicaid is the payer of
29 last resort and activities related to the
30 management of the pharmacy benefit avail-
31 able under the medicaid program.

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

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

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

27 Notwithstanding any inconsistent provision
28 of law to the contrary, the moneys hereby
29 appropriated may be used for payments to
30 the centers for medicaid and medicare
31 services for obligations incurred related
32 to the pharmaceutical costs of dually
33 eligible medicare/medicaid beneficiaries
34 participating in the medicare drug benefit
35 authorized by P.L. 108-173.

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

51 Notwithstanding paragraph (c) of subdivision
52 10 of section 2807-c of the public health

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1 law, subdivision 2-b of section 2808 of
2 the public health law, section 21 of chap-
3 ter 1 of the laws of 1999, and any other
4 contrary provision of law, in determining
5 rates of payments by state governmental
6 agencies effective for services provided
7 on and after April 1, 2010 through March
8 31, 2011, for inpatient and outpatient
9 services provided by general hospitals,
10 for inpatient services and adult day
11 health care outpatient services provided
12 by residential health care facilities
13 pursuant to article 28 of the public
14 health law, except for residential health
15 care facilities that provide extensive
16 nursing, medical, psychological and coun-
17 seling support services to children, for
18 home health care services provided pursu-
19 ant to article 36 of the public health law
20 by certified home health agencies, long
21 term home health care programs and AIDS
22 home care programs, and for personal care
23 services provided pursuant to section
24 365-a of the social services law, the
25 commissioner of health shall apply zero
26 trend factor projections attributable to
27 the 2010 calendar year in accordance with
28 paragraph (c) of subdivision 10 of section
29 2807-c of the public health law, provided,
30 however, that such zero trend factor
31 projections for such 2010 calendar year
32 shall also be applied to rates of payment
33 for personal care services provided in
34 those local social service districts,
35 including New York city, whose rates of
36 payment for such services are established
37 by such local social service districts
38 pursuant to a rate-setting exemption
39 issued by the commissioner of health to
40 such local social service districts in
41 accordance with applicable regulations,
42 and provided further, however, that for
43 rates of payment for assisted living
44 program services provided on and after
45 April 1, 2010 through March 31, 2011,
46 trend factor projections attributable to
47 the 2010 calendar year shall be estab-
48 lished at zero percent.

49 For services and expenses of the medical
50 assistance program including hospital
51 inpatient services.

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1 Notwithstanding any inconsistent provision
2 of law, rule or regulation, for the period
3 April 1, 2010 through March 31, 2011, the
4 indirect graduate medical education
5 payment per discharge calculated pursuant
6 to paragraph 1 of subdivision (b) of
7 section 86-1.20 of title 10 (health) of
8 the official compilation of codes, rules
9 and regulations of the state of New York
10 and the amount of indirect graduate
11 medical education excluded from the state-
12 wide base price calculated pursuant to
13 paragraph 2 of subdivision (b) of section
14 86-1.20 of title 10 (health) of the offi-
15 cial compilation of codes, rules and regu-
16 lations of the state of New York shall be
17 reduced by one percentage point; provided,
18 however, if this chapter provides suffi-
19 cient additional funding to support the
20 aforementioned rate calculations made
21 pursuant to section 86-1.20 of title 10
22 (health) of the official compilation of
23 codes, rules and regulations of the state
24 of New York without the one percentage
25 point reduction, then the provisions of
26 this section shall be deemed null and void
27 as of March 31, 2010 and no additional
28 funding associated with the one percentage
29 point reduction of indirect graduate
30 medical education shall be provided to
31 increase medicaid rates for inpatient
32 services for general hospitals for
33 improved obstetrical access and quality
34 pursuant to paragraph (e) of subdivision
35 35 of section 2807-c of the public health
36 law, the physician loan repayment and
37 physician practice support programs set
38 forth in paragraphs (d) and (e) of subdi-
39 vision 5-a of section 2807-m of the public
40 health law, respectively, , and the state-
41 wide base price calculated pursuant to
42 subdivision 35 of section 2807-c of the
43 public health law.

44 Notwithstanding any inconsistent provision
45 of law, rule or regulation, hospital inpa-
46 tient rate adjustments made in accordance
47 with a methodology specified in regu-
48 lations promulgated pursuant to subpara-
49 graph (v) of paragraph (b) of subdivision
50 35 of section 2807-c of the public health
51 law that incorporate quality related meas-
52 ures pertaining to potentially preventable

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1 complications shall result in an aggregate
 2 reduction in medicaid payments of no less
 3 than \$49,000,000 for the period April 1,
 4 2010 through March 31, 2011, net of any
 5 reinvestment for hospitals with improved
 6 or continued high performance in relation
 7 to the established readmission benchmarks
 8 and initiatives for behavioral health
 9 admission diversion and post-discharge
 10 linkage payments; provided, however, if
 11 this chapter provides sufficient addi-
 12 tional funding to support such rate
 13 adjustments without the aggregate
 14 reductions, then the provisions of this
 15 section shall be deemed null and void as
 16 of March 31, 2010.
 17 Notwithstanding any inconsistent provision
 18 of law, rule or regulation, hospital inpa-
 19 tient rate adjustments made in accordance
 20 with the methodology specified in subdivi-
 21 sion 6 of section 2500-d of the public
 22 health law shall be reduced by up to
 23 \$1,000,000 for the period April 1, 2010
 24 through March 31, 2011; provided, however,
 25 if this chapter provides sufficient addi-
 26 tional funding to support such rate
 27 adjustments without the aggregate
 28 reductions, then the provisions of this
 29 section shall be deemed null and void as
 30 of March 31, 2010 307,037,000
 31 For services and expenses of the medical
 32 assistance program including hospital
 33 outpatient and emergency room services 321,439,000
 34 For services and expenses of the medical
 35 assistance program including clinic
 36 services 118,569,000
 37 For services and expenses of the medical
 38 assistance program including nursing home
 39 services.
 40 Notwithstanding any inconsistent provision
 41 of law or regulation to the contrary, for
 42 the period April 1, 2010 through March 31,
 43 2011, the commissioner of health shall not
 44 be required to revise certified rates of
 45 payment established pursuant to the public
 46 health law prior to April 1, 2011, based
 47 on consideration of rate appeals filed by
 48 residential health care facilities pursu-
 49 ant to section 2808 of the public health
 50 law or based upon adjustments to capital
 51 cost reimbursement as a result of approval
 52 by the commissioner of health of an appli-

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1 cation for construction under section 2802
2 of the public health law, in excess of
3 aggregate amount of \$80,000,000, provided,
4 however, that in revising such rates with-
5 in such fiscal limits the commissioner may
6 prioritize rate appeals for facilities
7 which the commissioner determines are
8 facing significant financial hardship and,
9 further, the commissioner is authorized to
10 enter into agreements with such facilities
11 to resolve multiple pending rate appeals
12 based upon a negotiated aggregate amount
13 and may offset such negotiated aggregate
14 amounts against any amounts owed by the
15 facility to the department of health,
16 including, but not limited to, amounts
17 owed pursuant to section 2807-d of the
18 public health law, provided further,
19 however, that such rate adjustment made
20 pursuant to this section remain fully
21 subject to approval by the director of the
22 budget in accordance with the provisions
23 of subdivision 2 of section 2807 of the
24 public health law. Provided, however, if
25 this chapter appropriates sufficient addi-
26 tional funds to support processing of
27 residential health care facility rate
28 appeal adjustments as otherwise provided
29 for in the public health law, than the
30 provisions of this section shall be deemed
31 null and void.

32 Notwithstanding any inconsistent provision
33 of law, rule or regulation to the contra-
34 ry, for the period April 1, 2010 through
35 March 31, 2011, a "reserved bed day" is
36 defined as a day for which a governmental
37 agency pays a residential health care
38 facility to reserve a bed for a person
39 eligible for medical assistance pursuant
40 to title 11 of article 5 of the social
41 services law while he or she is temporar-
42 ily hospitalized or on leave of absence
43 from the facility; provided further that
44 for reserved bed days provided on behalf
45 of persons 21 years of age or older: (i)
46 payments for reserved bed days shall be
47 made at 95 percent of the medicaid rate
48 otherwise payable to the facility for
49 services provided on behalf of such
50 person; (ii) payment to a facility for
51 reserved bed days provided on behalf of
52 such person for temporary hospitalizations

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

18 Notwithstanding paragraph (b) of subdivision
19 2-b of section 2808 of the public health
20 law, section 2 of part D of chapter 58 of
21 the laws of 2009, or any other contrary
22 provision of law, for the period April 1,
23 2010 through March 31, 2011, upon a deter-
24 mination by the commissioner of health and
25 the director of the budget that rates of
26 payment computed pursuant to section
27 2808(2-b)(b) of the public health law for
28 the period April 1, 2010 through March 31,
29 2011, shall, in aggregate, be greater than
30 or less than the aggregate total of such
31 rates for the prior state fiscal year,
32 make such proportional adjustments to such
33 rates for the period April 1, 2010 through
34 February 28, 2011 as are necessary to
35 ensure that, after application of the
36 adjustments authorized by the provisions
37 of paragraph (g) of subdivision 2-b of
38 section 2808 of the public health law,
39 rates for such period reflect, in aggre-
40 gate, no such increase or decrease,
41 provided, however, that notwithstanding
42 any contrary provision of law, the case
43 mix adjustments authorized pursuant to
44 subparagraph (ii) of paragraph (b) of
45 subdivision 2-b of section 2808 of the
46 public health law and scheduled pursuant
47 to such subparagraph (ii) for January of
48 2011, shall not be implemented in accord-
49 ance with the provisions of such subpara-
50 graph (ii), and provided further, however,
51 that if this chapter provides sufficient
52 additional funding to cover the cost of

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1 payments for such services as otherwise
 2 provided for in the public health law,
 3 then the provisions of this section shall
 4 be deemed null and void.

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

23 Notwithstanding any inconsistent provision
 24 of law, for the period April 1, 2010
 25 through March 31, 2011, residential health
 26 care facility medicaid rates of payment
 27 shall not include reimbursement for the
 28 cost of prescription drugs. Such
 29 reimbursement shall be in accordance with
 30 otherwise applicable provisions of section
 31 367-a of the social services law 1,217,878,000

32 For services and expenses of the medical
 33 assistance program including other long
 34 term care services.

35 Notwithstanding any inconsistent provision
 36 of law, rule or regulation to the contra-
 37 ry, for the period April 1, 2010 through
 38 March 31, 2011, under the medical assist-
 39 ance program, personal care services,
 40 including personal emergency response
 41 services, shared aide and an individual
 42 aide, furnished to an individual who has
 43 attained the age of 21 and who is not an
 44 inpatient or resident of a hospital, nurs-
 45 ing facility, intermediate care facility
 46 for the mentally retarded, or institution
 47 for mental disease, shall not exceed an
 48 average of 12 hours per day in any author-
 49 ization period; provided, however, that
 50 medically necessary personal care services
 51 that exceed an average 12 hours per day in
 52 any authorization period may be provided

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1 to an individual who is receiving services
2 from a certified home health agency, or is
3 enrolled in the long term home health care
4 program, a managed long term care plan,
5 the AIDS home care program, the nursing
6 home transition and diversion waiver, or
7 the consumer directed personal assistance
8 program, in accordance with the terms of
9 those programs; and provided, further,
10 that, if this chapter appropriates suffi-
11 cient additional funds to permit personal
12 care services to be provided without
13 regard to such 12 hours per day average in
14 any authorization period limitation, then
15 the provisions of this paragraph shall not
16 apply and shall be considered null and
17 void as of March 31, 2010.

18 Notwithstanding any inconsistent provision
19 of law, rule or regulation to the contra-
20 ry, for the period April 1, 2010 through
21 March 31, 2011, personal care services
22 under the medical assistance consumer
23 directed personal assistance program
24 provided to an individual who has attained
25 the age of 21, and who is not receiving
26 such services from a certified home health
27 agency, a long term home health care
28 program, or an AIDS home care program,
29 shall not exceed an average of 12 hours
30 per day in any authorization period;
31 provided, however, that, if this chapter
32 appropriates sufficient additional funds
33 to permit personal care services under the
34 consumer directed personal assistance
35 program to be provided without regard to
36 such average 12 hours per day limitation,
37 then the provisions of this paragraph
38 shall not apply and shall be considered
39 null and void as of March 31, 2010.

40 Notwithstanding any inconsistent provision
41 of law, rule or regulation to the contra-
42 ry, for the period April 1, 2010 through
43 March 31, 2011, and notwithstanding the
44 availability of federal financial partic-
45 ipation, a person may participate in the
46 medical assistance nursing home transition
47 and diversion program if the person has a
48 medical need for services that are
49 described in paragraph (e) of subdivision
50 2 of section 365-a of the social services
51 law or in section 365-f of the social
52 services law but that exceed a limit

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1 imposed by such provisions; and is other-
 2 wise ineligible for, or is unable to
 3 access, long-term community-based services
 4 available under the social service law;
 5 and otherwise meets the criteria for
 6 participation set forth in subdivision 6-a
 7 of section 366 of the social services law;
 8 provided, however, that, if this chapter
 9 appropriates sufficient additional funds
 10 to permit personal care services to be
 11 provided without regard to a an average 12
 12 hours per day in any authorization period
 13 limitation, and without regard to a
 14 consumer directed personal assistance
 15 program average 12 hours per day limita-
 16 tion, then the provisions of this para-
 17 graph shall not apply and shall be consid-
 18 ered null and void as of March 31, 2010.
 19 Notwithstanding any inconsistent provision
 20 of law, rule or regulation to the contra-
 21 ry, for the period April 1, 2010 through
 22 March 31, 2011, continued provision of
 23 long term home health care program, AIDS
 24 home care program or certified home health
 25 agency services paid for by government
 26 funds shall be based upon a comprehensive
 27 assessment of the medical, social and
 28 environmental needs of the recipient of
 29 the services which shall be performed at
 30 least every 180 days by the provider of a
 31 long term home health care program, AIDS
 32 home care program or the certified home
 33 health agency providing services for the
 34 patient and the local department of social
 35 services; provided, however, if this chap-
 36 ter appropriates sufficient additional
 37 funds to require that such assessments be
 38 performed no less frequently than once
 39 every 120 days, then the provisions of
 40 this paragraph shall not apply and shall
 41 be considered null and void as of March
 42 31, 2010 1,795,759,000
 43 For services and expenses of the medical
 44 assistance program including managed care
 45 services 1,989,228,000
 46 For services and expenses of the medical
 47 assistance program including pharmacy
 48 services.
 49 Notwithstanding any law, rule or regulation
 50 to the contrary, for the period April 1,
 51 2010 through March 31, 2011, the commis-
 52 sioner of health shall provide five days

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1 public notice on the department's website
2 of any recommendations developed by the
3 pharmacy and therapeutics committee
4 regarding the preferred drug program;
5 provided however that, if this chapter
6 appropriates sufficient additional funds
7 to permit the commissioner to provide
8 thirty days public notice on the depart-
9 ment's website of any such recommenda-
10 tions, the provisions of this paragraph
11 shall not apply and shall be considered
12 null and void as of March 31, 2010.

13 Notwithstanding any inconsistent provision
14 of law, rule or regulation to the contra-
15 ry, for the period June 1, 2010 through
16 March 31, 2011, for persons eligible for
17 medical assistance, who are also benefici-
18 aries under part D of title XVIII of the
19 federal social security act, the following
20 categories of drugs shall not be exempt
21 from the definition of "covered part D
22 drugs" and shall be subject to the medical
23 assistance exclusion of coverage for
24 "covered part D drugs": atypical anti-psy-
25 chotics, anti-depressants, anti-retrovi-
26 rals used in the treatment of HIV/AIDS,
27 and anti-rejection drugs used for the
28 treatment of organ and tissue transplants.

29 Notwithstanding any inconsistent provision
30 of law, rule or regulation to the contra-
31 ry, for the period April 1, 2010 through
32 March 31, 2011, medical assistance payment
33 to a specialized HIV pharmacy, as defined
34 in paragraph (f) of subdivision 9 of
35 section 367-a of the social services law,
36 for drugs which may not be dispensed with-
37 out a prescription shall be made at the
38 following amounts: if the drug dispensed
39 is a multiple source prescription drug or
40 a brand-name prescription drug for which
41 no specific upper limit has been set by
42 the centers for medicare and medicaid
43 services, the lower of the estimated
44 acquisition cost of such drug to pharma-
45 cies, or the dispensing pharmacy's usual
46 and customary price charged to the general
47 public; for sole and multiple source brand
48 name drugs, estimated acquisition cost
49 means the average wholesale price of a
50 prescription drug based upon the package
51 size dispensed from, as reported by the
52 prescription drug pricing service used by

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1 the department of health, less sixteen and
 2 twenty-five one hundredths percent there-
 3 of, and updated monthly by the department;
 4 for multiple source generic drugs, esti-
 5 mated acquisition cost means the lower of
 6 the average wholesale price of a
 7 prescription drug based on the package
 8 size dispensed from, as reported by the
 9 prescription drug pricing service used by
 10 the department, less 25 percent thereof,
 11 or the maximum acquisition cost, if any,
 12 established pursuant to paragraph (e) of
 13 subdivision 9 of section 367-a of the
 14 social services law; provided, however,
 15 that, if this chapter appropriates suffi-
 16 cient additional funds to permit, for a
 17 specialized HIV pharmacy, acquisition cost
 18 to mean, for sole and multiple source
 19 brand name drugs, the average wholesale
 20 price of a prescription drug based upon
 21 the package size dispensed from, as
 22 reported by the prescription drug pricing
 23 service used by the department, less 12
 24 percent thereof, and updated monthly by
 25 the department and, for multiple source
 26 generic drugs, acquisition cost to mean
 27 the lower of the average wholesale price
 28 of a prescription drug based on the pack-
 29 age size dispensed from, as reported by
 30 the prescription drug pricing service used
 31 by the department, less 12 percent there-
 32 of, or the maximum acquisition cost, if
 33 any, established pursuant to paragraph (e)
 34 of subdivision 9 of section 367-a of the
 35 social services law, then the provisions
 36 of this paragraph shall not apply and
 37 shall be considered null and void as of
 38 March 31, 2010 36,915,000
 39 For services and expenses of the medical
 40 assistance program including transporta-
 41 tion services.
 42 Notwithstanding any inconsistent provision
 43 of law, rule or regulation to the contra-
 44 ry, for the period April 1, 2010 through
 45 March 31, 2011, the commissioner of health
 46 is authorized to assume responsibility
 47 from a local social services official for
 48 the provision and reimbursement of medi-
 49 caid transportation costs under section
 50 365-h of the social services law. If the
 51 commissioner elects to assume such respon-
 52 sibility, the commissioner shall notify

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1 the local social services official in
 2 writing as to the election, the date upon
 3 which the election shall be effective and
 4 such information as to transition of
 5 responsibilities as the commissioner deems
 6 prudent. The commissioner is authorized to
 7 contract with a transportation manager or
 8 managers that have experience in coordi-
 9 nating transportation services in New York
 10 state to manage the provision of such
 11 services. Such a contract or contracts
 12 may include, without limitation, responsi-
 13 bility for: review, approval and process-
 14 ing of transportation orders; management
 15 of the appropriate level of transportation
 16 based on documented patient medical need;
 17 and development of new technologies and
 18 approaches leading to efficient transpor-
 19 tation services. Notwithstanding any
 20 inconsistent provision of sections 112 and
 21 163 of the state finance law, or section
 22 142 of the economic development law, or
 23 any other law, the commissioner is author-
 24 ized to enter into such contract without a
 25 competitive bid or request for proposal
 26 process. Provided, however, if this chap-
 27 ter appropriates sufficient additional
 28 funds to permit local social services
 29 officials to maintain responsibility for
 30 management of medicaid transportation
 31 services without assumption of such
 32 responsibility by the commissioner of
 33 health, then the provisions of this para-
 34 graph shall not apply and shall be consid-
 35 ered null and void as of March 31, 2010 86,935,000
 36 For services and expenses of the medical
 37 assistance program including dental
 38 services 78,716,000
 39 For services and expenses of the medical
 40 assistance program including non-institu-
 41 tional and other spending.
 42 Notwithstanding any inconsistent provision
 43 of law, rule or regulation, for the early
 44 intervention program, for the period April
 45 1, 2010 through March 31, 2011, early
 46 intervention program providers who
 47 received payment of \$500,000 or more for
 48 services that were covered under the
 49 medical assistance program, as determined
 50 by the department based upon the most
 51 recent year for which complete information
 52 exists, shall, in the first instance and

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1 where applicable, seek payment from the
2 medical assistance program or an insurance
3 policy or plan for those children covered
4 under both the medical assistance program
5 and an insurance policy or plan, prior to
6 claiming payment from a municipality for
7 services rendered to such children,
8 provided, however, that if this chapter
9 appropriates sufficient additional funds
10 to support continued municipal claiming to
11 the medical assistance program for all
12 providers who render services under the
13 early intervention program in accordance
14 with section 2559 of the public health
15 law, including those that receive payment
16 of \$500,000 or more for services covered
17 under the medical assistance program then
18 this language shall be considered null and
19 void as of March 31, 2010.

20 Notwithstanding any inconsistent provision
21 of law, rule or regulation, for early
22 intervention program purposes, for the
23 period April 1, 2010 through March 31,
24 2011, where a policy of accident and
25 health insurance or a contract subject to
26 the provisions of the insurance law,
27 including a contract issued pursuant to
28 article 43 of the insurance law, provides
29 coverage for a service provided to the
30 insured under title 2-A of article 25 of
31 the public health law, the individualized
32 family services plan as defined in section
33 2541 of the public health law and certi-
34 fied by the early intervention official
35 shall be deemed to meet any precertifi-
36 cation, preauthorization and medical
37 necessity requirements imposed on benefits
38 under the policy or contract, provided,
39 however, that the early intervention offi-
40 cial shall remove or redact any informa-
41 tion contained on the insured's individ-
42 ualized family service plan that is not
43 required by the insurer for payment
44 purposes and payment for a service covered
45 under the policy or contract that is
46 provided under the early intervention
47 program shall be at rates established by
48 the commissioner of health pursuant to
49 regulations and no insurer, including a
50 health maintenance organization issued a
51 certificate of authority under article 44
52 of the public health law and a corporation

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1 organized under article 43 of the insur-
2 ance law shall deny payment of a claim
3 submitted for a service covered under the
4 insurer's policy or contract and provided
5 under the early intervention program based
6 upon the following:

- 7 (i) the location where services are
8 provided;
- 9 (ii) the duration of the insured's condition
10 and/or that the insured's condition is not
11 amenable to significant improvement within
12 a certain period of time as specified in
13 the policy;
- 14 (iii) that the provider of services is not a
15 participating provider in the insurer's
16 network; or
- 17 (iv) the absence of a primary care referral,
18 provided, however, that if this chapter
19 appropriates additional funds sufficient
20 to support early intervention program
21 costs that will be incurred if insurers
22 (i) are not required to deem a child's
23 individualized family services plan as
24 meeting any precertification, preauthori-
25 zation and medical necessity requirement
26 imposed under the policy or plan, and (ii)
27 are not prohibited from denying claims for
28 covered services provided under the early
29 intervention program upon the bases set
30 forth herein, then this language shall be
31 considered null and void as of March
32 31, 2010.

33 Notwithstanding any inconsistent provision
34 of law, rule or regulation to the contra-
35 ry, for the period April 1, 2010 through
36 March 31, 2011, the commissioner of
37 health, in pursuing recoveries of medical
38 assistance from the estates of individuals
39 who were 55 years of age or older when
40 they received such assistance, is author-
41 ized to define the term "estate" to
42 include not only real and personal proper-
43 ty and other assets passing under the
44 terms of a valid will or by intestacy, but
45 also any other property in which the indi-
46 vidual had any legal title or interest at
47 the time of death, including jointly held
48 property, retained life estates, and
49 interests in trusts, to the extent of such
50 interests. Provided, however, if this
51 chapter appropriates sufficient additional
52 funds to permit the commissioner of health

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1 to use a definition of estate that is
2 limited to real and personal property and
3 other assets passing under the terms of a
4 valid will or by intestacy, then the
5 provisions of this paragraph shall not
6 apply and shall be considered null and
7 void as of March 31, 2010.

8 Notwithstanding any inconsistent provision
9 of law, rule or regulation to the contra-
10 ry, for the period April 1, 2010 through
11 March 31, 2011, moneys paid by an appli-
12 cant or recipient of supplemental security
13 income benefits under section 209 of the
14 social services law or of medical assist-
15 ance under section 366 of such law, to a
16 funeral firm, funeral director, undertak-
17 er, cemetery, or any other person, firm or
18 corporation, under or in connection with
19 an agreement, or any option to enter into
20 an agreement, for the sale of merchandise
21 to be used in connection with a funeral or
22 burial, or for the furnishing of personal
23 services of a funeral director or under-
24 taker, wherein the merchandise is not to
25 be actually physically delivered or the
26 personal services are not to be rendered
27 until the occurrence of the death of the
28 person for whose funeral or burial such
29 merchandise or services are to be
30 furnished, shall be placed into an irrev-
31 ocable trust if the person for whose
32 funeral or burial such merchandise or
33 services are to be furnished is a family
34 member of such applicant and recipient.
35 Under the terms of such an irrevocable
36 trust, such applicant or recipient (and
37 after the death of such applicant or
38 recipient, the family member) shall have
39 the right to select any funeral firm,
40 funeral director, undertaker, cemetery or
41 any other person, firm or corporation to
42 whom such payment is made and to change
43 such selection any time to any type of
44 funeral or any funeral firm, funeral
45 director, cemetery or any other person,
46 firm or corporation to whom such payment
47 is made, located in the state of New York
48 or any other state. Any funds remaining in
49 such an irrevocable trust after the
50 payment of all funeral expenses must be
51 paid over to the social services official
52 responsible for arranging for burials

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

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

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

44 Notwithstanding any inconsistent provision
 45 of law, subject to the approval of the
 46 director of the budget, up to the amount
 47 appropriated herein, together with any
 48 available federal matching funds, may be
 49 transferred to the general fund - state
 50 purposes account for services and expenses
 51 related to education of medicaid eligibles
 52 and recipients regarding the medicare part

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1 D program and recipient and provider
 2 notification and other program information
 3 as determined necessary by the commission-
 4 er of health. Subject to the approval of
 5 the director of the budget, a portion of
 6 this appropriation may be suballocated to
 7 other state agencies 2,500,000
 8 Notwithstanding any inconsistent provision
 9 of law, subject to the approval of a plan
 10 by the director of the budget, up to the
 11 amount appropriated herein, together with
 12 any available federal matching funds, may
 13 be transferred to the general fund - state
 14 purposes account or suballocated to the
 15 state office for the aging for services
 16 and expenses related to making improve-
 17 ments in the long-term care system includ-
 18 ing long-term care restructuring, the
 19 nursing home transition and diversion
 20 waiver, and point-of-entry initiatives for
 21 the purpose of expanding and promoting a
 22 more coordinated level of care for the
 23 delivery of quality services in the commu-
 24 nity 8,150,000
 25 For grants in aid for up to three not-for-
 26 profit entities for public education,
 27 counseling and advocacy related to changes
 28 in the medical assistance personal care
 29 services benefit.
 30 Notwithstanding sections 112 and 163 of the
 31 state finance law, or section 142 of the
 32 economic development law, or any other
 33 law, the commissioner is authorized to
 34 issue such grants without a request for
 35 proposal process or any other competitive
 36 process 1,000,000
 37 Notwithstanding any inconsistent provision
 38 of law, subject to the approval of the
 39 director of the budget, up to the amount
 40 appropriated herein, together with any
 41 available federal matching funds, may be
 42 transferred to the general fund - state
 43 purposes account for services and expenses
 44 related to required criminal background
 45 checks for non-licensed long-term care
 46 employees including employees of nursing
 47 homes, certified home health agencies,
 48 long term home health care providers, AIDS
 49 home care providers, and licensed home
 50 care service agencies 11,705,000
 51 Notwithstanding any inconsistent provision
 52 of law, subject to a plan developed by the

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1 commissioner of health and approved by the
 2 director of the budget, up to the amount
 3 appropriated herein, together with any
 4 available federal matching funds, will be
 5 available for demonstrations that develop
 6 and evaluate interventions targeted at
 7 medicaid beneficiaries who are otherwise
 8 exempt or excluded from mandatory Medicaid
 9 managed care and who have multiple comor-
 10 bidities.
 11 Notwithstanding section 112 and section 163
 12 of the state finance law, for chronic
 13 illness demonstration projects authorized
 14 by section 364-1 of the social services
 15 law, the commissioner of health may allo-
 16 cate up to \$2,500,000 of the amount appro-
 17 priated for contracts without a request
 18 for proposal process or any other compet-
 19 itive process 6,000,000
 20 Notwithstanding any other provision of law,
 21 the money herein appropriated, together
 22 with any available federal matching funds,
 23 is available for transfer or suballocation
 24 to the state university of New York and
 25 its subsidiaries, or to contract without
 26 competition for services with the state
 27 university of New York research founda-
 28 tion, to provide support for the adminis-
 29 tration of the medical assistance program
 30 including activities such as dental prior
 31 approval, retrospective and prospective
 32 drug utilization review, development of
 33 evidence based utilization thresholds,
 34 data analysis, clinical consultation and
 35 peer review, clinical support for the
 36 pharmacy and therapeutic committee, and
 37 other activities related to utilization
 38 management and for health information
 39 technology support for the medicaid
 40 program 6,000,000
 41 Notwithstanding any inconsistent provision
 42 of section 112 or 163 of the state finance
 43 law or any other contrary provision of the
 44 state finance law or any other contrary
 45 provision of law, the commissioner of
 46 health may, without a competitive bid or
 47 request for proposal process, enter into
 48 contracts with one or more certified
 49 public accounting firms for the purpose of
 50 conducting audits of disproportionate
 51 share hospital payments made by the state
 52 of New York to general hospitals and for

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1 the purpose of conducting audits of hospi-
 2 tal cost reports as submitted to the state
 3 of New York in accordance with article 28
 4 of the public health law. Notwithstanding
 5 any inconsistent provisions of law,
 6 subject to the approval of the director of
 7 the budget, up to the amount appropriated
 8 herein, together with any available feder-
 9 al matching funds, may be transferred to
 10 the general fund - state purposes account 2,300,000
 11 For grants to the civil service employees
 12 association, Local 1000, AFSCME, AFL-CIO
 13 to contribute to the union's cost of
 14 purchasing health insurance coverage under
 15 the family health plus (FHPlus) buy-in for
 16 child care providers represented by the
 17 union who do not otherwise qualify for
 18 coverage under FHPlus 2,765,000
 19 For grants to the United Federation of
 20 Teachers, Local 2, AFT, AFL-CIO to
 21 contribute to the union's cost of purchas-
 22 ing health insurance coverage under the
 23 family health plus (FHPlus) buy-in for
 24 child care providers represented by the
 25 union who do not otherwise qualify for
 26 coverage under FHPlus 5,000,000
 27 Notwithstanding any inconsistent provision
 28 of law, subject to the approval of the
 29 director of the budget, moneys appropri-
 30 ated herein may be transferred to the
 31 general fund, state purposes account for
 32 services and expenses related to the inde-
 33 pendent audit of the internal controls of
 34 the school and preschool supportive health
 35 services programs as required by the New
 36 York state school supportive health
 37 services program compliance agreement with
 38 the centers for medicare and medicaid
 39 services.
 40 Notwithstanding any inconsistent provision
 41 of law, subject to the approval of the
 42 director of the budget, the amount appro-
 43 priated herein may be increased or
 44 decreased by interchange with any appro-
 45 priation of the department of health 400,000
 46 For services and expenses of the medical
 47 assistance program including medical
 48 services provided at state facilities
 49 operated by the office of mental health,
 50 the office of mental retardation and
 51 developmental disabilities and the office

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1	of alcoholism and substance abuse services	
2	3,550,000,000
3		-----
4	Program account subtotal	10,142,771,000
5		-----

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

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

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

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

49 Notwithstanding any inconsistent provision
50 of law, in lieu of payments authorized by

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

23 Notwithstanding paragraph (c) of subdivision
24 10 of section 2807-c of the public health
25 law, subdivision 2-b of section 2808 of
26 the public health law, section 21 of chap-
27 ter 1 of the laws of 1999, and any other
28 contrary provision of law, in determining
29 rates of payments by state governmental
30 agencies effective for services provided
31 on and after April 1, 2010 through March
32 31, 2011, for inpatient and outpatient
33 services provided by general hospitals,
34 for inpatient services and adult day
35 health care outpatient services provided
36 by residential health care facilities
37 pursuant to article 28 of the public
38 health law, except for residential health
39 care facilities that provide extensive
40 nursing, medical, psychological and coun-
41 seling support services to children, for
42 home health care services provided pursu-
43 ant to article 36 of the public health law
44 by certified home health agencies, long
45 term home health care programs and AIDS
46 home care programs, and for personal care
47 services provided pursuant to section
48 365-a of the social services law, the
49 commissioner of health shall apply zero
50 trend factor projections attributable to
51 the 2010 calendar year in accordance with
52 paragraph (c) of subdivision 10 of section

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1 2807-c of the public health law, provided,
2 however, that such zero trend factor
3 projections for such 2010 calendar year
4 shall also be applied to rates of payment
5 for personal care services provided in
6 those local social service districts,
7 including New York city, whose rates of
8 payment for such services are established
9 by such local social service districts
10 pursuant to a rate-setting exemption
11 issued by the commissioner of health to
12 such local social service districts in
13 accordance with applicable regulations,
14 and provided further, however, that for
15 rates of payment for assisted living
16 program services provided on and after
17 April 1, 2010 through March 31, 2011,
18 trend factor projections attributable to
19 the 2010 calendar year shall be estab-
20 lished at zero percent.

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

24 Notwithstanding any inconsistent provision
25 of law, rule or regulation, for the period
26 April 1, 2010 through March 31, 2011, the
27 indirect graduate medical education
28 payment per discharge calculated pursuant
29 to paragraph 1 of subdivision (b) of
30 section 86-1.20 of title 10 (health) of
31 the official compilation of codes, rules
32 and regulations of the state of New York
33 and the amount of indirect graduate
34 medical education excluded from the state-
35 wide base price calculated pursuant to
36 paragraph 2 of subdivision (b) of section
37 86-1.20 of title 10 (health) of the offi-
38 cial compilation of codes, rules and regu-
39 lations of the state of New York shall be
40 reduced by one percentage point; provided,
41 however, if this chapter provides suffi-
42 cient additional funding to support the
43 aforementioned rate calculations made
44 pursuant to section 86-1.20 of title 10
45 (health) of the official compilation of
46 codes, rules and regulations of the state
47 of New York without the one percentage
48 point reduction, then the provisions of
49 this section shall be deemed null and void
50 as of March 31, 2010 and no additional
51 funding associated with the one percentage
52 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 subdivi-
10 sion 5-a of section 2807-m of the public
11 health law, respectively, , and the state-
12 wide base price calculated pursuant to
13 subdivision 35 of section 2807-c of the
14 public health law.

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

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

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1 section shall be deemed null and void as
 2 of March 31, 2010 4,407,944,000
 3 For services and expenses of the medical
 4 assistance program including hospital
 5 outpatient and emergency room services 982,403,000
 6 For services and expenses of the medical
 7 assistance program including clinic
 8 services 928,570,000
 9 For services and expenses of the medical
 10 assistance program including nursing home
 11 services.
 12 Notwithstanding any inconsistent provision
 13 of law or regulation to the contrary, for
 14 the period April 1, 2010 through March 31,
 15 2011, the commissioner of health shall not
 16 be required to revise certified rates of
 17 payment established pursuant to the public
 18 health law prior to April 1, 2011, based
 19 on consideration of rate appeals filed by
 20 residential health care facilities pursu-
 21 ant to section 2808 of the public health
 22 law or based upon adjustments to capital
 23 cost reimbursement as a result of approval
 24 by the commissioner of health of an appli-
 25 cation for construction under section 2802
 26 of the public health law, in excess of
 27 aggregate amount of \$80,000,000, provided,
 28 however, that in revising such rates with-
 29 in such fiscal limits the commissioner may
 30 prioritize rate appeals for facilities
 31 which the commissioner determines are
 32 facing significant financial hardship and,
 33 further, the commissioner is authorized to
 34 enter into agreements with such facilities
 35 to resolve multiple pending rate appeals
 36 based upon a negotiated aggregate amount
 37 and may offset such negotiated aggregate
 38 amounts against any amounts owed by the
 39 facility to the department of health,
 40 including, but not limited to, amounts
 41 owed pursuant to section 2807-d of the
 42 public health law, provided further,
 43 however, that such rate adjustment made
 44 pursuant to this section remain fully
 45 subject to approval by the director of the
 46 budget in accordance with the provisions
 47 of subdivision 2 of section 2807 of the
 48 public health law. Provided, however, if
 49 this chapter appropriates sufficient addi-
 50 tional funds to support processing of
 51 residential health care facility rate
 52 appeal adjustments as otherwise provided

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1 for in the public health law, than the
2 provisions of this section shall be deemed
3 null and void.

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

42 Notwithstanding paragraph (b) of subdivision
43 2-b of section 2808 of the public health
44 law, section 2 of part D of chapter 58 of
45 the laws of 2009, or any other contrary
46 provision of law, for the period April 1,
47 2010 through March 31, 2011, upon a deter-
48 mination by the commissioner of health and
49 the director of the budget that rates of
50 payment computed pursuant to section
51 2808(2-b)(b) of the public health law for
52 the period April 1, 2010 through March 31,

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2011, shall, in aggregate, be greater than or less than the aggregate total of such rates for the prior state fiscal year, make such proportional adjustments to such rates for the period April 1, 2010 through February 28, 2011 as are necessary to ensure that, after application of the adjustments authorized by the provisions of paragraph (g) of subdivision 2-b of section 2808 of the public health law, rates for such period reflect, in aggregate, no such increase or decrease, provided, however, that notwithstanding any contrary provision of law, the case mix adjustments authorized pursuant to subparagraph (ii) of paragraph (b) of subdivision 2-b of section 2808 of the public health law and scheduled pursuant to such subparagraph (ii) for January of 2011, shall not be implemented in accordance with the provisions of such subparagraph (ii), and provided further, however, that if this chapter provides sufficient additional funding to cover the cost of payments for such services as otherwise provided for in the public health law, then the provisions of this section shall be deemed null and void.

Notwithstanding any contrary provision of law, for the period April 1, 2010 through March 31, 2011, medicaid rates of payment for inpatient services by residential health care facilities shall, for the period April 1, 2010 through February 28, 2011 be based on the provisions of paragraph (b) of subdivision 2-b of section 2808 of the public health law, and such rates shall, for the period March 1, 2011 through March 31, 2011 be based on the provisions of subdivision 2-c of section 2808 of the public health law, provided, however, that for the period April 1, 2010 through March 31, 2011 up to \$50,000,000 may be expended pursuant to the provisions of paragraph (d) of subdivision 5-c of section 2808 of the public health law.

Notwithstanding any inconsistent provision of law, for the period April 1, 2010 through March 31, 2011, residential health care facility medicaid rates of payment shall not include reimbursement for the

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1 cost of prescription drugs. Such
2 reimbursement shall be in accordance with
3 otherwise applicable provisions of section
4 367-a of the social services law 3,796,384,000

5 For services and expenses of the medical
6 assistance program including other long
7 term care services.

8 Notwithstanding any inconsistent provision
9 of law, rule or regulation to the contra-
10 ry, for the period April 1, 2010 through
11 March 31, 2011, under the medical assist-
12 ance program, personal care services,
13 including personal emergency response
14 services, shared aide and an individual
15 aide, furnished to an individual who has
16 attained the age of 21 and who is not an
17 inpatient or resident of a hospital, nurs-
18 ing facility, intermediate care facility
19 for the mentally retarded, or institution
20 for mental disease, shall not exceed an
21 average of 12 hours per day in any author-
22 ization period; provided, however, that
23 medically necessary personal care services
24 that exceed an average of 12 hours per day
25 in any authorization period may be
26 provided to an individual who is receiving
27 services from a certified home health
28 agency, or is enrolled in the long term
29 home health care program, a managed long
30 term care plan, the AIDS home care
31 program, the nursing home transition and
32 diversion waiver, or the consumer directed
33 personal assistance program, in accordance
34 with the terms of those programs; and
35 provided, further, that, if this chapter
36 appropriates sufficient additional funds
37 to permit personal care services to be
38 provided without regard to such of 12
39 hours per day average in any authorization
40 period limitation, then the provisions of
41 this paragraph shall not apply and shall
42 be considered null and void as of March
43 31, 2010.

44 Notwithstanding any inconsistent provision
45 of law, rule or regulation to the contra-
46 ry, for the period April 1, 2010 through
47 March 31, 2011, personal care services
48 under the medical assistance consumer
49 directed personal assistance program
50 provided to an individual who has attained
51 the age of 21, and who is not receiving
52 such services from a certified home health

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1 agency, a long term home health care
2 program, or an AIDS home care program,
3 shall not exceed an average of 12 hours
4 per day in any authorization period;
5 provided, however, that, if this chapter
6 appropriates sufficient additional funds
7 to permit personal care services under the
8 consumer directed personal assistance
9 program to be provided without regard to
10 such average 12 hours per day limitation,
11 then the provisions of this paragraph
12 shall not apply and shall be considered
13 null and void as of March 31, 2010.

14 Notwithstanding any inconsistent provision
15 of law, rule or regulation to the contra-
16 ry, for the period April 1, 2010 through
17 March 31, 2011, and notwithstanding the
18 availability of federal financial partic-
19 ipation, a person may participate in the
20 medical assistance nursing home transition
21 and diversion program if the person has a
22 medical need for services that are
23 described in paragraph (e) of subdivision
24 2 of section 365-a of the social services
25 law or in section 365-f of the social
26 services law but that exceed a limit
27 imposed by such provisions; and is other-
28 wise ineligible for, or is unable to
29 access, long-term community-based services
30 available under the social services law;
31 and otherwise meets the criteria for
32 participation set forth in subdivision 6-a
33 of section 366 of the social services law;
34 provided, however, that, if this chapter
35 appropriates sufficient additional funds
36 to permit personal care services to be
37 provided without regard to an average of
38 12 hours per day in any authorization
39 period limitation, and without regard to a
40 consumer directed personal assistance
41 program average 12 hours per day limita-
42 tion, then the provisions of this para-
43 graph shall not apply and shall be consid-
44 ered null and void as of March 31, 2010.

45 Notwithstanding any inconsistent provision
46 of law, rule or regulation to the contra-
47 ry, for the period April 1, 2010 through
48 March 31, 2011, continued provision of
49 long term home health care program, AIDS
50 home care program or certified home health
51 agency services paid for by government
52 funds shall be based upon a comprehensive

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1 assessment of the medical, social and
 2 environmental needs of the recipient of
 3 the services which shall be performed at
 4 least every 180 days by the provider of a
 5 long term home health care program, AIDS
 6 home care program or the certified home
 7 health agency providing services for the
 8 patient and the local department of social
 9 services; provided, however, if this chap-
 10 ter appropriates sufficient additional
 11 funds to require that such assessments be
 12 performed no less frequently than once
 13 every 120 days, then the provisions of
 14 this paragraph shall not apply and shall
 15 be considered null and void as of March
 16 31, 2010 3,206,511,000
 17 For services and expenses of the medical
 18 assistance program including managed care
 19 services 4,806,689,000
 20 For services and expenses of the medical
 21 assistance program including pharmacy
 22 services.
 23 Notwithstanding any law, rule or regulation
 24 to the contrary, for the period April 1,
 25 2010 through March 31, 2011, the commis-
 26 sioner of health shall provide five days
 27 public notice on the department's website
 28 of any recommendations developed by the
 29 pharmacy and therapeutics committee
 30 regarding the preferred drug program;
 31 provided however that, if this chapter
 32 appropriates sufficient additional funds
 33 to permit the commissioner to provide
 34 thirty days public notice on the depart-
 35 ment's website of any such recommenda-
 36 tions, the provisions of this paragraph
 37 shall not apply and shall be considered
 38 null and void as of March 31, 2010.
 39 Notwithstanding any inconsistent provision
 40 of law, rule or regulation to the contra-
 41 ry, for the period April 1, 2010 through
 42 March 31, 2011, medical assistance payment
 43 to a specialized HIV pharmacy, as defined
 44 in paragraph (f) of subdivision 9 of
 45 section 367-a of the social services law,
 46 for drugs which may not be dispensed with-
 47 out a prescription shall be made at the
 48 following amounts: if the drug dispensed
 49 is a multiple source prescription drug or
 50 a brand-name prescription drug for which
 51 no specific upper limit has been set by
 52 the centers for medicare and medicaid

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1 services, the lower of the estimated
 2 acquisition cost of such drug to pharma-
 3 cies, or the dispensing pharmacy's usual
 4 and customary price charged to the general
 5 public; for sole and multiple source brand
 6 name drugs, estimated acquisition cost
 7 means the average wholesale price of a
 8 prescription drug based upon the package
 9 size dispensed from, as reported by the
 10 prescription drug pricing service used by
 11 the department of health, less sixteen and
 12 twenty-five one hundredths percent there-
 13 of, and updated monthly by the department;
 14 for multiple source generic drugs, esti-
 15 mated acquisition cost means the lower of
 16 the average wholesale price of a
 17 prescription drug based on the package
 18 size dispensed from, as reported by the
 19 prescription drug pricing service used by
 20 the department, less 25 percent thereof,
 21 or the maximum acquisition cost, if any,
 22 established pursuant to paragraph (e) of
 23 subdivision 9 of section 367-a of the
 24 social services law; provided, however,
 25 that, if this chapter appropriates suffi-
 26 cient additional funds to permit, for a
 27 specialized HIV pharmacy, acquisition cost
 28 to mean, for sole and multiple source
 29 brand name drugs, the average wholesale
 30 price of a prescription drug based upon
 31 the package size dispensed from, as
 32 reported by the prescription drug pricing
 33 service used by the department, less 12
 34 percent thereof, and updated monthly by
 35 the department and, for multiple source
 36 generic drugs, acquisition cost to mean
 37 the lower of the average wholesale price
 38 of a prescription drug based on the pack-
 39 age size dispensed from, as reported by
 40 the prescription drug pricing service used
 41 by the department, less 12 percent there-
 42 of, or the maximum acquisition cost, if
 43 any, established pursuant to paragraph (e)
 44 of subdivision 9 of section 367-a of the
 45 social services law, then the provisions
 46 of this paragraph shall not apply and
 47 shall be considered null and void as of
 48 March 31, 2010 2,516,880,000
 49 For services and expenses of the medical
 50 assistance program including transporta-
 51 tion services.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any inconsistent provision
 2 of law, rule or regulation to the contra-
 3 ry, for the period April 1, 2010 through
 4 March 31, 2011, the commissioner of health
 5 is authorized to assume responsibility
 6 from a local social services official for
 7 the provision and reimbursement of medi-
 8 caid transportation costs under section
 9 365-h of the social services law. If the
 10 commissioner elects to assume such respon-
 11 sibility, the commissioner shall notify
 12 the local social services official in
 13 writing as to the election, the date upon
 14 which the election shall be effective and
 15 such information as to transition of
 16 responsibilities as the commissioner deems
 17 prudent. The commissioner is authorized to
 18 contract with a transportation manager or
 19 managers that have experience in coordi-
 20 nating transportation services in New York
 21 state to manage the provision of such
 22 services. Such a contract or contracts
 23 may include, without limitation, responsi-
 24 bility for: review, approval and process-
 25 ing of transportation orders; management
 26 of the appropriate level of transportation
 27 based on documented patient medical need;
 28 and development of new technologies and
 29 approaches leading to efficient transpor-
 30 tation services. Notwithstanding any
 31 inconsistent provision of sections 112 and
 32 163 of the state finance law, or section
 33 142 of the economic development law, or
 34 any other law, the commissioner is author-
 35 ized to enter into such contract without a
 36 competitive bid or request for proposal
 37 process. Provided, however, if this chap-
 38 ter appropriates sufficient additional
 39 funds to permit local social services
 40 officials to maintain responsibility for
 41 management of medicaid transportation
 42 services without assumption of such
 43 responsibility by the commissioner of
 44 health, then the provisions of this para-
 45 graph shall not apply and shall be consid-
 46 ered null and void as of March 31, 2010 223,287,000
 47 For services and expenses of the medical
 48 assistance program including dental
 49 services 150,987,000
 50 For services and expenses of the medical
 51 assistance program including noninstitu-
 52 tional and other spending.

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1 Notwithstanding any inconsistent provision
2 of law, rule or regulation, for the early
3 intervention program, for the period April
4 1, 2010 through March 31, 2011, early
5 intervention program providers who
6 received payment of \$500,000 or more for
7 services that were covered under the
8 medical assistance program, as determined
9 by the department based upon the most
10 recent year for which complete information
11 exists, shall, in the first instance and
12 where applicable, seek payment from the
13 medical assistance program or an insurance
14 policy or plan for those children covered
15 under both the medical assistance program
16 and an insurance policy or plan, prior to
17 claiming payment from a municipality for
18 services rendered to such children,
19 provided, however, that if this chapter
20 appropriates sufficient additional funds
21 to support continued municipal claiming to
22 the medical assistance program for all
23 providers who render services under the
24 early intervention program in accordance
25 with section 2559 of the public health
26 law, including those that receive payment
27 of \$500,000 dollars or more for services
28 covered under the medical assistance
29 program then this language shall be
30 considered null and void as of March 31,
31 2010.

32 Notwithstanding any inconsistent provision
33 of law, rule or regulation, for early
34 intervention program purposes, for the
35 period April 1, 2010 through March 31,
36 2011, where a policy of accident and
37 health insurance or a contract subject to
38 the provisions of the insurance law,
39 including a contract issued pursuant to
40 article 43 of the insurance law, provides
41 coverage for a service provided to the
42 insured under title 2-A of article 25 of
43 the public health law, the individualized
44 family services plan as defined in section
45 2541 of the public health law and certi-
46 fied by the early intervention official
47 shall be deemed to meet any precertifi-
48 cation, preauthorization and medical
49 necessity requirements imposed on benefits
50 under the policy or contract, provided,
51 however, that the early intervention offi-
52 cial shall remove or redact any informa-

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tion contained on the insured's individualized family service plan that is not required by the insurer for payment purposes and payment for a service covered under the policy or contract that is provided under the early intervention program shall be at rates established by the commissioner of health pursuant to regulations and no insurer, including a health maintenance organization issued a certificate of authority under article 44 of the public health law and a corporation organized under article 43 of the insurance law shall deny payment of a claim submitted for a service covered under the insurer's policy or contract and provided under the early intervention program based upon the following:

- (i) the location where services are provided;
- (ii) the duration of the insured's condition and/or that the insured's condition is not amenable to significant improvement within a certain period of time as specified in the policy;
- (iii) that the provider of services is not a participating provider in the insurer's network; or
- (iv) the absence of a primary care referral, provided, however, that if this chapter appropriates additional funds sufficient to support early intervention program costs that will be incurred if insurers (i) are not required to deem a child's individualized family services plan as meeting any precertification, preauthorization and medical necessity requirement imposed under the policy or plan, and (ii) are not prohibited from denying claims for covered services provided under the early intervention program upon the bases set forth herein, then this language shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health, in pursuing recoveries of medical assistance from the estates of individuals who were 55 years of age or older when they received such assistance, is author-

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

20 Notwithstanding any inconsistent provision
21 of law, rule or regulation to the contra-
22 ry, for the period April 1, 2010 through
23 March 31, 2011, moneys paid by an appli-
24 cant or recipient of supplemental security
25 income benefits under section 209 of the
26 social services law or of medical assist-
27 ance under section 366 of such law, to a
28 funeral firm, funeral director, undertak-
29 er, cemetery, or any other person, firm or
30 corporation, under or in connection with
31 an agreement, or any option to enter into
32 an agreement, for the sale of merchandise
33 to be used in connection with a funeral or
34 burial, or for the furnishing of personal
35 services of a funeral director or under-
36 taker, wherein the merchandise is not to
37 be actually physically delivered or the
38 personal services are not to be rendered
39 until the occurrence of the death of the
40 person for whose funeral or burial such
41 merchandise or services are to be
42 furnished, shall be placed into an irrev-
43 ocable trust if the person for whose
44 funeral or burial such merchandise or
45 services are to be furnished is a family
46 member of such applicant and recipient.
47 Under the terms of such an irrevocable
48 trust, such applicant or recipient (and
49 after the death of such applicant or
50 recipient, the family member) shall have
51 the right to select any funeral firm,
52 funeral director, undertaker, cemetery or

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 any other person, firm or corporation to
 2 whom such payment is made and to change
 3 such selection any time to any type of
 4 funeral or any funeral firm, funeral
 5 director, cemetery or any other person,
 6 firm or corporation to whom such payment
 7 is made, located in the state of New York
 8 or any other state. Any funds remaining in
 9 such an irrevocable trust after the
 10 payment of all funeral expenses must be
 11 paid over to the social services official
 12 responsible for arranging for burials
 13 under section 141 of the social services
 14 law in the local government subdivision
 15 where the decedent resided. Any such
 16 agreement, and any promotional literature
 17 prepared by a funeral firm, funeral direc-
 18 tor, undertaker, cemetery, or any other
 19 person, firm or corporation for prear-
 20 ranged funeral and burial services must
 21 contain language disclosing the irrev-
 22 ocable nature of burial trusts established
 23 for a family member by an applicant or
 24 recipient of supplemental security income
 25 benefits or medical assistance. Provided,
 26 however, if this chapter appropriates
 27 sufficient additional funds to permit such
 28 agreements purchased for family members by
 29 applicants or recipients of supplemental
 30 security income benefits or medical
 31 assistance to be revocable, then the
 32 provisions of this paragraph shall not
 33 apply and shall be considered null and
 34 void as of March 31, 2010 4,298,582,000
 35 For services and expenses of the medical
 36 assistance program including a series of
 37 targeted chronic illness demonstration
 38 projects.
 39 Notwithstanding section 112 and section 163
 40 of the state finance law, for chronic
 41 illness demonstration projects authorized
 42 by section 364-1 of the social services
 43 law, the commissioner of health may allo-
 44 cate up to \$2,500,000 of the amount appro-
 45 priated for contracts without a request
 46 for proposal process or any other compet-
 47 itive process 6,000,000
 48 Notwithstanding any other provision of law,
 49 the money herein appropriated, is avail-
 50 able for transfer or suballocation to the
 51 state university of New York and its
 52 subsidiaries, or to contract without

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 competition for services with the state
 2 university of New York research founda-
 3 tion, to provide support for the adminis-
 4 tration of the medical assistance program
 5 including activities such as dental prior
 6 approval, retrospective and prospective
 7 drug utilization review, development of
 8 evidence based utilization thresholds,
 9 data analysis, clinical consultation and
 10 peer review, clinical support for the
 11 pharmacy and therapeutic committee, and
 12 other activities related to utilization
 13 management and for health information
 14 technology support for the medicaid
 15 program 6,000,000
 16 For grants in aid to up to three not-forpro-
 17 fit entities for public education, coun-
 18 seling and advocacy related to changes in
 19 the medical assistance personal care
 20 services benefit.
 21 Notwithstanding sections 112 and 163 of the
 22 state finance law, or section 142 of the
 23 economic development law, or any other
 24 law, the commissioner is authorized to
 25 issue such grants without a request for
 26 proposal process or any other competitive
 27 process 1,000,000
 28 Notwithstanding any inconsistent provision
 29 of section 112 or 163 of the state finance
 30 law or any other contrary provision of the
 31 state finance law or any other contrary
 32 provision of law, the commissioner of
 33 health may, without a competitive bid or
 34 request for proposal process, enter into
 35 contracts with one or more certified
 36 public accounting firms for the purpose of
 37 conducting audits of disproportionate
 38 share hospital payments made by the state
 39 of New York to general hospitals and for
 40 the purpose of conducting audits of hospi-
 41 tal cost reports as submitted to the state
 42 of New York in accordance with article 28
 43 of the public health law. Notwithstanding
 44 any inconsistent provisions of law,
 45 subject to the approval of the director of
 46 the budget, up to the amount appropriated
 47 herein 2,300,000
 48 For services and expenses of the medical
 49 assistance program including medical
 50 services provided at state facilities
 51 operated by the office of mental health,

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1 the office of mental retardation and
 2 developmental disabilities and the office
 3 of alcoholism and substance abuse services
 4 3,550,000,000
 5 For services and expenses of the medical
 6 assistance program including hospital
 7 inpatient, hospital outpatient and emer-
 8 gency room, clinic, nursing home, other
 9 long term care, managed care, pharmacy,
 10 transportation, dental, non-institutional
 11 and other spending, medical services
 12 provided at state facilities operated by
 13 the office of mental health, the office of
 14 mental retardation and developmental disa-
 15 bilities and the office of alcoholism and
 16 substance abuse services and for any other
 17 medical assistance services resulting from
 18 an increase in the federal medical assist-
 19 ance percentage pursuant to the American
 20 Recovery and Reinvestment Act. Funds
 21 appropriated herein shall be subject to
 22 all applicable reporting and accountabil-
 23 ity requirements contained in such act ... 4,202,000,000
 24 -----
 25 Program account subtotal 33,085,537,000
 26 -----
 27 Special Revenue Funds - Other / Aid to Localities
 28 HCRA Resources Fund - 061
 29 Medical Assistance Account
 30 For the purpose of making payments, the
 31 money hereby appropriated is available for
 32 payment of aid heretofore accrued or here-
 33 after accrued, to providers of medical
 34 care pursuant to section 367-b of the
 35 social services law, and for payment of
 36 state aid to municipalities and the feder-
 37 al government where payment systems
 38 through fiscal intermediaries are not
 39 operational, to reimburse such providers
 40 for costs attributable to the provision of
 41 care to patients eligible for medical
 42 assistance.
 43 For services and expenses related to the
 44 medical assistance program 130,100,000
 45 For services and expenses of the medical
 46 assistance program related to the treat-
 47 ment of breast and cervical cancer 2,100,000
 48 For services and expenses of the medical
 49 assistance program related to primary care
 50 case management. All or a portion of this

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	appropriation may be transferred to state	
2	operations appropriations	2,000,000
3	For services and expenses of the medical	
4	assistance program related to disabled	
5	persons	23,500,000
6	For services and expenses of the medical	
7	assistance program related to physician	
8	services	85,200,000
9	For services and expenses of the medical	
10	assistance program related, but not limit-	
11	ed to, pharmacy, inpatient, and nursing	
12	home services	1,852,356,000
13	For services and expenses of the medical	
14	assistance program related to the city of	
15	New York	124,700,000
16	For services and expenses of the medical	
17	assistance program related to providing	
18	distributions for supplemental medical	
19	insurance for medicare part B premiums,	
20	physician services, outpatient services,	
21	medical equipment, supplies and other	
22	health services	68,000,000
23	For services and expenses of the medical	
24	assistance program related to the family	
25	health plus program	590,900,000
26	For services and expenses of the medical	
27	assistance program related to providing	
28	financial assistance to residential health	
29	care facilities	15,000,000
30	For services and expenses of the medical	
31	assistance program related to free-stand-	
32	ing diagnostic and treatment center rate	
33	increases for recruitment and retention of	
34	health care workers	900,000
35	For services and expenses of the medical	
36	assistance program related to supporting	
37	workforce recruitment and retention of	
38	personal care services or any worker with	
39	direct patient care responsibility for	
40	local social service districts which	
41	include a city with a population of over	
42	one million persons	136,000,000
43	For services and expenses of the medical	
44	assistance program related to supporting	
45	workforce recruitment and retention of	
46	personal care services for local social	
47	service districts that do not include a	
48	city with a population of over one million	
49	persons	11,200,000
50	For services and expenses of the medical	
51	assistance program related to supporting	
52	rate increases for certified home health	

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1 agencies, long term home health care
 2 programs, AIDS home care programs, hospice
 3 programs, managed long term care plans and
 4 approved managed long term care operating
 5 demonstrations for recruitment and
 6 retention of health care workers 50,000,000

7 -----
 8 Program account subtotal 3,091,956,000
 9 -----

10 Special Revenue Funds - Other / Aid to Localities
 11 HCRA Resources Fund - 061
 12 Indigent Care Account

13 For the purpose of making payments to
 14 providers of medical care pursuant to
 15 section 367-b of the social services law,
 16 and for payment of state aid to munici-
 17 palities where payment systems through
 18 fiscal intermediaries are not operational,
 19 to reimburse such providers for costs
 20 attributable to the provision of care to
 21 patients eligible for medical assistance.
 22 Payments from this appropriation to gener-
 23 al hospitals related to indigent care
 24 pursuant to article 28 of the public
 25 health law respectively, when combined
 26 with federal funds for services and
 27 expenses for the medical assistance
 28 program pursuant to title XIX of the
 29 federal social security act or its succes-
 30 sor program, shall equal the amount of the
 31 funds received related to health care
 32 reform act allowances and surcharges
 33 pursuant to article 28 of the public
 34 health law and deposited to this account
 35 less any such amounts withheld pursuant to
 36 subdivision 21 of section 2807-c of the
 37 public health law.

38 Notwithstanding any inconsistent provisions
 39 of sections 2807-k and 2807-w of the
 40 public health law or any other contrary
 41 provision of law, and subject to the
 42 availability of federal financial partic-
 43 ipation, for the period April 1, 2010
 44 through March 31, 2011, payments shall be
 45 made to general hospitals in accordance
 46 with the following:

47 (a) for the period April 1, 2010 through
 48 June 30, 2010 payments shall be made to
 49 general hospitals in accordance with the
 50 provisions of sections 2807-k and 2807-w

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 of the public health law as in effect on
2 March 31, 2010; and
3 (b) for the period July 1, 2010 through
4 March 31, 2011 payments totaling
5 \$728,250,000 shall be made as follows:
6 (i) medicaid disproportionate share hospital
7 (DSH) payments to major public general
8 hospitals, including hospitals operated by
9 public benefit corporations, shall be made
10 in amounts reflecting 75 percent of the
11 projected distributions otherwise author-
12 ized for such facilities pursuant to the
13 provisions of section 2807-k of the public
14 health law; and
15 (ii) \$18,750,000 shall be distributed as
16 medicaid DSH payments to hospitals eligi-
17 ble for payments made pursuant to subpara-
18 graph (iv) of paragraph (a) of subdivision
19 5-b of section 2807-k of the public health
20 law, based upon each facility's proportion
21 of uninsured losses, as defined in para-
22 graph (c) of subdivision 5-a of section
23 2807-k of the public health law, to such
24 loses for all hospitals eligible for such
25 payments; and
26 (iii) \$12,000,000 shall be distributed in
27 accordance with the provisions of subpara-
28 graph (iii) of paragraph (a) of subdivi-
29 sion 5-b of section 2807-k of the public
30 health law; and
31 (iv) \$75,000,000 shall be distributed as
32 medicaid DSH payments to eligible general
33 hospitals, other than major public general
34 hospitals, pursuant to a formula such
35 that, to the extent of funds available, no
36 eligible general hospital's reduction in
37 payments as a result of the application of
38 the provisions of this subdivision
39 exceeds, on an annualized basis, a
40 percentage reduction, as determined by the
41 commissioner, from the projected distrib-
42 utions such hospital would have received
43 pursuant to sections 2807-k and 2807-w of
44 the public health law for the 2010 calen-
45 dar year. Such payments shall be distrib-
46 uted to eligible general hospitals on a
47 proportional basis, based on the degree of
48 each such general hospital's projected
49 reduction in distribution; and
50 (v) the balance of the funds not otherwise
51 allocated pursuant to subsection (b) of
52 this section shall be distributed propor-

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 tionally as medicaid DSH payments to
 2 eligible general hospitals, other than
 3 major public general hospitals, on the
 4 basis of each facility's uncompensated
 5 care need share, as determined in accord-
 6 ance with the scale set forth in
 7 subsection (b)(vi) of this section; and
 8 (vi) the scale utilized for development of
 9 each eligible general hospital's uncompen-
 10 sated care need share payment amount, as
 11 computed in accordance with the provisions
 12 of paragraph (c) of subdivision 5-a of
 13 section 2807-k of the public health law,
 14 shall be as follows, provided, however,
 15 that the reduction described in subpara-
 16 graph (iii) of paragraph (c) of subdivi-
 17 sion 5-a of section 2807-k of the public
 18 health law shall be computed as 10
 19 percent.
 20 Uncompensated Need Percentage
 21 0-4%
 22 4-6%
 23 6+%
 24 Percentage of Reimbursement Attributable to
 25 that Portion of Uncompensated Need
 26 70%
 27 80%
 28 90%
 29 (c) provided, however, if this chapter
 30 provides sufficient additional funding to
 31 support indigent care payments to general
 32 hospitals pursuant to sections 2807-k and
 33 2807-w of the public health law then the
 34 provisions of this section shall be deemed
 35 null and void as of March 31, 2010 1,017,700,000
 36 -----
 37 Program account subtotal 1,017,700,000
 38 -----
 39 Special Revenue Funds - Other / Aid to Localities
 40 Miscellaneous Special Revenue Fund - 339
 41 Medical Assistance Account
 42 For the purpose of making payments to
 43 providers of medical care pursuant to
 44 section 367-b of the social services law,
 45 and for payment of state aid to munici-
 46 palities and the federal government where
 47 payment systems through fiscal interme-
 48 diaries are not operational, to reimburse
 49 such providers for costs attributable to

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	the provision of care to patients eligible	
2	for medical assistance.	
3	For services and expenses of the medical	
4	assistance program including nursing home,	
5	personal care, certified home health agen-	
6	cy, long term home health care program and	
7	hospital services	915,400,000
8		-----
9	Program account subtotal	915,400,000
10		-----
11	OFFICE OF HEALTH INSURANCE PROGRAMS	1,248,919,000
12		-----
13	General Fund / State Operations	
14	State Purposes Account - 003	
15	Notwithstanding any other provision of law,	
16	the money hereby appropriated may be	
17	increased or decreased by interchange,	
18	with any appropriation of the department	
19	of health, and may be increased or	
20	decreased by transfer or suballocation	
21	between these appropriated amounts and	
22	appropriations of the medicaid inspector	
23	general, office of mental health, office	
24	of mental retardation and developmental	
25	disabilities and office of alcoholism and	
26	substance abuse services with the approval	
27	of the director of the budget, who shall	
28	file such approval with the department of	
29	audit and control and copies thereof with	
30	the chairman of the senate finance commit-	
31	tee and the chairman of the assembly ways	
32	and means committee.	
33	PERSONAL SERVICE	
34	Personal service--regular	28,567,400
35	Temporary service	1,000
36	Holiday/overtime compensation	350,000
37		-----
38	Amount available for personal service	28,918,400
39		-----
40	NONPERSONAL SERVICE	
41	Supplies and materials	536,000
42	Travel	823,000
43	Contractual services	27,500,000
44	Equipment	831,000
45		-----

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Amount available for nonpersonal service 29,690,000

2 -----

3 MAINTENANCE UNDISTRIBUTED

4 For services and expenses related to
5 creation of a state enrollment portal.

6 Contractual services 27,000,000

7 -----

8 Program account subtotal 85,608,400

9 -----

10 General Fund / Aid to Localities

11 Local Assistance Account - 001

12 For grants to a New York state based not-
13 for-profit organization with expertise in
14 the New York state medicaid program for
15 studies, reviews and analysis, to be
16 performed in conjunction with the depart-
17 ment of health, on medicaid policy, opera-
18 tional and other issues as defined by the
19 department. All or a portion of this
20 appropriation may be transferred to state
21 operations appropriations 1,391,200

22 -----

23 Program account subtotal 1,391,200

24 -----

25 Special Revenue Funds - Federal / State Operations

26 Federal Health and Human Services Fund - 265

27 For services and expenses for the medical
28 assistance program and administration of
29 the medical assistance program and survey
30 and certification program, provided pursu-
31 ant to title XIX of the federal social
32 security act.

33 Notwithstanding any inconsistent provision
34 of law and subject to the approval of the
35 director of the budget, moneys hereby
36 appropriated may be increased or decreased
37 by transfer or suballocation between these
38 appropriated amounts and appropriations of
39 other state agencies and appropriations of
40 the department of health. Notwithstanding
41 any inconsistent provision of law and
42 subject to approval of the director of the
43 budget, moneys hereby appropriated may be
44 transferred or suballocated to other state

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	agencies for reimbursement to local	
2	government entities for services and	
3	expenses related to administration of the	
4	medical assistance program	846,414,000
5		-----
6	Program fund subtotal	846,414,000
7		-----
8	Special Revenue Funds - Other / State Operations	
9	HCRA Resources Fund - 061	
10	Medicaid Fraud Hotline and Medicaid Administration	
11	Account	
12	For services and expenses related to the	
13	medicaid fraud hotline established pursu-	
14	ant to chapter 1 of the laws of 1999 and	
15	administrative expenses related to the	
16	family health plus program pursuant to	
17	section 369-ee of the social services law.	
18	PERSONAL SERVICE	
19	Personal service--regular	227,900
20		-----
21	NONPERSONAL SERVICE	
22	Supplies and materials	25,000
23	Contractual services	494,000
24	Fringe benefits	88,000
25	Indirect costs	82,000
26		-----
27	Amount available for nonpersonal service	689,000
28		-----
29	Program account subtotal	916,900
30		-----
31	Special Revenue Funds - Other / State Operations	
32	HCRA Resources Fund - 061	
33	Medical Assistance Account	
34	For services and expenses related to the	
35	administration and marketing of the family	
36	health plus program established pursuant	
37	to chapter 1 of the laws of 1999.	
38	PERSONAL SERVICE	
39	Personal service--regular	989,000
40	Temporary services	20,000
41	Holiday/overtime compensation	10,000
42		-----

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1	Amount available for personal service	1,019,000
2		-----
3	NONPERSONAL SERVICE	
4	Supplies and materials	30,000
5	Travel	29,000
6	Contractual services	5,172,000
7	Equipment	29,000
8	Fringe benefits	422,000
9	Indirect costs	290,000
10		-----
11	Amount available for nonpersonal service	5,972,000
12		-----
13	Program account subtotal	6,991,000
14		-----
15	Special Revenue Funds - Other / State Operations	
16	HCRA Resources Fund - 061	
17	Pilot Health Insurance Account	
18	For services and expenses related to the	
19	administration of the program authorized	
20	by section 2807-1 of the public health	
21	law.	
22	PERSONAL SERVICE	
23	Personal service--regular	1,001,200
24	Holiday/overtime compensation	3,000
25		-----
26	Amount available for personal service	1,004,200
27		-----
28	NONPERSONAL SERVICE	
29	Supplies and materials	15,000
30	Travel	20,000
31	Contractual services	73,000
32	Equipment	100,000
33	Fringe benefits	443,500
34	Indirect costs	341,800
35		-----
36	Amount available for nonpersonal service	993,300
37		-----
38	Program account subtotal	1,997,500
39		-----
40	Special Revenue Funds - Other / State Operations	
41	Miscellaneous Special Revenue Fund - 339	
42	Disease Management Account	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses related to disease
2 management.

3 NONPERSONAL SERVICE

4 Contractual services 5,000,000
5 -----
6 Program account subtotal 5,000,000
7 -----

8 Special Revenue Funds - Other / Aid to Localities
9 Miscellaneous Special Revenue Fund - 339
10 Federal State Health Reform Partnership Account

11 Notwithstanding any inconsistent provision
12 of law, the money appropriated herein
13 shall be available for services and
14 expenses including grants related to the
15 federal-state health reform partnership
16 program and/or its successor program,
17 provided, however, that the section 1115
18 waiver demonstration which is entitled the
19 federal-state health reform partnership,
20 is in effect in accordance with the terms
21 and conditions approved by the secretary
22 of the federal department of health and
23 human services, and further provided that
24 funds appropriated for the federal-state
25 health reform partnership program are
26 disbursed only in accordance with those
27 terms and conditions. Subject to the
28 approval of the director of the budget,
29 moneys appropriated herein may be trans-
30 ferred or suballocated to the state office
31 for the aging and other state agencies 300,000,000
32 -----
33 Program account subtotal 300,000,000
34 -----

35 Special Revenue Funds - Other / State Operations
36 Miscellaneous Special Revenue Fund - 339
37 Medicaid Research Projects Account

38 For services and expenses related to improv-
39 ing services to medical assistance recipi-
40 ents and other medical assistance research
41 activities.

42 NONPERSONAL SERVICE

43 Contractual services 600,000
44 -----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal	600,000
2		-----
3	OFFICE OF HEALTH SYSTEMS MANAGEMENT	103,669,700
4		-----
5	General Fund / State Operations	
6	State Purposes Account - 003	
7	For services and expenses of the Office of	
8	Health Systems Management. \$6,000,000 of	
9	funds appropriated herein are supported by	
10	savings resulting from the increased	
11	Federal Medical Assistance Percentage	
12	(FMAP) provided pursuant to the American	
13	recovery and reinvestment act of 2009.	
14	PERSONAL SERVICE	
15	Personal service--regular	22,076,700
16	Temporary service	53,000
17	Holiday/overtime compensation	546,000
18		-----
19	Amount available for personal service	22,675,700
20		-----
21	NONPERSONAL SERVICE	
22	Supplies and materials	186,000
23	Travel	237,000
24	Contractual services	5,966,000
25	Equipment	201,000
26		-----
27	Amount available for nonpersonal service	6,590,000
28		-----
29	MAINTENANCE UNDISTRIBUTED	
30	For suballocation to the office of mental	
31	health for services and expenses for	
32	surveys of psychiatric residential treat-	
33	ment facilities.	
34	Personal service--regular	131,000
35	Supplies and materials	18,000
36	Travel	50,000
37	Equipment	74,000
38		-----
39	Amount available for maintenance undis-	
40	tributed	273,000
41		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	dispensing of controlled substances	
2	(NASPER)	343,000
3		-----
4	Program account subtotal	343,000
5		-----
6	Special Revenue Funds - Federal / Aid to Localities	
7	Federal Operating Grants Fund - 290	
8	United States Department of Justice Account	
9	For expenses incurred in the administration	
10	of the prescription drug monitoring	
11	program relating to the prescribing and	
12	dispensing of controlled substances	400,000
13		-----
14	Program account subtotal	400,000
15		-----
16	Special Revenue Funds - Other / State Operations	
17	HCRA Resources Fund - 061	
18	Emergency Medical Services Account	
19	For services and expenses related to emer-	
20	gency medical services (EMS) adminis-	
21	tration including but not limited to,	
22	expenses related to training courses and	
23	instructor development, expenses of the	
24	state EMS council, expenses of the EMS	
25	regional councils and program agencies,	
26	and expenses of the general public health	
27	work - EMS reimbursement.	

PERSONAL SERVICE

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		-----

NONPERSONAL SERVICE

36	Supplies and materials	110,000
37	Travel	160,000
38	Contractual services	14,494,000
39	Equipment	280,000
40	Fringe benefits	1,136,000
41	Indirect costs	858,400
42		-----
43	Amount available for nonpersonal service	17,038,400
44		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal	19,790,700
2		-----
3	Special Revenue Funds - Other / State Operations	
4	HCRA Resources Fund - 061	
5	Health Care Delivery Administration Account	
6	For services and expenses related to admin-	
7	istration of the health care and cancer	
8	initiative programs pursuant to section	
9	2807-1 of the public health law.	
10	PERSONAL SERVICE	
11	Personal service--regular	288,400
12	Temporary service	5,000
13		-----
14	Amount available for personal service	293,400
15		-----
16	NONPERSONAL SERVICE	
17	Supplies and materials	20,000
18	Travel	62,500
19	Contractual services	179,600
20	Equipment	34,500
21	Fringe benefits	129,600
22	Indirect costs	99,500
23		-----
24	Amount available for nonpersonal service	525,700
25		-----
26	Program account subtotal	819,100
27		-----
28	Special Revenue Funds - Other / State Operations	
29	HCRA Resources Fund - 061	
30	Health Occupation Development and Workplace Demo Account	
31	For services and expenses related to admin-	
32	istration of the health occupation devel-	
33	opment and workplace demonstration program	
34	established pursuant to sections 2807-g	
35	and 2807-h of the public health law. Up to	
36	50 percent of this appropriation may be	
37	suballocated to the department of labor.	
38	PERSONAL SERVICE	
39	Personal service--regular	500,500
40	Temporary service	40,000
41		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Amount available for personal service	540,500
2		-----
3	NONPERSONAL SERVICE	
4	Supplies and materials	5,000
5	Travel	10,300
6	Contractual services	1,176,800
7	Equipment	10,000
8	Fringe benefits	239,100
9	Indirect costs	184,300
10		-----
11	Amount available for nonpersonal service	1,625,500
12		-----
13	Program account subtotal	2,166,000
14		-----
15	Special Revenue Funds - Other / State Operations	
16	HCRA Resources Fund - 061	
17	Primary Care Initiatives Account	
18	For services and expenses related to the	
19	administration of the program authorized	
20	by section 2807-1 of the public health	
21	law.	
22	PERSONAL SERVICE	
23	Personal service--regular	549,000
24	Temporary service	5,000
25	Holiday/overtime compensation	5,000
26		-----
27	Amount available for personal service	559,000
28		-----
29	NONPERSONAL SERVICE	
30	Supplies and materials	5,400
31	Travel	7,600
32	Contractual services	15,000
33	Equipment	15,000
34	Fringe benefits	246,500
35	Indirect costs	189,900
36		-----
37	Amount available for nonpersonal service	479,400
38		-----
39	Program account subtotal	1,038,400
40		-----
41	Special Revenue Funds - Other / State Operations	
42	Miscellaneous Special Revenue Fund - 339	
43	1200-Hospital and Nursing Home Management Account	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	For services and expenses of inspecting,	
2	regulating, supervising and auditing	
3	hospital and nursing home companies incor-	
4	porated and authorized under articles 28-A	
5	and 28-B of the public health law, from	
6	funds received pursuant to these activ-	
7	ities.	
8		PERSONAL SERVICE
9	Personal service--regular	476,500
10	Temporary service	2,000
11	Holiday/overtime compensation	7,000
12		-----
13	Amount available for personal service	485,500
14		-----
15		NONPERSONAL SERVICE
16	Supplies and materials	2,000
17	Travel	8,000
18	Contractual services	19,000
19	Equipment	15,000
20	Fringe benefits	196,000
21	Indirect costs	145,500
22		-----
23	Amount available for nonpersonal service	385,500
24		-----
25	Program account subtotal	871,000
26		-----
27	Special Revenue Funds - Other / State Operations	
28	Miscellaneous Special Revenue Fund - 339	
29	Certificate of Need Account	
30	For services and expenses, including indi-	
31	rect costs, related to the certificate of	
32	need program.	
33		PERSONAL SERVICE
34	Personal service--regular	2,818,700
35	Holiday/overtime compensation	10,000
36		-----
37	Amount available for personal service	2,828,700
38		-----
39		NONPERSONAL SERVICE
40	Supplies and materials	21,000
41	Travel	33,000
42	Contractual services	1,899,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Equipment	32,600
2	Fringe benefits	1,215,000
3	Indirect costs	914,500
4		-----
5	Amount available for nonpersonal service	4,115,100
6		-----
7	Program account subtotal	6,943,800
8		-----

9 Special Revenue Funds - Other / State Operations
 10 Miscellaneous Special Revenue Fund - 339
 11 Funeral Directing Account

12 For services and expenses of a statewide
 13 program, including indirect costs, related
 14 to the funeral direction administration
 15 program.

16 PERSONAL SERVICE

17	Personal service--regular	222,000
18	Holiday/overtime compensation	10,000
19		-----
20	Amount available for personal service	232,000
21		-----

22 NONPERSONAL SERVICE

23	Supplies and materials	14,000
24	Travel	24,000
25	Contractual services	45,000
26	Equipment	25,000
27	Fringe benefits	102,100
28	Indirect costs	76,100
29		-----
30	Amount available for nonpersonal service	286,200
31		-----
32	Program account subtotal	518,200
33		-----

34 Special Revenue Funds - Other / State Operations
 35 Miscellaneous Special Revenue Fund - 339
 36 Patient Safety Center Account

37 For services and expenses of the patient
 38 safety center created by title 2 of arti-
 39 cle 29-D of the public health law.

40 NONPERSONAL SERVICE

41	Contractual services	949,000
42		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal	949,000
2		-----
3	Special Revenue Funds - Other / State Operations	
4	Miscellaneous Special Revenue Fund - 339	
5	Professional Medical Conduct Account	
6	For services and expenses, including indi-	
7	rect costs, related to the professional	
8	medical conduct program.	
9	PERSONAL SERVICE	
10	Personal service--regular	10,115,900
11	Temporary service	340,000
12	Holiday/overtime compensation	49,000
13		-----
14	Amount available for personal service	10,504,900
15		-----
16	NONPERSONAL SERVICE	
17	Supplies and materials	154,000
18	Travel	276,000
19	Contractual services	5,512,000
20	Equipment	250,000
21	Fringe benefits	4,609,600
22	Indirect costs	3,536,800
23		-----
24	Amount available for nonpersonal service	14,338,400
25		-----
26	MAINTENANCE UNDISTRIBUTED	
27	For services and expenses of the medical	
28	society contract authorized pursuant to	
29	chapter 582 of the laws of 1984	990,000
30		-----
31	Program account subtotal	25,833,300
32		-----
33	OFFICE OF LONG TERM CARE	86,225,800
34		-----
35	General Fund / State Operations	
36	State Purposes Account - 003	
37	PERSONAL SERVICE	
38	Personal service--regular	24,159,700
39	Temporary service	82,000
40	Holiday/overtime compensation	854,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1		-----	
2	Amount available for personal service	25,095,700	
3		-----	
4	NONPERSONAL SERVICE		
5	Supplies and materials	350,000	
6	Travel	1,065,000	
7	Contractual services	17,845,000	
8	Equipment	415,000	
9		-----	
10	Amount available for nonpersonal service	19,675,000	
11		-----	
12	MAINTENANCE UNDISTRIBUTED		
13	For services and expenses related to the		
14	home health aide registry.		
15	Personal service--regular	300,000	
16	Supplies and materials	700	
17	Travel	1,300	
18	Contractual services	1,680,000	
19	Equipment	18,000	
20		-----	
21	Amount available for maintenance undis-		
22	tributed	2,000,000	
23		-----	
24	Program account subtotal	46,770,700	
25		-----	
26	General Fund / Aid to Localities		
27	Local Assistance Account - 001		
28	For services and expenses, including grants,		
29	of a falls prevention program. All or a		
30	portion of this appropriation may be		
31	transferred to state operations appropri-		
32	ations	300,000	
33	For services and expenses, including grants,		
34	of the uniform assessment program. All or		
35	a portion of this appropriation may be		
36	transferred to state operations appropri-		
37	ations	4,806,000	
38	For services and expenses related to trau-		
39	matic brain injury including but not		
40	limited to services rendered to individ-		
41	uals enrolled in the federally approved		
42	home and community based services (HCBS)		
43	waiver and including personal and nonper-		
44	sonal services spending originally author-		

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 ized by appropriations and reappropriations enacted prior to 1996. All or part
 2 of this appropriation may be transferred
 3 to state operations appropriations 13,200,400
 4 For services and expenses of a quality
 5 program for adult care facilities, including enriched housing facilities.
 6 Such program shall be targeted at improving
 7 the quality of life for adult care facility residents. The department subject to
 8 the approval of the director of the division of budget, shall develop an allocation methodology taking into account
 9 financial status of the facility as well as resident needs. Such allocation shall
 10 serve as the basis of distribution to eligible facilities 2,605,000
 11 For an operating assistance subprogram for enriched housing. To the extent that funds
 12 are appropriated for such purposes, the department is authorized to pay an operating subsidy for SSI recipients who are
 13 residents in certified not-for-profit or public enriched housing programs. Such
 14 subsidy shall not exceed \$115 per month per each SSI recipient and will be paid
 15 directly to the certified operator. If appropriations are not sufficient to meet
 16 such maximum monthly payments, such subsidy shall be reduced proportionately 502,900
 17 For services and expenses, including grants, of the long term care community coalition
 18 for an advocacy program on behalf of seniors with long term care needs 69,000
 19 The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver
 20 program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of
 21 the housing subsidies, either by state staff or a not-for-profit agency. A portion of this appropriation may be transferred to state operations appropriations. Up to 100 percent of this appropriation may be suballocated to the division of housing and community renewal 2,303,000
 22 For services and expenses of existing Alzheimer's disease assistance centers as established pursuant to chapter 586 of the laws of 1987 498,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For a grant to the Coalition of New York
 2 State Alzheimer's Chapter, Inc. in support
 3 of and for distribution to a statewide
 4 network of not-for-profit corporations
 5 established and dedicated to responding at
 6 the local level to the needs of the New
 7 York State Alzheimer's community pursuant
 8 to subdivision 2 of section 2005 of the
 9 public health law 246,000
 10 For services and expenses for the
 11 Alzheimer's community assistance program
 12 as established pursuant to chapter 657 of
 13 the laws of 1997 49,000
 14 For services and expenses for Alzheimer's
 15 community service programs 295,000
 16 For services and expenses, including subal-
 17 location to the state office for aging,
 18 for coordinating patient care Alzheimer's
 19 disease program. A portion of this appro-
 20 priation may be transferred to state oper-
 21 ations appropriations for administration
 22 of this program 360,000
 23 -----
 24 Program account subtotal 25,234,300
 25 -----

26 Special Revenue Funds - Other / State Operations
 27 Combined Gifts, Grants and Bequests Fund - 020
 28 Alzheimer's Research Account

29 For Alzheimer's disease research and assist-
 30 ance pursuant to chapter 590 of the laws
 31 of 1999.

32 NONPERSONAL SERVICE

33 Contractual services 955,000
 34 -----
 35 Program account subtotal 955,000
 36 -----

37 Special Revenue Fund - Other / Aid to Localities
 38 HCRA Resources Fund - 061
 39 Health Services Account

40 For services and expenses of a quality
 41 program for adult care facilities, includ-
 42 ing enriched housing facilities.
 43 Such program shall be targeted at improving
 44 the quality of life for adult care facili-
 45 ty residents. The department subject to
 46 the approval of the director of the divi-

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 sion of budget, shall develop an allo-
 2 cation methodology taking into account
 3 financial status of the facility as well
 4 as resident needs. Such allocation shall
 5 serve as the basis of distribution to
 6 eligible facilities 4,311,700
 7 -----
 8 Program account subtotal 4,311,700
 9 -----

10 Special Revenue Funds - Other / State Operations
 11 Miscellaneous Special Revenue Fund - 339
 12 Adult Home Quality Enhancement Account

13 For services and expenses to promote
 14 programs to improve the quality of care
 15 for residents in adult homes.

16 NONPERSONAL SERVICE

17 Contractual services 500,000
 18 -----
 19 Program account subtotal 500,000
 20 -----

21 Special Revenue Funds - Other / State Operations
 22 Miscellaneous Special Revenue Fund - 339
 23 Assisted Living Residence Quality Oversight Account

24 For services and expenses related to the
 25 oversight and licensing activities for
 26 assisted living facilities. Subject to the
 27 approval of the director of the budget,
 28 moneys appropriated herein may be suballo-
 29 cated to the state office for the aging, a
 30 portion of which may be tranferred to
 31 state operations and aid to localities.

32 PERSONAL SERVICE

33 Personal service--regular 1,093,200
 34 Holiday/overtime compensation 35,000
 35 -----
 36 Amount available for personal service 1,128,200
 37 -----

38 NONPERSONAL SERVICE

39 Supplies and materials 9,000
 40 Travel 40,000
 41 Contractual services 131,000
 42 Equipment 16,000

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Fringe benefits	442,000
2	Indirect costs	343,000
3		-----
4	Amount available for nonpersonal service	981,000
5		-----
6	Program account subtotal	2,109,200
7		-----

8 Special Revenue Funds - Other / State Operations
 9 Miscellaneous Special Revenue Fund - 339
 10 Continuing Care Retirement Community Account

11 For services and expenses related to the
 12 establishment of continuing care retire-
 13 ment communities including expenses of the
 14 life care community council.

15 PERSONAL SERVICE

16	Personal service--regular	33,500
17		-----

18 NONPERSONAL SERVICE

19	Supplies and materials	3,000
20	Travel	5,000
21	Contractual services	158,000
22	Fringe benefits	14,000
23	Indirect costs	34,000
24		-----
25	Amount available for nonpersonal service	214,000
26		-----
27	Program account subtotal	247,500
28		-----

29 Special Revenue Funds - Other / State Operations
 30 Miscellaneous Special Revenue Fund - 339
 31 Nurses Aide Registry Account

32 For services and expenses of administrative
 33 costs related to the nurses aide registry
 34 program.

35 PERSONAL SERVICE

36	Personal service--regular	174,000
37	Holiday/overtime compensation	1,000
38		-----
39	Amount available for personal service	175,000
40		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2	Supplies and materials	10,000
3	Travel	5,000
4	Contractual services	3,741,600
5	Equipment	8,000
6	Fringe benefits	78,900
7	Indirect costs	61,300
8		-----
9	Amount available for nonpersonal service	3,904,800
10		-----
11	Program account subtotal	4,079,800
12		-----
13	Special Revenue Funds - Other / State Operations	
14	Miscellaneous Special Revenue Fund - 339	
15	Quality of Care Improvement Account	
16	For services and expenses related to the	
17	protection of the health or property of	
18	residents of residential health care	
19	facilities that are found to be deficient	
20	including, but not limited to, payment for	
21	the cost of relocation of residents to	
22	other facilities and the maintenance and	
23	operation of a facility pending correction	
24	of deficiencies or closure.	
25	PERSONAL SERVICE	
26	Personal service--regular	147,600
27	Holiday/overtime compensation	20,000
28		-----
29	Amount available for personal service	167,600
30		-----
31	NONPERSONAL SERVICE	
32	Supplies and materials	33,000
33	Travel	50,000
34	Contractual services	1,528,000
35	Equipment	117,000
36	Fringe benefits	70,000
37	Indirect costs	52,000
38		-----
39	Amount available for nonpersonal service	1,850,000
40		-----
41	Program account subtotal	2,017,600
42		-----
43	WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM	133,822,000
44		-----

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal	11,373,000
2		-----
3	Special Revenue Funds - Federal / Aid to Localities	
4	Federal Health and Human Services Fund - 265	
5	Federal Block Grant Account	
6	For services and expenses of the various	
7	health prevention, diagnostic, detection	
8	and treatment services	3,682,000
9		-----
10	Program account subtotal	3,682,000
11		-----
12	Special Revenue Funds - Other / State Operations	
13	Combined Gifts, Grants and Bequests Fund - 020	
14	Breast Cancer Research and Education Account	
15	For breast cancer research and education	
16	pursuant to section 97-yy of the state	
17	finance law as amended by chapter 550 of	
18	the laws of 2000.	
19	NONPERSONAL SERVICE	
20	Contractual services	2,536,000
21		-----
22	Program account subtotal	2,536,000
23		-----
24	Special Revenue Funds - Other / State Operations	
25	Combined Gifts, Grants and Bequests Fund - 020	
26	Multiple Sclerosis Research Account	
27	For research into the causes and treatment	
28	of pediatric multiple sclerosis pursuant	
29	to section 95-d of the state finance law.	
30	NONPERSONAL SERVICE	
31	Contractual services	20,000
32		-----
33	Program account subtotal	20,000
34		-----
35	Special Revenue Funds - Other / State Operations	
36	Miscellaneous Special Revenue Fund - 339	
37	Clinical Laboratory Reference System Assessment Account	
38	For services and expenses of the clinical	
39	laboratory reference and accreditation	
40	program.	

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	7,829,000
Holiday/overtime compensation	100,000

Amount available for personal service	7,929,000

NONPERSONAL SERVICE

Supplies and materials	846,000
Travel	300,000
Contractual services	1,665,000
Equipment	1,441,000
Fringe benefits	3,447,000
Indirect costs	4,407,000

Amount available for nonpersonal service	12,106,000

Program account subtotal	20,035,000

Special Revenue Funds - Other / State Operations
 Miscellaneous Special Revenue Fund - 339
 Environmental Laboratory Fee Account

For services and expenses hereafter to
 accrue for the environmental laboratory
 reference and accreditation program.

PERSONAL SERVICE

Personal service--regular	1,949,000
Holiday/overtime compensation	20,000

Amount available for personal service	1,969,000

NONPERSONAL SERVICE

Supplies and materials	215,000
Travel	130,000
Contractual services	170,000
Equipment	103,000
Fringe benefits	832,300
Indirect costs	1,167,700

Amount available for nonpersonal service	2,618,000

Program account subtotal	4,587,000

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	Spinal Cord Injury Research Fund Account	
4	For services and expenses related to spinal	
5	cord injury research pursuant to chapter	
6	338 of the laws of 1998, in accordance	
7	with the following.	
8	PERSONAL SERVICE	
9	Personal service--regular	221,000
10		-----
11	NONPERSONAL SERVICE	
12	Fringe benefits	88,000
13	Indirect costs	129,000
14		-----
15	Amount available for nonpersonal service	217,000
16		-----
17	Program account subtotal	438,000
18		-----
19	Special Revenue Fund - Other / State Operations	
20	Miscellaneous Special Revenue Fund - 339	
21	Empire State Stem Cell Research Account	
22	For services and expenses, including grants,	
23	related to stem cell research pursuant to	
24	chapter 58 of the laws of 2007:	
25	NONPERSONAL SERVICE	
26	Contractual services	44,800,000
27		-----
28	Program account subtotal	44,800,000
29		-----
30	Total new appropriations for state operations and aid to	
31	localities	55,399,135,277
32		=====

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM

2 General Fund / State Operations

3 State Purposes Account - 003

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

5 Contractual services ... 19,352,000 (re. \$5,959,000)

6 For services and expenses of health e-link.

7 Contractual services ... 750,000 (re. \$747,000)

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

9 Contractual services ... 19,352,000 (re. \$6,000,000)

10 For services and expenses related to the improvement of data

11 protection and interoperability.

12 Contractual services ... 1,000,000 (re. \$926,000)

13 For services and expenses related to the improvement of electronic

14 content and the production and presentation of electronically stored

15 information (e-Discovery).

16 Contractual services ... 1,000,000 (re. \$164,000)

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

18 Contractual services ... 18,517,000 (re. \$6,000,000)

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

20 Maintenance undistributed

21 For services and expenses related to a time and activity system

22 3,000,000 (re. \$770,000)

23 Special Revenue Funds - Federal / State Operations

24 Federal USDA-Food and Nutrition Services Fund - 261

25 Child and Adult Care Food Account

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

27 For various food and nutritional services

28 818,000 (re. \$818,000)

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

30 For various food and nutritional services

31 976,000 (re. \$204,000)

32 Special Revenue Funds - Federal / State Operations

33 Federal USDA-Food and Nutrition Services Fund - 261

34 Federal Food and Nutrition Services Account

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

36 For various food and nutritional services

37 1,983,000 (re. \$1,983,000)

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

39 For various food and nutritional services

40 1,952,000 (re. \$409,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Special Revenue Funds - Federal / State Operations
 2 Federal Health and Human Services Fund - 265
 3 Federal Block Grant Account

 4 By chapter 54, section 1, of the laws of 2009:
 5 For various health prevention, diagnostic, detection and treatment
 6 services ... 6,656,000 (re. \$6,656,000)

 7 By chapter 54, section 1, of the laws of 2008:
 8 For various health prevention, diagnostic, detection and treatment
 9 services ... 6,656,000 (re. \$4,484,000)

 10 Special Revenue Funds - Federal / State Operations
 11 Federal Block Grant Fund - 269

 12 By chapter 54, section 1, of the laws of 2007:
 13 For various health prevention, diagnostic, detection and treatment
 14 services.
 15 For the grant period October 1, 2006 to September 30, 2007
 16 2,893,000 (re. \$568,000)

 17 Special Revenue Funds - Federal / Aid to Localities
 18 Federal Health and Human Services Fund - 265
 19 Federal Block Grant Account

 20 By chapter 54, section 1, of the laws of 2009:
 21 For federal grants for Health Information Technology System
 22 Construction and equipment funded by the American recovery and rein-
 23 vestment act of 2009. Funds appropriated herein shall be subject to
 24 all applicable reporting and accountability requirements contained
 25 in such act ... 25,700,000 (re. \$25,700,000)
 26 For federal grants for the office of National Coordinator for Health
 27 Information Technology funded by the American recovery and reinvest-
 28 ment Act of 2009. Funds appropriated herein shall be subject to all
 29 applicable reporting and accountability requirements contained in
 30 such act ... 34,300,000 (re. \$34,300,000)
 31 For federal grants for state electronic health records revolving loan
 32 program funded by the American Recovery and Reinvestment Act of
 33 2009. These funds may be transferred to the dormitory authority of
 34 the state of New York for the purposes of establishing a loan fund
 35 pursuant to section 2821 of the public health law, subject to the
 36 approval of the director of the budget. Funds appropriated herein
 37 shall be subject to all applicable reporting and accountability
 38 requirements in such act ... 50,000,000 (re. \$50,000,000)

 39 AIDS INSTITUTE PROGRAM

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

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For services and expenses related to the operation of the communities
 2 of color initiative ... 3,581,000 (re. \$3,000,000)
 3 For additional grants to existing community service programs to meet
 4 the increased demands of HIV education, prevention, outreach, legal
 5 and supportive services to high risk groups and to address increased
 6 operating costs of these programs. Such grants shall be equitably
 7 distributed ... 432,400 (re. \$432,400)
 8 For additional grants to existing community based organizations and to
 9 article 28 of the public health law diagnostic and treatment centers
 10 that must operate in a neighborhood or geographic area with high
 11 concentrations of at risk populations and provide services and
 12 programs that are culturally sensitive to the special social and
 13 cultural needs of the at risk populations. Such grants shall be used
 14 to meet increased demands for HIV education, prevention, outreach,
 15 and legal programs. Such grants shall be equitably distributed
 16 432,400 (re. \$432,400)
 17 For additional services and expenses of the New York AIDS Coalition
 18 ... 18,800 (re. \$18,800)
 19 For services and expenses of the Legal Aid Society of New York City
 20 ... 100,768 (re. \$100,768)
 21 For services and expenses of the Legal Services for New York City
 22 100,768 (re. \$100,768)
 23 For additional services and expenses related to a joint project
 24 between the state and the city of New York, known as the New
 25 York/New York III Supportive Housing Agreement. No expenditures
 26 shall be made for such program prior to the approval of a methodol-
 27 ogy for allocation in accordance with a plan approved by the commis-
 28 sioner and the director of the budget. Furthermore, no expenditure
 29 shall be made until a certificate of allocation has been approved by
 30 the director of the budget with copies to be filed with the chair-
 31 persons of the senate finance committee and the assembly ways and
 32 means committee.
 33 The amounts appropriated pursuant to such appropriation may be subal-
 34 located to other state agencies, authorities, or accounts for
 35 expenditures incurred in the operation of programs funded by such
 36 appropriation ... 1,300,000 (re. \$1,300,000)
 37 For services and expenses for the harm reduction materials program
 38 1,000,000 (re. \$1,000,000)
 39 For grants to programs in New York state for the provision of HIV/AIDS
 40 legal and supportive services ... 600,000 (re. \$600,000)

41 Special Revenue Funds - Other / Aid to Localities
 42 HCRA Resources Fund - 061
 43 Health Care Services Account

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

45 For services and expenses related to the special program for HIV
 46 services for infants and pregnant women established pursuant to
 47 section 71 of chapter 731 of the laws of 1993. Such programs may
 48 provide continuing services to high-risk and HIV-positive women and
 49 children, provided ... 1,382,000 (re. \$500,000)

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 502,
 2 section 4 of the laws of 2009:
 3 For grants to existing community service programs, as deemed appropri-
 4 ate by the department of health, including but not limited to commu-
 5 nity based organizations and other organizations providing special-
 6 ized AIDS-related services targeted to minority and other high-risk
 7 populations.
 8 To ensure organizational viability, agency administration may be
 9 supported subject to review and approval of the commissioner of
 10 health. Up to \$125,000 may be transferred to the general fund -
 11 state purposes account for the administration of this program.
 12 Notwithstanding any provision of law to the contrary, the commissioner
 13 of health shall be authorized to continue contracts with community
 14 service programs, multi-service agencies and community development
 15 initiatives for all such contracts which were executed on or before
 16 March 31, 2009, without any additional requirements that such
 17 contracts be subject to competitive bidding or a request for
 18 proposals process; provided, however, that the amount of this appro-
 19 priation available for expenditure and disbursement on and after
 20 November 1, 2009 shall be reduced by 12.5 percent of the amount that
 21 was undisbursed as of November 1, 2009
 22 18,923,000 (re. \$3,500,000)

23 CENTER FOR COMMUNITY HEALTH PROGRAM

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

26 By chapter 54, section 1, of the laws of 2009:
 27 For services and expenses, including grants, related to the reporting
 28 of body mass index on school physical forms. A portion of this
 29 appropriation may be transferred to state operations appropriations
 30 for administration of this program ... 1,861,000 .. (re. \$1,861,000)
 31 For services and expenses of an obesity prevention program in support
 32 of healthy eating collaboratives. A portion of this appropriation
 33 may be transferred to state operations appropriations for adminis-
 34 tration of this program ... 1,645,000 (re. \$1,645,000)
 35 For services and expenses to implement the early intervention program
 36 act of 1992.
 37 The moneys hereby appropriated shall be available for payment of
 38 financial assistance heretofore accrued or hereafter to accrue.
 39 Notwithstanding the provisions of any other law to the contrary, for
 40 state fiscal year 2009-2010 the liability of the state and the
 41 amount to be distributed or otherwise expended by the state pursuant
 42 to section 2557 of the public health law shall be determined by
 43 first calculating the amount of the expenditure or other liability
 44 pursuant to such law, and then reducing the amount so calculated by
 45 two percent of such amount ... 160,000,000 (re. \$25,300,000)
 46 For services and expenses related to the statewide breast cancer
 47 support, education and outreach program, notwithstanding any incon-
 48 sistent provision of law to the contrary, funds shall be available
 49 for the statewide breast cancer support, education and outreach

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 program to provide support and education services to community-based
 2 providers pursuant to the following:
 3 Breast Cancer Coalition of Rochester, Inc. ... 20,385 .. (re. \$20,385)
 4 Breast Cancer Network of WNY, Inc. ... 20,385 (re. \$20,385)
 5 Brentwood/Bayshore Breast Cancer Coalition ... 6,454 (re. \$6,454)
 6 Capital Region Action Against Breast Cancer (CRAAB!)
 7 20,385 (re. \$20,385)
 8 Health Care Choices, Inc. ... 4,461 (re. \$4,461)
 9 Huntington Breast Cancer Action Coalition ... 20,385 ... (re. \$20,385)
 10 Ithaca Breast Cancer Alliance ... 20,385 (re. \$20,385)
 11 Mid Hudson Options Project, Inc. (dba Breast Cancer Options)
 12 20,385 (re. \$20,385)
 13 New York State Breast Cancer Support & Education Network, Inc.
 14 27,879 (re. \$27,879)
 15 Share Self-Help for Women with Breast or Ovarian Cancer, Inc.
 16 37,511 (re. \$37,511)
 17 Young Survivor Coalition ... 20,385 (re. \$20,385)
 18 For services and expenses of the public health management leaders of
 19 tomorrow program, provided a portion of this appropriation shall be
 20 suballocated to university at Albany school of public health
 21 554,000 (re. \$554,000)
 22 For services and expenses of a study of racial disparities
 23 295,000 (re. \$295,000)
 24 For state grants to improve access to infertility services, treat-
 25 ments, and procedures. Funds shall be allocated from this appropri-
 26 ation pursuant to a plan prepared by the commissioner of health and
 27 approved by the director of the budget. Funds appropriated herein
 28 are supported by savings resulting from the increased Federal
 29 Medical Assistance Percentage (FMAP) provided pursuant to the Ameri-
 30 can recovery and reinvestment act of 2009
 31 3,694,000 (re. \$3,694,000)
 32 For services and expenses related to the school based health clinics
 33 program, notwithstanding any inconsistent provision of law to the
 34 contrary, funds shall be available for the statewide school based
 35 health clinics program to provide grants to certain school based
 36 health centers pursuant to the following. Funds appropriated herein
 37 are supported by savings resulting from the increased Federal
 38 Medical Assistance Percentage (FMAP) provided pursuant to the Ameri-
 39 can recovery and reinvestment act of 2009:
 40 Anthony Jordon Health Center ... 28,005 (re. \$28,005)
 41 Bronx Lebanon Hospital ... 119,023 (re. \$119,023)
 42 Chenango Memorial Hospital ... 14,877 (re. \$14,877)
 43 East Harlem Council for Human Services ... 12,252 (re. \$12,252)
 44 Family Health Network ... 8,725 (re. \$8,725)
 45 Kaleida Health ... 178,534 (re. \$178,534)
 46 Lutheran Medical Center ... 58,636 (re. \$58,636)
 47 Nassau Health Care Corporation ... 11,377 (re. \$11,377)
 48 NY Presbyterian Hospital ... 209,164 (re. \$209,164)
 49 Renaissance-Harlem Hospital ... 84,892 (re. \$84,892)
 50 Sisters of Charity ... 35,007 (re. \$35,007)
 51 Suffolk County DOH ... 9,627 (re. \$9,627)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Threshold Center for Alternative Youth Services
 2 21,879 (re. \$21,879)
 3 University of Rochester ... 49,010 (re. \$49,010)
 4 Via Health-Rochester General Hospital ... 16,628 (re. \$16,628)
 5 William F. Ryan Community Health Center ... 17,504 (re. \$17,504)
 6 For services and expenses to support community coalitions for obesity
 7 prevention (CCOP) to plan and create environmental and policy changes
 8 that support access to sustainable healthy, affordable food and
 9 accessible safe environments for physical activity and play. Funds
 10 appropriated herein are supported by savings resulting from the
 11 increased Federal Medical Assistance Percentage (FMAP) provided
 12 pursuant to the American recovery and reinvestment act of 2009
 13 1,000,000 (re. \$804,693)
 14 For additional state grants for a program of family planning services
 15 pursuant to article 2 of the public health law
 16 507,600 (re. \$507,600)
 17 For additional services and expenses of existing Alzheimer's disease
 18 assistance centers as established pursuant to chapter 586 of the
 19 laws of 1987 ... 75,200 (re. \$75,200)
 20 For additional state grants to improve access to infertility services,
 21 treatments, and procedures ... 752,000 (re. \$752,000)
 22 For additional services and expenses associated with new and existing
 23 school based health centers ... 507,600 (re. \$507,600)
 24 For additional services and expenses for the Alzheimer's Community
 25 Assistance Program as established pursuant to chapter 657 of the
 26 laws of 1997 ... 225,600 (re. \$225,600)
 27 For services and expenses of a chernobyl thyroid cancer screening
 28 pilot project ... 406,080 (re. \$406,080)
 29 For services and expenses related to perinatal care networks
 30 94,000 (re. \$94,000)
 31 For services and expenses of a health care based literacy program
 32 75,200 (re. \$75,200)
 33 For services and expenses of the Huntington's Disease Society of Amer-
 34 ica related to Huntington's Disease centers of excellence
 35 37,600 (re. \$37,600)
 36 For services and expenses related to the New York State breast cancer
 37 network ... 37,600 (re. \$37,600)
 38 For additional state grants to the American Red Cross
 39 373,744 (re. \$373,744)
 40 For services and expenses related to amyotrophic lateral sclerosis ...
 41 75,200 (re. \$75,200)
 42 For services and expenses related to the statewide health and social
 43 services sexuality-related programs, notwithstanding any inconsis-
 44 tent provision of law to the contrary, funds shall be available for
 45 the statewide health and social services sexuality-related programs
 46 to establish health and social services and provide technical
 47 assistance pursuant to the following sub-schedule
 48 1,540,322 (re. \$1,540,322)

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1	People of Color in Crisis	25,391
2	Planned Parenthood Health	
3	Services of Northeastern New	
4	York	22,432
5	Planned Parenthood of Niagara	
6	County	11,216
7	Positive Health Project	28,041
8	Pride Center of Western New	
9	York (Buffalo)	21,181
10	Pride for Youth/Long Island	
11	Crisis Center	56,081
12	Queens LGBT Pride Community	
13	Center	11,216
14	Queens Lesbian and Gay Commu-	
15	nity Center INC	25,391
16	Rainbow Access Initiative	
17	Albany	16,825
18	Rainbow Seniors of Western New	
19	York	8,412
20	Safety Zone	11,216
21	SAGE Upstate	21,181
22	Senior Action in a Gay Envi-	
23	ronment (SAGE) - Rainbow	
24	Aging Awareness Program	97,381
25	For services and expenses of the health and social services sexuali-	
26	ty-related programs domestic violence network pursuant to the	
27	following sub-schedule ... 282,000	(re. \$282,000)
28	sub-schedule	
29	In Our Own Voices	18,800
30	Men of Color Health Awareness	
31	Project	18,800
32	Alternatives for Battered	
33	Women	18,800
34	Gay Alliance Of the Genesee	
35	Valley	18,800
36	Empire Justice Center	18,800
37	The New York City Gay & Lesbi-	
38	an Anti-Violence Project	37,600
39	Safe Horizon	18,800
40	Syracuse Area Domestic	
41	Violence & Sexual Violence	
42	Coalition, Vera House	18,800
43	Rockland Family Shelter	18,800
44	Advocacy Center	18,800
45	Victim Assistance Services	18,800
46	NYS Coalition Against Domestic	
47	Violence	18,800
48	Lgbt Dv Committee Of Western	
49	NY	18,800

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Good Shepard Services 18,800
 2 For services and expenses of the New York University College of
 3 Dentistry - Mobile Dental Clinics ... 188,000 (re. \$188,000)
 4 For services and expenses of the Coalition for the Institutionalized
 5 Aged and Disabled ... 75,200 (re. \$75,200)
 6 For services and expenses of the School Based Health Coalition
 7 37,600 (re. \$37,600)
 8 For services and expenses of the Primary Care Development Corporation
 9 394,800 . (re. \$394,800)
 10 For services and expenses of the Center for Health Care Access
 11 101,520 (re. \$101,520)
 12 For services and expenses of the Lesbian, Gay, Bisexual, and Transgen-
 13 der Health and Human Services Network
 14 2,048,000 (re. \$2,048,000)

15 By chapter 54, section 1, of the laws of 2009, as amended by chapter
 16 502, section 4, of the laws of 2009:
 17 For services and expenses related to providing nutritional services
 18 and to provide nutritional education to pregnant women, infants, and
 19 children, including suballocations to the department of agriculture
 20 and markets for the farmer's market nutrition program and migrant
 21 worker services and the office of temporary and disability assist-
 22 ance for prenatal care assistance program activities. A portion of
 23 this appropriation may be transferred to state operations appropri-
 24 ations for administration of this program; provided, however, that
 25 the amount of this appropriation available for expenditure and
 26 disbursement on and after November 1, 2009 shall be reduced by 12.5
 27 percent of the amount that was undisbursed as of November 1, 2009
 28 ... 20,610,000 (re. \$17,700,000)
 29 For services and expenses, including operating expenses related to
 30 providing nutritional services and nutrition education for hunger
 31 prevention and nutrition assistance. A portion of this appropriation
 32 may be transferred to state operations appropriations for adminis-
 33 tration of this program; provided, however, that the amount of this
 34 appropriation available for expenditure and disbursement on and
 35 after November 1, 2009 shall be reduced by 12.5 percent of the
 36 amount that was undisbursed as of November 1, 2009
 37 30,900,000 (re. \$2,500,000)
 38 For additional services and expenses associated with red cross emer-
 39 gency response preparedness, including support for capital projects
 40 and ensuring an adequate blood supply. Funds shall be allocated from
 41 this appropriation pursuant to a plan prepared by the commissioner
 42 of health and approved by the director of the budget.
 43 Funds appropriated herein are supported by savings resulting from the
 44 increased Federal Medical Assistance Percentage (FMAP) provided
 45 pursuant to the American recovery and reinvestment act of 2009;
 46 provided, however, that the amount of this appropriation available
 47 for expenditure and disbursement on and after November 1, 2009 shall
 48 be reduced by 12.5 percent of the amount that was undisbursed as of
 49 November 1, 2009 ... 1,600,000 (re. \$1,400,000)

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 services and expenses of a study of racial disparities
 3 295,000 (re. \$295,000)

4 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,
 5 section 3, of the laws of 2009:
 6 For services and expenses of the Health Information Technology program
 7 pursuant to chapter 58 of the laws of 2004
 8 2,256,000 (re. \$2,256,000)
 9 For additional state grants to improve access to infertility services,
 10 treatments, and procedures ... 752,000 (re. \$752,000)

11 By chapter 54, section 1, of the laws of 2008, as amended by chapter
 12 496, section 5, of the laws of 2008:
 13 For services and expenses related to providing nutritional services
 14 and to provide nutritional education to pregnant women, infants, and
 15 children, including suballocations to the department of agriculture
 16 and markets for the farmer's market nutrition program and migrant
 17 worker services and the office of temporary and disability assist-
 18 ance for prenatal care assistance program activities. A portion of
 19 this appropriation may be transferred to state operations appropri-
 20 ations for administration of this program, provided, however, that
 21 the amount of this appropriation available for expenditure and
 22 disbursement on and after September 1, 2008 shall be reduced by six
 23 percent of the amount that was undisbursed as of August 15, 2008 ...
 24 21,600,000 (re. \$4,128,128)
 25 For services and expenses of a universal prenatal and postpartum home
 26 visitation program, provided, however, that the amount of this
 27 appropriation available for expenditure and disbursement on and
 28 after September 1, 2008 shall be reduced by six percent of the
 29 amount that was undisbursed as of August 15, 2008
 30 2,080,000 (re. \$1,955,200)

31 By chapter 54, section 1, of the laws of 2007:
 32 For services and expenses of Health Information Technology, pursuant
 33 to chapter 58 of the laws of 2004 ... 3,000,000 ... (re. \$3,000,000)

34 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 35 section 1, of the laws of 2008:
 36 For services and expenses related to the palliative care education and
 37 training program pursuant to section 2807-n of the public health law
 38 as added by chapter 58 of the laws of 2007. Up to \$370,000 of this
 39 appropriation may be transferred to the general fund - state
 40 purposes account for administration of this program
 41 4,600,000 (re. \$4,600,000)

42 By chapter 54, section 1, of the laws of 2006:
 43 For services and expenses of health information technology
 44 3,000,000 (re. \$2,770,000)
 45 For services and expenses of the safe patient handling demonstration
 46 program ... 500,000 (re. \$500,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 For services and expenses of health e-link program
 2 750,000 (re. \$750,000)

3 By chapter 54, section 1, of the laws of 2002:
 4 For grants to selected local health departments to perform health
 5 screenings for volunteer emergency workers including but not limited
 6 to volunteer fire and ambulance persons who were involved in
 7 response and recovery efforts related to the September 11, 2001
 8 attack on the New York City World Trade Center
 9 250,000 (re. \$250,000)

10 By chapter 54, section 1, of the laws of 2001, as amended by chapter 15,
 11 section 4, of the laws of 2002:
 12 For state aid to municipalities for services and expenses related to
 13 the West Nile encephalitis outbreak. The moneys hereby appropriated
 14 shall be available for payment of financial assistance heretofore
 15 accrued or hereafter to accrue. Notwithstanding any other provision
 16 of law, these funds shall be available for reimbursement for emer-
 17 gency response to the West Nile virus pursuant to section 611 of
 18 article 6 of the public health law
 19 21,900,000 (re. \$12,800,000)

20 Special Revenue Funds - Federal / State Operations
 21 Federal USDA-Food and Nutrition Services Fund - 261
 22 Child and Adult Care Food Account

23 By chapter 54, section 1, of the laws of 2009:
 24 For various food and nutritional services
 25 9,195,000 (re. \$2,000,000)

26 By chapter 54, section 1, of the laws of 2008:
 27 For various food and nutritional services
 28 9,195,000 (re. \$1,839,000)

29 Special Revenue Funds - Federal / Aid to Localities
 30 Federal USDA-Food and Nutrition Services Fund - 261
 31 Child and Adult Care Food Account

32 By chapter 54, section 1, of the laws of 2009:
 33 For various federal food and nutritional services. The moneys hereby
 34 appropriated shall be available for payment of financial assistance
 35 heretofore accrued ... 214,200,000 (re. \$28,700,000)

36 By chapter 54, section 1, of the laws of 2008:
 37 For various federal food and nutritional services. The moneys hereby
 38 appropriated shall be available for payment of financial assistance
 39 heretofore accrued ... 202,300,000 (re. \$1,549,000)

40 Special Revenue Funds - Federal / State Operations
 41 Federal USDA-Food and Nutrition Services Fund - 261
 42 Federal Food and Nutrition Services Account

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1 By chapter 54, section 1, of the laws of 2009:
 2 For various food and nutritional services
 3 59,276,000 (re. \$12,500,000)

4 By chapter 54, section 1, of the laws of 2008:
 5 For various food and nutritional services
 6 56,970,000 (re. \$11,934,000)

7 Special Revenue Funds - Federal / Aid to Localities
 8 Federal USDA-Food and Nutrition Services Fund - 261
 9 Federal Food and Nutrition Services Account

10 By chapter 54, section 1, of the laws of 2009:
 11 For various federal food and nutritional services. The moneys hereby
 12 appropriated shall be available for payment of financial assistance
 13 heretofore accrued ... 437,600,000 (re. \$35,000,000)
 14 For federal food and nutritional services grants funded by the Ameri-
 15 can recovery and reinvestment act of 2009. Funds appropriated herein
 16 shall be subject to all applicable reporting and accountability
 17 requirements contained in such act. A portion of these funds may be
 18 transferred to state operations appropriations for administration of
 19 this program ... 28,600,000 (re. \$23,131,000)

20 By chapter 54, section 1, of the laws of 2008:
 21 For various federal food and nutritional services. The moneys hereby
 22 appropriated shall be available for payment of financial assistance
 23 heretofore accrued ... 392,200,000 (re. \$1,244,000)

24 Special Revenue Funds - Federal / State Operations
 25 Federal USDA - Food and Nutrition Services Fund - 261
 26 Women, Infants, and Children (WIC) Civil Monetary Account

27 By chapter 54, section 1, of the laws of 2009:
 28 For services and expenses of the department of health related to the
 29 special supplemental nutrition program for women, infants and chil-
 30 dren.
 31 Contractual services ... 5,000,000 (re. \$5,000,000)

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

34 By chapter 54, section 1, of the laws of 2009:
 35 For various health prevention, diagnostic, detection and treatment
 36 services. The amounts appropriated pursuant to such appropriation
 37 may be suballocated to other state agencies or accounts for expendi-
 38 tures incurred in the operation of programs funded by such appropri-
 39 ation subject to the approval of the director of the budget
 40 29,819,000 (re. \$29,330,000)
 41 For federal prevention and wellness programs funded by the American
 42 recovery and reinvestment act of 2009. Funds appropriated herein
 43 shall be subject to all applicable reporting and accountability

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1 requirements contained in such act
 2 30,000,000 (re. \$30,000,000)

3 By chapter 54, section 1, of the laws of 2008:
 4 For various health prevention, diagnostic, detection and treatment
 5 services ... 29,819,000 (re. \$14,224,000)

6 By chapter 54, section 1, of the laws of 2007:
 7 For various health prevention, diagnostic, detection and treatment
 8 Services.
 9 For grants beginning prior to April 1, 2007
 10 16,959,000 (re. \$16,136,000)

11 Special Revenue Funds - Federal / Aid to Localities
 12 Federal Health and Human Services Fund - 265

13 By chapter 54, section 1, of the laws of 2009:
 14 For various health prevention, diagnostic, detection and treatment
 15 services. The amounts appropriated pursuant to such appropriation
 16 may be suballocated to other state agencies or accounts for expendi-
 17 tures incurred in the operation of programs funded by such appropri-
 18 ation subject to the approval of the director of the budget
 19 41,938,000 (re. \$41,938,000)
 20 For federal prevention and wellness programs funded by the American
 21 recovery and reinvestment act of 2009. Funds appropriated herein
 22 shall be subject to all applicable reporting and accountability
 23 requirements contained in such act
 24 30,000,000 (re. \$30,000,000)

25 By chapter 54, section 1, of the laws of 2008:
 26 For various health prevention, diagnostic, detection and treatment
 27 services ... 41,938,000 (re. \$35,397,000)

28 By chapter 54, section 1, of the laws of 2007:
 29 For various health prevention, diagnostic, detection and treatment
 30 Services.
 31 For grants beginning on or after April 1, 2007
 32 35,381,000 (re. \$33,175,000)

33 Special Revenue Funds - Federal / State Operations
 34 Federal Health and Human Services Fund - 265
 35 Federal Block Grant Account

36 By chapter 54, section 1, of the laws of 2009:
 37 For various health prevention, diagnostic, detection and treatment
 38 services. The amounts appropriated pursuant to such appropriation
 39 may be suballocated to other state agencies or accounts for expendi-
 40 tures incurred in the operation of programs funded by such appropri-
 41 ation subject to the approval of the director of the budget
 42 24,023,000 (re. \$24,023,000)

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

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For various health prevention, diagnostic, detection and treatment
services ... 22,299,000 (re. \$13,925,000)

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

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

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

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

For various health prevention, diagnostic, detection and treatment
services. The commissioner of health is hereby authorized to waive
any provisions of the public health law and regulations, to issue
appropriate operating certificates, and to enter into contracts with
article 28 facilities, to provide funds, to establish, support and
conduct projects to provide improved and expanded school health
services for preschool and school-age children. No more than 10 per
centum of the amount appropriated for such purpose shall be expended
for services and expenses in connection with the administration and
evaluation of such grants. Grants awarded under this appropriation
shall be distributed and administered in accordance with regulations
established by the commissioner of health
57,475,000 (re. \$47,953,000)

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

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

For activities related to a handicapped infants and toddlers program
... 24,265,000 (re. \$23,657,000)
For activities related to a handicapped infants and toddlers program
funded by the American recovery and reinvestment act of 2009. Funds
appropriated herein shall be subject to all applicable reporting and
accountability requirements contained in such act. The amount appro-
priated for state operations may be interchanged to the appropri-

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1 ation for federal prevention and wellness aid to localities without
 2 limitation ... 22,000,000 (re. \$21,996,000)

3 By chapter 54, section 1, of the laws of 2008:
 4 For activities related to a handicapped infants and toddlers program
 5 ... 20,620,000 (re. \$13,398,000)

6 By chapter 54, section 1, of the laws of 2007:
 7 For activities related to a handicapped infants and toddlers program.
 8 For the grant period beginning on or after July 1, 2006
 9 8,150,000 (re. \$8,150,000)

10 Special Revenue Funds - Federal / Aid to Localities
 11 Federal Department of Education Fund - 267
 12 Individuals with Disabilities-Part C Account

13 By chapter 54, section 1, of the laws of 2009:
 14 For activities related to a handicapped infants and toddlers program
 15 ... 51,578,000 (re. \$51,578,000)
 16 For activities related to a handicapped infants and toddlers program
 17 funded by the American recovery and reinvestment act of 2009. Funds
 18 appropriated herein shall be subject to all applicable reporting and
 19 accountability requirements contained in such act. The amount appro-
 20 priated for state operations may be interchanged to the appropri-
 21 ation for federal prevention and wellness state operations without
 22 limitation ... 2,000,000 (re. \$2,000,000)

23 By chapter 54, section 1, of the laws of 2008:
 24 For activities related to a handicapped infants and toddlers program
 25 ... 51,578,000 (re. \$46,096,000)

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

30 Special Revenue Funds - Federal / State Operations
 31 Federal Block Grant Fund - 269

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 10,370,000 (re. \$10,285,000)

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

39 By chapter 54, section 1, of the laws of 2007:
 40 For various health prevention, diagnostic, detection and treatment
 41 services. The commissioner of health is hereby authorized to waive
 42 any provisions of the public health law and regulations, to issue

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1 appropriate operating certificates, and to enter into contracts with
 2 article 28 facilities, to provide funds, to establish, support and
 3 conduct projects to provide improved and expanded school health
 4 services for preschool and school-age children. No more than 10 per
 5 centum of the amount appropriated for such purpose shall be expended
 6 for services and expenses in connection with the administration and
 7 evaluation of such grants. Grants awarded under this appropriation
 8 shall be distributed and administered in accordance with regulations
 9 established by the commissioner of health.
 10 For the grant period October 1, 2007 to September 30, 2008
 11 26,732,000 (re. \$25,215,000)

12 Special Revenue Funds - Other / State Operations
 13 Combined Gifts, Grants and Bequests Fund - 020
 14 Autism Awareness and Research Account

15 By chapter 54, section 1, of the laws of 2009:
 16 For services and expenses related to autism awareness and research
 17 pursuant to section 404-v of the vehicle and traffic law and section
 18 95-e of the state finance law, as added by chapter 301 of the laws
 19 of 2004.
 20 Contractual services ... 20,000 (re. \$20,000)

21 By chapter 54, section 1, of the laws of 2008:
 22 For services and expenses related to autism awareness and research
 23 pursuant to section 404-v of the vehicle and traffic law and section
 24 95-e of the state finance law, as added by chapter 301 of the laws
 25 of 2004.
 26 Contractual services ... 20,000 (re. \$20,000)

27 Special Revenue Funds - Other / Aid to Localities
 28 Combined Gifts, Grants and Bequests Fund - 020
 29 NYS Prostate Cancer Research, Detection and Education Account

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

33 By chapter 54, section 1, of the laws of 2008:
 34 For prostate cancer research, detection and education pursuant to
 35 chapter 273 of the laws of 2004 ... 1,000,000 (re. \$1,000,000)

36 Special Revenue Funds - Other / Aid to Localities
 37 HCRA Resources Fund - 061
 38 Health Care Services Account

39 By chapter 54, section 1, of the laws of 2009:
 40 For the statewide breast cancer hotline to provide breast cancer
 41 information, education and support services operated by the Adelphi
 42 university breast cancer support program. Funds appropriated herein
 43 are supported by savings resulting from the increased Federal
 44 Medical Assistance Percentage (FMAP) provided pursuant to the Ameri-

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1 can recovery and reinvestment act of 2009
 2 172,000 (re. \$172,000)
 3 For services and expenses of the Adelphi university breast cancer
 4 support program. Funds appropriated herein are supported by savings
 5 resulting from the increased Federal Medical Assistance Percentage
 6 (FMAP) provided pursuant to the American recovery and reinvestment
 7 act of 2009 ... 122,000 (re. \$122,000)

8 CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

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

11 By chapter 54, section 1, of the laws of 2009:
 12 For services and expenses related to enhancing the childhood lead
 13 poisoning primary prevention program in accordance with article 13
 14 of the public health law. A portion of this appropriation may be
 15 transferred to state operations ... 2,500,000 (re. \$2,500,000)

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

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

21 By chapter 54, section 1, of the laws of 2008:
 22 For various health prevention, diagnostic, detection and treatment
 23 services ... 1,673,000 (re. \$397,000)

24 Special Revenue Funds - Federal / State Operations
 25 Federal Health and Human Services Fund - 265
 26 Federal Block Grant Account

27 By chapter 54, section 1, of the laws of 2009:
 28 For services and expenses of various health prevention, diagnostic,
 29 detection and treatment services ... 6,808,000 (re. \$6,808,000)

30 By chapter 54, section 1, of the laws of 2008:
 31 For services and expenses of various health prevention, diagnostic,
 32 detection and treatment services ... 6,808,000 (re. \$2,137,000)

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

36 By chapter 54, section 1, of the laws of 2009:
 37 For services and expenses of various health prevention, diagnostic,
 38 detection and treatment services ... 3,687,000 (re. \$3,687,000)

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

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1 For services and expenses of various health prevention, diagnostic,
 2 detection and treatment services ... 3,687,000 (re. \$3,687,000)

3 Special Revenue Funds - Federal / State Operations
 4 Federal Block Grant Fund - 269

5 By chapter 54, section 1, of the laws of 2007:
 6 For various health prevention, diagnostic, detection and treatment
 7 services.
 8 For the grant period October 1, 2007 to September 30, 2008
 9 3,166,000 (re. \$1,917,000)

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

12 By chapter 54, section 1, of the laws of 2007:
 13 For services and expenses of various health prevention, diagnostic,
 14 detection and treatment services.
 15 For the grant period October 1, 2007 to September 30, 2008
 16 1,715,000 (re. \$1,715,000)

17 Special Revenue Funds - Federal / State Operations
 18 Federal Operating Grants Fund - 290
 19 Federal Environmental Protection Agency Grants Account

20 By chapter 54, section 1, of the laws of 2009:
 21 For various environmental projects including suballocation for the
 22 department of environmental conservation
 23 9,703,000 (re. \$9,620,000)

24 By chapter 54, section 1, of the laws of 2008:
 25 For various environmental projects including suballocation for the
 26 department of environmental conservation
 27 9,624,000 (re. \$4,140,000)

28 By chapter 54, section 1, of the laws of 2007:
 29 For various environmental projects including suballocation for the
 30 department of environmental conservation.
 31 For the grant period October 1, 2006 to September 30, 2007
 32 3,703,000 (re. \$3,703,000)
 33 For the grant period October 1, 2007 to September 30, 2008
 34 4,334,000 (re. \$4,334,000)

35 By chapter 54, section 1, of the laws of 2006:
 36 For various environmental projects including suballocation for the
 37 department of environmental conservation:
 38 For the grant period October 1, 2005 to September 30, 2006
 39 3,703,000 (re. \$3,703,000)
 40 For the grant period October 1, 2006 to September 30, 2007
 41 4,334,000 (re. \$4,334,000)

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

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1 For various environmental projects including suballocation for the
 2 department of environmental conservation:
 3 For the grant period October 1, 2004 to September 30, 2005
 4 3,873,000 (re. \$3,873,000)
 5 For the grant period October 1, 2005 to September 30, 2006
 6 4,164,000 (re. \$4,164,000)

7 By chapter 54, section 1, of the laws of 2004:
 8 For various environmental projects including suballocation for the
 9 department of environmental conservation:
 10 For the grant period October 1, 2004 to September 30, 2005
 11 8,494,000 (re. \$8,494,000)

12 Special Revenue Funds - Other / State Operations
 13 Drinking Water Program Management and Administration Fund - 366
 14 Federal ARRA Account

15 By chapter 54, section 1, of the laws of 2009:
 16 For services and expenses of the drinking water state revolving Fund
 17 funded by the American recovery and reinvestment act of 2009. Funds
 18 appropriated herein shall be Subject to all applicable reporting and
 19 Accountability requirements contained in such act
 20 694,000 (re. \$694,000)

21 CHILD HEALTH INSURANCE PROGRAM

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

25 By chapter 54, section 1, of the laws of 2009:
 26 The money hereby appropriated is available for payment of aid hereto-
 27 fore accrued or hereafter accrued.
 28 For services and expenses related to the children's health insurance
 29 program provided pursuant to title XXI of the federal social securi-
 30 ty act ... 64,130,000 (re. \$64,130,000)

31 Special Revenue Funds - Federal / Aid to Localities
 32 Federal Health and Human Services Fund - 265
 33 Children's Health Insurance Account

34 By chapter 54, section 1, of the laws of 2009:
 35 The money hereby appropriated is available for payment of aid hereto-
 36 fore accrued or hereafter accrued.
 37 For services and expenses related to the children's health insurance
 38 program, pursuant to title XXI of the federal social security act
 39 ... 487,800,000 (re. \$487,800,000)
 40 For services and expenses related to the children's health insurance
 41 program. Funds appropriated herein are supported by savings result-
 42 ing from the increased Federal Medical Assistance Percentage (FMAP)
 43 provided pursuant to the American recovery and reinvestment act of
 44 2009 ... 31,400,000 (re. \$31,400,000)

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1 HEALTH CARE FINANCING PROGRAM

2 Special Revenue Funds - Other / State Operations
3 Miscellaneous Special Revenue Fund - 339
4 1200 - Nursing Home Receivership Account

5 By chapter 50, section 1, of the laws of 1986:

6 For purposes of making payments pursuant to subdivision 3 of section
7 2810 of the public health law ... 2,000,000 (re. \$2,000,000)

8 HEALTH CARE REFORM ACT PROGRAM

9 Special Revenue Funds - Other / Aid to Localities
10 HCRA Resources Fund - 061
11 HCRA Program Account

12 By chapter 54, section 1, of the laws of 2009, as amended by chapter
13 502, section 4, of the laws of 2009:

14 For services and expenses of the physician loan repayment program
15 pursuant to subdivision 5-a of section 2807-m of the public health
16 law. All or part of this appropriation may be suballocated to the
17 NYS higher education services corporation. Notwithstanding any other
18 provision of law to the contrary, for state fiscal year 2009-2010
19 the liability of the state and the amount to be distributed or
20 otherwise expended by the state on or after November 1, 2009 shall
21 be determined by first calculating the amount of the expenditure or
22 other liability pursuant to such law, and then reducing the amount
23 so calculated by 12.5 percent of such amount, and that the amount of
24 this appropriation available for disbursement on or after November
25 1, 2009 shall be reduced by 12.5 percent of the amount that is
26 undisbursed as of such date ... 1,960,000 (re. \$1,715,000)

27 For services and expenses of the physician practice support program
28 pursuant to subdivision 5-a of section 2807-m of the public health
29 law. Notwithstanding any other provision of law to the contrary, for
30 state fiscal year 2009-2010 the liability of the state and the
31 amount to be distributed or otherwise expended by the state on or
32 after November 1, 2009 shall be determined by first calculating the
33 amount of the expenditure or other liability pursuant to such law,
34 and then reducing the amount so calculated by 12.5 percent of such
35 amount, and that the amount of this appropriation available for
36 disbursement on or after November 1, 2009 shall be reduced by 12.5
37 percent of the amount that is undisbursed as of such date
38 4,900,000 (re. \$4,287,500)

39 For state grants for the health workforce retraining program.
40 Notwithstanding section 2807-g of the public health law, or any
41 other provision of law to the contrary, funds hereby appropriated
42 may be made available to other state agencies and facilities oper-
43 ated by the department of health for services and expenses related
44 to the worker retraining program as disbursed pursuant to section
45 2807-g of the public health law. Of this amount \$8,900,000 shall be
46 made available to fund training for workers in jobs and job skills
47 that meet the changing requirements of the health care industry

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1 pursuant to section 2807-g(5) of the public health law. Provided,
 2 however, that the director of the budget must approve the release of
 3 any request for proposal or request for application or any other
 4 procurement initiatives issued on or after April 1, 2007. Further
 5 provided that any contract executed on or after April 1, 2007 must
 6 receive the prior approval of the director of the budget. A portion
 7 of this appropriation may be transferred to state operations appro-
 8 priations. Funds appropriated herein are supported by savings
 9 resulting from the increased Federal Medical Assistance Percentage
 10 (FMAP) provided pursuant to the American recovery and reinvestment
 11 act of 2009. Notwithstanding any other provision of law to the
 12 contrary, for state fiscal year 2009-2010 the liability of the state
 13 and the amount to be distributed or otherwise expended by the state
 14 on or after November 1, 2009 shall be determined by first calculat-
 15 ing the amount of the expenditure or other liability pursuant to
 16 such law, and then reducing the amount so calculated by 12.5 percent
 17 of such amount, and that the amount of this appropriation available
 18 for disbursement on or after November 1, 2009 shall be reduced by
 19 12.5 percent of the amount that is undisbursed as of such date ...
 20 21,100,000 (re. \$18,462,500)
 21 For additional state grants to improve access to infertility services,
 22 treatments, and procedures. Funds appropriated herein are supported
 23 by savings resulting from the increased Federal Medical Assistance
 24 Percentage (FMAP) provided pursuant to the American recovery and
 25 reinvestment act of 2009; provided, however, that the amount of this
 26 appropriation available for expenditure and disbursement on and
 27 after November 1, 2009 shall be reduced by 12.5 percent of the
 28 amount that was undisbursed as of November 1, 2009
 29 4,600,000 (re. 4,025,000)

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

41 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
 42 section 1, of the laws of 2006:
 43 For services, expenses, grants and transfers necessary to continue
 44 existing or planned contracts or other financing arrangements for
 45 the purposes of implementing the health care reform act program in
 46 accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, and
 47 2807-v of the public health law and utilizing allocations authorized
 48 prior to July 1, 2005. The moneys hereby appropriated shall be
 49 available for payments heretofore accrued or hereafter to accrue.

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1 Notwithstanding any inconsistent provision of law, the moneys hereby
 2 appropriated may be increased or decreased by interchange or trans-
 3 fer with any appropriation of the department of health or by trans-
 4 fer or suballocation to any appropriation of the department of
 5 insurance, the office of mental health or the state office for the
 6 aging subject to the approval of the director of the budget, who
 7 shall file such approval with the department of audit and control
 8 and copies thereof with the chairman of the senate finance committee
 9 and the chairman of the assembly ways and means committee
 10 600,000,000 (re. \$100,000,000)

11 MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM

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

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

15 For services and expenses related to the operation of an electronic
 16 medicaid eligibility verification system and operation of a medicaid
 17 override application system, and operation of a medicaid management
 18 information system, and development and operation of a replacement
 19 medicaid system. The moneys hereby appropriated shall be available
 20 for payment of liabilities heretofore accrued and hereafter to
 21 accrue.

22 Notwithstanding any inconsistent provision of law and subject to the
 23 approval of the director of the budget, the amount appropriated
 24 herein may be increased or decreased by interchange with any other
 25 appropriation or with any other item or items within the amounts
 26 appropriated within the department of health special revenue funds -
 27 federal with the approval of the director of the budget who shall
 28 file such approval with the department of audit and control and
 29 copies thereof with the chairman of the senate finance committee and
 30 the chairman of the assembly ways and means committee
 31 105,254,000 (re. \$65,100,000)

32 OFFICE OF MEDICAID MANAGEMENT PROGRAM

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

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

36 For services and expenses related to an analysis of proposals for
 37 achieving universal health coverage in New York. The commissioner of
 38 health shall contract with an independent entity, in accordance with
 39 applicable law, to conduct the analysis and report on its results.
 40 All records of the entity and the department relating to the method-
 41 ology, findings and recommendations of the analysis shall be subject
 42 to article six of the public officers law. Proposals to be analyzed
 43 shall include, but not be limited to: proposals for providing or
 44 promoting universal health coverage through variations on existing
 45 private and public health coverage mechanisms; proposals for provid-
 46 ing universal health coverage through publicly-sponsored health

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1 coverage financed entirely or predominantly through broad-based
 2 public financing; and combinations of such mechanisms. When evaluat-
 3 ing different proposals, the entity shall consider, among other
 4 factors, how each proposal advances the goal of universal health
 5 coverage; controls the cost of health coverage and health care;
 6 affects the scope of benefits, the quality of care, and choice of
 7 providers for consumers; overcomes the obstacles to universal health
 8 coverage; fairly and equitably distributes the cost of health cover-
 9 age and health care; deals with the level and distribution of costs
 10 as a barrier to health coverage or health care; affects employers
 11 and employment, particularly small business, the self-employed,
 12 sole-proprietors, collective bargaining arrangements, people with
 13 multiple, seasonal or sporadic employment and people who are under-
 14 employed or unable to work; and promotes the economic viability of
 15 hospitals, community health centers, health care professionals, and
 16 other health care providers. The entity may, with the approval of
 17 the commissioner, accept grants or other assistance from any govern-
 18 ment agency or not-for-profit entity to support or assist it in
 19 carrying out the analysis ... 200,000 (re. \$200,000)
 20 For suballocation to the state office for the aging for the health
 21 insurance information, counseling and assistance program
 22 1,000,000 (re. \$1,000,000)

23 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 24 section 1, of the laws of 2007:
 25 For services and expenses of the medical assistance program. The
 26 moneys hereby appropriated are for activities related to the maxim-
 27 ization of the Federal Medicare Part D drug program
 28 2,000,000 (re. \$2,000,000)

29 General Fund / Aid to Localities
 30 Local Assistance Account - 001

31 By chapter 54, section 1, of the laws of 2007:
 32 For transfer to the state office for the aging for the managed care
 33 consumer assistance program for the purpose of providing education,
 34 outreach, one-on-one counseling, monitoring of the implementation of
 35 medicare part D, and assistance with drug appeals and fair hearings
 36 related to medicare part D coverage for persons who are eligible for
 37 medical assistance and who are also beneficiaries under part D of
 38 title XVIII of the federal social security act and for participants
 39 of the elderly pharmaceutical insurance coverage program in accord-
 40 ance with the following sub-schedule
 41 2,000,000 (re. \$896,000)

42 sub-schedule

43 Medicare Rights Center 900,000
 44 Statewide Senior Action Network 400,000
 45 New York Legal Assistance Group 125,000
 46 Legal Aid Society of New York 125,000
 47 Selfhelp Community Services, Inc. .. 125,000

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Empire Justice Center 175,000
 2 Community Service Society 150,000

 3 For services and expenses, including transfer to the state office for
 4 the aging, for evidence based prevention programs
 5 100,000 (re. \$15,000)

 6 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 7 section 1, of the laws of 2007:
 8 For transfer to the office for the aging for the purpose of providing
 9 education, outreach, one-on-one counseling, monitoring of the imple-
 10 mentation of Medicare Part D, and assistance with drug appeals and
 11 fair hearings related to Medicare Part D coverage for persons who
 12 are eligible for medical assistance and who are also beneficiaries
 13 under Part D of title XVIII of the federal social security act and
 14 for participants of the elderly pharmaceutical insurance coverage
 15 program in accordance with the following sub- schedule
 16 2,000,000 (re. \$211,000)

 17 sub-schedule

 18 Medicare Rights Center 900,000
 19 Statewide Senior Action Network 400,000
 20 New York Legal Assistance Group 125,000
 21 Legal Aid Society of New York 125,000
 22 Selfhelp Community Services, Inc. .. 125,000
 23 Empire Justice Center 175,000
 24 Community Service Society 150,000

 25 MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

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

 28 By chapter 54, section 1, of the laws of 1998, as amended by chapter 54,
 29 section 1, of the laws of 2006:
 30 The amount appropriated herein may be used in all or in part for
 31 grants to those entities seeking certification to operate comprehen-
 32 sive HIV special needs plans to aid in the development of the
 33 systems, organizational structures and networks necessary to operate
 34 a managed care program and for entities contracted to participate in
 35 support of SNP development and for contractual services related to
 36 medical necessity and quality of care reviews for medicaid recipi-
 37 ents with HIV or who have AIDS enrolled in special needs plans.
 38 Subject to the approval of the director of budget, all or part of
 39 this appropriation may be transferred to the office of managed care,
 40 general fund - state purposes account
 41 30,000,000 (re. \$14,800,000)

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

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

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

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

28 Notwithstanding any inconsistent provision of law, in lieu of payments
29 authorized by the social services law, or payments of federal funds
30 otherwise due to the local social services districts for programs
31 provided under the federal social security act or the federal food
32 stamp act, funds herein appropriated, in amounts certified by the
33 state commissioner of temporary and disability assistance or the
34 state commissioner of health as due from local social services
35 districts each month as their share of payments made pursuant to
36 section 367-b of the social services law may be set aside by the
37 state comptroller in an interest-bearing account in order to ensure
38 the orderly and prompt payment of providers under section 367-b of
39 the social services law pursuant to an estimate provided by the
40 commissioner of health of each local social services district's
41 share of payments made pursuant to section 367-b of the social
42 services law ... 481,800,000 (re. \$325,000,000)

43 For reimbursement of administrative expenses of the medical assistance
44 program provided by the office of mental health, office of mental
45 retardation and developmental disabilities, and office of alcoholism
46 and substance abuse services provided pursuant to title XIX of the
47 federal social security act. The money hereby appropriated is avail-
48 able for payment of aid heretofore accrued and hereafter to accrue.
49 Notwithstanding any other provision of law, the money hereby appro-
50 priated may be increased or decreased by interchange with any other
51 appropriation of the department of health with the approval of the
52 director of budget ... 100,000,000 (re. \$30,000,000)

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

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

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

28 Notwithstanding any inconsistent provision of law, in lieu of payments
29 authorized by the social services law, or payments of federal funds
30 otherwise due to the local social services districts for programs
31 provided under the federal social security act or the federal food
32 stamp act, funds herein appropriated, in amounts certified by the
33 state commissioner of temporary and disability assistance or the
34 state commissioner of health as due from local social services
35 districts each month as their share of payments made pursuant to
36 section 367-b of the social services law may be set aside by the
37 state comptroller in an interest-bearing account in order to ensure
38 the orderly and prompt payment of providers under section 367-b of
39 the social services law pursuant to an estimate provided by the
40 commissioner of health of each local social services district's
41 share of payments made pursuant to section 367-b of the social
42 services law ... 481,800,000 (re. \$75,000,000)

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

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

47 The moneys hereby appropriated are to be available for payment of aid
48 heretofore accrued or hereafter to accrue to municipalities, and to
49 providers of medical services pursuant to section 367-b of the
50 social services law, shall be available to the department net of
51 disallowances, refunds, reimbursements, and credits. The amounts

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appropriated herein may be available for costs associated with a common benefit identification card, and subject to the approval of the director of the budget, these funds may be transferred to the credit of the state operations account medicaid management information systems program.

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

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

MEDICAL ASSISTANCE PROGRAM

GENERAL FUND / STATE OPERATIONS
STATE PURPOSES ACCOUNT - 003

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

Notwithstanding any inconsistent provision of law, subject to the approval of a plan by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred or SUBALLOCATED to the [office of temporary and disability assistance] STATE OFFICE FOR THE AGING for services and expenses related to making improvements in the long-term care system including long-term care restructuring, the nursing home transition and diversion waiver, and point-of-entry initiatives for the purpose of expanding and promoting a more coordinated level

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1 of care for the delivery of quality services in the community
 2 8,700,000 (re. \$8,700,000)

3 The appropriation made by chapter 54, section 1, of the laws of 2008, to
 4 the general fund / aid to localities, local assistance account -
 5 001, as transferred and amended by this act, and is further amended
 6 and reappropriated to read:

7 Notwithstanding any inconsistent provision of law, subject to the
 8 approval of a plan by the director of the budget, up to the amount
 9 appropriated herein, together with any available federal matching
 10 funds, may be transferred OR SUBALLOCATED to the [office of tempo-
 11 rary and disability assistance] STATE OFFICE FOR THE AGING for
 12 services and expenses related to making improvements in the longterm
 13 care system including long-term care restructuring, the nursing home
 14 transition and diversion waiver, and point-of-entry initiatives for
 15 the purpose of expanding and promoting a more coordinated level of
 16 care for the delivery of quality services in the community
 17 9,900,000 (re. \$8,372,000)

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

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 Ameri-
 30 can recovery and reinvestment act of 2009
 31 500,000 (re. \$500,000)

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

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

45 Notwithstanding any other provision of law, the money herein appropri-
 46 ated, together with any available federal matching funds, is avail-
 47 able for transfer or suballocation to the state university of New
 48 York and its subsidiaries, or to contract without competition for
 49 services with the state university of New York research foundation,

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 to provide support for the administration of the medical assistance
 2 program including activities such as dental prior approval, retro-
 3 spective and prospective drug utilization review, development of
 4 evidence based utilization thresholds, data analysis, clinical
 5 consultation and peer review, clinical support for the pharmacy and
 6 therapeutic committee, and other activities related to utilization
 7 management for the medicaid program
 8 6,000,000 (re. \$6,000,000)

9 The appropriation made by chapter 54, section 1, of the laws of 2009, is
 10 hereby amended by transferring \$8,700,000 to the general fund /
 11 state operations, state purposes account - 003, and is further
 12 amended and reappropriated to read:

13 Notwithstanding any inconsistent provision of law, subject to the
 14 approval of a plan by the director of the budget, up to the amount
 15 appropriated herein, together with any available federal matching
 16 funds, may be transferred to the [general fund - state purposes
 17 account or suballocated to the state office for the aging] OFFICE OF
 18 TEMPORARY AND DISABILITY ASSISTANCE for services and expenses
 19 related to making improvements in the long-term care system includ-
 20 ing long-term care restructuring, the nursing home transition and
 21 diversion waiver, and point-of-entry initiatives for the purpose of
 22 expanding and promoting a more coordinated level of care for the
 23 delivery of quality services in the community
 24 [16,000,000] 7,300,000 (re. \$7,300,000)

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

26 Notwithstanding any inconsistent provision of law, subject to a plan
 27 developed by the commissioner of health and approved by the director
 28 of the budget, up to the amount appropriated herein, together with
 29 any available federal matching funds, will be available for demon-
 30 strations that develop and evaluate interventions targeted at medi-
 31 caid beneficiaries who are otherwise exempt or excluded from manda-
 32 tory Medicaid managed care and who have multiple comorbidities.

33 Notwithstanding section 112 and section 163 of the state finance law,
 34 for chronic illness demonstration projects authorized by section
 35 364-1 of the social services law, the commissioner of health may
 36 allocate up to \$2,500,000 of the amount appropriated for contracts
 37 without a request for proposal process or any other competitive
 38 process ... 6,000,000 (re. \$6,000,000)

39 The appropriation made by chapter 54, section 1, of the laws of 2008, is
 40 hereby amended by transferring \$9,900,000 to the general fund /
 41 state operations, state purposes account - 003, and is further
 42 amended and reappropriated to read:

43 Notwithstanding any inconsistent provision of law, subject to the
 44 approval of a plan by the director of the budget, up to the amount
 45 appropriated herein, together with any available federal matching
 46 funds, may be transferred to the [general fund - state purposes
 47 account or suballocated to the state office for the aging] OFFICE OF
 48 TEMPORARY AND DISABILITY ASSISTANCE for services and expenses
 49 related to making improvements in the longterm care system including

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1 long-term care restructuring, the nursing home transition and diver-
 2 sion waiver, and point-of-entry initiatives for the purpose of
 3 expanding and promoting a more coordinated level of care for the
 4 delivery of quality services in the community
 5 [16,000,000] 6,100,000 (re. \$4,707,000)

6 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 7 section 1, of the laws of 2009:

8 Notwithstanding any inconsistent provision of law, subject to the
 9 approval of a plan by the director of the budget, up to the amount
 10 appropriated herein, together with any available federal matching
 11 funds, may be transferred to the general fund - state purposes
 12 account or suballocated to the state office for the aging for
 13 services and expenses related to making improvements in the long-
 14 term care system including long-term care restructuring, the nursing
 15 home transition and diversion waiver, and point-of-entry initiatives
 16 for the purpose of expanding and promoting a more coordinated level
 17 of care for the delivery of quality services in the community
 18 14,800,000 (re. \$2,600,000)

19 Special Revenue Funds - Federal / Aid to Localities
 20 Federal Health and Human Services Fund - 265
 21 Medicaid Direct Account

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

23 For services and expenses of the medical assistance program including
 24 hospital outpatient and emergency room services
 25 701,525,000 (re. \$701,525,000)
 26 For services and expenses of the medical assistance program including
 27 clinic services ... 791,900,000 (re. \$791,900,000)
 28 For services and expenses of the medical assistance program including
 29 managed care services ... 3,750,666,000 (re. \$3,750,666,000)
 30 For services and expenses of the medical assistance program including
 31 pharmacy services.

32 Notwithstanding any inconsistent provision of law, rule or regulation
 33 to the contrary, for the period April 1, 2009 through March 31,
 34 2010, the commissioner of health is authorized to negotiate directly
 35 with pharmaceutical manufacturers for rebates under the medical
 36 assistance program and to enter into a contract or contracts with
 37 qualified entities for such purpose, which contract or contracts may
 38 be entered into without a competitive bid or request for proposal
 39 process, notwithstanding any inconsistent provision of sections 112
 40 and 163 of the state finance law, or section 142 of the economic
 41 development law, or any other law; provided, however, if this chap-
 42 ter appropriates sufficient additional funds to preclude such direct
 43 negotiation and such contracting, then the provisions of this para-
 44 graph shall not apply and shall be considered null and void as of
 45 February 28, 2009.

46 Notwithstanding any inconsistent provision of law, rule or regulation
 47 to the contrary, for the period September 1, 2009 through March 31,
 48 2010, for purposes of medical assistance coverage, "step therapy"
 49 shall mean the practice of beginning drug therapy for a medical

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1 condition with the most medically appropriate and cost effective
2 therapy and progressing to other drugs as medically necessary;
3 provided that the commissioner, through the prospective drug utili-
4 zation review program, as established in section 369-aa of the
5 social services law, is authorized to require step therapy when
6 there is more than one drug appropriate to treat a medical condi-
7 tion; and provided further that the drug utilization review board,
8 as established in section 369-cc of the social services law, shall
9 recommend guidelines, which consider clinical effectiveness, safety,
10 and cost effectiveness, for specific diagnoses and therapy regimens
11 within which practitioners may prescribe drugs without the require-
12 ment for prior authorization of those drugs; provided, however, if
13 this chapter provides sufficient additional funding to cover the
14 costs of drugs which are dispensed without regard to the step thera-
15 py method described herein, then the provisions of the section shall
16 be deemed null and void as of February 28, 2009.

17 Notwithstanding any inconsistent provision of law, rule or regulation
18 to the contrary, for the period September 1, 2009 through March 31,
19 2010, for purposes of medical assistance coverage, the commissioner
20 is authorized to limit the amount, frequency and duration of drug
21 therapy through prior authorization as part of the drug utilization
22 review program established under title 11-C of article 5 of the
23 social services law; provided, however, that clinical prescribing
24 guidelines relating to the quantity, frequency and duration of drug
25 therapy will be developed by the drug utilization review board for
26 the commissioner's use in determining when to require prior authori-
27 zation of drugs in the drug utilization review program, and provided
28 further that exceptions to any prior authorization imposed as a
29 result of these guidelines shall include, but need not be limited
30 to, provision for emergency circumstances where a medical condition
31 requires alleviation of severe pain or which threatens to cause
32 disability or to take a life if not promptly treated; provided
33 further, however, if this chapter provides sufficient additional
34 funding to cover the costs of drugs prescribed without the limita-
35 tions as to amount, frequency and duration described herein, then
36 the provisions of this section shall be null and void as of February
37 28, 2009.

38 Notwithstanding any inconsistent provision of law, rule or regulation
39 to the contrary, for the period September 1, 2009 through March 31,
40 2010, the commissioner is authorized to deny reimbursement under the
41 medical assistance program for a generic equivalent drug, including
42 a generic equivalent that is on the preferred drug list or the clin-
43 ical drug review program, when the net cost of the brand name
44 prescription drug, after consideration of all rebates, is less than
45 the cost of the generic equivalent; provided further that the copay-
46 ment charged for each such brand name prescription drug shall be \$1
47 and the dispensing fee for each such brand name prescription drug
48 shall be \$4.50.

49 Notwithstanding any inconsistent provision of law, rule or regulation
50 to the contrary, for the period April 1, 2009 through March 31,
51 2010, for the purposes of providing reimbursement under the medical
52 assistance program, and subject to obtaining all necessary approvals

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1 under federal law and regulation to receive federal financial
 2 participation in the costs of services described herein, the commis-
 3 sioner of health is authorized to pay financial incentives to
 4 prescribing practitioners and to pharmacies for the purpose of
 5 encouraging the use of electronic prescriptions for drugs for which
 6 payments are made under this subdivision; provided that such
 7 payments shall be in the following amounts: for prescribing practi-
 8 tioners, eighty cents per dispensed electronic prescription; for
 9 dispensing pharmacies, twenty cents per dispensed electronic
 10 prescription; provided, however, that electronic prescribing soft-
 11 ware shall not use any means or permit any other person to use any
 12 means, including, but not limited to, advertising, instant messag-
 13 ing, and pop-up ads, to influence or attempt to influence, through
 14 economic incentives or otherwise, the prescribing decision of a
 15 prescribing practitioner at the point of care and that such means
 16 shall not be triggered or in specific response to the input,
 17 selection, or act of a prescribing practitioner or his or her agent
 18 in prescribing a certain pharmaceutical or directing a patient to a
 19 certain pharmacy. Provided however that if this chapter provides
 20 sufficient additional funding to eliminate financial incentives to
 21 prescribing practitioners and to pharmacies for the purpose of
 22 encouraging the use of electronic prescriptions for drugs for which
 23 payments are made under this subdivision, then the provisions of
 24 this section shall be deemed null and void as of February 28, 2009
 25 2,028,383,000 (re. \$2,028,383,000)
 26 For services and expenses of the medical assistance program including
 27 transportation services ... 248,049,000 (re. \$248,049,000)
 28 For services and expenses of the medical assistance program including
 29 dental services ... 146,434,000 (re. \$146,434,000)
 30 For services and expenses of the medical assistance program including
 31 noninstitutional and other spending
 32 4,002,369,000 (re. \$4,002,369,000)
 33 For services and expenses of the medical assistance program including
 34 a series of targeted chronic illness demonstration projects.
 35 Notwithstanding section 112 and section 163 of the state finance law,
 36 for chronic illness demonstration projects authorized by section
 37 364-1 of the social services law, the commissioner of health may
 38 allocate up to \$2,500,000 of the amount appropriated for contracts
 39 without a request for proposal process or any other competitive
 40 process ... 6,000,000 (re. \$6,000,000)
 41 Notwithstanding any other provision of law, the money herein appropri-
 42 ated, together with any available federal matching funds, is avail-
 43 able for transfer or suballocation to the state university of New
 44 York and its subsidiaries, or to contract without competition for
 45 services with the state university of New York research foundation,
 46 to provide support for the administration of the medical assistance
 47 program including activities such as dental prior approval, retro-
 48 spective and prospective drug utilization review, development of
 49 evidence based utilization thresholds, data analysis, clinical
 50 consultation and peer review, clinical support for the pharmacy and
 51 therapeutic committee, and other activities related to utilization

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1 management for the medicaid program
2 6,000,000 (re. \$6,000,000)
3 For services and expenses of the medical assistance program including
4 medical services provided at state facilities operated by the office
5 of mental health, the office of mental retardation and developmental
6 disabilities and the office of alcoholism and substance abuse
7 services ... 3,200,000,000 (re. \$3,200,000,000)

8 By chapter 53, section 1, of the laws of 2009, as amended by chapter
9 502, section 4, of the laws of 2009:

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

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

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

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

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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 coun-
13 seling support services to children, for home health care services
14 provided pursuant to article 36 of the public health law by certi-
15 fied home health agencies and long term home health care programs,
16 and personal care services provided pursuant to paragraph (e) of
17 subdivision 2 of section 365-a of the social services law, and
18 including rates of payment for assisted living program services, the
19 commissioner of health shall reflect zero trend factor projections
20 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 coun-
33 seling support services to children, for home health care services
34 provided pursuant to article 36 of the public health law by certi-
35 fied home health agencies and long term home health care programs,
36 and personal care services provided pursuant to paragraph (e) of
37 subdivision 2 of section 365-a of the social services law, including
38 personal care services provided in those local social service
39 districts, including New York city, whose rates of payment for such
40 services are established by such local social service districts
41 pursuant to a rate-setting exemption issued by the commissioner of
42 health to such local social service districts in accordance with
43 applicable regulations, and including rates of payment for assisted
44 living program services, shall reflect zero trend factor projections
45 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 inpa-
52 tient services with regard to discharges occurring on and after

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- December 1, 2009 through March 31, 2010, shall be in accordance with the following:
- (a) For periods on and after December 1, 2009 through March 31, 2010, the operating cost component of such rates of payment shall reflect the use of 2005 operating costs as reported by each facility to the department of health prior to December 1, 2008 and as otherwise computed in accordance with the provisions of this section and shall be in accordance with the following:
 - (i) The computation of a case mix neutral statewide base price applicable to each rate period, but excluding adjustments for graduate medical education costs, high cost outlier costs and cost related to patient transfers, and as may be periodically adjusted to reflect changes in provider coding patterns and case-mix; and
 - (ii) Only those 2005 base year costs which relate to the cost of services provided to medicaid inpatients, as determined by the applicable ratio of costs to charges methodology, shall be utilized for rate-setting and case-mix purposes;
 - (iii) Such rates shall reflect the application of hospital specific wage equalization factors and power equalization factors reflecting differences in wage rates and utility costs;
 - (iv) Such rates shall reflect the utilization of the all patient refined (APR) case mix methodology, utilizing diagnostic related groups with assigned weights that incorporate differing levels of severity of patient condition and the associated risk of mortality, and as may be periodically updated by the commissioner of health;
 - (v) Such regulations may incorporate quality related measures pertaining to potentially preventable complications and readmissions;
 - (vi) Such regulations shall address adjustments based on the costs of high cost outlier patients;
 - (vii) Such rates shall continue to reflect trend factor adjustments as otherwise provided in paragraph (c) of subdivision 10 of section 2807-c of the public health law;
 - (viii) Such rates shall not include any adjustments pursuant to subdivision 9 of section 2807-c of the public health law;
 - (ix) Rates for non-public, not-for-profit general hospitals which have not, as of the effective date of this section, published an ancillary charges schedule as provided in paragraph (j) of subdivision 1 of section 2803 of the public health law shall have their inlier payments increased by an amount equal to the statewide average of cost outlier payments as determined by such regulations;
 - (x) Administrative rate appeals shall be permitted only with regard to: (A) the correction of computational errors or omissions of data, including with regard to the hospital specific computations pertaining to graduate medical education, wage equalization factor adjustments and power equalization factor adjustments, and (B) capital cost reimbursement.
 - (xi) Rates for teaching general hospitals shall include reimbursement for direct and indirect graduate medical education and the commissioner of health shall specify the reports and information required to assess the cost, quality and health system needs for medical education provided; and

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- (b) The provisions of this section shall not apply to those general hospitals or distinct units of general hospitals whose inpatient reimbursement does not, as of November 30, 2009, reflect case-based payments per diagnosis related group; and
- (c) Notwithstanding section 112 or 163 of the state finance law or any other law, rule or regulation to the contrary, the commissioner of health may contract with a vendor for consideration to develop the specifications for the diagnosis-related groups methodology as provided for in this section if the commissioner of health certifies to the state comptroller that such contract is in the best interest of the health of the people of the state. Notwithstanding that such specifications shall be available pursuant to article 6 of the public officers law, such contract may provide that the specifications for such adjusted or additional diagnosis-related groups provided by the vendor shall be subject to copyright protection pursuant to federal copyright law; and
- (d) Notwithstanding any inconsistent provision of this section or any other contrary provision of law, the commissioner of health may, for rate periods on and after July 1, 2009 through March 31, 2010, and subject to the availability of federal financial participation, make additional adjustments of up to \$33,500,000 in aggregate to the inpatient rates of payment of eligible general hospitals, to facilitate improvements in hospital operations and finances, in accordance with the following:
- (i) Such payments shall be available to non-public hospitals which, as determined by the commissioner of health, experience a reduction in their medicaid inpatient revenue as determined by the commissioner of health, as a result of the application of the provisions of paragraph (a) of this section.
- (ii) Such payments shall be allocated based on each eligible facility's relative need as determined by the commissioner of health.
- (iii) Such payments shall not be subject to retroactive adjustment or reconciliation and may be added to rates of payment or made as lump sum payments.
- (iv) Each hospital receiving such payments shall, as a condition for eligibility for such payments, adopt a resolution of the board of directors of each such hospital setting forth its current financial condition and a plan for reforming and improving such financial condition, including ongoing board oversight, provided, however, if such report is not issued and adopted by each such board of directors, or if such report fails to set forth adequate progress, as determined by the commissioner of health, the commissioner of health may deem such facility ineligible for further such payments and may redistribute such further payments to other eligible facilities in accordance with the provisions of this paragraph. The commissioner of health shall be provided with copies of all such resolutions and reports; and
- (e) Inpatient rate adjustments made pursuant to paragraphs (a) through (c) of this section shall result in a net statewide decrease in aggregate medicaid payments of no less than \$75,000,000 for the period December 1, 2009 through March 31, 2010; and

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- (f) If the commissioner of health determines that federal financial participation will not be available with regard to the provisions of paragraph (d)(ii) herein, the commissioner of health may deem such provision null and void and instead may allocate payments proportionally, based on each eligible facility's relative share of medicated inpatient discharges in the year two years prior to the distribution year; and
- (g) Provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospital inpatient services using the methodology in existence on February 28, 2009 as set forth in section 2807-c of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009.
- Notwithstanding any inconsistent provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, rates of payment by governmental agencies for general hospitals which are certified by the office of alcoholism and substance abuse services to provide inpatient detoxification and withdrawal services and, with regard to inpatient services provided to patients who are determined to be in diagnosis-related groups numbered 743, 744, 745, 746, 747, 748, 749, 750, or 751, shall be made on a per diem basis in accordance with the following:
- (a) For each of the regions within the state as described in paragraph (e) of this section the commissioner of health shall determine the average per diem cost incurred by general hospitals in that region subject to the provisions of this section with regard to inpatients requiring medically managed detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services. In determining such costs the commissioner of health shall utilize 2006 costs and statistics as reported by such hospitals to the department of health prior to 2008; and
- (b) Per diem payments for inpatients requiring medically managed inpatient detoxification services shall reflect 100 percent of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located and as trended forward to adjust for inflation, provided however, that such payments shall be reduced by 50 percent for any such services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on or after the eleventh day; and
- (c) Per diem payments for inpatients requiring medically supervised inpatient detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 37.5 percent of the operating cost component of the rates of payment effective December 31, 2007 and 62.5 percent of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located for the period April 1, 2009 through December 31, 2009, and as trended forward to adjust for inflation, and shall reflect 75 percent of such per diem amounts for periods on and after January 1, 2010 through March 31, 2010, as trended forward to adjust for

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- 1 inflation, provided, however, that such payments shall be reduced by
2 50 percent for any services provided on or after the sixth day of
3 services through the tenth day of services, and further provided
4 that no payments shall be made for any services provided on and
5 after the eleventh day; and
- 6 (d) Per diem payments for inpatients placed in observation beds, as
7 defined by applicable regulations promulgated by the office of alco-
8 holism and substance abuse services, shall be at the same level as
9 would be paid pursuant to paragraph (a) of this section, provided,
10 however, that such payments shall not apply for more than two days
11 of care, after which payments for such inpatients shall reflect
12 their designation as requiring either medically managed detoxifica-
13 tion services or medically supervised withdrawal services, and
14 further provided that days of care provided in such observation beds
15 shall, for reimbursement purposes, be fully reflected in the compu-
16 tation of the initial five days of care as set forth in paragraphs
17 (a) and (b) of this section; and
- 18 (e) For the purposes of this paragraph, the regions of the state shall
19 be as follows:
- 20 (i) New York city, consisting of the counties of Bronx, New York,
21 Kings, Queens and Richmond;
- 22 (ii) Long Island, consisting of the counties of Nassau and Suffolk;
- 23 (iii) Northern metropolitan, consisting of the counties of Columbia,
24 Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and
25 Westchester;
- 26 (iv) Northeast, consisting of the counties of Albany, Clinton, Essex,
27 Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenec-
28 tady, Schoharie, Warren and Washington;
- 29 (v) Utica/Watertown, consisting of the counties of Franklin, Herkimer,
30 Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison
31 and Oneida
- 32 (vi) Central, consisting of the counties of Broome, Cayuga, Chemung,
33 Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins,
- 34 (vii) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and
35 Yates;
- 36 (viii) Western, consisting of the counties of Allegany, Cattaraugus,
37 Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming.
- 38 (f) Provided, however, if this chapter appropriates sufficient addi-
39 tional funds to support payments for hospital inpatient detoxifica-
40 tion services using the methodology in existence on February 28,
41 2009 as set forth in section 2807-c(4)(1) of the public health law,
42 the provisions of this section shall not apply and shall be consid-
43 ered null and void as of February 28, 2009.
- 44 Notwithstanding any inconsistent provision of paragraph (e) of subdi-
45 vision 4 of section 2807-c of the public health law or any other
46 contrary provision of law and subject to the availability of federal
47 financial participation, the operating cost component of per diem
48 rates of payment by governmental agencies for inpatient services
49 provided by a general hospital or a distinct unit of a general
50 hospital for services, as described below, that would otherwise be
51 subject to the provisions of paragraph (e) of subdivision 4 of
52 section 2807-c of the public health law, shall, with regard to days

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- 1 of service occurring on and after December 1, 2009 through March 31,
2 2010, be in accord with the following:
- 3 (a) For physical medical rehabilitation services and for chemical
4 dependency rehabilitation services, such rates shall reflect the use
5 of 2005 operating costs for each respective category of services as
6 reported by each facility to the department of health prior to
7 December 1, 2008 and as adjusted for inflation pursuant to paragraph
8 (c) of subdivision 10 of section 2807-c of the public health law, as
9 otherwise modified by any applicable statute, provided, however,
10 that such 2005 reported operating costs shall, for rate-setting
11 purposes, be held to a ceiling of 110 percent of the average of such
12 reported costs in the region in which the facility is located, as
13 determined pursuant to clause (E) of subparagraph (iii) of paragraph
14 (l) of subdivision 4 of section 2807-c of the public health law; and
- 15 (b) For services provided by rural hospitals designated as critical
16 access hospitals in accordance with title XVIII of the federal
17 social security act, such rates shall reflect the use of 2005 oper-
18 ating costs as reported by each facility to the department of health
19 prior to December 1, 2008 and as adjusted for inflation pursuant to
20 paragraph (c) of subdivision 10 of section 2807-c of the public
21 health law, as otherwise modified by any applicable statutes,
22 provided, however, that such 2005 reported operating costs shall,
23 for rate-setting purposes, be held to a ceiling of 110 percent of
24 the average of such reported costs for all such designated hospitals
25 statewide; and
- 26 (c) For inpatient services provided by specialty long term acute care
27 hospitals and for inpatient services provided by cancer hospitals as
28 so designated as of December 31, 2008, such rates shall reflect the
29 use of 2005 operating costs for each respective category of facility
30 as reported by each facility to the department of health prior to
31 December 1, 2008 and as adjusted for inflation pursuant to paragraph
32 (c) of subdivision 10 of section 2807-c of the public health law, as
33 otherwise modified by any applicable statutes; and
- 34 (d) For facilities designated by the federal department of health and
35 human services as exempt acute care children's hospitals, for which
36 a discrete institutional cost report was filed for the 2006 calendar
37 year, and which has reported medicaid discharges greater than 50
38 percent of total discharges in such cost report, such rates shall
39 reflect the use of 2006 operating costs as reported by each facility
40 to the department of health prior to December 1, 2008 and as
41 adjusted for inflation pursuant to paragraph (c) of subdivision 10
42 of section 2807-c of the public health law, as otherwise modified by
43 any applicable statutes, and as determined on a per case basis or
44 per diem basis, as set forth in regulations promulgated by the
45 commissioner of health; and
- 46 (e) Rates established pursuant to this section shall be deemed as
47 excluding reimbursement for physician services for inpatient
48 services and claims for medicaid fee payments for such physician
49 services for such inpatient care may be submitted separately from
50 the rate in accordance with otherwise applicable law; and
- 51 (f) Such rates of payment pursuant to this section for a general
52 hospital or distinct unit of a general hospital without adequate

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cost experience shall be based on the lower of the facility's or unit's inpatient budgeted operating costs per day, adjusted to actual, or the applicable regional ceiling, if any; and

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

4,590,302,000 (re. \$4,590,302,000)

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

Notwithstanding any contrary provision of law, for the period April 1, 2009 through March 31, 2010, for rates of payment by government agencies for inpatient services provided by residential health care facilities, in determining the operating component of a facility's rate for care provided for an AIDS patient in a residential health care facility designated as an AIDS facility or having a discrete AIDS unit, the operating component of such rates shall not reflect an occupancy factor increase

3,924,050,000 (re. \$3,924,050,000)

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

3,014,989,000 (re. \$3,014,989,000)

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

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

4,816,106,000 (re. \$2,316,106,000)

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

671,764,000 (re. \$371,764,000)

For services and expenses of the medical assistance program including clinic services ... 792,156,000 (re. \$392,156,000)

For services and expenses of the medical assistance program including pharmacy services ... 1,620,653,000 (re. \$620,653,000)

For services and expenses of the medical assistance program including transportation services ... 213,019,000 (re. \$153,019,000)

For services and expenses of the medical assistance program including dental services ... 150,776,000 (re. \$80,776,000)

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

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

Notwithstanding any other provision of law, the money herein appropriated, together with any available federal matching funds, is available for transfer or suballocation to the state university of New

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1 York and its subsidiaries, or to contract without competition for
 2 services with the state university of New York research foundation,
 3 to provide support for the administration of the medical assistance
 4 program including activities such as dental prior approval, retro-
 5 spective and prospective drug utilization review, development of
 6 evidence based utilization thresholds, data analysis, clinical
 7 consultation and peer review, clinical support for the pharmacy and
 8 therapeutic committee, and other activities related to utilization
 9 management for the medicaid program
 10 4,000,000 (re. \$4,000,000)
 11 For services and expenses of the medical assistance program including
 12 medical services provided at state facilities operated by the office
 13 of mental health, the office of mental retardation and developmental
 14 disabilities and the office of alcoholism and substance abuse
 15 services ... 2,700,000,000 (re. \$1,100,000,000)

16 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,
 17 section 3, of the laws of 2009:
 18 For services and expenses of the medical assistance program including
 19 nursing home services ... 3,615,247,000 (re. \$2,287,247,000)
 20 For services and expenses of the medical assistance program related to
 21 residential health care facility rate increases for recruitment and
 22 retention of health care workers ... 12,000,000 .. (re. \$12,000,000)

23 By chapter 54, section 1, of the laws of 2008, as amended by chapter
 24 496, section 5, of the laws of 2008:
 25 For services and expenses for the medical assistance program, includ-
 26 ing administrative expenses for local social services districts,
 27 pursuant to title XIX of the federal social security act or its
 28 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, and for payment of state aid to municipalities
 33 and to providers of family care where payment systems through the
 34 fiscal intermediaries are not operational, shall be available to the
 35 department net of disallowances, refunds, reimbursements, and cred-
 36 its.
 37 Notwithstanding any other provision of law, the money hereby appropri-
 38 ated may be increased or decreased by interchange, with any appro-
 39 priation of the department of health and the office of medicaid
 40 inspector general and may be increased or decreased by transfer or
 41 suballocation between these appropriated amounts and appropriations
 42 of the office of mental health, office of mental retardation and
 43 developmental disabilities, the office of alcoholism and substance
 44 abuse services, the department of family assistance office of tempo-
 45 rary and disability assistance, office of children and family
 46 services, and state office for the aging with the approval of the
 47 director of the budget, who shall file such approval with the
 48 department of audit and control and copies thereof with the chairman
 49 of the senate finance committee and the chairman of the assembly
 50 ways and means committee.

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

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

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1 not apply and shall be considered null and void as of March 31,
2 2008.

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

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

26 Notwithstanding any inconsistent provision of law, rule or regulation
27 to the contrary, for the period April 1, 2008 through March 31,
28 2009, and subject to federal financial participation, the commis-
29 sioner of health is authorized to establish a medication therapy
30 management pilot program in one or more counties or regions of the
31 state for the purpose of improving compliance with drug therapies
32 and improving clinical outcomes. Payments under such program may be
33 made to retail pharmacies for the provision of one-on-one medication
34 regimen counseling services for persons determined by the commis-
35 sioner to be eligible to receive such services. The commissioner is
36 authorized to establish fees for such counseling services, subject
37 to the approval of the director of the division of the budget;
38 provided, however, if this chapter appropriates sufficient addi-
39 tional funds to eliminate the medication therapy management pilot
40 program then the provisions of this paragraph shall not apply and
41 shall be considered null and void as of March 31, 2008.

42 Notwithstanding any inconsistent provision of law, rule or regulation
43 to the contrary, for the period July 1, 2008 through March 31, 2009,
44 medical assistance payment for drugs which may not be dispensed
45 without a prescription shall be made at the following amounts: if
46 the drug dispensed is a multiple source prescription drug or a
47 brand-name prescription drug for which no specific upper limit has
48 been set by the federal centers for medicare and medicaid services,
49 the lower of the estimated acquisition cost of such drug to pharma-
50 cies, or the dispensing pharmacy's usual and customary price charged
51 to the general public; for sole and multiple source brand name
52 drugs, estimated acquisition cost means the average wholesale price

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1 of a prescription drug based upon the package size dispensed from,
2 as reported by the prescription drug pricing service used by the
3 department of health, less 17 percent thereof, and updated monthly
4 by the department; if the drug dispensed is a multiple source
5 prescription drug for which an upper limit has been set by the
6 federal centers for medicare and medicaid services, the lower of:
7 (A) an amount equal to the specific upper limit set by such federal
8 agency for the multiple source prescription drug; (B) the estimated
9 acquisition cost of such drug to pharmacies which, for this purpose,
10 shall mean the average wholesale price of a prescription drug based
11 on the package size dispensed from, as reported by the prescription
12 drug pricing service used by the department, less 25 percent there-
13 of; (C) the maximum acquisition cost, if any, established pursuant
14 to paragraph (e) of subdivision 9 of section 367-a of the social
15 services law; or (D) the dispensing pharmacy's usual and customary
16 price charged to the general public.

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

40 Notwithstanding any inconsistent provision of law, rule or regulation
41 to the contrary, for the period October 1, 2008 through March 31,
42 2009, the following services shall not be exempt from the system of
43 utilization controls authorized by section 365-g of the social
44 services law for the medical assistance program: mental health
45 continuing treatment, day treatment, partial hospitalization, and
46 intensive psychiatric rehabilitative treatment services provided
47 pursuant to paragraph (c) of subdivision 2 of section 365-a of the
48 social services law; alcoholism services and substance abuse
49 services provided in clinics certified under article 28 of the
50 public health law or article 22 or article 31 of the mental hygiene
51 law; services performed by an article 28 hospital or diagnostic and
52 treatment center on an ambulatory basis upon the order of a quali-

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1 fied practitioner to test, diagnose or treat the recipient; and
2 psychiatric services and anesthesiology services provided by a
3 physician; provided, however, if this chapter appropriates suffi-
4 cient additional funds to support the exemptions from the system of
5 utilization controls authorized by section 365-g of the social
6 services law in existence prior to March 31, 2008 then the
7 provisions of this paragraph shall not apply and shall be considered
8 null and void as of March 31, 2008.

9 Notwithstanding any contrary provision of law, and contingent upon the
10 availability of federal financial participation, for the period July
11 1, 2008 through March 31, 2009, for the purpose of establishing the
12 operating cost component of case based rates of payments by govern-
13 mental agencies for general hospital inpatient services, with 75
14 percent of such rates reflecting the operating cost component of
15 rates of payment effective for December 31, 2007, as adjusted for
16 inflation by application of 75 percent of the inflation adjustment
17 attributed to the period January 1, 2008 through December 31, 2008
18 computed pursuant to paragraph (c) of subdivision 10 of section
19 2807-c of the public health law and with 25 percent of such rates
20 reflecting the use of 2005 operating costs as reported by each
21 general hospital to the department of health prior to 2008 and as
22 computed in accordance with the following:

- 23 (a) 100 percent of such rates shall be based on each general hospi-
24 tal's group category average inpatient reimbursable operating cost
25 per discharge (price) determined in accordance with subdivision 7 of
26 section 2807-c of the public health law; and
27 (b) only those 2005 base year costs which relate to the cost of
28 services provided to Medicaid inpatients, as determined by the
29 applicable ratio of costs to charges methodology, shall be utilized
30 for ratesetting process, provided, however, that the costs of
31 providing services to inpatients enrolled in medicaid managed care
32 plans or in the family health plus program shall be excluded from
33 such ratesetting computations; and
34 (c) for the purposes of adjusting such rates to account for inflation
35 from the 2005 base period, the adjustment factor methodology set
36 forth in paragraph (c) of subdivision 10 of section 2807-c of the
37 public health law, as reduced by 25 percent, with regard to trend
38 projections attributable to the period January 1, 2008 through
39 December 31, 2008 shall be utilized, provided, however, that for
40 inflation attributable to the period January 1, 2006 through Decem-
41 ber 31, 2007, the adjustment methodology utilized shall be the
42 hospital inpatient medicare market basket methodology as described
43 in applicable federal regulations and effective for periods from
44 October 1, 2005 through September 30, 2007; and
45 (d) such rates shall be deemed as excluding reimbursement for physi-
46 cian services for inpatient services and claims for medicaid fee
47 payments for such physician services for such inpatient care may be
48 submitted separately from such rates in accordance with otherwise
49 applicable law; provided, however, if this chapter appropriates
50 sufficient additional funds to support payments for general hospital
51 inpatient services using the methodology in existence on June 30,
52 2008 as set forth in section 2807-c of the public health law the

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

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- 1 tation of the initial five days of care as set forth in subdivisions
 2 (b) and (c) of this section; and
 3 (e) for the purposes of this section, the regions of the state shall
 4 be as follows:
 5 (A) New York City, consisting of the counties of Bronx, New York,
 6 Kings, Queens and Richmond;
 7 (B) Long Island, consisting of the counties of Nassau and Suffolk;
 8 (C) Northern metropolitan, consisting of the counties of Columbia,
 9 Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and
 10 Westchester;
 11 (D) Northeast, consisting of the counties of Albany, Clinton, Essex,
 12 Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenec-
 13 tady, Schoharie, Warren and Washington;
 14 (E) Utica/Watertown, consisting of the counties of Franklin, Herkimer,
 15 Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison
 16 and Oneida;
 17 (F) Central, consisting of the counties of Broome, Cayuga, Chemung,
 18 Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;
 19 (G) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and
 20 Yates;
 21 (H) Western, consisting of the counties of Allegany, Cattaraugus,
 22 Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming; provided,
 23 however, if this chapter appropriates sufficient additional funds to
 24 support payments for general hospitals which are certified by the
 25 office of alcoholism and substance abuse services to provide inpa-
 26 tient detoxification services and withdrawal services using the
 27 methodology in existence on March 31, 2008 as set forth in section
 28 2807-c of the public health law the provisions of this paragraph
 29 shall not apply and shall be considered null and void as of March
 30 31, 2008.
- 31 Notwithstanding any inconsistent provision of law, rule or regulation
 32 to the contrary and contingent on the availability of federal finan-
 33 cial participation, for the period commencing July 1, 2008 through
 34 March 31, 2009, up to \$60,000,000 of this appropriation, subject to
 35 the approval of the director of the budget, will be available for
 36 the purpose of increasing outpatient medical assistance rates of
 37 payment for general hospital outpatient services, general hospital
 38 emergency services, and ambulatory surgery services provided by a
 39 hospital as defined by subdivision 1 of section 2801 of the public
 40 health law.
- 41 Notwithstanding any inconsistent provision of law, rule or regulation
 42 to the contrary and contingent on the availability of federal finan-
 43 cial participation, for the period commencing July 1, 2008 through
 44 March 31, 2009, up to \$24,000,000 of this appropriation, subject to
 45 the approval of the director of the budget, will be available for
 46 the purpose of increasing medical assistance reimbursement for
 47 physician services, diagnostic and treatment centers, and funding
 48 for primary care enhancements.
- 49 Notwithstanding any inconsistent provision of law, rule or regulation,
 50 in determining rates of payment made by state governmental agencies
 51 effective for services provided on and after April 1, 2008 through
 52 March 31, 2009, for inpatient and outpatient services provided by

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1 general hospitals and for inpatient services and adult day health
2 care outpatient services provided by residential health care facili-
3 ties pursuant to article 28 of the public health law, except for
4 residential health care facilities that provide extensive nursing,
5 medical, psychological and counseling support services to children,
6 for home health care services provided pursuant to article 36 of the
7 public health law by certified home health agencies and long term
8 home health care programs, other than for services provided to home
9 care patients diagnosed with AIDS as determined by applicable regu-
10 lations, and personal care services provided pursuant to section
11 365-a (2)(e) of the social services law, the commissioner of health
12 shall apply a trend factor projection equal to 65 percent of the
13 otherwise applicable trend factor projection attributable to the
14 period January 1, 2008 through December 31, 2008 in accordance with
15 paragraph (c) of subdivision 10 of section 2807-c of the public
16 health law; provided, however, the trend factor methodology set
17 forth in this section shall not be applicable to rates of payment
18 made by state governmental agencies for general hospital inpatient
19 services for discharges occurring on and after July 1, 2008 through
20 March 31, 2009, insofar as such rates of payment are based on
21 reported 2005 base year costs and insofar as such trend projections
22 pertain to inflation attributable to the period January 1, 2006
23 through December 31, 2007.

24 Notwithstanding any contrary provision of law, for the period April 1,
25 2008 through March 31, 2009, the operating cost component of rates
26 of payment by governmental agencies for inpatient services provided
27 by residential health care facilities shall reflect the operating
28 cost component of rates effective for October 1, 2006 for each
29 facility, as adjusted for inflation by application of 75 percent of
30 the inflation factor attributed to the period January 1, 2008
31 through December 31, 2008 computed in accordance with paragraph (c)
32 of subdivision 10 of section 2807-c of the public health law,
33 provided, however, that such rates shall be further adjusted by a
34 per diem add-on amount, as determined by the commissioner of health,
35 reflecting the proportional amount of each facility's projected
36 medicaid benefit to the total projected medicaid benefit for all
37 facilities of the imputed use of the rate-setting methodology set
38 forth in paragraph (b) of subdivision 2-b of section 2808 of the
39 public health law, provided, however, that the rates for those
40 facilities that do not qualify for such a per diem add-on adjustment
41 shall be further adjusted to include the proportionate benefit, as
42 determined by the commissioner of health, of the expiration of the
43 opening paragraph and paragraph (a) of subdivision 16 of section
44 2808 of the public health law and of paragraph (a) of subdivision 14
45 of section 2808 of the public health law, and provided further,
46 however, that the aggregate total of such per diem rate adjustments
47 shall not exceed \$144,000,000, and provided further, however, that
48 revisions to 2006 rates occurring on and after January 1, 2007,
49 shall be incorporated into rates in effect for the period April 1,
50 2008 through March 31, 2009, and provided further, however, that the
51 capital cost component of such rates shall fully reflect the cost of
52 local property taxes and payments made in lieu of local property

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

33 Notwithstanding any inconsistent provision of law, rule or regulation
34 to the contrary, for the period October 1, 2008 through March 31,
35 2009, the department of health is authorized to conduct a personal
36 care services demonstration project in the city of New York and is
37 authorized to contract with an entity to manage necessary assess-
38 ments and to authorize plans of care that meet the medical needs of
39 consumers of personal care services in the city of New York under
40 paragraph (e) of subdivision 2 of section 365-a of the social
41 services law; provided that such project shall apply to those
42 consumers who apply for such services on and after the date speci-
43 fied in such contract and shall not apply to those consumers who are
44 in receipt of such services on such date and whose authorization for
45 services is uninterrupted after such date; provided, however, if
46 this chapter appropriates sufficient additional funds to support the
47 continued management of personal care services assessments and plans
48 of care by the city of New York on and after October 1, 2008 through
49 March 31, 2009, then the provisions of this section shall not apply
50 and shall be considered null and void as of March 31, 2008.

51 Notwithstanding any inconsistent provision of law, rule or regulation,
52 for purposes of establishing rates of payment for certified home

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1 health agency services for the period April 1, 2008 through March
2 31, 2009, other than for services provided to patients diagnosed
3 with AIDS, as determined pursuant to applicable regulations, no
4 amount shall be included in the rate for any community-based agency
5 that is in excess of 100 percent of the weighted average cost of all
6 community-based agencies in each such agency's group, or that, in
7 the case of hospital-based agencies, is in excess of 100 percent of
8 the weighted average cost of community based agencies in the area in
9 which such hospital-based agencies are located and, further, the
10 computation of such rates and associated group average cost ceilings
11 shall utilize cost and statistical data in the cost reports submit-
12 ted by such agencies to the department of health for the 2005 calen-
13 dar year; provided however, if this chapter appropriates sufficient
14 additional funds to support reimbursement of certified home health
15 agency for the period April 1, 2008 through March 31, 2009, using
16 the methodology set forth in subdivision 2-a of section 3614 of the
17 public health law as in effect on March 31, 2008, such methodology
18 shall continue in effect for the period April 1, 2008 through March
19 31, 2009 and the provisions of this section shall not apply and
20 shall be considered null and void as of March 31, 2008.

21 Notwithstanding any inconsistent provision of law or regulation, for
22 purposes of establishing rates of payment by governmental agencies
23 for certified home health agencies for the period April 1, 2008
24 through March 31, 2009, the reimbursable base year administrative
25 and general costs for those certified home health agencies with
26 annual expenses in excess of \$10,000,000, as determined using the
27 reported base year cost data used to establish the statewide average
28 administrative and general cost ceiling for the applicable rate
29 year, shall not exceed the lower of such statewide average or 20
30 percent of each such agency's total reimbursable base year costs;
31 provided however, if this chapter appropriates sufficient additional
32 funds to support reimbursement of certified home health agency for
33 the period April 1, 2008 through March 31, 2009, using the methodol-
34 ogy set forth in subdivision 2-a of section 3614 of the public
35 health law as in effect on March 31, 2008, such methodology shall
36 continue in effect for the period April 1, 2008 through March 31,
37 2009 and the provisions of this section shall not apply and shall be
38 considered null and void as of March 31, 2008.

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

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1 of the public health law as in effect on March 31, 2008, such meth-
 2 odology shall continue in effect for the period April 1, 2008
 3 through March 31, 2009 and the provisions of this section shall not
 4 apply and shall be considered null and void as of March 31, 2008.
 5 Notwithstanding any inconsistent provision of law, rule or regulation
 6 to the contrary, for the period October 1, 2008 through March 31,
 7 2009, the commissioner of health is authorized to assume some or all
 8 of the activities from a local social services official for the
 9 provision and reimbursement of transportation costs set forth in
 10 section 365-h of the social services law. If the commissioner elects
 11 to assume such responsibility, the commissioner shall notify the
 12 local social services official in writing as to the election, the
 13 date upon which the election shall be effective and such information
 14 as to transition of responsibilities as the commissioner deems
 15 prudent. The commissioner is authorized to contract with a transpor-
 16 tation manager to implement such election; provided, however, if
 17 this chapter appropriates sufficient additional funds to support
 18 transportation costs set forth in section 365-h of the social
 19 services law then the provisions of this paragraph shall not apply
 20 and shall be deemed null and void as of March 31, 2008.

21 For services and expenses of the medical assistance program including
 22 other long term care services
 23 2,865,953,000 (re. \$1,659,853,000)
 24 For services and expenses of the medical assistance program including
 25 managed care services ... 3,472,795,000 (re. \$1,722,795,000)
 26 For services and expenses of the medical assistance program including
 27 noninstitutional and other spending
 28 4,237,131,000 (re. \$2,857,131,000)

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

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

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

42 Notwithstanding any other provision of law, the money hereby appropri-
 43 ated may be increased or decreased by interchange, with any appro-
 44 priation of the department of health and the office of medicaid
 45 inspector general and may be increased or decreased by transfer or
 46 suballocation between these appropriated amounts and appropriations
 47 of the office of mental health, office of mental retardation and
 48 developmental disabilities, the office of alcoholism and substance
 49 abuse services, the department of family assistance office of tempo-
 50 rary and disability assistance, office of children and family
 51 services, and state office for the aging with the approval of the

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

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

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

46 Notwithstanding any inconsistent provision of law or regulation to the
47 contrary, residential health care facility rates of payment deter-
48 mined pursuant to article 28 of the public health law for services
49 provided on and after April 1, 2007 through March 31, 2008, except
50 for the establishment of any statewide or any peer group base, mean,
51 or ceiling prices per day, shall be calculated utilizing only the
52 number of residents properly assessed and reported in each patient

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1 classification group and eligible for medical assistance pursuant to
2 title 11 of article 5 of the social services law. Provided, however,
3 if this chapter appropriates sufficient additional funds to support
4 fully for the period of April 1, 2007, through March 31, 2008, using
5 the methodology for computing the operating component of such rates
6 of payment as in effect on March 31, 2007, such methodology for
7 computing the operating component shall continue in effect for the
8 period April 1, 2007, through March 31, 2008, and the provisions of
9 this appropriation as set forth in this paragraph shall not be
10 utilized.

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

26 Notwithstanding any inconsistent provision of law, rule or regulation
27 to the contrary, for the period April 1, 2007 through March 31,
28 2008, no prior authorization shall be required under the preferred
29 drug program for: atypical anti-psychotics; anti-retrovirals used in
30 the treatment of HIV/AIDS; anti-rejection drugs used for the treat-
31 ment of organ and tissue transplants; or any other therapeutic class
32 for the treatment of mental illness or HIV/AIDS, recommended by the
33 committee and approved by the commissioner under section 272 of the
34 public health law. The committee may consider and recommend the
35 inclusion of the therapeutic class of anti-depressants in the
36 preferred drug program. Such recommendation may be adopted by the
37 commissioner only after consultation with, and consideration of the
38 recommendation of, the commissioner of the office of mental health.
39 Provided, however, if this chapter appropriates sufficient addi-
40 tional funds to support a preferred drug program as defined pursuant
41 to the exemptions set forth in subdivision 12 of section 272 of the
42 public health law as in effect on March 31, 2007, such exemptions
43 for the preferred drug program shall continue in effect for the
44 period April 1, 2007 through March 31, 2008 and the provisions of
45 this paragraph shall not apply and shall be considered null and void
46 as of March 31, 2007.

47 Notwithstanding any inconsistent provision of law, rule or regulation
48 to the contrary, for the period April 1, 2007 through March 31,
49 2008, the commissioner of health shall provide 10 days public notice
50 on the department of health's website prior to any meeting of the
51 pharmacy and therapeutics committee to develop recommendations
52 concerning the preferred drug program; the commissioner shall

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1 provide notice of any recommendations developed by such committee
2 regarding the preferred drug program, at least 10 days before any
3 final determination by the commissioner, by making such information
4 available on the department's website; within a reasonable time
5 after a final determination regarding the preferred drug program,
6 the commissioner shall provide public notice on the department's
7 website of such determinations, including: the nature of the deter-
8 mination; an analysis of the impact of the commissioner's determi-
9 nation on state public health plan populations and providers; and
10 the projected fiscal impact to the state public health plan programs
11 of the commissioner's determination. Provided, however, if this
12 chapter appropriates sufficient additional funds to support a
13 preferred drug program as defined pursuant to the public notice
14 requirements set forth in subdivisions 7, 8 and 9 of section 272 of
15 the public health law as in effect on March 31, 2007, such public
16 notice requirements for the preferred drug program shall continue in
17 effect for the period April 1, 2007 through March 31, 2008 and the
18 provisions of this paragraph shall not apply and shall be considered
19 null and void as of March 31, 2007.

20 Notwithstanding any inconsistent provision of law, rule or regulation
21 to the contrary, for the period April 1, 2007 through March 31,
22 2008, in establishing a prior authorization requirement for a drug
23 under the clinical drug review program, the commissioner shall, in
24 addition to any other factor required by law to be considered,
25 consider the cost of the drug compared to other drug therapies for
26 the same disease. Provided, however, if this chapter appropriates
27 sufficient additional funds to support a clinical drug program as
28 defined pursuant to criteria for determining prior authorization set
29 forth in subdivision 3 of section 274 of the public health law as in
30 effect on March 31, 2007, such criteria for the clinical drug review
31 program shall continue in effect for the period April 1, 2007
32 through March 31, 2008 and the provisions of this paragraph shall
33 not apply and shall be considered null and void as of March 31,
34 2007.

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

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1 reported by the prescription drug pricing service used by the
 2 department, less 14 percent thereof, and updated monthly by the
 3 department; (ii) for multiple source generic drugs, estimated acqui-
 4 sition cost means the lower of the average wholesale price of a
 5 prescription drug based on the package size dispensed from, as
 6 reported by the prescription drug pricing service used by the
 7 department, less 30 percent thereof, or the maximum acquisition
 8 cost, if any, established pursuant to paragraph (e) of such subdivi-
 9 sion; or, for a specialized HIV pharmacy, acquisition cost means the
 10 lower of the average wholesale price of a prescription drug based on
 11 the package size dispensed from, as reported by the prescription
 12 drug pricing service used by the department, less 22 percent there-
 13 of, or the maximum acquisition cost, if any, established pursuant to
 14 such paragraph (e).

15 Notwithstanding any inconsistent provision of law, rule or regulation
 16 to the contrary, for the period April 1, 2007 through March 31,
 17 2008, no supplemental medical assistance payments shall be made to
 18 providers of emergency medical transportation services that relate
 19 to such services provided during calendar year 2007.

20 Notwithstanding paragraph (c) of subdivision 3 of section 2807-c of
 21 the public health law and any inconsistent provision of law, rule or
 22 regulation to the contrary, for the period January 1, 2008 through
 23 March 31, 2008, adjustments to medical assistance rates of payment
 24 for rate periods on and after January 1, 2008, made pursuant to
 25 paragraph (c) of subdivision 3 of section 2807-c of the public
 26 health law shall, upon a determination by the commissioner of health
 27 and the director of the budget that such adjustments shall result in
 28 an aggregate increase in total medicaid payments to general hospi-
 29 tals for inpatient services, make such proportional adjustments to
 30 such rates of payments as are necessary to reduce such total aggre-
 31 gate payments to an aggregate total that reflects no such increase,
 32 provided, however, if this chapter appropriates sufficient addi-
 33 tional funds to fully fund such increase, the provisions of this
 34 paragraph shall not apply and shall be considered null and void as
 35 of January 1, 2008.

36 For services and expenses of the medical assistance program including
 37 hospital inpatient services.

38 For the grant period October 1, 2006 to September 30, 2007
 39 2,057,382,000 (re. \$527,400,000)

40 For the grant period October 1, 2007 to September 30, 2008
 41 3,102,074,000 (re. \$322,800,000)

42 For services and expenses of the medical assistance program including
 43 hospital outpatient and emergency room services.

44 For the grant period October 1, 2006 to September 30, 2007
 45 259,801,000 (re. \$79,900,000)

46 For the grant period October 1, 2007 to September 30, 2008
 47 389,702,000 (re. \$91,700,000)

48 For services and expenses of the medical assistance program including
 49 clinic services.

50 For the grant period October 1, 2006 to September 30, 2007
 51 344,352,000 (re. \$134,000,000)

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1 For the grant period October 1, 2007 to September 30, 2008
 2 516,529,000 (re. \$126,000,000)
 3 For services and expenses of the medical assistance program including
 4 nursing home services.
 5 For the grant period October 1, 2006 to September 30, 2007
 6 1,447,430,000 (re. \$325,700,000)
 7 For the grant period October 1, 2007 to September 30, 2008
 8 2,171,145,000 (re. \$826,000,000)
 9 For services and expenses of the medical assistance program including
 10 other long term care services.
 11 For the grant period October 1, 2006 to September 30, 2007
 12 1,041,109,000 (re. \$600,400,000)
 13 For the grant period October 1, 2007 to September 30, 2008
 14 1,561,664,000 (re. \$447,100,000)
 15 For services and expenses of the medical assistance program including
 16 managed care services.
 17 For the grant period October 1, 2006 to September 30, 2007
 18 1,354,444,000 (re. \$312,200,000)
 19 For the grant period October 1, 2007 to September 30, 2008
 20 2,031,666,000 (re. \$235,500,000)
 21 For services and expenses of the medical assistance program including
 22 pharmacy services.
 23 For the grant period October 1, 2006 to September 30, 2007
 24 754,766,000 (re. \$41,000,000)
 25 For the grant period October 1, 2007 to September 30, 2008
 26 1,125,248,000 (re. \$28,000,000)
 27 For services and expenses of the medical assistance program including
 28 transportation services.
 29 For the grant period October 1, 2006 to September 30, 2007
 30 78,361,000 (re. \$78,361,000)
 31 For the grant period October 1, 2007 to September 30, 2008
 32 117,541,000 (re. \$64,000,000)
 33 For services and expenses of the medical assistance program including
 34 dental services.
 35 For the grant period October 1, 2006 to September 30, 2007
 36 60,361,000 (re. \$38,400,000)
 37 For the grant period October 1, 2007 to September 30, 2008
 38 90,542,000 (re. \$17,000,000)
 39 For services and expenses of the medical assistance program including
 40 noninstitutional and other spending.
 41 For the grant period October 1, 2006 to September 30, 2007
 42 1,749,193,000 (re. \$477,700,000)
 43 For the grant period October 1, 2007 to September 30, 2008
 44 2,623,790,000 (re. \$1,723,800,000)

45 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 46 section 1, of the laws of 2008:
 47 For services and expenses of the medical assistance program including
 48 a series of targeted chronic illness demonstration projects.
 49 Notwithstanding section 112 and section 163 of the state finance law,
 50 for chronic illness demonstration projects authorized by section
 51 364-1 of the social services law, the commissioner of health may

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1 allocate up to \$2,500,000 of the amount appropriated for contracts
 2 without a request for proposal or any other competitive process.
 3 For the grant period October 1, 2006 to September 30, 2007
 4 1,600,000 (re. \$1,600,000)
 5 For the grant period October 1, 2007 to September 30, 2008
 6 2,400,000 (re. \$2,400,000)

7 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 8 section 1, of the laws of 2007:

9 For services and expenses for the medical assistance program, includ-
 10 ing administrative expenses for local social services districts,
 11 pursuant to title XIX of the federal social security act or its
 12 successor program.

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

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

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

47 Notwithstanding any inconsistent provision of law, up to \$500,000,000
 48 of the moneys hereby appropriated may be used for services and
 49 expenses including grants related to the federal-state health reform
 50 partnership program and/or its successor program and may be trans-
 51 ferred to the miscellaneous special revenue fund federal-state

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1 health reform partnership program account and/or other state agen-
2 cies, provided, however, that the section 1115 waiver demonstration
3 which is entitled the federal-state health reform partnership, is in
4 effect in accordance with the terms and conditions approved by the
5 secretary of the federal department of health and human services and
6 accepted by the state, and further provided that funds appropriated
7 for the federal-state health reform partnership program are
8 disbursed only in accordance with those terms and conditions.

9 Notwithstanding any inconsistent provision of law, rule or regulation
10 to the contrary, for the period January 1, 2007 through March 31,
11 2007, persons who are eligible for medical assistance and who are
12 also beneficiaries under part D of title XVIII of the federal social
13 security act, shall not be eligible for medical assistance coverage
14 of drugs which are denominated as "covered part D drugs" under
15 section 1860D-2(e) of such act; provided however that, for purposes
16 of this paragraph, "covered part D drugs" shall not mean atypical
17 anti-psychotics, anti-depressants, anti-retrovirals used in the
18 treatment of HIV/AIDS, or anti-rejection drugs used for the treat-
19 ment of organ and tissue transplants.

20 Notwithstanding any inconsistent provision of law, rule or regulation
21 to the contrary, up to \$20,000,000 may be used for the purpose of
22 rebasing residential health care facilities effective January 1,
23 2007 through March 31, 2007 in accordance with this paragraph, and
24 as provided pursuant to a chapter of the laws of 2006. Notwith-
25 standing any inconsistent provision of this section, or any other
26 contrary provision of law and subject to the availability of federal
27 financial participation, the operating cost component of rates of
28 payment by governmental agencies for inpatient services provided for
29 the period of January 1, 2007 through March 31, 2007, by residential
30 health care facilities shall be in accordance with a chapter of the
31 laws of 2006 which shall provide that for this period: (a) the oper-
32 ating cost component of rates of payment shall reflect the operating
33 cost component of rates effective for October 1, 2006, as adjusted
34 for inflation in accordance with the chapter amendment pursuant to
35 the laws of 2006; (b) the rate shall be further adjusted by a per
36 diem add-on amount, as determined by the commissioner, reflecting
37 the proportional amount of each facility's projected Medicaid bene-
38 fit to the total projected Medicaid benefit for all facilities of
39 the imputed use of the rate-setting methodology set forth in this
40 subdivision, provided, however, that for those facilities that do
41 not receive a per diem adjustment shall have their rates further
42 adjusted to include the proportionate benefit, as determined by the
43 commissioner of health, of the expiration of the opening paragraph
44 and paragraph (a) of subdivision 16 and paragraph (a) of subdivision
45 14 of section 2808 of the public health law, provided, however, that
46 the aggregate total of such adjustments shall not exceed
47 \$137,500,000 for this rate period; (c) rates for the period of Janu-
48 ary 1 through March 31, 2007 shall fully reflect the cost of local
49 property taxes and payments made in lieu of local property taxes, as
50 reported in each facility's cost report submitted for the year two
51 years prior to the rate year; (d) rates for the period of January 1
52 through March 31, 2007, as computed pursuant to this paragraph,

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1 shall not be subject to case mix adjustment, provided, however, that
2 a facility may, in accordance with its existing full house schedule
3 of submission of patient review instruments, submit data in support
4 of a request for a rate adjustment to reflect an increased facility
5 case mix equal to or greater than .05, provided further, however,
6 that such a facility will be required to continue to make such full
7 house submissions in accordance with its existing submission sched-
8 ule and in accordance with a chapter of the laws of 2006; (e) For
9 the period January 1 through March 31, 2007, notwithstanding any
10 contrary provision of law or regulation, voluntary facilities shall
11 not be required to deposit reimbursement received for depreciation
12 expenses into a segregated depreciation fund account.

13 Notwithstanding any inconsistent provision of law, rule or regulation
14 to the contrary, for the period April 1, 2006 through March 31,
15 2007, persons who are eligible for medical assistance shall not be
16 eligible for medical assistance coverage of drugs for the treatment
17 of sexual or erectile dysfunction, unless such drugs are used to
18 treat a condition, other than sexual or erectile dysfunction, for
19 which the drugs have been approved by the federal food and drug
20 administration.

21 Notwithstanding any inconsistent provision of law, rule or regulation
22 to the contrary, for the period April 1, 2006 through March 31,
23 2007, "health care services" under the family health plus program
24 shall not include drugs for the treatment of sexual or erectile
25 dysfunction, unless such drugs are used to treat a condition, other
26 than sexual or erectile dysfunction, for which the drugs have been
27 approved by the federal food and drug administration.

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

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, for transfers made on or after February 8, 2006; "assets" means all income and resources of an individual and of the individual's spouse, including income and resources to which the individual or the individual's spouse is entitled but which are not received because of action by: the individual or the individual's spouse; a person with legal authority to act in place of or on behalf of the individual or the individual's spouse; a person acting at the direction or upon the request of the individual or the individual's spouse; or by a court or administrative body with legal authority to act in place of or on behalf of the individual or the individual's spouse or at the direction or upon the request of the individual or the individual's spouse; "blind" has the same meaning given to such term in section 1614(a)(2) of the federal social security act; "disabled" has the same meaning given to such term in section

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1 1614(a)(3) of the federal social security act; "income" has the same
2 meaning given to such term in section 1612 of the federal social
3 security act; "resources" has the same meaning given to such term in
4 section 1613 of the federal social security act, without regard to
5 the exclusion provided for in subsection (a)(1) of such section;
6 "look-back period" means the sixty-month period immediately preced-
7 ing the date that an institutionalized individual is both institu-
8 tionalized and has applied for medical assistance; "institutional-
9 ized individual" means any individual who is an inpatient in a
10 nursing facility, including an intermediate care facility for the
11 mentally retarded, or who is an in-patient in a medical facility and
12 is receiving a level of care provided in a nursing facility, or who
13 is receiving care, services or supplies pursuant to a waiver granted
14 pursuant to subsection (c) of section 1915 of the federal social
15 security act; "intermediate care facility for the mentally retarded"
16 means a facility certified under article sixteen of the mental
17 hygiene law and which has a valid agreement with the department for
18 providing intermediate care facility services and receiving payment
19 therefor under title XIX of the federal social security act; "nurs-
20 ing facility" means a nursing home as defined by section twenty-
21 eight hundred one of the public health law and an intermediate care
22 facility for the mentally retarded; "nursing facility services"
23 means nursing care and health related services provided in a nursing
24 facility; a level of care provided in a hospital which is equivalent
25 to the care which is provided in a nursing facility; and care,
26 services or supplies provided pursuant to a waiver granted pursuant
27 to subsection (c) of section 1915 of the federal social security
28 act.

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

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

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1 for less than fair market value unless the purchaser resided in such
2 home for a period of at least one year after the date of purchase.
3 The purchase of a promissory note, loan, or mortgage shall be treat-
4 ed as the disposal of an asset for less than fair market value
5 unless such note, loan, or mortgage meets the requirements of
6 section 1917(c)(1) (I) of the federal social security act.
7 Notwithstanding any inconsistent provision of law, rule or regulation
8 to the contrary for the period April 1, 2006 through March 31, 2007,
9 an individual shall not be ineligible for services solely by reason
10 of any such transfer to the extent that the asset transferred was a
11 home and title to the home was transferred to: (A) the spouse of the
12 individual; or (B) a child of the individual who is under the age of
13 twenty-one years or blind or disabled; or (C) a sibling of the indi-
14 vidual who has an equity interest in such home and who resided in
15 such home for a period of at least one year immediately before the
16 date the individual became an institutionalized individual; or (D) a
17 child of the individual who was residing in such home for a period
18 of at least two years immediately before the date the individual
19 became an institutionalized individual, and who provided care to the
20 individual which permitted the individual to reside at home rather
21 than in an institution or facility; or the assets (A) were trans-
22 ferred to the individual's spouse, or to another for the sole bene-
23 fit of the individual's spouse; or (B) were transferred from the
24 individual's spouse to another for the sole benefit of the individ-
25 ual's spouse; or (C) were transferred to the individual's child who
26 is blind or disabled, or to a trust established solely for the bene-
27 fit of such child; or (D) were transferred to a trust established
28 solely for the benefit of an individual under sixty-five years of
29 age who is disabled; or a satisfactory showing is made that: (A) the
30 individual or the individual's spouse intended to dispose of the
31 assets either at fair market value, or for other valuable consider-
32 ation; or (B) the assets were transferred exclusively for a purpose
33 other than to qualify for medical assistance; or (C) all assets
34 transferred for less than fair market value have been returned to
35 the individual; or denial of eligibility would cause an undue hard-
36 ship, such that application of the transfer of assets provision
37 would deprive the individual of medical care such that the individ-
38 ual's health or life would be endangered, or would deprive the indi-
39 vidual of food, clothing, shelter, or other necessities of life.
40 The commissioner of health shall develop a hardship waiver process
41 which shall include a timely process for determining whether an
42 undue hardship waiver will be granted and a timely process under
43 which an adverse determination can be appealed. The commissioner of
44 health shall provide notice of the hardship waiver process in writ-
45 ing to those individuals who are required to comply with the trans-
46 fer of assets provision under this section. If such an individual is
47 an institutionalized individual, the facility in which he or she is
48 residing shall be permitted to file an undue hardship waiver appli-
49 cation on behalf of such individual with the consent of the individ-
50 ual or the personal representative of the individual.
51 Notwithstanding any inconsistent provision of law, rule or regulation
52 to the contrary for the period April 1, 2006 through March 31, 2007,

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, in the case of a trust established by the individual, as determined pursuant to the regulations of the department, any payment, other than a payment to or for the benefit of the individual, from a revocable trust is considered to be a transfer of assets by the individual and any payment, other than to or for the benefit of the individual, from the portion of an irrevocable trust which, under any circumstance, could be made available to the individual is considered to be a transfer of assets by the individual and, further, the value of any portion of an irrevocable trust from which no payment could be made to the individual under any circumstances is considered to be a transfer of assets by the individual as of the date of establishment of the trust, or, if later, the date on which the payment is foreclosed.

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

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

For the grant period October 1, 2005 to September 30, 2006
12,119,290,000 (re. \$4,349,700,000)

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1 OFFICE OF HEALTH INSURANCE PROGRAMS

2 General Fund / State Operations

3 State Purposes Account - 003

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

5 For services and expenses related to creation of a state enrollment
6 portal.

7 Contractual services ... 32,000,000 (re. \$32,000,000)

8 General Fund / Aid to Localities

9 Local Assistance Account - 001

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

11 For grants to a New York state based not-for-profit organization with
12 expertise in the New York state medicaid program for studies,
13 reviews and analysis, to be performed in conjunction with the
14 department of health, on medicaid policy, operational and other
15 issues as defined by the department. All or a portion of this appro-
16 priation may be transferred to state operations appropriations
17 1,391,200 (re. \$1,391,200)18 For services and expenses related to the Vera Institute of Justice
19 Guardianship project. Funds appropriated herein are supported by
20 savings resulting from the increased Federal Medical Assistance
21 Percentage (FMAP) provided pursuant to the American recovery and
22 reinvestment act of 2009 ... 500,000 (re. \$500,000)

23 Special Revenue Funds - Federal / State Operations

24 Federal Health and Human Services Fund - 265

25 The appropriation made by chapter 54, section 1, of the laws of 2009, is
26 hereby amended by transferring \$75,000,000 to the special revenue
27 funds - federal / aid to localities, federal health and human
28 services fund - 265, and is reappropriated to read:29 For services and expenses for the medical assistance program and
30 administration of the medical assistance program and survey and
31 certification program, provided pursuant to title XIX of the federal
32 social security act.33 Notwithstanding any inconsistent provision of law and subject to the
34 approval of the director of the budget, moneys hereby appropriated
35 may be increased or decreased by transfer or suballocation between
36 these appropriated amounts and appropriations of other state agen-
37 cies and appropriations of the department of health.38 Notwithstanding any inconsistent provision of law and subject to
39 approval of the director of the budget, moneys hereby appropriated
40 may be transferred or suballocated to other state agencies for
41 reimbursement to local government entities for services and expenses
42 related to administration of the medical assistance program
43 [846,697,000] 771,697,000 (re. \$755,000,000)

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

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program
846,697,000 (re. \$807,376,000)

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

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

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

For the grant period October 1, 2007 to September 30, 2008
1,859,816,000 (re. \$690,313,000)

By chapter 54, section 1, of the laws of 2006, as transferred by chapter 54, section 1, of the laws of 2009:

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

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

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For the grant period October 1, 2006 to September 30, 2007
 1,867,679,500 (re. \$400,000,000)

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

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

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

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

SPECIAL REVENUE FUNDS - FEDERAL / AID TO LOCALITIES

FEDERAL HEALTH AND HUMAN SERVICES FUND - 265

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

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

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

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

75,000,000 (re. \$61,000,000)

Special Revenue Funds - Other / Aid to Localities

Miscellaneous Special Revenue Fund - 339

Federal State Health Reform Partnership Account

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

Notwithstanding any inconsistent provision of law, the money appropri-
 ated herein shall be available for services and expenses including

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1 grants related to the federal-state health reform partnership
 2 program and/or its successor program, provided, however, that the
 3 section 1115 waiver demonstration which is entitled the federalstate
 4 health reform partnership, is in effect in accordance with the terms
 5 and conditions approved by the secretary of the federal department
 6 of health and human services, and further provided that funds appro-
 7 priated for the federal-state health reform partnership program are
 8 disbursed only in accordance with those terms and conditions.
 9 Subject to the approval of the director of the budget, moneys appro-
 10 priated herein may be transferred or suballocated to the state
 11 office for the aging and other state agencies
 12 300,000,000 (re. \$300,000,000)

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

14 Notwithstanding any inconsistent provision of law, the money appropri-
 15 ated herein shall be available for services and expenses including
 16 grants related to the federal-state health reform partnership
 17 program and/or its successor program, provided, however, that the
 18 section 1115 waiver demonstration which is entitled the federal-
 19 state health reform partnership, is in effect in accordance with the
 20 terms and conditions approved by the secretary of the federal
 21 department of health and human services, and further provided that
 22 funds appropriated for the federal-state health reform partnership
 23 program are disbursed only in accordance with those terms and condi-
 24 tions. Subject to the approval of the director of the budget, moneys
 25 appropriated herein may be transferred or suballocated to the state
 26 office for the aging and other state agencies
 27 300,000,000 (re. \$300,000,000)

28 By chapter 54, section 1, of the laws of 2007, as transferred by chapter
 29 54, section 1, of the laws of 2009:

30 Notwithstanding any inconsistent provision of the law, the money
 31 appropriated herein shall be available for services and expenses
 32 including grants related to the federal-state health reform partner-
 33 ship program and/or its successor program, provided, however, that
 34 the section 1115 waiver demonstration which is entitled the feder-
 35 al-state health reform partnership, is in effect in accordance with
 36 the terms and conditions approved by the secretary of the federal
 37 department of health and human services, and further provided that
 38 funds appropriated for the federal-state health reform partnership
 39 program are disbursed only in accordance with those terms and condi-
 40 tions. Subject to the approval of the director of the budget, moneys
 41 appropriated herein may be transferred or suballocated to the state
 42 office for the aging and other state agencies
 43 300,000,000 (re. \$213,000,000)

44 By chapter 54, section 1, of the laws of 2006, as transferred by chapter
 45 54, section 1, of the laws of 2009:

46 Notwithstanding any inconsistent provision of law, the money appropri-
 47 ated herein shall be available for services and expenses including
 48 grants related to the federal-state health reform partnership
 49 program and/or its successor program, provided, however, that the

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1 section 1115 waiver demonstration which is entitled federal-state
 2 health reform partnership, is in effect in accordance with the terms
 3 and conditions approved by the secretary of the federal department
 4 of health and human services and accepted by the state, and further
 5 provided that funds appropriated for the federal-state health reform
 6 partnership program are disbursed only in accordance with those
 7 terms and conditions. Subject to the approval of the director of the
 8 budget, moneys appropriated herein may be transferred or suballo-
 9 cated to the state office for the aging and other state agencies ...
 10 500,000,000 (re. \$300,000,000)

11 OFFICE OF HEALTH SYSTEMS MANAGEMENT

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

14 By chapter 54, section 1, of the laws of 2008:
 15 For services and expenses of the health e-link.
 16 Contractual services ... 750,000 (re. \$747,000)

17 By chapter 54, section 1, of the laws of 2007, as transferred by chapter
 18 54, section 1, of the laws of 2009:
 19 For services and expenses of the health e-link.
 20 Contractual services ... 750,000 (re. \$326,000)

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

23 By chapter 54, section 1, of the laws of 2009:
 24 For services and expenses related to the operation of the incident
 25 reporting system (NYPORTS). A portion of this appropriation may be
 26 transferred to state operations appropriations
 27 625,100 (re. \$625,100)

28 Special Revenue Funds - Federal / Aid to Localities
 29 Federal Operating Grants Fund - 290
 30 United States Department of Justice Account

31 By chapter 54, section 1, of the laws of 2009:
 32 For expenses incurred in the administration of the prescription drug
 33 monitoring program relating to the prescribing and dispensing of
 34 controlled substances ... 400,000 (re. \$400,000)

35 By chapter 54, section 1, of the laws of 2008:
 36 For expenses incurred in the administration of the prescription drug
 37 monitoring program relating to the prescribing and dispensing of
 38 controlled substances ... 400,000 (re. \$400,000)

39 By chapter 54, section 1, of the laws of 2007, as transferred by chapter
 40 54, section 1, of the laws of 2009:

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1 For expenses incurred in the administration of the prescription drug
 2 monitoring program relating to the prescribing and dispensing of
 3 controlled substances.
 4 For grants beginning on or after November 1, 2007
 5 400,000 (re. \$311,000)

6 By chapter 54, section 1, of the laws of 2006, as transferred by chapter
 7 54, section 1, of the laws of 2009:
 8 For expenses incurred in the administration of Harold Rogers
 9 prescription drug monitoring program relating to the prescribing and
 10 dispensing of controlled substances:
 11 For the grant period June 1, 2006 to May 31, 2007
 12 400,000 (re. \$341,000)

13 By chapter 54, section 1, of the laws of 2005, as transferred by chapter
 14 54, section 1, of the laws of 2009:
 15 For expenses incurred in the administration of Harold Rogers
 16 prescription drug monitoring program relating to the prescribing and
 17 dispensing of controlled substances:
 18 For the grant period June 1, 2005 to May 31, 2006
 19 350,000 (re. \$1,500)

20 By chapter 54, section 1, of the laws of 2004, as transferred by chapter
 21 54, section 1, of the laws of 2009:
 22 For expenses incurred in the administration of Harold Rogers
 23 prescription drug monitoring program relating to the prescribing and
 24 dispensing of controlled substances:
 25 For the grant period October 1, 2003 to September 30, 2004
 26 300,000 (re. \$9,000)

27 Special Revenue Funds - Other / State Operations
 28 Miscellaneous Special Revenue Fund - 339
 29 Certificate of Need Account

30 By chapter 54, section 1, of the laws of 2009:
 31 For services and expenses related to the certificate of need program.
 32 Contractual services ... 1,970,000 (re. \$1,890,000)

33 OFFICE OF LONG TERM CARE

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

36 By chapter 54, section 1, of the laws of 2009:
 37 For services and expenses related to the home health aide registry.
 38 Personal service--regular ... 300,000 (re. \$300,000)
 39 Supplies and materials ... 700 (re. \$700)
 40 Travel ... 1,300 (re. \$1,300)
 41 Contractual services ... 1,680,000 (re. \$1,680,000)
 42 Equipment ... 18,000 (re. \$18,000)

43 General Fund / Aid to Localities

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1 Local Assistance Account - 001

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

3 For services and expenses of the quality incentive payment program ...
4 2,605,000 (re. \$2,605,000)

5 The monies hereby appropriated shall be available for the cost of
6 housing subsidies to certain participants in the nursing home tran-
7 sition and diversion waiver program as authorized by chapters 615
8 and 627 of the laws of 2004. A portion of such funds may be used for
9 administration of the housing subsidies, either by state staff or a
10 not-for-profit agency. A portion of this appropriation may be trans-
11 ferred to state operations appropriations. Up to 100 percent of this
12 appropriation may be suballocated to the division of housing and
13 community renewal ... 2,303,000 (re. \$2,303,000)

14 For additional services and expenses of the quality incentive payment
15 program ... 2,068,000 (re. \$2,068,000)

16 For additional services and expenses for the enhancing abilities and
17 life experience (EnAbLE) program for the purpose of providing air
18 conditioning in resident rooms. In distributing such funds, the
19 department shall give priority to those applicants whose residents
20 demonstrate the highest level of need, including but not limited to,
21 those with psychiatric disabilities and the elderly, and consider-
22 ation to applicants in the greatest financial need of such assist-
23 ance ... 1,353,600 (re. \$1,353,600)

24 By chapter 54, section 1, of the laws of 2008, as amended by chapter
25 496, section 5, of the laws of 2008:

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

39 Special Revenue Funds - Other / Aid to Localities

40 HCRA Resources Fund - 061

41 Health Services Account

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

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

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

For additional services and expenses for the enhancing abilities and life experience (EnABLE) program to improve the quality of life of residents. Use of program funds may include, but shall not be limited to, providing air conditioning in resident rooms, providing generators to facilities, improving the quality of food services and other quality of life activities. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance ... 1,833,900 (re. \$1,833,900)

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

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of mental health, the office for the aging, and the commission on quality of care and advocacy for persons with disabilities. Moneys herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EnABLE) program to improve the quality of life and independence for residents. Use of program funds may include, but shall not be limited to, independent living skills training, vocational or educational programs; peer specialists; employment specialist; or services and supports to allow residents

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to maintain independence in their activities of daily living. Such grants shall be made pursuant to criteria established by the department of health. A preference in funding shall be granted to applicants for use of program funds which would serve residents receiving supplemental security income and/or safety net. No grants shall be made unless the department of health receives satisfactory documentation that the resident council of any facility for which funds are requested has endorsed the proposed use of funds as set forth in the grant application, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008
2,636,000 (re. \$2,478,000)

For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program to improve the quality of life of residents. Use of program funds may include, but shall not be limited to, providing air conditioning in resident rooms, providing generators to facilities, improving the quality of food services and other quality of life activities. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 1,951,000 (re. \$1,834,000)

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

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of mental health, the office for the aging, and the commission on quality of care and advocacy for persons with disabilities. Moneys herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EnAbLE) program to improve the quality of life and independence for residents. Use of program funds may include, but shall not be limited to, independent living skills training, vocational or educational programs; peer specialists; employment specialist; or services and supports to allow residents to maintain independence in their activities of daily living. Such grants shall be made pursuant to criteria established by the department of health. A preference in funding shall be granted to applicants for use of program funds which would serve residents receiving supplemental security income and/or safety net. No grants shall be

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

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 WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

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

26 By chapter 54, section 1, of the laws of 2009:
 27 For health prevention, diagnostic, detection and treatment services
 28 1,556,000 (re. \$1,556,000)

29 By chapter 54, section 1, of the laws of 2008:
 30 For health prevention, diagnostic, detection and treatment services
 31 ... 1,556,000 (re. \$91,000)

32 By chapter 54, section 1, of the laws of 2007:
 33 For health prevention, diagnostic, detection and treatment services.
 34 For the grant period October 1, 2006 to September 30, 2007
 35 778,000 (re. \$778,000)
 36 For the grant period October 1, 2007 to September 30, 2008
 37 778,000 (re. \$778,000)

38 Special Revenue Funds - Federal / State Operations
 39 Federal Health and Human Services Fund - 265
 40 Federal Block Grant Account

41 By chapter 54, section 1, of the laws of 2009:
 42 For health prevention, diagnostic, detection and treatment services
 43 11,376,000 (re. \$11,376,000)

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1 By chapter 54, section 1, of the laws of 2008:
 2 For health prevention, diagnostic, detection and treatment services
 3 ... 11,376,000 (re. \$6,602,000)

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

7 By chapter 54, section 1, of the laws of 2009:
 8 For services and expenses of the various health prevention, diagnos-
 9 tic, detection and treatment services
 10 3,682,000 (re. \$3,682,000)

11 By chapter 54, section 1, of the laws of 2008:
 12 For services and expenses of the various health prevention, diagnos-
 13 tic, detection and treatment services
 14 3,682,000 (re. \$2,977,000)

15 Special Revenue Funds - Federal / State Operations
 16 Federal Block Grant Fund - 269

17 By chapter 54, section 1, of the laws of 2007:
 18 For health prevention, diagnostic, detection and treatment services.
 19 For the grant period October 1, 2007 to September 30, 2008
 20 5,291,000 (re. \$1,043,000)

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

23 By chapter 54, section 1, of the laws of 2007:
 24 For services and expenses of the various health prevention, diagnos-
 25 tic, detection and treatment services.
 26 For the grant period October 1, 2007 to September 30, 2008
 27 1,712,000 (re. \$888,000)

28 Special Revenue Funds - Other / State Operations
 29 Combined Gifts, Grants and Bequests Fund - 020
 30 Breast Cancer Research and Education Account

31 By chapter 54, section 1, of the laws of 2009:
 32 For breast cancer research and education pursuant to section 97-yy of
 33 the state finance law as amended by chapter 550 of the laws of 2000.
 34 Contractual services ... 2,600,000 (re. \$2,600,000)

35 By chapter 54, section 1, of the laws of 2005:
 36 For breast cancer research and education pursuant to section 97-yy of
 37 the state finance law as amended by chapter 550 of the laws of 2000
 38 ... 2,600,000 (re. \$2,043,000)

39 Special Revenue Funds - Other / State Operations
 40 Combined Gifts, Grants and Bequests Fund - 020
 41 Multiple Sclerosis Research Account

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1 By chapter 54, section 1, of the laws of 2009:
 2 For research into the causes and treatment of pediatric multiple
 3 sclerosis pursuant to section 95-d of the state finance law.
 4 Contractual services ... 20,000 (re. \$20,000)

 5 Special Revenue Fund - Other / State Operations
 6 Miscellaneous Special Revenue Fund - 339
 7 Empire State Stem Cell Research Account

 8 By chapter 54, section 1, of the laws of 2009:
 9 For services and expenses, including grants, related to stem cell
 10 research pursuant to chapter 58 of the laws of 2007:
 11 Contractual services ... 50,000,000 (re. \$49,795,000)

 12 By chapter 54, section 1, of the laws of 2008:
 13 For services and expenses, including grants, related to stem cell
 14 research pursuant to chapter 58 of the laws of 2007:
 15 Contractual services ... 50,000,000 (re. \$48,861,000)

 16 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 17 section 1, of the laws of 2008:
 18 For services and expenses, including grants, related to stem cell
 19 research pursuant to chapter 58 of the laws of 2007:
 20 Contractual services ... 100,000,000 (re. \$88,127,00)

 21 Special Revenue Funds - Other / State Operations
 22 Miscellaneous Special Revenue Fund - 339
 23 Spinal Cord Injury Research Fund Account

 24 By chapter 54, section 1, of the laws of 2009:
 25 For services and expenses related to spinal cord injury research
 26 pursuant to chapter 338 of the laws of 1998, in accordance with the
 27 following.
 28 Personal service--regular ... 224,000 (re. \$224,000)
 29 Supplies and materials ... 50,000 (re. \$50,000)
 30 Travel ... 45,000 (re. \$45,000)
 31 Contractual services ... 7,978,000 (re. \$7,978,000)
 32 Equipment ... 15,000 (re. \$15,000)
 33 Fringe benefits ... 88,000 (re. \$88,000)
 34 Indirect costs ... 129,000 (re. \$129,000)

 35 By chapter 54, section 1, of the laws of 2008:
 36 For services and expenses related to spinal cord injury research
 37 pursuant to chapter 338 of the laws of 1998, in accordance with the
 38 following.
 39 Contractual services ... 7,860,800 (re. \$5,802,000)

 40 By chapter 54, section 1, of the laws of 2007:
 41 For services and expenses related to spinal cord injury research
 42 pursuant to chapter 338 of the laws of 1998, in accordance with the
 43 following.

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1 Contractual services ... 8,004,794 (re. \$5,418,000)
 2 By chapter 54, section 1, of the laws of 2006:
 3 For expenses related to spinal cord injury research pursuant to chap-
 4 ter 338 of the laws of 1998 ... 8,500,000 (re. \$2,938,000)
 5 By chapter 54, section 1, of the laws of 2005:
 6 For expenses related to spinal cord injury research pursuant to chap-
 7 ter 338 of the laws of 1998 ... 8,500,000 (re. \$2,870,000)
 8 By chapter 54, section 1, of the laws of 2004:
 9 For expenses related to spinal cord injury research pursuant to chap-
 10 ter 338 of the laws of 1998 ... 8,500,000 (re. \$1,718,000)
 11 By chapter 54, section 1, of the laws of 2003:
 12 For expenses related to spinal cord injury research pursuant to chap-
 13 ter 338 of the laws of 1998 ... 8,500,000 (re. \$2,369,000)
 14 By chapter 54, section 1, of the laws of 2002:
 15 For expenses related to spinal cord injury research pursuant to chap-
 16 ter 338 of the laws of 1998 ... 8,500,000 (re. \$465,000)
 17 Total reappropriations for state operations and aid to
 18 localities 57,529,051,123
 19 =====
 20 General Fund
 21 Community Projects Fund - 007
 22 Account GG
 23 By chapter 54, section 1, of the laws of 2000, as added by chapter 53,
 24 section 6, of the laws of 2000:
 25 For services and expenses of cancer permanency planning - legal and
 26 family counseling services ... 500,000 (re. \$30,000)

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CAPITAL PROJECTS 2010-11

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

4	Capital Projects Fund	232,600,000
5	Federal Capital Projects Fund	157,183,000
6		-----
7	All Funds	389,783,000
8		=====
9	HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-	
10	ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)	217,000,000
11		-----
12	Capital Projects Fund	
13	Health Care System Improvement Purpose	
14	For payments and grants in accordance with	
15	section 2818 of the public health law	
16	establishing the health care system	
17	improvement capital grant program,	
18	including necessary support to facili-	
19	tate closures, conversions and consol-	
20	idations within the health care delivery	
21	system including operational support	
22	intended to maintain facility viability	
23	the retirement of health care facility	
24	indebtedness, provided, however, that no	
25	expenditures may be made from this	
26	appropriation until a comprehensive plan	
27	of projects has been approved by the	
28	director of the budget. For purposes of	
29	HEAL NY, all such activities are deemed	
30	to constitute a capital expenditure.	
31	The moneys hereby appropriated shall be	
32	for payment of financial assistance	
33	heretofore accrued or hereafter to	
34	accrue (12HE10HE)	192,000,000
35	For transfer to the Roswell park cancer	
36	institute corporation to support capital	
37	projects in accordance with section 2818	
38	of the public health law establishing	
39	the health care system improvement capi-	
40	tal grant program (12RP10HE)	25,000,000
41	LABORATORIES AND RESEARCH (CCP)	8,000,000
42		-----
43	Capital Projects Fund	

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CAPITAL PROJECTS 2010-11

1 Preservation of Facilities Purpose

2 To maintain and improve existing facili-
 3 ties including preparation of plans and
 4 for payment to the design and
 5 construction management account of the
 6 centralized services fund of the New
 7 York state office of general services.
 8 Upon the request of the commissioner of
 9 the department of health and approval of
 10 the director of the division of the
 11 budget, funds of this appropriation may
 12 be transferred to the dormitory authori-
 13 ty of the state of New York for capital
 14 projects (12591003) 8,000,000

15 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP) 7,600,000
 16 -----

17 Capital Projects Fund

18 Preservation of Facilities Purpose

19 For minor alterations, improvements and
 20 preventive maintenance of St. Albans
 21 Nursing Home, Helen Hayes Hospital,
 22 Oxford Nursing Home, Batavia Nursing
 23 Home, and Montrose Nursing Home includ-
 24 ing preparation of plans and for payment
 25 to the design and construction manage-
 26 ment account of the centralized services
 27 fund of the New York state office of
 28 general services. Upon the request of
 29 the commissioner of the department of
 30 health and approval of the director of
 31 the division of the budget, funds of
 32 this appropriation may be transferred to
 33 the dormitory authority of the state of
 34 New York for capital projects (12601003)
 35 7,600,000

36 WATER RESOURCES (CCP) 157,183,000
 37 -----

38 Federal Capital Projects Fund

39 Water Resources Purpose

40 For federal grants for the safe drinking
 41 water revolving fund (12021057) 157,183,000

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	Capital Projects Fund - Advances	108,000,000
5		-----
6	All Funds	108,000,000
7		=====
8	Capital Projects Fund	
9	HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-	
10	ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)	108,000,000
11		-----
12	Health Care System Improvement Purpose	
13	An advance for payments and grants in	
14	accordance with section 2818 of the	
15	public health law establishing the	
16	health care system improvement capital	
17	grant program, provided, however, that	
18	no expenditures may be made from this	
19	appropriation until a comprehensive plan	
20	of projects has been approved by the	
21	director of the budget. The moneys here-	
22	by appropriated shall be for payment of	
23	financial assistance heretofore accrued	
24	or hereafter to accrue (12BD10HE)	108,000,000

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

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

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

Capital Projects Fund

Health Care System Improvement Purpose

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

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including operational support intended to maintain facility viability the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE09HE)
192,000,000 (re. \$192,000,000)

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

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

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

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures,

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 conversions and consolidations within the health care delivery
 2 system including operational support intended to maintain facility
 3 viability the retirement of health care facility indebtedness,
 4 provided, however, that no expenditures may be made from this appro-
 5 priation until a comprehensive plan of projects has been approved by
 6 the director of the budget. For purposes of HEAL NY, all such activ-
 7 ities are deemed to constitute a capital expenditure. The moneys
 8 hereby appropriated shall be for payment of financial assistance
 9 heretofore accrued or hereafter to accrue (12HE08HE)
 10 133,000,000 (re. \$131,900,000)
 11 For services and expenses related to local health care planning
 12 including but not limited to: examining racial and ethnic dispari-
 13 ties in the provision of health care; developing a process to meas-
 14 ure and integrate consumer needs for health care services as the
 15 basis for health care provider planning; assessing future long term
 16 care needs taking into account consumer preferences for care; and
 17 reviewing the impact of the migration of services from hospitals to
 18 ambulatory care providers on the cost, quality and availability of
 19 services. Notwithstanding section one hundred twelve or section one
 20 hundred sixty-three of the state finance law, the commissioner of
 21 health, at his or her discretion, may award, without a competitive
 22 process, grants up to \$2 million to qualified health planning agen-
 23 cies for such purposes. For the purposes of HEAL NY, such activities
 24 are deemed to constitute a capital expenditure (12HE08HE)
 25 7,000,000 (re. \$6,200,000)
 26 An advance for payments and grants in accordance with section 2818 of
 27 the public health law establishing the health care system improve-
 28 ment capital grant program, provided, however, that no expenditures
 29 may be made from this appropriation until a comprehensive plan of
 30 projects has been approved by the director of the budget. The moneys
 31 hereby appropriated shall be for payment of financial assistance
 32 heretofore accrued or hereafter to accrue (12BD08HE)
 33 85,000,000 (re. \$84,200,000)
 34 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 35 section 1, of the laws of 2009:
 36 For payments and grants in accordance with section 2818 of the public
 37 health law establishing the health care system improvement capital
 38 grant program, including necessary support to facilitate closures,
 39 conversions and consolidations within the health care delivery
 40 system including the retirement of health care facility indebt-
 41 edness, provided, however, that no expenditures may be made from
 42 this appropriation until a comprehensive plan of projects has been
 43 approved by the director of the budget. For purposes of HEAL NY, all
 44 such activities are deemed to constitute a capital expenditure.
 45 The moneys hereby appropriated shall be for payment of financial
 46 assistance heretofore accrued or hereafter to accrue (12HE07HE)
 47 140,000,000 (re. \$126,500,000)
 48 By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
 49 section 1, of the laws of 2008:

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 An advance for payments and grants in accordance with section 2818 of
 2 the public health law establishing the health care system improve-
 3 ment capital grant program, provided, however, that no expenditures
 4 may be made from this appropriation until a comprehensive plan of
 5 projects has been approved by the director of the budget. The moneys
 6 hereby appropriated shall be for payment of financial assistance
 7 heretofore accrued or hereafter to accrue
 8 (12BD07HE) ... 85,000,000 (re. \$82,000,000)

9 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 10 section 1, of the laws of 2009:

11 For payments and grants in accordance with section 2818 of the public
 12 health law establishing the health care system improvement capital
 13 grant program, including necessary support to facilitate closures,
 14 conversions and consolidations within the health care delivery
 15 system including the retirement of health care facility indebt-
 16 edness, provided, however, that no expenditures may be made from
 17 this appropriation until a comprehensive plan of projects has been
 18 approved by the director of the budget. For purposes of HEAL NY, all
 19 such activities are deemed to constitute a capital expenditure.

20 The moneys hereby appropriated shall be for payment of financial
 21 assistance heretofore accrued or hereafter to accrue (12HE06HE)
 22 140,000,000 (re. \$27,000,000)

23 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 24 section 1, of the laws of 2008:

25 An advance for payments and grants in accordance with section 2818 of
 26 the public health law establishing the health care system improve-
 27 ment capital grant program, provided, however, that no expenditures
 28 may be made from this appropriation until a comprehensive plan of
 29 projects has been approved by the director of the budget. The moneys
 30 hereby appropriated shall be for payment of financial assistance
 31 heretofore accrued or hereafter to accrue
 32 (12BD06HE) ... 85,000,000 (re. \$43,593,000)

33 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
 34 section 1, of the laws of 2009:

35 For payments and grants in accordance with section 2818 of the public
 36 health law establishing the health care system improvement capital
 37 grant program, including necessary support to facilitate closures,
 38 conversions and consolidations within the health care delivery
 39 system including the retirement of health care facility indebt-
 40 edness, provided, however, that no expenditures may be made from
 41 this appropriation until a comprehensive plan of projects has been
 42 approved by the director of the budget. For purposes of HEAL NY, all
 43 such activities are deemed to constitute a capital expenditure. The
 44 moneys hereby appropriated shall be for payment of financial assist-
 45 ance heretofore accrued or hereafter to accrue (12HE05HE)
 46 65,000,000 (re. \$14,900,000)

47 By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
 48 section 1, of the laws of 2008:

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 An advance for payments in accordance with section 2817 of the public
 2 health law establishing the community health care centers capital
 3 program, provided, however, that no expenditures may be made from
 4 this appropriation until a comprehensive plan of projects has been
 5 approved by the director of the budget. The moneys hereby appropri-
 6 ated shall be for payment of financial assistance heretofore accrued
 7 or hereafter to accrue (12BD05CH)
 8 10,000,000 (re. \$10,000,000)
 9 An advance for payments and grants in accordance with section 2818 of
 10 the public health law establishing the health care system improve-
 11 ment capital grant program, provided, however, that no expenditures
 12 may be made from this appropriation until a comprehensive plan of
 13 projects has been approved by the director of the budget. The moneys
 14 hereby appropriated shall be for payment of financial assistance
 15 heretofore accrued or hereafter to accrue (12BD05HE)
 16 175,000,000 (re. \$98,100,000)

17 LABORATORIES AND RESEARCH (CCP)

18 Capital Projects Fund

19 Preservation of Facilities Purpose

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

21 To maintain and improve existing facilities including preparation of
 22 plans and for payment to the design and construction management
 23 account of the centralized services fund of the New York state
 24 office of general services. Upon the request of the commissioner of
 25 the department of health and approval of the director of the divi-
 26 sion of the budget, funds of this appropriation may be transferred
 27 to the dormitory authority of the state of New York for capital
 28 projects (12590903) ... 8,000,000 (re. \$7,400,000)

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

30 To maintain and improve existing facilities including preparation of
 31 plans and for payment to the design and construction management
 32 account of the centralized services fund of the New York state
 33 office of general services. Upon the request of the commissioner of
 34 the department of health and approval of the director of the divi-
 35 sion of the budget, funds of this appropriation may be transferred
 36 to the dormitory authority of the state of New York for capital
 37 projects (12590803) ... 10,000,000 (re. \$7,100,00)

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

39 To maintain and improve existing facilities including preparation of
 40 plans and for payment to the design and construction management
 41 account of the centralized services fund of the New York state
 42 office of general services. Upon the request of the commissioner of
 43 the department of health and approval of the director of the divi-
 44 sion of the budget, funds of this appropriation may be transferred
 45 to the dormitory authority of the state of New York for capital
 46 projects (12590703) ... 10,000,000 (re. \$3,923,000)

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

- 1 By chapter 54, section 1, of the laws of 2006:
 2 To maintain and improve existing facilities including preparation of
 3 plans and for payment to the design and construction management
 4 account of the centralized services fund of the New York state
 5 office of general services. Upon the request of the commissioner of
 6 the department of health and approval of the director of the divi-
 7 sion of the budget, funds of this appropriation may be transferred
 8 to the dormitory authority of the state of New York for capital
 9 projects (12590603) ... 10,000,000 (re. \$4,718,000)
- 10 By chapter 54, section 1, of the laws of 2005:
 11 To maintain and improve existing facilities including preparation of
 12 plans and for payment to the design and construction management
 13 account of the centralized services fund of the New York state
 14 office of general services (12590503)
 15 4,000,000 (re. \$794,000)
- 16 By chapter 54, section 1, of the laws of 2004:
 17 To maintain and improve existing facilities including preparation of
 18 plans and for payment to the design and construction management
 19 account of the centralized services fund of the New York state
 20 office of general services (12590403)
 21 4,000,000 (re. \$380,000)
- 22 By chapter 54, section 1, of the laws of 2003:
 23 To maintain and improve existing facilities including preparation of
 24 plans and for payment to the design and construction management
 25 account of the centralized services fund of the New York state
 26 office of general services (12590303)
 27 4,000,000 (re. \$1,987,000)
- 28 Umbilical Cord Blood Bank Purpose
- 29 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
 30 section 1, of the laws of 2007:
 31 For payments and grants for the design and construction of an umbili-
 32 cal cord blood bank facility in Syracuse, New York. Upon the request
 33 of the Commissioner of the department of health and approval of the
 34 Director of the division of the budget, these funds may be available
 35 and are authorized for transfer to the state university of New York
 36 construction fund (125906BB) ... 5,000,000 (re. \$5,000,000)
- 37 MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)
- 38 Capital Projects Fund
- 39 Preservation of Facilities Purpose
- 40 By chapter 54, section 1, of the laws of 2009:
 41 For minor alterations, improvements and preventive maintenance of St.
 42 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
 43 Batavia Nursing Home, and Montrose Nursing Home including prepara-

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

tion of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects [(12590903)] (12600903)
7,600,000 (re. \$6,700,000)

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

For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12600803) ... 7,600,000 (re. \$5,510,000)

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

For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12600703) ... 7,600,000 (re. \$2,600,000)

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

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

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

For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 ment account of the centralized services fund of the New York state
 2 office of general services. (12600503)
 3 7,600,000 (re. \$143,000)

4 By chapter 54, section 1, of the laws of 2004:
 5 For minor alterations, improvements and preventive maintenance of the
 6 St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home
 7 and Batavia Nursing Home including preparation of plans and for
 8 payment to the design and construction management account of the
 9 centralized services fund of the New York state office of general
 10 services (12600403) ... 7,600,000 (re. \$2,363,000)

11 By chapter 54, section 1, of the laws of 2003:
 12 For minor alterations, improvements and preventive maintenance of St.
 13 Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and
 14 Batavia Nursing Home including preparation of plans and for payment
 15 to the design and construction management account of the centralized
 16 services fund of the New York state office of general services
 17 (12600303) ... 7,600,000 (re. \$2,556,000)

18 WATER RESOURCES (CCP)

19 Federal Capital Projects Fund

20 Water Resources Purpose

21 By chapter 54, section 1, of the laws of 2009:
 22 For federal grants for the safe drinking water revolving fund
 23 (12020957) ... 35,525,000 (re. \$35,525,000)
 24 For federal grants for the safe drinking water revolving fund funded
 25 by the American recovery and reinvestment act of 2009. Funds appro-
 26 priated herein shall be subject to all applicable reporting and
 27 accountability requirements contained in such act
 28 87,000,000 (re. \$87,000,000)

29 By chapter 54, section 1, of the laws of 2008:
 30 For federal grants for the safe drinking water revolving fund
 31 (12020857) ... 9,980,000 (re. \$9,980,000)

32 By chapter 54, section 1, of the laws of 2007:
 33 For federal grants for the safe drinking water revolving fund
 34 (12020757) ... 36,812,000 (re. \$28,900,000)

35 By chapter 54, section 1, of the laws of 2006:
 36 For federal grants for the safe drinking water revolving fund
 37 (12020657) ... 32,937,000 (re. \$1,200,000)

38 By chapter 54, section 1, of the laws of 2004:
 39 For federal grants for the safe drinking water revolving fund
 40 (12020457) ... 65,000,000 (re. \$626,000)

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

9 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
12 -----				-----
13 GF-St/Local	33,274,000	0	0	33,274,000
14 SR-Federal	50,804,000	0	0	50,804,000
15 SR-Other	4,083,000	0	0	4,083,000
16 -----				-----
17 All Funds	88,161,000	0	0	88,161,000
18 -----				-----

19 SCHEDULE

20 MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM	88,161,000
21	-----

22 General Fund / State Operations
23 State Purposes Account - 003

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

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	23,341,000
Temporary service	23,000
Holiday/overtime compensation	120,000

Amount available for personal service	23,484,000

NONPERSONAL SERVICE

Supplies and materials	870,000
Travel	309,000
Contractual services	8,949,000
Equipment	2,862,000

Amount available for nonpersonal service	12,990,000

MAINTENANCE UNDISTRIBUTED

For transfer to the state university of New York and its subsidiaries, with any available federal matching funds, or to contract without competition for services with the state university of New York research foundation, to provide support for the medical assistance program; including but not limited to, providing clinical and medical expertise, maximizing the recovery of unclaimed federal medicaid reimbursement funds, performing audits of facility ordered services and physicians, reviewing requests for medical prior approvals, resolving medical and/or surgical claims pending, and conducting clinical eligibility reviews for disabled individuals or for services and expenses, together with any available federal matching funds, for contracts or other expenditures supporting medicaid audit and fraud activities.

Contractual services	500,000

Program account subtotal	36,974,000

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

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Notwithstanding any other provision of law,
2 the money hereby appropriated may be
3 increased or decreased by interchange,
4 with any appropriation of the office of
5 medicaid inspector general, and may be
6 increased or decreased by transfer or
7 suballocation between these appropriated
8 amounts and appropriations of the depart-
9 ment of health, office of mental health,
10 office of mental retardation and develop-
11 mental disabilities and office of alcohol-
12 ism and substance abuse services with the
13 approval of the director of the budget,
14 who shall file such approval with the
15 department of audit and control and copies
16 thereof with the chairman of the senate
17 finance committee and the chairman of the
18 assembly ways and means committee.
19 For services and expenses related to the
20 medicaid fraud and abuse program 50,804,000
21 -----
22 Program fund subtotal 50,804,000
23 -----

24 Special Revenue Funds - Other / State Operations
25 Miscellaneous Special Revenue Fund - 339
26 Quality Assurance and Audit Revenue Activities Account

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

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular 252,000

NONPERSONAL SERVICE

Fringe benefits 123,000
Indirect costs 8,000

Amount available for nonpersonal service 131,000

Program account subtotal 383,000

MAINTENANCE UNDISTRIBUTED 0

General Fund / State Operations
State Purposes Account - 003

Less the amount appropriated as an offset
from the special revenue funds - other,
miscellaneous special revenue fund - 339,
recoveries and revenue account. Notwith-
standing any contrary provision of law,
this offset shall reduce general fund
appropriations within the medicaid audit
and fraud prevention program of the office
of medicaid inspector general funded from
the state purposes account (3,700,000)

Program account subtotal (3,700,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Recoveries and Revenue Account

Amount appropriated as an offset to the
general fund - state purposes account of
the office of medicaid inspector general.
The director of the budget is hereby
authorized to apportion funds to the medi-
caid audit and fraud prevention program of
this agency from this appropriation by
certificate of approval 3,700,000

Program account subtotal 3,700,000

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Total new appropriations for state operations and aid to	
2	localities	88,161,000
3		=====

1 MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM

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

18	Total reappropriations for state operations and aid to	
19	localities	48,127,000
20		=====

DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

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

7 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

8 Fund Type	State Operations	Aid to Localities	Capital Projects	Total
10 -----	-----	-----	-----	-----
11 SR-Other	600,000,000	0	0	600,000,000
12	-----	-----	-----	-----
13 All Funds	600,000,000	0	0	600,000,000
14	=====	=====	=====	=====

15 SCHEDULE

16 Special Revenue Funds - Other / State Operations
 17 Miscellaneous Special Revenue Fund - 339
 18 Mental Hygiene Patient Income Account

19 Amount appropriated for the various offices
 20 of the department of mental hygiene and
 21 for employee fringe benefits of any other
 22 state agency. The director of the budget
 23 is hereby authorized to transfer this
 24 appropriation to state operations and/or
 25 local assistance in the office of mental
 26 health, office of mental retardation and
 27 developmental disabilities, and office of
 28 alcoholism and substance abuse services of
 29 the department, or to the general fund
 30 from this appropriation by certificate of
 31 approval 300,000,000
 32 -----
 33 Program account subtotal 300,000,000
 34 -----

35 Special Revenue Funds - Other / State Operations
 36 Miscellaneous Special Revenue Fund - 339
 37 Mental Hygiene Program Fund Account

38 Amount appropriated for the various offices
 39 of the department of mental hygiene and
 40 for employee fringe benefits of any other
 41 state agency. The director of the budget
 42 is hereby authorized to transfer this
 43 appropriation to state operations and/or

DEPARTMENT OF MENTAL HYGIENE

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	local assistance in the office of mental	
2	health, office of mental retardation and	
3	developmental disabilities, and office of	
4	alcoholism and substance abuse services of	
5	the department, or to the general fund	
6	from this appropriation by certificate of	
7	approval	300,000,000
8		-----
9	Program account subtotal	300,000,000
10		-----
11	Total new appropriations for state operations and aid to	
12	localities	600,000,000
13		=====

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:

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

10 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

11	Fund Type	State Operations	Aid to Localities	Capital Projects	Total
12	-----	-----	-----	-----	-----
13					
14	GF-St/Local	0	153,000,000	0	153,000,000
15	SR-Federal	6,445,000	140,115,000	0	146,560,000
16	SR-Other	123,905,000	188,079,000	0	311,984,000
17	Cap Proj	0	0	108,934,000	108,934,000
18		-----	-----	-----	-----
19	All Funds	130,350,000	481,194,000	108,934,000	720,478,000
20		=====	=====	=====	=====

21 SCHEDULE

22 COMMUNITY TREATMENT SERVICES PROGRAM 394,560,000
 23 -----

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

26 For payment, net of disallowances, of state
 27 financial assistance in accordance with
 28 the mental hygiene law related to treat-
 29 ment services.
 30 Notwithstanding any other provisions of law,
 31 no payment shall be made from this appro-
 32 priation until the recipient agency has
 33 demonstrated that it has applied for and
 34 received, or received formal notification
 35 of refusal of, all forms of third-party
 36 reimbursement, including federal aid and
 37 patient fees. The moneys hereby appropri-
 38 ated are available to reimburse or advance
 39 to localities and voluntary nonprofit
 40 agencies for expenditures heretofore
 41 accrued or hereafter to accrue during
 42 local fiscal periods commencing January 1,

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 2010 or July 1, 2010 and for advances for
2 the period beginning January 1, 2011.
3 The commissioner, pursuant to such contract
4 and/or funding authorization letter, may
5 pay from this appropriation all or a
6 portion of the expenses incurred by such
7 voluntary agencies arising out of loans
8 obtained from the proceeds of bonds and
9 notes issued by the dormitory authority of
10 the state of New York or another author-
11 ized entity approved by the division of
12 the budget. Such expenses may include, but
13 shall not be limited to, amounts relating
14 to principal and interest and any other
15 fees and charges arising from such loans.
16 Notwithstanding any other provision of law,
17 subject to the approval of the director of
18 the budget, a portion of the money appro-
19 priated herein may be made available for
20 obligations and payments heretofore or
21 hereafter accrued by the department of
22 health for community alcoholism, chemical
23 dependence, and substance abuse treatment
24 services, including the state share of
25 medical assistance payments.
26 Notwithstanding any inconsistent provision
27 of law, a portion of the money appropri-
28 ated herein may be made available for
29 transfer to the department of health for
30 the state share of disproportionate share
31 payments to voluntary nonprofit general
32 hospitals pursuant to chapter 119 of the
33 laws of 1997, as amended.
34 Notwithstanding any inconsistent provisions
35 of law, moneys from this appropriation may
36 be used for expenses of localities,
37 nonprofit and for-profit agencies that may
38 arise from the assumption of operational
39 responsibilities for programs when operat-
40 ing certificates for such programs cease
41 to be in effect and/or programs are placed
42 into receivership pursuant to section
43 19.41 of the mental hygiene law.
44 Notwithstanding any inconsistent provision
45 of law, including section 1 of part C of
46 chapter 57 of the laws of 2006, as amended
47 by section 2 of part I of chapter 58 of
48 the laws of 2008 and part L of chapter 58
49 of the laws of 2009, for the period
50 commencing on April 1, 2009 and ending

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 March 31, 2011 the commissioner shall not
2 apply any cost of living adjustment for
3 the purpose of establishing rates of
4 payments, contracts or any other form of
5 reimbursement.

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

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

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

30 Notwithstanding any other provision of law,
31 the money hereby appropriated may be
32 transferred to state operations and/or any
33 appropriation of the office of alcoholism
34 and substance abuse services, with the
35 approval of the director of the budget who
36 shall file such approval with the depart-
37 ment of audit and control and copies ther-
38 eof with the chairman of the senate
39 finance committee and the chairman of the
40 assembly ways and means committee.

41 The state comptroller is hereby authorized
42 to receive funds from the office of alco-
43 holism and substance abuse services that
44 were returned from providers in the
45 current fiscal year in respect of a
46 settlement of local assistance funds from
47 prior fiscal years and is authorized to
48 refund such moneys to the credit of the
49 local assistance account of the general

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 fund for the purpose of reimbursing the
 2 2010-11 appropriation.
 3 Funds appropriated herein shall be available
 4 in accordance with the following:
 5 For services and expenses related to problem
 6 gambling and chemical dependence outpa-
 7 tient services 119,000,000
 8 For the state share of medical assistance
 9 payments for outpatient services and the
 10 state share of disproportionate share
 11 payments 34,000,000
 12 -----
 13 Program account subtotal 153,000,000
 14 -----

15 Special Revenue Funds - Federal / Aid to Localities
 16 Federal Health and Human Services Fund - 265

17 For services and expenses of prevention,
 18 intervention, and treatment programs
 19 provided by the SAPT block grants.
 20 Notwithstanding any inconsistent provision
 21 of law, a portion of the funds hereby
 22 appropriated may, subject to the approval
 23 of the director of the budget, be trans-
 24 ferred to state operations and/or any
 25 appropriation of the office of alcoholism
 26 and substance abuse services consistent
 27 with the terms and conditions of the SAPT
 28 block grant award.
 29 Notwithstanding any provision of law to the
 30 contrary, the commissioner of the office
 31 of alcoholism and substance abuse services
 32 shall be authorized to continue contracts
 33 which were executed on or before March 31,
 34 2010 with entities providing services for
 35 problem gambling and chemical dependency
 36 prevention, treatment and recovery
 37 services, without any additional require-
 38 ments that such contracts be subject to
 39 competitive bidding, a request for
 40 proposal process or other administrative
 41 procedures 82,000,000
 42 For services and expenses associated with
 43 federal grant awards yet to be allocated
 44 by the federal department of health and
 45 human services. Notwithstanding any incon-
 46 sistent provision of law, the director of
 47 the budget is hereby authorized to trans-

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	fer appropriation authority contained	
2	herein to state operations and/or any	
3	appropriation of the office of alcoholism	
4	and substance abuse services	5,000,000
5		-----
6	Program fund subtotal	87,000,000
7		-----
8	Special Revenue Funds - Federal / Aid to Localities	
9	Federal Operating Grants Fund - 290	
10	For services and expenses related to home-	
11	less grants. Subject to a plan approved by	
12	the director of the budget, the amount	
13	appropriated herein may be made available	
14	to other state agencies for services and	
15	expenses related to federal homeless	
16	grants. The director of the budget is	
17	hereby authorized to transfer appropri-	
18	ation authority contained herein to state	
19	operations and/or any appropriation of the	
20	office of alcoholism and substance abuse	
21	services and/or any other federal fund in	
22	which federal homeless grants are actually	
23	received	14,000,000
24	For services and expenses associated with	
25	federal grant awards yet to be allocated.	
26	Notwithstanding any inconsistent provision	
27	of law, the director of the budget is	
28	hereby authorized to transfer appropri-	
29	ation authority contained herein to state	
30	operations and/or any appropriation of the	
31	office of alcoholism and substance abuse	
32	services	5,000,000
33	For services and expenses related to enforc-	
34	ing the underage drinking laws program	
35	grant. Notwithstanding any inconsistent	
36	provision of law, a portion of the funds	
37	hereby appropriated may, subject to the	
38	approval of the director of the budget, be	
39	transferred to state operations and/or any	
40	appropriation of the office of alcoholism	
41	and substance abuse services consistent	
42	with the terms of the federal award	360,000
43		-----
44	Program fund subtotal	19,360,000
45		-----
46	Special Revenue Funds - Other / Aid to Localities	
47	Miscellaneous Special Revenue Fund - 339	

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Mental Hygiene Program Fund Account

2 For payment, net of disallowances, of state
3 financial assistance in accordance with
4 the mental hygiene law related to treat-
5 ment services.

6 Notwithstanding any other provisions of law,
7 no payment shall be made from this appro-
8 priation until the recipient agency has
9 demonstrated that it has applied for and
10 received, or received formal notification
11 of refusal of, all forms of third-party
12 reimbursement, including federal aid and
13 patient fees. The moneys hereby appropri-
14 ated are available to reimburse or advance
15 to localities and voluntary nonprofit
16 agencies for expenditures heretofore
17 accrued or hereafter to accrue during
18 local fiscal periods commencing January 1,
19 2010 or July 1, 2010 and for advances for
20 the period beginning January 1, 2011.

21 The commissioner, pursuant to such contract
22 and/or funding authorization letter, may
23 pay from this appropriation all or a
24 portion of the expenses incurred by such
25 voluntary agencies arising out of loans
26 obtained from the proceeds of bonds and
27 notes issued by the dormitory authority of
28 the state of New York or another author-
29 ized entity approved by the division of
30 the budget. Such expenses may include, but
31 shall not be limited to, amounts relating
32 to principal and interest and any other
33 fees and charges arising from such loans.

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

44 Notwithstanding any inconsistent provision
45 of law, including section 1 of part C of
46 chapter 57 of the laws of 2006, as amended
47 by section 2 of part I of chapter 58 of
48 the laws of 2008 and part L of chapter 58
49 of the laws of 2009, for the period

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

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

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

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

31 Notwithstanding any other provision of law,
32 the money hereby appropriated may be
33 transferred to state operations and/or any
34 appropriation of the office of alcoholism
35 and substance abuse services, with the
36 approval of the director of the budget who
37 shall file such approval with the depart-
38 ment of audit and control and copies ther-
39 eof with the chairman of the senate
40 finance committee and the chairman of the
41 assembly ways and means committee.

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

48 The state comptroller is hereby authorized
49 to receive funds from the office of alco-
50 holism and substance abuse services that

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 were returned from providers in the
 2 current fiscal year in respect of a
 3 settlement of local assistance funds from
 4 prior fiscal years and is authorized to
 5 refund such moneys to the credit of this
 6 fund for the purpose of reimbursing the
 7 2010-11 appropriation.
 8 Funds appropriated herein shall be available
 9 in accordance with the following:
 10 For services and expenses related to inpa-
 11 tient rehabilitation services 200,000
 12 For services and expenses related to resi-
 13 dential services 89,000,000
 14 For services and expenses related to crisis
 15 services 15,000,000
 16 For expenses related to debt service
 17 payments for capital projects funded by
 18 the proceeds of bonds and notes issued by
 19 the dormitory authority of the state of
 20 New York 31,000,000
 21 -----
 22 Program account subtotal 135,200,000
 23 -----
 24 EXECUTIVE DIRECTION PROGRAM 58,552,000
 25 -----
 26 Special Revenue Funds - Federal / State Operations
 27 Federal Health and Human Services Fund - 265
 28 For services and expenses associated with
 29 administering the substance abuse
 30 prevention and treatment (SAPT) block
 31 grant.
 32 Notwithstanding any inconsistent provision
 33 of law, a portion of the funds hereby
 34 appropriated may, subject to the approval
 35 of the director of the budget, be trans-
 36 ferred to local assistance and/or any
 37 appropriation of the office of alcoholism
 38 and substance abuse services consistent
 39 with the terms and conditions of the SAPT
 40 block grant award.
 41 Personal service 3,778,000
 42 Nonpersonal service 977,000
 43 -----
 44 Program fund subtotal 4,755,000
 45 -----

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Funds - Federal / State Operations
 2 Federal Department of Education Fund - 267

 3 For services and expenses associated with
 4 the administration of the federal safe and
 5 drug free schools and communities act
 6 consistent with the terms and conditions
 7 of the federal award.
 8 Notwithstanding any inconsistent provision
 9 of law, a portion of the funds hereby
 10 appropriated may, subject to the approval
 11 of the director of the budget, be trans-
 12 ferred to local assistance and/or any
 13 appropriation of the office of alcoholism
 14 and substance abuse services consistent
 15 with the terms of the federal award 147,000
 16 -----
 17 Program fund subtotal 147,000
 18 -----

 19 Special Revenue Funds - Federal / State Operations
 20 Federal Operating Grants Fund - 290
 21 Statewide Data Collection Account

 22 For services and expenses related to the
 23 statewide data collection program as
 24 mandated in the 1988 federal anti-drug
 25 abuse act.
 26 Notwithstanding any inconsistent provision
 27 of law, moneys hereby appropriated may,
 28 subject to the approval of the director of
 29 the budget, be transferred to local
 30 assistance and/or any appropriation of the
 31 office of alcoholism and substance abuse
 32 services 343,000
 33 -----
 34 Program account subtotal 343,000
 35 -----

 36 Special Revenue Funds - Other / State Operations
 37 Miscellaneous Special Revenue Fund - 339
 38 Credentialing Services Account

 39 For services and expenses related to the
 40 credentialing of prevention, alcohol and
 41 substance abuse, and problem gambling
 42 counselors.
 43 Notwithstanding any inconsistent provision
 44 of law, moneys hereby appropriated may,
 45 subject to the approval of the director of

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.

PERSONAL SERVICE

Personal service--regular	626,000
Holiday/overtime compensation	8,000

Amount available for personal service	634,000

NONPERSONAL SERVICE

Fringe benefits	303,000
Indirect costs	25,000

Amount available for nonpersonal service	328,000

Program account subtotal	962,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 law to the mental hygiene program fund
2 account.

3 PERSONAL SERVICE

4 Personal service--regular 26,000,000
5 Holiday/overtime compensation 25,000
6 -----
7 Amount available for personal service 26,025,000
8 -----

9 NONPERSONAL SERVICE

10 Supplies and materials 1,200,000
11 Travel 750,000
12 Contractual services 8,600,000
13 Equipment 300,000
14 Indirect costs 1,100,000
15 Fringe benefits 12,000,000
16 -----
17 Amount available for nonpersonal service 23,950,000
18 -----
19 Program account subtotal 49,975,000
20 -----

21 Special Revenue Funds - Other / State Operations
22 Miscellaneous Special Revenue Fund - 339
23 Methadone Registry Services Account

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

36 NONPERSONAL SERVICE

37 Contractual services 300,000
38 -----
39 Program account subtotal 300,000
40 -----

41 Special Revenue Funds - Other / State Operations

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Miscellaneous Special Revenue Fund - 339
Special Projects Account

For services and expenses related to special projects.

Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.

Notwithstanding any other provision of law, up to \$2,000,000 of this appropriation shall be made available for services and expenses to support amounts for administration, research associates, equipment, travel, conference expenses, contractual services, grant writers to increase income from non-state sources, and other research initiatives. Funding will be provided through research foundation for mental hygiene, inc. resources, including, but not limited to, indirect costs recoveries, direct grant reimbursement, interest earnings and operating balances.

NONPERSONAL SERVICE

Supplies and materials	15,000
Travel	5,000
Contractual services	2,050,000

Program account subtotal	2,070,000

INSTITUTIONAL SERVICES 71,798,000

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

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

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be trans-

38	Supplies and materials	5,800,000
39	Travel	300,000
40	Contractual services	9,600,000
41	Equipment	400,000

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Indirect costs	900,000
2	Fringe benefits	10,000,000
3		-----
4	Amount available for nonpersonal service	27,000,000
5		-----
6	Program account subtotal	47,750,000
7		-----

8 Special Revenue Funds - Other / State Operations
 9 Miscellaneous Special Revenue Fund - 339
 10 Mental Hygiene Patient Income Account

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

27 PERSONAL SERVICE

28	Personal service--regular	15,129,000
29		-----

30 NONPERSONAL SERVICE

31	Indirect costs	614,000
32	Fringe benefits	7,105,000
33		-----
34	Amount available for nonpersonal service	7,719,000
35		-----
36	Program account subtotal	22,848,000
37		-----

38	PREVENTION AND PROGRAM SUPPORT	86,634,000
39		-----

40 Special Revenue Funds - Federal / Aid to Localities
 41 Federal Health and Human Services Fund - 265

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For services and expenses related to
 2 prevention, intervention and treatment
 3 programs provided by the substance abuse
 4 prevention and treatment (SAPT) block
 5 grant.
 6 Notwithstanding any inconsistent provision
 7 of law, a portion of the funds hereby
 8 appropriated may, subject to the approval
 9 of the director of the budget, be trans-
 10 ferred to state operations and/or any
 11 appropriation of the office of alcoholism
 12 and substance abuse services consistent
 13 with the terms and conditions of the SAPT
 14 block grant award.
 15 Notwithstanding any provision of law to the
 16 contrary, the commissioner of the office
 17 of alcoholism and substance abuse services
 18 shall be authorized to continue contracts
 19 which were executed on or before March 31,
 20 2010 with entities providing services for
 21 problem gambling and chemical dependency
 22 prevention, treatment and recovery
 23 services, without any additional require-
 24 ments that such contracts be subject to
 25 competitive bidding, a request for
 26 proposal process or other administrative
 27 procedures 29,000,000
 28 -----
 29 Program fund subtotal 29,000,000
 30 -----

31 Special Revenue Funds - Federal / Aid to Localities
 32 Federal Department of Education Fund - 267

33 For services and expenses related to
 34 prevention from the federal safe and drug-
 35 free schools and communities act consist-
 36 ent with the terms and conditions of the
 37 federal award.
 38 Notwithstanding any inconsistent provision
 39 of law, moneys hereby appropriated may,
 40 subject to the approval of the director of
 41 the budget, be transferred to state oper-
 42 ations and/or any appropriation of the
 43 office of alcoholism and substance abuse
 44 services.
 45 Notwithstanding any provision of law to the
 46 contrary, the commissioner of the office
 47 of alcoholism and substance abuse services
 48 shall be authorized to continue contracts

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

which were executed on or before March 31,
 2010 with entities providing services for
 problem gambling and chemical dependency
 prevention, treatment and recovery
 services, without any additional require-
 ments that such contracts be subject to
 competitive bidding, a request for
 proposal process or other administrative
 procedures 4,755,000

 Program fund subtotal 4,755,000

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

For payment, net of disallowances, of state
 financial assistance in accordance with
 the mental hygiene law related to problem
 gambling and chemical dependency school
 and community-based prevention, education,
 and recovery programs, and program
 support.

Notwithstanding any other provisions of law,
 no payment shall be made from this appro-
 priation until the recipient agency has
 demonstrated it has applied for and
 received, or received formal notification
 of refusal of, all forms of third-party
 reimbursement, including federal aid and
 patient fees. The moneys hereby appropri-
 ated are available to reimburse or advance
 to localities and voluntary nonprofit
 agencies for expenditures heretofore
 accrued or hereafter to accrue during
 local fiscal periods commencing January 1,
 2010 or July 1, 2010 and for advances for
 the period beginning January 1, 2011.

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

Notwithstanding any other provision of law,
 the money hereby appropriated may be
 transferred to state operations and/or any
 appropriation of the office of alcoholism

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

13 The state comptroller is hereby authorized
14 to receive funds from the office of alco-
15 holism and substance abuse services that
16 were returned from providers in the
17 current fiscal year in respect of a
18 settlement of local assistance funds from
19 prior fiscal years and is authorized to
20 refund such moneys to the credit of this
21 fund for the purpose of reimbursing the
22 2010-11 appropriation.

23 Notwithstanding any inconsistent provision
24 of law, including section 1 of part C of
25 chapter 57 of the laws of 2006, as amended
26 by section 2 of part I of chapter 58 of
27 the laws of 2008 and part L of chapter 58
28 of the laws of 2009, for the period
29 commencing on April 1, 2009 and ending
30 March 31, 2011 the commissioner shall not
31 apply any cost of living adjustment for
32 the purpose of establishing rates of
33 payments, contracts or any other form of
34 reimbursement.

35 Notwithstanding any inconsistent provision
36 of law, moneys from this appropriation
37 shall not be available for unified
38 services after June 30, 2010.

39 Notwithstanding any provision of law to the
40 contrary, the commissioner of the office
41 of alcoholism and substance abuse services
42 shall be authorized to continue contracts
43 which were executed on or before March 31,
44 2010 with entities providing services for
45 problem gambling and chemical dependency
46 prevention and treatment services, without
47 any additional requirements that such
48 contracts be subject to competitive
49 bidding, a request for proposal process or
50 other administrative procedures. Of the

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

amounts appropriated herein, at least
 \$15,549,568 shall be made available to the
 New York City Department of Education for
 the continuation of such school-operated
 prevention programs provided by school
 district employees 45,000,000

Program account subtotal 45,000,000

Special Revenue Fund - Other / Aid to Localities
 Miscellaneous Special Revenue Fund - 339
 License Plate Account

For services and expenses related to
 prevention efforts targeted at youth.
 Notwithstanding any inconsistent provision
 of law, moneys hereby appropriated may,
 subject to the approval of the director of
 the budget, be transferred to state oper-
 ations and/or any appropriation of the
 office of alcoholism and substance abuse
 services 39,000

Program account subtotal 39,000

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

For services and expenses of community chem-
 ical dependence treatment and prevention
 services programs including services and
 expenses related to staff training, evalu-
 ation, and workforce development activ-
 ities.
 Notwithstanding any provision of law, rule
 or regulation to the contrary, a portion
 of this appropriation related to enforce-
 ment action fine and/or levy moneys may be
 made available to localities and nonprofit
 and for-profit agencies for payment of
 expenses for facilities operating under a
 receivership pursuant to section 19.41 of
 the mental hygiene law. Such funds may
 also be transferred to state operations
 and/or any appropriation of the office of
 alcoholism and substance abuse services
 and appropriations of the department of
 health, the office of medicaid inspector

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	general, the office of mental health, and	
2	the office of mental retardation and	
3	developmental disabilities 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	7,840,000
10		-----
11	Program fund subtotal	7,840,000
12		-----
13	Total new appropriations for state operations and aid to	
14	localities	611,544,000
15		=====

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 COMMUNITY TREATMENT SERVICES PROGRAM

2 General Fund / Aid to Localities
 3 Local Assistance Account - 001

4 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,
 5 section 3, of the laws of 2009:
 6 New York Council on Problem Gambling ... 90,240 (re. \$90,240)
 7 Our Lady of Lourdes Memorial Hospital, Inc.
 8 226,000 (re. \$56,500)

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

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

12 For services and expenses of prevention, intervention, and treatment
 13 programs provided by the SAPT block grants.
 14 Notwithstanding any inconsistent provision of law, a portion of the
 15 funds hereby appropriated may, subject to the approval of the direc-
 16 tor of the budget, be transferred to state operations and/or any
 17 appropriation of the office of alcoholism and substance abuse
 18 services consistent with the terms and conditions of the SAPT block
 19 grant award.

20 Notwithstanding any provision of law to the contrary, the commissioner
 21 of the office of alcoholism and substance abuse services shall be
 22 authorized to continue contracts which were executed on or before
 23 March 31, 2009 with entities providing services for problem gambling
 24 and chemical dependency prevention, treatment and recovery services,
 25 without any additional requirements that such contracts be subject
 26 to competitive bidding, a request for proposal process or other
 27 administrative procedures ... 81,058,000 (re. \$81,058,000)

28 For services and expenses associated with federal grant awards yet to
 29 be allocated by the federal department of health and human services.
 30 Notwithstanding any inconsistent provision of law, the director of the
 31 budget is hereby authorized to transfer appropriation authority
 32 contained herein to state operations and/or any appropriation of the
 33 office of alcoholism and substance abuse services
 34 5,000,000 (re. \$5,000,000)

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

36 For services and expenses associated with federal grant awards yet to
 37 be allocated by the federal department of health and human services.
 38 Notwithstanding any inconsistent provision of law, the director of the
 39 budget is hereby authorized to transfer appropriation authority
 40 contained herein to state operations and/or any appropriation of the
 41 office of alcoholism and substance abuse services
 42 5,000,000 (re. \$4,998,000)

43 By chapter 54, section 1, of the laws of 2008, as amended by chapter 54,
 44 section 1, of the laws of 2009:

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 81,058,000 (re. \$22,213,000)

Special Revenue Funds - Federal / Aid to Localities

Federal Operating Grants Fund - 290

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

For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services and/or any other federal fund in which federal homeless grants are actually received 11,000,000 (re. \$11,000,000)

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

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

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

For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 contained herein to any other federal fund in which federal homeless
 2 grants are actually received ... 11,000,000 (re. \$7,325,000)
 3 For services and expenses associated with federal grant awards yet to
 4 be allocated. Notwithstanding any inconsistent provision of law, the
 5 director of the budget is hereby authorized to transfer appropri-
 6 ation authority contained herein to state operations and/or any
 7 appropriation of the office of alcoholism and substance abuse
 8 services ... 5,000,000 (re. \$5,000,000)
 9 For services and expenses related to enforcing the underage drinking
 10 laws program grant.
 11 Notwithstanding any inconsistent provision of law, a portion of the
 12 funds hereby appropriated may, subject to the approval of the direc-
 13 tor of the budget, be transferred to state operations and/or any
 14 appropriation of the office of alcoholism and substance abuse
 15 services consistent with the terms of the federal award
 16 360,000 (re. \$350,000)

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

18 For services and expenses related to homeless grants. Subject to a
 19 plan approved by the director of the budget, the amount appropriated
 20 herein may be made available to other state agencies for services
 21 and expenses related to federal homeless grants. The director of the
 22 budget is hereby authorized to transfer appropriation authority
 23 contained herein to any other federal fund in which federal homeless
 24 grants are actually received.
 25 For grants beginning prior to April 1, 2007
 26 11,000,000 (re. \$6,401,000)
 27 For services and expenses related to enforcing the underage drinking
 28 laws program grant.
 29 Notwithstanding any inconsistent provision of law, a portion of the
 30 funds hereby appropriated may, subject to the approval of the direc-
 31 tor of the budget, be transferred to state operations in the office
 32 of alcoholism and substance abuse services consistent with the terms
 33 of the federal award for administrative and support services,
 34 including fringe benefits, associated with this grant.
 35 For grants beginning on or after April 1, 2007
 36 360,000 (re. \$32,000)

37 EXECUTIVE DIRECTION PROGRAM

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

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

41 For services and expenses associated with administering the substance
 42 abuse prevention and treatment (SAPT) block grant.
 43 Notwithstanding any inconsistent provision of law, a portion of the
 44 funds hereby appropriated may, subject to the approval of the direc-
 45 tor of the budget, be transferred to local assistance and/or any
 46 appropriation of the office of alcoholism and substance abuse

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

3 Personal service ... 3,578,000 (re. \$1,500,000)

4 Nonpersonal service ... 977,000 (re. \$500,000)

5 Special Revenue Funds - Federal / State Operations

6 Federal Department of Education Fund - 267

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

8 For services and expenses associated with the administration of the
9 federal safe and drug free schools and communities act consistent
10 with the terms and conditions of the federal award.

11 Notwithstanding any inconsistent provision of law, a portion of the
12 funds hereby appropriated may, subject to the approval of the direc-
13 tor of the budget, be transferred to local assistance and/or any
14 appropriation of the office of alcoholism and substance abuse
15 services consistent with the terms of the federal award
16 147,000 (re. \$147,000)

17 Special Revenue Funds - Federal / State Operations

18 Federal Operating Grants Fund - 290

19 Statewide Data Collection Account

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

21 For services and expenses related to the statewide data collection
22 program as mandated in the 1988 federal anti-drug abuse act.

23 Notwithstanding any inconsistent provision of law, moneys hereby
24 appropriated may, subject to the approval of the director of the
25 budget, be transferred to local assistance and/or any appropriation
26 of the office of alcoholism and substance abuse services
27 543,000 (re. \$543,000)

28 INSTITUTIONAL SERVICES

29 Special Revenue Funds - Federal / State Operations

30 Federal Health and Human Services Fund - 265

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

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

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

40 Personal service ... 865,000 (re. \$615,000)

41 Nonpersonal service ... 335,000 (re. \$205,000)

42 PREVENTION AND PROGRAM SUPPORT

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

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

4 For services and expenses related to prevention, intervention and
5 treatment programs provided by the substance abuse prevention and
6 treatment (SAPT) block grant.

7 Notwithstanding any inconsistent provision of law, a portion of the
8 funds hereby appropriated may, subject to the approval of the direc-
9 tor of the budget, be transferred to state operations and/or any
10 appropriation of the office of alcoholism and substance abuse
11 services consistent with the terms and conditions of the SAPT block
12 grant award.

13 Notwithstanding any provision of law to the contrary, the commissioner
14 of the office of alcoholism and substance abuse services shall be
15 authorized to continue contracts which were executed on or before
16 March 31, 2009 with entities providing services for problem gambling
17 and chemical dependency prevention, treatment and recovery services,
18 without any additional requirements that such contracts be subject
19 to competitive bidding, a request for proposal process or other
20 administrative procedures ... 28,300,000 (re. \$28,300,000)

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

22 For services and expenses related to prevention, intervention and
23 treatment programs provided by the substance abuse prevention and
24 treatment (SAPT) block grant. Notwithstanding any inconsistent
25 provision of law, moneys hereby appropriated may, subject to the
26 approval of the director of the budget, be transferred to state
27 operations and/or any appropriation of the office of alcoholism and
28 substance abuse services.

29 Notwithstanding any provision of law to the contrary, the commissioner
30 of the office of alcoholism and substance abuse services shall be
31 authorized to continue contracts which were executed on or before
32 March 31, 2008 with entities providing services for compulsive
33 gambling and chemical dependency prevention and treatment services,
34 without any additional requirements that such contracts be subject
35 to competitive bidding, a request for proposal process or other
36 administrative procedures ... 28,300,000 (re. \$1,820,000)

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

38 For services and expenses associated with federal grant awards yet to
39 be allocated by the U.S. department of education and/or the federal
40 department of health and human services. Notwithstanding any incon-
41 sistent provision of law, the director of the budget is hereby
42 authorized to transfer appropriation authority contained herein to
43 any other federal fund or program within the office of alcoholism
44 and substance abuse services for aid to localities, administrative
45 and support services, including fringe benefits, associated with the
46 awarded grant.

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

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

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

For services and expenses related to prevention from the federal safe
 and drug-free schools and communities act consistent with the terms
 and conditions of the federal award.

Notwithstanding any inconsistent provision of law, moneys hereby
 appropriated may, subject to the approval of the director of the
 budget, be transferred to state operations and/or any appropriation
 of the office of alcoholism and substance abuse services.

Notwithstanding any provision of law to the contrary, the commissioner
 of the office of alcoholism and substance abuse services shall be
 authorized to continue contracts which were executed on or before
 March 31, 2009 with entities providing services for problem gambling
 and chemical dependency prevention, treatment and recovery services,
 without any additional requirements that such contracts be subject
 to competitive bidding, a request for proposal process or other
 administrative procedures ... 4,755,000 (re. \$4,755,000)

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

For services and expenses related to prevention from the federal safe
 and drug-free schools and communities act consistent with the terms
 and conditions of the federal award.

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

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

For services and expenses related to prevention from the federal safe
 and drug-free schools and communities act consistent with the terms
 and conditions of the federal award.

Notwithstanding any provision of law to the contrary, the commissioner
 of the office of alcoholism and substance abuse services shall be
 authorized to continue contracts which were executed on or before
 March 31, 2007 with entities providing services for compulsive
 gambling and chemical dependency prevention and treatment services,
 without any additional requirements that such contracts be subject
 to competitive bidding, a request for proposal process or other
 administrative procedures.

For grants beginning on or after April 1, 2007
 4,755,000 (re. \$261,000)

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1 Special Revenue Funds - Other / Aid to Localities
2 Miscellaneous Special Revenue Fund - 339
3 Mental Hygiene Program Fund Account

4 By chapter 54, section 1, of the laws of 2009:
5 Notwithstanding any inconsistent provision of law up to \$2,000,000 of
6 this appropriation may be transferred and/or suballocated, pursuant
7 to a memoranda of understanding between the office of alcoholism and
8 substance abuse services and the department of health, to the AIDS
9 institute for the provision of primary health care services for
10 persons enrolled in drug treatment programs. Funds appropriated
11 herein are supported by savings resulting from the increased Federal
12 Medical Assistance Percentage (FMAP) provided pursuant to the Ameri-
13 can recovery and reinvestment act of 2009
14 2,000,000 (re. \$2,000,000)

15 Total reappropriations for state operations and aid to
16 localities 198,917,740
17 =====

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CAPITAL PROJECTS 2010-11

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

4	Capital Projects Fund	10,888,000
5	Mental Hygiene Capital Improvement Fund - 389	98,046,000
6		-----
7	All Funds	108,934,000
8		=====
9	ADMINISTRATION PROGRAM (CCP)	1,328,000
10		-----
11	Capital Projects Fund	
12	Administration Purpose	
13	For payment of personal service and	
14	nonpersonal service including fringe	
15	benefits related to the administration	
16	of capital projects provided by the	
17	office of alcoholism and substance abuse	
18	services from new and reappropriated	
19	funds (53A11050)	1,328,000
20	COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP) ...	99,356,000
21		-----
22	Capital Projects Fund	
23	Minor Rehabilitation Purpose	
24	For minor alterations and improvements to	
25	various facilities, including the	
26	payment of liabilities incurred prior to	
27	April 1, 2010, provided, however, that	
28	no expenditures may be made from this	
29	appropriation until a comprehensive plan	
30	of projects has been approved by the	
31	director of the budget (53031089)	4,810,000
32	Mental Hygiene Capital Improvement Fund - 389	
33	Preservation of Facilities Purpose	
34	For alterations and improvements for pres-	
35	ervation of various facilities including	
36	rehabilitation projects and the acquisi-	
37	tion of property, provided, however,	

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CAPITAL PROJECTS 2010-11

1 that no expenditures may be made from
2 this appropriation until a comprehensive
3 plan of projects has been approved by
4 the director of the budget (53031003) 42,273,000

5 New Facilities Purpose

6 For the acquisition of property, design,
7 construction and extensive rehabili-
8 tation of facilities for the purpose of
9 delivering chemical dependence services,
10 pursuant to the mental hygiene law. No
11 expenditure shall be made from this
12 appropriation until a spending plan for
13 proposed projects has been submitted by
14 the commissioner of the office of alco-
15 holism and substance abuse services and
16 approved by the director of the budget
17 (53AA1007) 42,273,000

18 For the acquisition of property, design,
19 construction and rehabilitation of resi-
20 dential treatment beds to be developed
21 for operation by voluntary-operated or
22 local government operated chemical
23 dependency treatment providers related
24 to drug law reform. Notwithstanding any
25 other inconsistent provision of law, the
26 moneys hereby appropriated may support
27 up to 100 percent of approved capital
28 costs of such chemical dependency facil-
29 ities. Notwithstanding any other incon-
30 sistent provision of law, and subject to
31 approval of the director of the budget,
32 funds from this appropriation may be
33 paid to the dormitory authority of the
34 state of New York or the office of
35 general services to the design and
36 construction management account pursuant
37 to one or more certificates approved by
38 the director of the budget for purposes
39 of carrying out the projects provided
40 for herein. No expenditure shall be made
41 from this appropriation until a spending
42 plan for the proposed projects has been
43 submitted by the commissioner of the
44 office of alcoholism and substance abuse
45 services and approved by the director of
46 the budget (53JD1007) 10,000,000

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2010-11

1	DESIGN AND CONSTRUCTION SUPERVISION (CCP)	3,500,000
2		-----
3	Capital Projects Fund	
4	Preparation of Plans Purpose	
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 (53A61030)	3,000,000
17	Mental Hygiene Capital Improvement Fund - 389	
18	Preparation of Plans Purpose	
19	For payment to the design and construction	
20	management account of the centralized	
21	services fund of the New York state	
22	office of general services or to the	
23	dormitory authority of the state of New	
24	York for the purpose of preparation and	
25	review of plans, specifications, esti-	
26	mates, services, construction management	
27	and supervision, inspection, studies,	
28	appraisals, surveys, testing and envi-	
29	ronmental impact statements for new	
30	projects (53061030)	500,000
31	INSTITUTIONAL SERVICES PROGRAM (CCP)	4,000,000
32		-----
33	Capital Projects Fund	
34	Minor Rehabilitation Purpose	
35	For minor alterations and improvements to	
36	various facilities, including the	
37	payment of liabilities incurred prior to	
38	April 1, 2010, provided, however, that	
39	no expenditures may be made from this	
40	appropriation until a comprehensive plan	

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CAPITAL PROJECTS 2010-11

1 of projects has been approved by the
2 director of the budget (53HD1089) 1,000,000

3 Mental Hygiene Capital Improvement Fund - 389

4 Preservation of Facilities Purpose

5 For alterations and improvements for pres-
6 ervation of various facilities including
7 rehabilitation projects, provided,
8 however, that no expenditures may be
9 made from this appropriation until a
10 comprehensive plan of projects has been
11 approved by the director of the budget.
12 This appropriation may be used for the
13 cost of potential claims against
14 contracts awarded by the dormitory
15 authority of the state of New York. Upon
16 request of the commissioner of the
17 office of alcoholism and substance abuse
18 services and approval by the director of
19 the budget, this appropriation may be
20 transferred to the dormitory authority
21 of the state of New York (53A21003) 3,000,000

22 NON-BONDABLE PROJECTS (CCP) 750,000
23 -----

24 Capital Projects Fund

25 Non-Bondable Purpose

26 For transfer to the Mental Hygiene Capital
27 Improvement Fund for reimbursement of
28 the non-bondable cost of community
29 facilities authorized by appropriations
30 or reappropriations funded from the
31 Mental Hygiene Capital Improvement Fund
32 including liabilities incurred prior to
33 April 1, 2010 or for payment to the
34 dormitory authority of the state of New
35 York for defeasance of bonds. Upon
36 request of the commissioner of the
37 office of alcoholism and substance abuse
38 services and approval by the director of
39 the budget, this appropriation may be
40 transferred to the dormitory authority
41 of the state of New York (53NB10NB) 750,000

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OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)

2 Capital Projects Fund

3 Minor Rehabilitation Purpose

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

5 For minor alterations and improvements to various facilities, includ-
6 ing the payment of liabilities incurred prior to April 1, 2009,
7 provided, however, that no expenditures may be made from this appro-
8 priation until a comprehensive plan of projects has been approved by
9 the director of the budget (53030989)
10 4,810,000 (re. \$4,810,000)

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

12 For minor alterations and improvements to various facilities, includ-
13 ing the payment of liabilities incurred prior to April 1, 2008,
14 provided, however, that no expenditures may be made from this appro-
15 priation until a comprehensive plan of projects has been approved by
16 the director of the budget (53030889)
17 4,810,000 (re. \$4,810,000)

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

19 For minor alterations and improvements to various facilities, includ-
20 ing the payment of liabilities incurred prior to April 1, 2007,
21 provided, however, that no expenditures may be made from this appro-
22 priation until a comprehensive plan of projects has been approved by
23 the director of the budget (53030789)
24 4,810,000 (re. \$4,810,000)

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 (53030689)
31 4,810,000 (re. \$4,810,000)

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

33 For minor alterations and improvements to various facilities, includ-
34 ing the payment of liabilities incurred prior to April 1, 2005,
35 provided, however, that no expenditures may be made from this appro-
36 priation until a comprehensive plan of projects has been approved by
37 the director of the budget (53030589)
38 5,310,000 (re. \$4,789,000)

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

40 For minor alterations and improvements to various facilities, includ-
41 ing the payment of liabilities incurred prior to April 1, 2004,
42 provided, however, that no expenditures may be made from this appro-

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 piation until a comprehensive plan of projects has been approved by
 2 the director of the budget (53030489)
 3 5,310,000 (re. \$532,000)

4 By chapter 54, section 1, of the laws of 2003:
 5 For minor alterations and improvements to various facilities, includ-
 6 ing the payment of liabilities incurred prior to April 1, 2003,
 7 provided, however, that no expenditures may be made from this appro-
 8 priation until a comprehensive plan of projects has been approved by
 9 the director of the budget (53030389)
 10 5,310,000 (re. \$82,000)

11 Mental Hygiene Capital Improvement Fund - 389

12 Preservation of Facilities Purpose

13 By chapter 54, section 1, of the laws of 2009:
 14 For alterations and improvements for preservation of various facili-
 15 ties including rehabilitation projects and the acquisition of prop-
 16 erty, provided, however, that no expenditures may be made from this
 17 appropriation until a comprehensive plan of projects has been
 18 approved by the director of the budget (53030903)
 19 42,273,000 (re. \$42,273,000)

20 By chapter 54, section 1, of the laws of 2008:
 21 For alterations and improvements for preservation of various facili-
 22 ties including rehabilitation projects and the acquisition of prop-
 23 erty, provided, however, that no expenditures may be made from this
 24 appropriation until a comprehensive plan of projects has been
 25 approved by the director of the budget (53030803)
 26 42,273,000 (re. \$38,353,000)

27 By chapter 54, section 1, of the laws of 2007:
 28 For alterations and improvements for preservation of various facili-
 29 ties including rehabilitation projects and the acquisition of prop-
 30 erty, provided, however, that no expenditures may be made from this
 31 appropriation until a comprehensive plan of projects has been
 32 approved by the director of the budget (53030703)
 33 27,423,000 (re. \$19,995,000)

34 By chapter 54, section 1, of the laws of 2006:
 35 For alterations and improvements for preservation of various facili-
 36 ties including rehabilitation projects and the acquisition of prop-
 37 erty, provided, however, that no expenditures may be made from this
 38 appropriation until a comprehensive plan of projects has been
 39 approved by the director of the budget (53030603)
 40 17,243,000 (re. \$9,938,000)

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

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For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030503)
13,125,000 (re. \$5,455,000)

New Facilities Purpose

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0907)
42,273,000 (re. \$42,273,000)

By chapter 54, section 1, of the laws of 2009, as added by chapter 50, section 5, of the laws of 2009:

For the acquisition of property, design, construction and rehabilitation of residential treatment beds to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers related to drug law reform. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53JD0907)
10,000,000 (re. \$10,000,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0807)
66,273,000 (re. \$61,501,000)

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

2 For the acquisition of property, design, construction and extensive
3 rehabilitation of facilities for the purpose of delivering chemical
4 dependence services, pursuant to the mental hygiene law. No expendi-
5 ture shall be made from this appropriation until a spending plan for
6 proposed projects has been submitted by the commissioner of the
7 office of alcoholism and substance abuse services and approved by
8 the director of the budget (53AA0707)
9 27,423,000 (re. \$12,359,000)

10 For the acquisition of property, design, construction and rehabili-
11 tation of 100 community residential treatment beds in Suffolk and
12 Nassau counties, to be developed for operation by voluntary-operated
13 or local government operated chemical dependency treatment provid-
14 ers. Notwithstanding any other inconsistent provision of law, the
15 moneys hereby appropriated may support up to 100 percent of approved
16 capital costs of such chemical dependency facilities. Notwithstand-
17 ing any other inconsistent provision of law, and subject to approval
18 of the director of the budget, funds from this appropriation may be
19 paid to the dormitory authority of the state of New York or the
20 office of general services to the design and construction management
21 account pursuant to one or more certificates approved by the direc-
22 tor of the budget for purposes of carrying out the projects provided
23 for herein. No expenditure shall be made from this appropriation
24 until a spending plan for the proposed projects has been submitted
25 by the commissioner of the office of alcoholism and substance abuse
26 services and approved by the director of the budget (53010707)
27 26,600,000 (re. \$26,600,000)

28 For the acquisition of property, design, construction and rehabili-
29 tation of 100 intensive residential and/or community residential
30 beds for veterans, to be developed for operation by voluntary-oper-
31 ated or local government operated chemical dependency treatment
32 providers. Notwithstanding any other inconsistent provision of law,
33 the moneys hereby appropriated may support up to 100 percent of
34 approved capital costs of such chemical dependency facilities.

35 Notwithstanding any other inconsistent provision of law, and subject
36 to approval of the director of the budget, funds from this appropri-
37 ation may be paid to the dormitory authority of the state of New
38 York or the office of general services to the design and
39 construction management account pursuant to one or more certificates
40 approved by the director of the budget for purposes of carrying out
41 the projects provided for herein. No expenditure shall be made from
42 this appropriation until a spending plan for the proposed projects
43 has been submitted by the commissioner of the office of alcoholism
44 and substance abuse services and approved by the director of the
45 budget (53020707) ... 25,400,000 (re. \$25,400,000)

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

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-

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ture shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0607)
 17,243,000 (re. \$8,659,000)
 For the acquisition of property design, construction and rehabilitation of 108 beds for adolescents and/or women and their children, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of the law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of the law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53010607)
 24,900,000 (re. \$22,350,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0507)
 13,125,000 (re. \$2,978,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0407)
 12,970,000 (re. \$8,079,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the

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1 office of alcoholism and substance abuse services and approved by
 2 the director of the budget (53AA0307)
 3 12,970,000 (re. \$3,115,000)

4 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

5 Capital Projects Fund

6 Preparation of Plans Purpose

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 of the state of New York for
 11 the purpose of preparation and review of plans, specifications,
 12 estimates, services, construction management and supervision,
 13 inspection, studies, appraisals, surveys, testing and environmental
 14 impact statements for new projects (53A60930)
 15 3,000,000 (re. \$1,942,000)

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

17 For payment to the design and construction management account of the
 18 centralized services fund of the New York state office of general
 19 services or to the dormitory authority of the state of New York for
 20 the purpose of preparation and review of plans, specifications,
 21 estimates, services, construction management and supervision,
 22 inspection, studies, appraisals, surveys, testing and environmental
 23 impact statements for new projects (53A60830)
 24 2,000,000 (re. \$763,000)

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

26 For: (1) the payment of all claims for personal injury, death or prop-
 27 erty damage for which the New York State Medical Care Facilities
 28 Finance Agency, the facilities development corporation, or the
 29 dormitory authority of the state of New York might be liable occur-
 30 ring upon, in or about any projects covered by the Agreement of
 31 Lease entered into by the facilities development corporation, the
 32 department of mental hygiene and the New York State Medical Care
 33 Facilities Finance Agency under date of October 1, 1987 as from time
 34 to time amended and supplemented and any and all penalties, costs,
 35 including attorneys' fees, claims, demands and causes of action due
 36 directly or indirectly to the use, disuse, misuse or interest in
 37 such projects; (2) in the case of damage, loss or destruction of any
 38 such project, or any part of any such project, the payment of the
 39 costs of repairing, restoring, rebuilding or replacing the same in
 40 accordance with the obligations of the facilities development corpo-
 41 ration so to do from the proceeds of insurance under the provisions
 42 of paragraph (b) of section 3.04 of the Agreement of Lease; and (3)
 43 payments to the New York State Medical Care Facilities Finance Agen-
 44 cy of moneys at the times and in the amounts that annual rentals

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

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

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

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

28 Mental Hygiene Capital Improvement Fund - 389

29 Preparation of Plans Purpose

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

31 For payment to the design and construction management account of the
32 centralized services fund of the New York state office of general
33 services or to the dormitory authority of the state of New York for
34 the purpose of preparation and review of plans, specifications,
35 estimates, services, construction management and supervision,
36 inspection, studies, appraisals, surveys, testing and environmental
37 impact statements for new projects (53060930)
38 500,000 (re. \$500,000)

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

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

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1 impact statements for new projects (53060830)
2 500,000 (re. \$500,000)

3 INSTITUTIONAL SERVICES PROGRAM (CCP)

4 Capital Projects Fund

5 Minor Rehabilitation Purpose

6 By chapter 54, section 1, of the laws of 2009:
7 For minor alterations and improvements to various facilities, includ-
8 ing the payment of liabilities incurred prior to April 1, 2009,
9 provided, however, that no expenditures may be made from this appro-
10 priation until a comprehensive plan of projects has been approved by
11 the director of the budget (53HD0989)
12 1,000,000 (re. \$1,000,000)

13 By chapter 54, section 1, of the laws of 2008:
14 For minor alterations and improvements to various facilities, includ-
15 ing the payment of liabilities incurred prior to April 1, 2008,
16 provided, however, that no expenditures may be made from this appro-
17 priation until a comprehensive plan of projects has been approved by
18 the director of the budget (53HD0889)
19 500,000 (re. \$500,000)

20 By chapter 54, section 1, of the laws of 2007:
21 For minor alterations and improvements to various facilities, includ-
22 ing the payment of liabilities incurred prior to April 1, 2007,
23 provided, however, that no expenditures may be made from this appro-
24 priation until a comprehensive plan of projects has been approved by
25 the director of the budget (53HD0789)
26 500,000 (re. \$500,000)

27 By chapter 54, section 1, of the laws of 2006:
28 For minor alterations and improvements to various facilities, includ-
29 ing the payment of liabilities incurred prior to April 1, 2006,
30 provided, however, that no expenditures may be made from this appro-
31 priation until a comprehensive plan of projects has been approved by
32 the director of the budget (53HD0689)
33 500,000 (re. \$500,000)

34 By chapter 54, section 1, of the laws of 2005:
35 For minor alterations and improvements to various facilities, includ-
36 ing the payment of liabilities incurred prior to April 1, 2005,
37 provided, however, that no expenditures may be made from this appro-
38 priation until a comprehensive plan of projects has been approved by
39 the director of the budget (53HD0589)
40 500,000 (re. \$91,000)

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

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1 For minor alterations and improvements to various facilities, includ-
2 ing the payment of liabilities incurred prior to April 1, 2004,
3 provided, however, that no expenditures may be made from this appro-
4 priation until a comprehensive plan of projects has been approved by
5 the director of the budget (53HD0489)
6 500,000 (re. \$352,000)

7 By chapter 54, section 1, of the laws of 2003:
8 For minor alterations and improvements to various facilities, includ-
9 ing the payment of liabilities incurred prior to April 1, 2003,
10 provided, however, that no expenditures may be made from this appro-
11 priation until a comprehensive plan of projects has been approved by
12 the director of the budget (53HD0389)
13 500,000 (re. \$59,000)

14 Mental Hygiene Capital Improvement Fund - 389

15 Preservation of Facilities Purpose

16 By chapter 54, section 1, of the laws of 2009:
17 For alterations and improvements for preservation of various facili-
18 ties including rehabilitation projects, provided, however, that no
19 expenditures may be made from this appropriation until a comprehen-
20 sive plan of projects has been approved by the director of the budg-
21 et. This appropriation may be used for the cost of potential claims
22 against contracts awarded by the dormitory authority of the state of
23 New York. Upon request of the commissioner of the office of alcohol-
24 ism and substance abuse services and approval by the director of the
25 budget, this appropriation may be transferred to the dormitory
26 authority of the state of New York (53A20903)
27 3,000,000 (re. \$3,000,000)

28 By chapter 54, section 1, of the laws of 2008:
29 For alterations and improvements for preservation of various facili-
30 ties including rehabilitation projects, provided, however, that no
31 expenditures may be made from this appropriation until a comprehen-
32 sive plan of projects has been approved by the director of the budg-
33 et. This appropriation may be used for the cost of potential claims
34 against contracts awarded by the dormitory authority of the state of
35 New York. Upon request of the commissioner of the office of alcohol-
36 ism and substance abuse services 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 (53A20803)
39 3,000,000 (re. \$3,000,000)

40 By chapter 54, section 1, of the laws of 2007:
41 For alterations and improvements for preservation of various facili-
42 ties including rehabilitation projects, provided, however, that no
43 expenditures may be made from this appropriation until a comprehen-
44 sive plan of projects has been approved by the director of the budg-

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et. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20703)
1,000,000 (re. \$1,000,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20603)
7,800,000 (re. \$7,800,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20503)
2,700,000 (re. \$515,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20403) ... 1,000,000 (re. \$328,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no

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expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0303) ... 1,000,000 (re. \$407,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0203) ... 2,000,000 (re. \$597,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0103) ... 2,000,000 (re. \$1,042,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0003) ... 1,937,000 (re. \$707,000)

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1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
3 General Fund - State and Local	561,054,000	3,635,000
4 Special Revenue Funds - Federal	48,845,000	31,715,000
5 Special Revenue Funds - Other	2,791,162,000	0
6 Capital Projects Funds	234,291,000	1,931,019,000
7 Enterprise Funds	8,606,000	0
8 Internal Service Funds	2,810,000	0
9 -----	-----	-----
10 All Funds	3,646,768,000	1,966,369,000
11 =====	=====	=====

12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

	State Operations	Aid to Localities	Capital Projects	Total
15 -----	-----	-----	-----	-----
16 GF-St/Local	800,000	560,254,000	0	561,054,000
17 SR-Federal	2,038,000	46,807,000	0	48,845,000
18 SR-Other	2,117,040,000	674,122,000	0	2,791,162,000
19 Cap Proj	0	0	234,291,000	234,291,000
20 Enterprise	8,606,000	0	0	8,606,000
21 Internal Srv	2,810,000	0	0	2,810,000
22 -----	-----	-----	-----	-----
23 All Funds	2,131,294,000	1,281,183,000	234,291,000	3,646,768,000
24 =====	=====	=====	=====	=====

25 SCHEDULE

26 ADMINISTRATION AND FINANCE PROGRAM 115,530,000
27 -----

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

30 For administration of the community services
31 block grant.

32 Personal service	814,000
33 Nonpersonal service	178,000
34 Fringe benefits	366,000
35 -----	-----
36 Amount available	1,358,000
37 -----	-----

38 For administration of the federal New York
39 makes work pay grant.

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1	Personal service	193,000
2	Nonpersonal service	20,000
3	Fringe benefits	87,000
4		-----
5	Amount available	300,000
6		-----
7	For administration of programs to assist and	
8	transition from homelessness(PATH) grants.	
9	Personal service	125,000
10	Fringe benefits	55,000
11		-----
12	Amount available	180,000
13		-----
14	Program fund subtotal	1,838,000
15		-----
16	Special Revenue Funds - Federal / State Operations	
17	Federal Operating Grants Fund - 290	
18	Personal service	139,000
19	Fringe benefits	61,000
20		-----
21	Program fund subtotal	200,000
22		-----
23	Special Revenue Funds - Other / State Operations	
24	Mental Hygiene Gifts and Donations Fund - 019	
25	Office of Mental Health Gifts and Donations Account	
26	For nonpersonal service expenditures to	
27	benefit patients or for other purposes	
28	from investment income, private donations	
29	and other contributions.	
30	NONPERSONAL SERVICE	
31	Supplies and materials	200,000
32	Travel	35,000
33	Contractual services	125,000
34	Equipment	140,000
35		-----
36	Program account subtotal	500,000
37		-----
38	Special Revenue Funds - Other / State Operations	
39	Combined Gifts, Grants and Bequests Fund - 020	
40	Office of Mental Health Grants and Bequests Account	

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1 For nonpersonal service expenditures to
 2 benefit patients from bequests from
 3 patients' families.

4 NONPERSONAL SERVICE

5 Supplies and materials 70,000
 6 -----
 7 Program account subtotal 70,000
 8 -----

9 Special Revenue Fund - Other / State Operations
 10 Miscellaneous Special Revenue Fund - 339
 11 Cook/Chill Account

12 For services and expenses related to the
 13 operation of the cook/chill production
 14 center at the Rockland psychiatric center.

15 NONPERSONAL SERVICE

16 Supplies and materials 1,650,000
 17 Contractual services 1,650,000
 18 -----
 19 Program account subtotal 3,300,000
 20 -----

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

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

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1 Notwithstanding any other provision of law
 2 to the contrary, any of the amounts appro-
 3 priated herein may be increased or
 4 decreased by interchange or transfer with-
 5 out limit, with any appropriation of the
 6 office of mental health or by transfer or
 7 suballocation to any department, agency or
 8 public authority for expenditures incurred
 9 in the operation of such programs with the
 10 approval of the director of the budget who
 11 shall file such approval with the depart-
 12 ment of audit and control and copies ther-
 13 eof with the chairman of the senate
 14 finance committee and the chairman of the
 15 assembly ways and means committee.

16 Notwithstanding any other provision of law
 17 to the contrary, funds appropriated under
 18 this program shall not be used for the
 19 payment of tolls at the Robert F. Kennedy
 20 bridge, for vehicles driven by persons
 21 commuting to and from work who are
 22 employed at facilities located on Ward's
 23 island operated by the department of
 24 mental hygiene.

25 Notwithstanding any inconsistent provision
 26 of law, this appropriation is not avail-
 27 able to support the development or
 28 production of reports required pursuant to
 29 chapter 119 of the laws of 2007 for the
 30 period beginning April 1, 2010 and ending
 31 March 31, 2011.

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.

38 PERSONAL SERVICE

39	Personal service--regular	43,529,000
40	Temporary service	939,000
41	Holiday/overtime compensation	287,000
42		-----
43	Amount available for personal service	44,755,000
44		-----

45 NONPERSONAL SERVICE

46	Supplies and materials	3,702,000
----	------------------------------	-----------

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1	Travel	1,861,000
2	Contractual services	23,023,000
3	Equipment	3,623,000
4	Fringe benefits	21,007,000
5	Indirect costs	235,000
6		-----
7	Amount available for nonpersonal service	53,451,000
8		-----
9	Program account subtotal	98,206,000
10		-----
11	Enterprise Funds / State Operations	
12	Mental Health Sheltered Workshop Account - 351	
13	PERSONAL SERVICE	
14	Temporary service	2,042,000
15		-----
16	NONPERSONAL SERVICE	
17	Supplies and materials	757,000
18	Travel	123,000
19	Contractual services	2,657,000
20	Equipment	257,000
21		-----
22	Amount available for nonpersonal service	3,794,000
23		-----
24	Program account subtotal	5,836,000
25		-----
26	Enterprise Funds / State Operations	
27	Mental Hygiene Community Stores Account - 353	
28	PERSONAL SERVICE	
29	Personal service--regular	608,000
30		-----
31	NONPERSONAL SERVICE	
32	Supplies and materials	1,679,000
33	Equipment	154,000
34	Fringe benefits	309,000
35	Indirect costs	20,000
36		-----
37	Amount available for nonpersonal service	2,162,000
38		-----
39	Program account subtotal	2,770,000
40		-----

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1	Internal Service Funds / State Operations	
2	Mental Hygiene Revolving Account - 343	
3	PERSONAL SERVICE	
4	Personal service--regular	1,136,000
5		-----
6	NONPERSONAL SERVICE	
7	Supplies and materials	461,000
8	Travel	7,000
9	Contractual services	388,000
10	Equipment	236,000
11	Fringe benefits	564,000
12	Indirect costs	18,000
13		-----
14	Amount available for nonpersonal service	1,674,000
15		-----
16	Program account subtotal	2,810,000
17		-----
18	ADULT SERVICES PROGRAM	2,471,029,000
19		-----
20	General Fund / State Operations	
21	State Purposes Account - 003	
22	Notwithstanding any other provision of law	
23	to the contrary, funds appropriated under	
24	this program shall be used for the payment	
25	of tolls at the Robert F. Kennedy bridge,	
26	for vehicles driven by persons commuting	
27	to and from work who are employed at	
28	facilities located on Ward's island oper-	
29	ated by the department of mental hygiene.	
30	NONPERSONAL SERVICE	
31	Travel	800,000
32		-----
33	Program account subtotal	800,000
34		-----
35	General Fund / Aid to Localities	
36	Local Assistance Account - 001	
37	For services and expenses of various adult	
38	community mental health services, includ-	
39	ing transfer to the department of health	

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 to reimburse the department for the state
2 share of medical assistance for various
3 community mental health services.

4 For payment of state financial assistance,
5 net of disallowances, for community mental
6 health programs pursuant to article 41 and
7 other provisions of the mental hygiene
8 law. The moneys hereby appropriated for
9 allocation to local governments and volun-
10 tary agencies for services are available
11 to reimburse or advance funds to local
12 governments and voluntary agencies for
13 expenditures made or to be made during
14 local program years commencing January 1,
15 2010 or July 1, 2010 and for advances for
16 the period beginning January 1, 2011 for
17 local governments and voluntary agencies
18 with program years beginning January 1.

19 Notwithstanding any other provision of law,
20 and except for transfers to the department
21 of health to reimburse the department for
22 the state share of medical assistance
23 payments and as modified below, this
24 appropriation shall be available for obli-
25 gations for the period commencing July 1,
26 2010 and ending June 30, 2011 and shall be
27 available for expenditure from July 1,
28 2010 through September 15, 2011.

29 An amount of this appropriation shall be
30 available for the development of a demon-
31 stration program approved by the commis-
32 sioner and director of the budget, and
33 notwithstanding the provisions of any
34 other law to the contrary, for the purpose
35 of testing and evaluating new methods or
36 arrangements for organizing, financing,
37 staffing and providing services for
38 persons with serious mental illness, in
39 one or more of Chautauqua, Erie, Genesee,
40 Monroe, Onondaga and Wyoming counties.

41 Notwithstanding any provision of law to the
42 contrary, the commissioner of the office
43 of mental health shall be authorized to
44 continue contracts which were executed on
45 or before March 31, 2010 with entities
46 providing services to persons with mental
47 illness, without any additional require-
48 ments that such contracts be subject to
49 competitive bidding, a request for

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1 proposals process or other administrative
2 procedures.

3 No expenditures shall be made for such
4 program prior to the approval of a method-
5 ology for allocation in accordance with a
6 plan approved by the commissioner and the
7 director of the budget with copies to be
8 filed with the chairpersons of the senate
9 finance committee and assembly ways and
10 means committee. Furthermore, no expendi-
11 ture shall be made until a certificate of
12 allocation has been approved by the direc-
13 tor of the budget with copies to be filed
14 with the chairpersons of the senate
15 finance committee and the assembly ways
16 and means committee. The state comptroller
17 is hereby authorized to receive funds from
18 the office of mental health that were
19 returned from providers in the current
20 fiscal year in respect of a settlement of
21 local assistance funds from prior fiscal
22 years, and is authorized to refund such
23 moneys to the credit of the local assist-
24 ance account of the general fund for the
25 purpose of reimbursing the 2010-11 appro-
26 priation.

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. Notwithstanding any incon-
39 sistent provision of law, funding shall
40 not be available for unified services
41 after June 30, 2010.

42 Notwithstanding any other provision of law
43 to the contrary, any of the amounts appro-
44 priated herein may be increased or
45 decreased by interchange or transfer with-
46 out limit, with any appropriation of the
47 office of mental health or by transfer or
48 suballocation to any department, agency or
49 public authority for expenditures incurred
50 in the operation of such programs with the

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1 approval of the director of the budget who
 2 shall file such approval with the depart-
 3 ment of audit and control and copies ther-
 4 eof with the chairman of the senate
 5 finance committee and the chairman of the
 6 assembly ways and means committee:
 7 For services and expenses of various commu-
 8 nity mental health non-residential
 9 programs, pursuant to article 41 of the
 10 mental hygiene law, including but not
 11 limited to sections 41.13, 41.18, and
 12 41.47 74,388,000
 13 For services and expenses of various commu-
 14 nity mental health emergency programs,
 15 including comprehensive psychiatric emer-
 16 gency programs pursuant to section 41.51
 17 of the mental hygiene law 6,881,000
 18 For transfer to the department of health to
 19 reimburse the department for the state
 20 share of medical assistance payments for
 21 various mental health services. Notwith-
 22 standing any inconsistent provision of
 23 law, a portion of the money herein appro-
 24 priated may be made available for transfer
 25 to the department of health for the state
 26 share of disproportionate share payments
 27 to voluntary nonprofit general hospitals
 28 pursuant to chapter 119 of the laws of
 29 1997 as amended. For the period April 1,
 30 2010 through March 31, 2011, the office of
 31 mental health is authorized to recover
 32 from community residences and family-based
 33 treatment providers licensed by the office
 34 of mental health, consistent with contrac-
 35 tual obligations of such providers and
 36 notwithstanding any other inconsistent
 37 provision of law to the contrary, for the
 38 January 1, 2003 through December 31, 2004
 39 periods for programs located outside of
 40 the city of New York and July 1, 2003
 41 through June 30, 2005 periods for programs
 42 located in the city of New York, in an
 43 amount equal to 50 percent of the income
 44 received by such providers which exceed
 45 the fixed amount of annual medicaid reven-
 46 ue limitations, as established by the
 47 commissioner of mental health 321,327,000
 48 -----
 49 Program account subtotal 402,596,000
 50 -----

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Funds - Federal / Aid to Localities
 2 Federal Health and Human Services Fund - 265

3 For programs to assist and transition from
 4 homelessness (PATH) grants. Notwithstand-
 5 ing any inconsistent provision of law, a
 6 portion of this appropriation, consistent
 7 with the terms and conditions of the PATH
 8 grant, may be transferred to other
 9 programs within the office of mental
 10 health for aid to localities, administra-
 11 tive and support services, including
 12 fringe benefits, associated with the grant
 13 4,800,000

14 For services and expenses related to adult
 15 mental health services funded by the
 16 community mental health services block
 17 grant. Notwithstanding any inconsistent
 18 provision of law, a portion of this appro-
 19 priation, consistent with the terms and
 20 conditions of the block grant, may be
 21 transferred to other programs within the
 22 office of mental health for aid to locali-
 23 ties, administrative and support services,
 24 including fringe benefits, associated with
 25 the federal block grant 17,206,000

26 For services and expenses associated with
 27 federal grant awards yet to be allocated
 28 by the federal department of health and
 29 human services. Notwithstanding any incon-
 30 sistent provision of law, the director of
 31 the budget is hereby authorized to trans-
 32 fer appropriation authority contained
 33 herein to any other federal fund or
 34 program within the office of mental health
 35 services for aid to localities, adminis-
 36 trative and support services, including
 37 fringe benefits, associated with the
 38 awarded grant 5,000,000

39 For services and expenses associated with
 40 the federal New York makes work pay grant
 41 allocated by the federal department of
 42 health and human services. Notwithstanding
 43 any inconsistent provision of law, the
 44 director of the budget is hereby author-
 45 ized to transfer appropriation authority
 46 contained herein to any other federal fund
 47 or program within the office of mental
 48 health services for aid to localities,
 49 administrative and support services,

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1	including fringe benefits, associated with	
2	the awarded grant	6,000,000
3		-----
4	Program fund subtotal	33,006,000
5		-----
6	Special Revenue Funds - Federal / Aid to Localities	
7	Federal Operating Grants Fund - 290	
8	For services and expenses related to home-	
9	less and shelter plus care grants. Subject	
10	to a plan approved by the director of the	
11	budget, the amount appropriated herein may	
12	be made available to other state agencies	
13	for services and expenses related to	
14	federal homeless and shelter plus care	
15	grants	8,000,000
16		-----
17	Program fund subtotal	8,000,000
18		-----
19	Special Revenue Funds - Other / State Operations	
20	Miscellaneous Special Revenue Fund - 339	
21	Healthcare Emergency Preparedness Program	
22	For services and expenses incurred by	
23	psychiatric centers participating in the	
24	healthcare emergency preparedness program.	
25	Supplies and materials	200,000
26	Travel	5,000
27	Contractual services	45,000
28	Equipment	50,000
29		-----
30	Program account subtotal	300,000
31		-----
32	Special Revenue Funds - Other / Aid to Localities	
33	Miscellaneous Special Revenue Fund - 339	
34	Medication Reimbursement Account	
35	For services and expenses related to adult	
36	mental health services, including assisted	
37	outpatient treatment pursuant to article 9	
38	and other provisions of the mental hygiene	
39	law	7,580,000
40		-----
41	Program account subtotal	7,580,000
42		-----

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 Special Revenue Fund - Other / State Operations
2 Miscellaneous Special Revenue Fund - 339
3 Mental Hygiene Patient Income Account

4 Notwithstanding any other provision of law
5 to the contrary, any of the amounts appro-
6 priated herein may be increased or
7 decreased by interchange or transfer with-
8 out limit, with any appropriation of the
9 office of mental health or by transfer or
10 suballocation to any department, agency or
11 public authority for expenditures incurred
12 in the operation of such programs 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.

19 Notwithstanding any other provision of law
20 to the contrary, funds appropriated under
21 this program shall not be used for the
22 payment of tolls at the Robert F. Kennedy
23 bridge, for vehicles driven by persons
24 commuting to and from work who are
25 employed at facilities located on Ward's
26 island operated by the department of
27 mental hygiene. Notwithstanding any incon-
28 sistent provision of law, including subdivi-
29 sion (e) of section 7.17 or section
30 41.55 of the mental hygiene law, this
31 appropriation is available to facilitate
32 the closure or restructuring of wards
33 designated by the commissioner of mental
34 health for the period beginning April 1,
35 2010 and ending March 31, 2011, and shall
36 not be available for the continued opera-
37 tion of such facilities or wards. Monies
38 from this appropriation shall be made
39 available to the office of mental health
40 for the electronic court appearances of
41 respondents or witnesses at court confer-
42 ences, proceedings, hearings or trials
43 conducted pursuant to article 10 of mental
44 hygiene law, by means of an independent
45 audio-visual system.

46 The state comptroller is hereby authorized
47 and directed to loan money in accordance
48 with the provisions set forth in subdivi-
49 sion 5 of section 4 of the state finance

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1 law to the mental hygiene patient income
2 account.

3 PERSONAL SERVICE

4 Personal service--regular 678,520,000
5 Temporary service 4,908,000
6 Holiday/overtime compensation 49,834,000
7 -----
8 Amount available for personal service 733,262,000
9 -----

10 NONPERSONAL SERVICE

11 Supplies and materials 69,636,000
12 Travel 2,428,000
13 Contractual services 61,360,000
14 Equipment 2,637,000
15 Fringe benefits 349,027,000
16 Indirect costs 24,624,000
17 -----
18 Amount available for nonpersonal service ... 509,712,000
19 -----
20 Program account subtotal 1,242,974,000
21 -----

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

25 Notwithstanding any other provision of law
26 to the contrary, any of the amounts appro-
27 priated herein may be increased or
28 decreased by interchange or transfer with-
29 out limit, with any appropriation of the
30 office of mental health or by transfer or
31 suballocation to any department, agency or
32 public authority for expenditures incurred
33 in the operation of such programs with the
34 approval of the director of the budget who
35 shall file such approval with the depart-
36 ment of audit and control and copies ther-
37 eof with the chairman of the senate
38 finance committee and the chairman of the
39 assembly ways and means committee.
40 Notwithstanding any other provision of law
41 to the contrary, funds appropriated under
42 this program shall not be used for the
43 payment of tolls at the Robert F. Kennedy
44 bridge, for vehicles driven by persons

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commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding any inconsistent provision of law, including subdivision (e) of section 7.17 or section 41.55 of the mental hygiene law, this appropriation is available to facilitate the closure or restructuring of wards designated by the commissioner of mental health for the period beginning April 1, 2010 and ending March 31, 2011, and shall not be available for the continued operation of such facilities or wards. Monies from this appropriation shall be made available to the office of mental health for the electronic court appearances of respondents or witnesses at court conferences, proceedings, hearings or trials conducted pursuant to article 10 of mental hygiene law, by means of an independent audio-visual system.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	82,879,000
Temporary service	113,000
Holiday/overtime compensation	22,448,000

Amount available for personal service	105,440,000

NONPERSONAL SERVICE

Supplies and materials	23,489,000
Travel	742,000
Contractual services	20,788,000
Equipment	704,000
Fringe benefits	45,614,000
Indirect costs	4,708,000

Amount available for nonpersonal service	96,045,000

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1 MAINTENANCE UNDISTRIBUTED

2 For transfer to the department of health
 3 medical assistance local assistance
 4 program for payments for outside hospital
 5 care 3,165,000
 6 -----
 7 Program account subtotal 204,650,000
 8 -----

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

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

18 For payment of state financial assistance,
 19 net of disallowances, for community mental
 20 health programs pursuant to article 41 and
 21 other provisions of the mental hygiene
 22 law. The moneys hereby appropriated for
 23 allocation to local governments and volun-
 24 tary agencies for services are available
 25 to reimburse or advance funds to local
 26 governments and voluntary agencies for
 27 expenditures made or to be made during
 28 local program years commencing January 1,
 29 2010 or July 1, 2010 and for advances for
 30 the period beginning January 1, 2011 for
 31 local governments and voluntary agencies
 32 with program years beginning January 1.

33 Notwithstanding any other provision of law,
 34 and except for transfers to the department
 35 of health to reimburse the department for
 36 the state share of medical assistance
 37 payments and as modified below, this
 38 appropriation shall be available for obli-
 39 gations for the period commencing July 1,
 40 2010 and ending June 30, 2011 and shall be
 41 available for expenditure from July 1,
 42 2010 through September 15, 2011.

43 An amount of this appropriation shall be
 44 available for the development of a demon-
 45 stration program approved by the commis-
 46 sioner and the director of the budget, and
 47 notwithstanding the provisions of any

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1 other law to the contrary, for the purpose
2 of testing and evaluating new methods or
3 arrangements for organizing, financing,
4 staffing and providing services for
5 persons with serious mental illness, in
6 one or more of Chautauqua, Erie, Genesee,
7 Monroe, Onondaga and Wyoming counties.

8 Notwithstanding any provision of law to the
9 contrary, the commissioner of the office
10 of mental health shall be authorized to
11 continue contracts which were executed on
12 or before March 31, 2010 with entities
13 providing services to persons with mental
14 illness, without any additional require-
15 ments that such contracts be subject to
16 competitive bidding, a request for
17 proposals process or other administrative
18 procedures.

19 No expenditures shall be made for such
20 program prior to the approval of a method-
21 ology for allocation in accordance with a
22 plan approved by the commissioner and the
23 director of the budget with copies to be
24 filed with the chairpersons of the senate
25 finance committee and assembly ways and
26 means committee. Furthermore, no expendi-
27 ture shall be made until a certificate of
28 allocation has been approved by the direc-
29 tor of the budget with copies to be filed
30 with the chairpersons of the senate
31 finance committee and the assembly ways
32 and means committee. The state comptroller
33 is hereby authorized to receive funds from
34 the office of mental health that were
35 returned from providers in the current
36 fiscal year in respect of a settlement of
37 local assistance funds from prior fiscal
38 years, and is authorized to refund such
39 moneys to the credit of the mental hygiene
40 program fund account for the purpose of
41 reimbursing the 2010-11 appropriation.

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

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1 the purpose of establishing rates of
2 payments, contracts or any other form of
3 reimbursement.

4 Notwithstanding any other provision of law
5 to the contrary, any of the amounts appro-
6 priated herein may be increased or
7 decreased by interchange or transfer with-
8 out limit, with any appropriation of the
9 office of mental health or by transfer or
10 suballocation to any department, agency or
11 public authority for expenditures incurred
12 in the operation of such programs 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:

19 For services and expenses of various commu-
20 nity mental health non-residential
21 programs, pursuant to article 41 of the
22 mental hygiene law, including but not
23 limited to sections 41.13, 41.18, and
24 41.47. Notwithstanding any other provision
25 of law to the contrary, up to \$1,500,000
26 of this appropriation shall be made avail-
27 able to the Research Foundation for Mental
28 Hygiene, Inc. pursuant to a contract with
29 the office of mental health for two mental
30 health managed care demonstration
31 programs. One program shall be located in
32 one or more of Chautauqua, Erie, Genesee,
33 Monroe, Onondaga and Wyoming counties, and
34 the other program shall be located in the
35 city of New York. An amount from this
36 appropriation when combined with the
37 appropriation for the miscellaneous
38 special revenue fund - 339 medication
39 reimbursement account shall provide up to
40 \$15,000,000 for grants to the counties and
41 city of New York to provide medication,
42 and other services necessary to prescribe
43 and administer medication pursuant to a
44 plan approved by the commissioner of
45 mental health, as authorized under chapter
46 408 of the laws of 1999 as amended 220,065,000

47 For services and expenses associated with
48 the provision of education, assessments,
49 training, and monitoring to residents of
50 adult homes, to implement a remediation

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1	plan resulting from a 2009 federal	
2	district court decision	1,000,000
3	For services and expenses of various commu-	
4	nity mental health residential programs,	
5	including but not limited to community	
6	residences pursuant to sections 41.44 and	
7	41.38 of the mental hygiene law. Notwith-	
8	standing the provisions of section 31.03	
9	of the mental hygiene law and any other	
10	inconsistent provision of law, moneys	
11	appropriated for family care shall be	
12	available for, but not limited to, the	
13	purchase of substitute caretakers up to a	
14	maximum of 14 days and payments limited to	
15	\$686 per year based upon financial need	
16	for the personal needs of each client	
17	residing in the family care home	350,058,000
18		-----
19	Program account subtotal	571,123,000
20		-----
21	CHILDREN AND YOUTH SERVICES PROGRAM	477,869,000
22		-----
23	General Fund / Aid to Localities	
24	Local Assistance Account - 001	
25	For services and expenses of various chil-	
26	dren and families community mental health	
27	services, including transfer to the	
28	department of health to reimburse the	
29	department for the state share of medical	
30	assistance for various community mental	
31	health services.	
32	This appropriation anticipates the transfer	
33	of funds from the state education depart-	
34	ment to the office of mental health of	
35	tuition funds advanced in previous years	
36	and reimbursed by the child's school	
37	district of origin to the state of New	
38	York pursuant to chapter 810 of the laws	
39	of 1986 and applicable provisions of the	
40	education law.	
41	For payment of state financial assistance,	
42	net of disallowances, for community mental	
43	health programs pursuant to article 41 and	
44	other provisions of the mental hygiene	
45	law. The moneys hereby appropriated for	
46	allocation to local governments and volun-	
47	tary agencies for services are available	

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1 to reimburse or advance funds to local
2 governments and voluntary agencies for
3 expenditures made or to be made during
4 local program years commencing January 1,
5 2010 or July 1, 2010 and for advances for
6 the period beginning January 1, 2011 for
7 local governments and voluntary agencies
8 with program years beginning January 1.

9 Notwithstanding any other provision of law,
10 and except for transfers to the department
11 of health to reimburse the department for
12 the state share of medical assistance
13 payments and as modified below, this
14 appropriation shall be available for obli-
15 gations for the period commencing July 1,
16 2010 and ending June 30, 2011 and shall be
17 available for expenditure from July 1,
18 2010 through September 15, 2011.

19 Notwithstanding any provision of law to the
20 contrary, the commissioner of the office
21 of mental health shall be authorized to
22 continue contracts which were executed on
23 or before March 31, 2010 with entities
24 providing services to persons with mental
25 illness, without any additional require-
26 ments that such contracts be subject to
27 competitive bidding, a request for
28 proposals process or other administrative
29 procedures.

30 No expenditures shall be made for such
31 program prior to the approval of a method-
32 ology for allocation in accordance with a
33 plan approved by the commissioner and the
34 director of the budget with copies to be
35 filed with the chairpersons of the senate
36 finance committee and assembly ways and
37 means committee. Furthermore, no expendi-
38 ture shall be made until a certificate of
39 allocation has been approved by the direc-
40 tor of the budget with copies to be filed
41 with the chairpersons of the senate
42 finance committee and the assembly ways
43 and means committee. The state comptroller
44 is hereby authorized to receive funds from
45 the office of mental health that were
46 returned from providers in the current
47 fiscal year in respect of a settlement of
48 local assistance funds from prior fiscal
49 years, and is authorized to refund such
50 moneys to the credit of the local assist-

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1 ance account of the general fund for the
 2 purpose of reimbursing the 2010-11 appro-
 3 priation.
 4 Notwithstanding any inconsistent provision
 5 of law, including section 1 of part C of
 6 chapter 57 of the laws of 2006, as amended
 7 by section 2 of part I of chapter 58 of
 8 the laws of 2008 and part L of chapter 58
 9 of the laws of 2009, for the period
 10 commencing on April 1, 2009 and ending
 11 March 31, 2011 the commissioner shall not
 12 apply any cost of living adjustment for
 13 the purpose of establishing rates of
 14 payments, contracts or any other form of
 15 reimbursement.
 16 Notwithstanding any other provision of law
 17 to the contrary, any of the amounts appro-
 18 priated herein may be increased or
 19 decreased by interchange or transfer with-
 20 out limit, with any appropriation of the
 21 office of mental health or by transfer or
 22 suballocation to any department, agency or
 23 public authority for expenditures incurred
 24 in the operation of such programs with the
 25 approval of the director of the budget who
 26 shall file such approval with the depart-
 27 ment of audit and control and copies ther-
 28 eof with the chairman of the senate
 29 finance committee and the chairman of the
 30 assembly ways and means committee:
 31 For services and expenses of various commu-
 32 nity mental health non-residential
 33 programs, pursuant to article 41 of the
 34 mental hygiene law, including but not
 35 limited to sections 41.13 and 41.18 17,935,000
 36 For services and expenses of various commu-
 37 nity mental health emergency programs 2,438,000
 38 For transfer to the department of health to
 39 reimburse the department for the state
 40 share of medical assistance payments for
 41 various mental health services. Notwith-
 42 standing any inconsistent provision of
 43 law, a portion of the money herein appro-
 44 priated may be made available for transfer
 45 to the department of health for the state
 46 share of disproportionate share payments
 47 to voluntary nonprofit general hospitals
 48 pursuant to chapter 119 of the laws of
 49 1997 as amended. Notwithstanding any
 50 provision of law to the contrary, the

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state comptroller is hereby authorized to refund moneys from the department of health to the office of mental health, consisting of medicaid reimbursement for expenses previously incurred by the office of mental health in prior fiscal years to fund services provided by residential treatment facilities for children and youth. Such funds shall be credited to the local assistance account of the general fund for the purpose of reimbursing the 2010-11 appropriation. For the period April 1, 2010 through March 31, 2011, the office of mental health is authorized to recover from community residences and family-based treatment providers licensed by the office of mental health, consistent with contractual obligations of such providers and notwithstanding any other inconsistent provision of law to the contrary, for the January 1, 2003 through December 31, 2004 periods for programs located outside of the city of New York and July 1, 2003 through June 30, 2005 periods for programs located in the city of New York, in an amount equal to 50 percent of the income received by such providers which exceed the fixed amount of annual medicaid revenue limitations, as established by the commissioner of mental health 137,285,000

Program account subtotal 157,658,000

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

For services and expenses related to children's mental health services funded by the community mental health services block grant. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the block grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant 5,801,000

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1 -----
 2 Program fund subtotal 5,801,000
 3 -----

4 Special Revenue Funds - Other / State Operations
 5 Miscellaneous Special Revenue Fund - 339
 6 Mental Hygiene Program Fund Account

7 Notwithstanding any other provision of law
 8 to the contrary, any of the amounts appro-
 9 priated herein may be increased or
 10 decreased by interchange or transfer with-
 11 out limit, with any appropriation of the
 12 office of mental health or by transfer or
 13 suballocation to any department, agency or
 14 public authority for expenditures incurred
 15 in the operation of such programs with the
 16 approval of the director of the budget who
 17 shall file such approval with the depart-
 18 ment of audit and control and copies ther-
 19 eof with the chairman of the senate
 20 finance committee and the chairman of the
 21 assembly ways and means committee.

22 Notwithstanding any other provision of law
 23 to the contrary, funds appropriated under
 24 this program shall not be used for the
 25 payment of tolls at the Robert F. Kennedy
 26 bridge, for vehicles driven by persons
 27 commuting to and from work who are
 28 employed at facilities located on Ward's
 29 island operated by the department of
 30 mental hygiene. The state comptroller is
 31 hereby authorized and directed to loan
 32 money in accordance with the provisions
 33 set forth in subdivision 5 of section 4 of
 34 the state finance law to the mental
 35 hygiene program fund account.

PERSONAL SERVICE

36
 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

43
 44 Supplies and materials 13,038,000

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1	Travel	683,000
2	Contractual services	11,203,000
3	Equipment	868,000
4	Fringe benefits	61,240,000
5	Indirect costs	2,907,000
6		-----
7	Amount available for nonpersonal service	89,939,000
8		-----
9	Program account subtotal	227,257,000
10		-----

11 Special Revenue Funds- Other / Aid to Localities
 12 Miscellaneous Special Revenue Fund - 339
 13 Mental Hygiene Program Fund Account

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

20 For services and expenses of various chil-
 21 dren and families community mental health
 22 services, including transfer to the
 23 department of health to reimburse the
 24 department for the state share of medical
 25 assistance for various community mental
 26 health services. This appropriation antic-
 27 ipates the transfer of funds from the
 28 state education department to the office
 29 of mental health of tuition funds advanced
 30 in previous years and reimbursed by the
 31 child's school district of origin to the
 32 state of New York pursuant to chapter 810
 33 of the laws of 1986 and applicable
 34 provisions of the education law.

35 For payment of state financial assistance,
 36 net of disallowances, for community mental
 37 health programs pursuant to article 41 and
 38 other provisions of the mental hygiene
 39 law. The moneys hereby appropriated for
 40 allocation to local governments and volun-
 41 tary agencies for services are available
 42 to reimburse or advance funds to local
 43 governments and voluntary agencies for
 44 expenditures made or to be made during
 45 local program years commencing January 1,
 46 2010 or July 1, 2010 and for advances for
 47 the period beginning January 1, 2011 for

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1 local governments and voluntary agencies
2 with program years beginning January 1.
3 Notwithstanding any other provision of law,
4 and except for transfers to the department
5 of health to reimburse the department for
6 the state share of medical assistance
7 payments and as modified below, this
8 appropriation shall be available for obli-
9 gations for the period commencing July 1,
10 2010 and ending June 30, 2011 and shall be
11 available for expenditure from July 1,
12 2010 through September 15, 2011.
13 Notwithstanding any provision of law to the
14 contrary, the commissioner of the office
15 of mental health shall be authorized to
16 continue contracts which were executed on
17 or before March 31, 2010 with entities
18 providing services to persons with mental
19 illness, without any additional require-
20 ments that such contracts be subject to
21 competitive bidding, a request for
22 proposals process or other administrative
23 procedures.
24 No expenditures shall be made for such
25 program prior to the approval of a method-
26 ology for allocation in accordance with a
27 plan approved by the commissioner and the
28 director of the budget with copies to be
29 filed with the chairpersons of the senate
30 finance committee and assembly ways and
31 means committee. Furthermore, no expendi-
32 ture shall be made until a certificate of
33 allocation has been approved by the direc-
34 tor of the budget with copies to be filed
35 with the chairpersons of the senate
36 finance committee and the assembly ways
37 and means committee. The state comptroller
38 is hereby authorized to receive funds from
39 the office of mental health that were
40 returned from providers in the current
41 fiscal year in respect of a settlement of
42 local assistance funds from prior fiscal
43 years, and is authorized to refund such
44 moneys to the credit of the mental hygiene
45 program fund account for the purpose of
46 reimbursing the 2010-11 appropriation.
47 Notwithstanding any inconsistent provision
48 of law, including section 1 of part C of
49 chapter 57 of the laws of 2006, as amended
50 by section 2 of part I of chapter 58 of

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1 the laws of 2008 and part L of chapter 58
 2 of the laws of 2009, for the period
 3 commencing on April 1, 2009 and ending
 4 March 31, 2011 the commissioner shall not
 5 apply any cost of living adjustment for
 6 the purpose of establishing rates of
 7 payments, contracts or any other form of
 8 reimbursement.
 9 Notwithstanding any other provision of law
 10 to the contrary, any of the amounts appro-
 11 priated herein may be increased or
 12 decreased by interchange or transfer with-
 13 out limit, with any appropriation of the
 14 office of mental health or by transfer or
 15 suballocation to any department, agency or
 16 public authority for expenditures incurred
 17 in the operation of such programs 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:
 24 For services and expenses of various commu-
 25 nity mental health non-residential
 26 programs, pursuant to article 41 of the
 27 mental hygiene law, including but not
 28 limited to sections 41.13 and 41.18 71,372,000
 29 For services and expenses of various commu-
 30 nity mental health emergency programs 13,684,000
 31 For services and expenses of various commu-
 32 nity mental health residential programs,
 33 including but not limited to community
 34 residences pursuant to sections 41.44 and
 35 41.38 of the mental hygiene law 2,097,000
 36 -----
 37 Program account subtotal 87,153,000
 38 -----
 39 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT
 40 PROGRAM 7,766,000
 41 -----
 42 Special Revenue Funds - Other / Aid to Localities
 43 Miscellaneous Special Revenue Fund - 339
 44 Mental Hygiene Program Fund Account
 45 The state comptroller is hereby authorized
 46 and directed to loan money in accordance
 47 with the provisions set forth in subdivi-

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1 sion 5 of section 4 of the state finance
2 law to the mental hygiene program fund
3 account.

4 For services and expenses of community
5 mental health support and workforce rein-
6 vestment services pursuant to chapter 62
7 of the laws of 2003, including transfer to
8 the department of health to reimburse the
9 department for the state share of medical
10 assistance for various community mental
11 health services.

12 Notwithstanding chapter 62 of the laws of
13 2003 or any provision of law to the
14 contrary, this special revenue appropri-
15 ation shall represent the full and
16 complete obligation of the state and the
17 office of mental health community mental
18 health support workforce reinvestment
19 program in fiscal year 2010-11.

20 For payment of state financial assistance,
21 net of disallowances, for community mental
22 health programs pursuant to article 41 and
23 other provisions of the mental hygiene
24 law. The moneys hereby appropriated for
25 allocation to local governments and volun-
26 tary agencies for services are available
27 to reimburse or advance funds to local
28 governments and voluntary agencies for
29 expenditures made or to be made during
30 local program years commencing January 1,
31 2010 or July 1, 2010 and for advances for
32 the period beginning January 1, 2011 for
33 local governments and voluntary agencies
34 with program years beginning January 1.

35 Notwithstanding any other provision of law,
36 and except for transfers to the department
37 of health to reimburse the department for
38 the state share of medical assistance
39 payments and as modified below, this
40 appropriation shall be available for obli-
41 gations for the period commencing July 1,
42 2010 and ending June 30, 2011 and shall be
43 available for expenditure from July 1,
44 2010 through September 15, 2011.

45 Notwithstanding any provision of law to the
46 contrary, the commissioner of the office
47 of mental health shall be authorized to
48 continue contracts which were executed on
49 or before March 31, 2010 with entities
50 providing services to persons with mental

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1 illness, without any additional require-
2 ments that such contracts be subject to
3 competitive bidding, a request for
4 proposals process or other administrative
5 procedures.

6 No expenditures shall be made for such
7 program prior to the approval of a method-
8 ology for allocation in accordance with a
9 plan approved by the commissioner and the
10 director of the budget with copies to be
11 filed with the chairpersons of the senate
12 finance committee and assembly ways and
13 means committee. Furthermore, no expendi-
14 ture shall be made until a certificate of
15 allocation has been approved by the direc-
16 tor of the budget with copies to be filed
17 with the chairpersons of the senate
18 finance committee and the assembly ways
19 and means committee. The state comptroller
20 is hereby authorized to receive funds from
21 the office of mental health that were
22 returned from providers in the current
23 fiscal year in respect of a settlement of
24 local assistance funds from prior fiscal
25 years, and is authorized to refund such
26 moneys to the credit of the mental hygiene
27 program fund account for the purpose of
28 reimbursing the 2010-11 appropriation.

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.

41 Notwithstanding any other provision of law
42 to the contrary, any of the amounts appro-
43 priated herein may be increased or
44 decreased by interchange or transfer with-
45 out limit, with any appropriation of the
46 office of mental health or by transfer or
47 suballocation to any department, agency or
48 public authority for expenditures incurred
49 in the operation of such programs with the
50 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:
 6 For services and expenses of various adult
 7 community mental health residential
 8 programs 7,766,000
 9 -----

10 ENHANCED COMMUNITY SERVICES PROGRAM 500,000
 11 -----

12 Special Revenue Funds - Other / Aid to Localities
 13 HCRA Resources Fund - 061
 14 Enhanced Community Services Account

15 For transfer to the department of health
 16 comprehensive care center for eating
 17 disorders development fund 500,000
 18 -----

19 FORENSIC SERVICES PROGRAM 251,915,000
 20 -----

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

24 Notwithstanding any other provision of law
 25 to the contrary, any of the amounts appro-
 26 priated herein may be increased or
 27 decreased by interchange or transfer with-
 28 out limit, with any appropriation of the
 29 office of mental health or by transfer or
 30 suballocation to any department, agency or
 31 public authority for expenditures incurred
 32 in the operation of such programs with the
 33 approval of the director of the budget who
 34 shall file such approval with the depart-
 35 ment of audit and control and copies ther-
 36 eof with the chairman of the senate
 37 finance committee and the chairman of the
 38 assembly ways and means committee.
 39 Notwithstanding any other provision of law
 40 to the contrary, funds appropriated under
 41 this program shall not be used for the
 42 payment of tolls at the Robert F. Kennedy
 43 bridge, for vehicles driven by persons
 44 commuting to and from work who are

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1 employed at facilities located on Ward's
 2 island operated by the department of
 3 mental hygiene. The state comptroller is
 4 hereby authorized and directed to loan
 5 money in accordance with the provisions
 6 set forth in subdivision 5 of section 4 of
 7 the state finance law to the mental
 8 hygiene program fund account.

9 PERSONAL SERVICE

10 Personal service--regular 133,001,000
 11 Temporary service 2,484,000
 12 Holiday/overtime compensation 16,050,000
 13 -----
 14 Amount available for personal service 151,535,000
 15 -----

16 NONPERSONAL SERVICE

17 Supplies and materials 13,978,000
 18 Travel 943,000
 19 Contractual services 6,320,000
 20 Equipment 467,000
 21 Fringe benefits 69,227,000
 22 Indirect costs 9,445,000
 23 -----
 24 Amount available for nonpersonal service ... 100,380,000
 25 -----

26 RESEARCH IN MENTAL ILLNESS PROGRAM 87,868,000
 27 -----

28 Special Revenue Funds - Other / State Operations
 29 Miscellaneous Special Revenue Fund - 339
 30 OMH-Research Recovery Account

31 For services and expenses to support central
 32 administration, research associates,
 33 equipment provided through external
 34 grants, travel, conference expenses,
 35 including the annual research conference,
 36 contractual services, grant writers to
 37 increase income from non-state sources,
 38 and other research initiatives. Funding
 39 will be provided through research founda-
 40 tion for mental hygiene, inc. resources,
 41 including, but not limited to, indirect
 42 costs recoveries, direct grant reimburse-

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ment, interest earnings and operating
balances.

PERSONAL SERVICE

Personal service--regular 1,915,000

NONPERSONAL SERVICE

Contractual services 4,665,000

Fringe benefits 650,000

Amount available for nonpersonal service 5,315,000

Program account subtotal 7,230,000

Special Revenue Funds - Other / State Operations

Miscellaneous Special Revenue Fund - 339

Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 the state finance law to the mental
2 hygiene program fund account.

3 PERSONAL SERVICE

4 Personal service--regular 46,169,000
5 Temporary service 86,000
6 Holiday/overtime compensation 968,000
7 -----
8 Amount available for personal service 47,223,000
9 -----

10 NONPERSONAL SERVICE

11 Supplies and materials 4,229,000
12 Travel 114,000
13 Contractual services 4,743,000
14 Equipment 104,000
15 Fringe benefits 21,154,000
16 Indirect costs 3,071,000
17 -----
18 Amount available for nonpersonal service 33,415,000
19 -----
20 Program account subtotal 80,638,000
21 -----

22 Total new appropriations for state operations and aid to
23 localities 3,412,477,000
24 =====

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 ADMINISTRATION AND FINANCE PROGRAM

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

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

5 Personal service ... 814,000 (re. \$814,000)
 6 Nonpersonal service ... 178,000 (re. \$178,000)
 7 Fringe benefits ... 366,000 (re. \$366,000)

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

9 Personal service ... 814,000 (re. \$482,000)
 10 Nonpersonal service ... 178,000 (re. \$106,000)
 11 Fringe benefits ... 366,000 (re. \$133,000)

12 ADULT SERVICES PROGRAM

13 General Fund / Aid to Localities
 14 Local Assistance Account - 001

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

16 For services and expenses to support a public awareness and education
 17 campaign specifically focused on suicide prevention among young
 18 Latina and elderly Asian women. The office of mental health shall
 19 contract through a request for proposal process with organizations
 20 with demonstrated experience in outreach to non-English speaking
 21 communities. The selected organizations shall partner with communi-
 22 ty-based organizations with experience providing mental health
 23 services to Latina, East Asian, South Asian, Southeast Asian, and
 24 Pacific Islander communities ... 1,000,000 (re. \$600,000)

25 For grants to community-based organizations providing support to
 26 parents with psychiatric disabilities. The office of mental health
 27 shall contract through a request for proposal process with communi-
 28 ty-based organizations for services and expenses of the following
 29 programs: (a) programs offering counseling services and parenting
 30 skills that enable individuals to be more effective parents and (b)
 31 programs providing training for legal professionals to recognize
 32 psychiatric disabilities in parents and connect such parents to
 33 services that enhance their parenting skills in an effort to prevent
 34 their children from entering the child welfare system. Of the amount
 35 appropriated herein no less than \$200,000 and up to \$350,000 shall
 36 be made available for transfer to the Commission on Quality of Care
 37 and Advocacy for Persons with Disabilities to increase legal
 38 services for parents with psychiatric disabilities through a request
 39 for proposal process ... 850,000 (re. \$550,000)

40 For services and expenses associated with a needs based request for
 41 proposals initiative assist community recovery providers efforts in
 42 critical physical plant improvements, transportation amelioration
 43 and/or renovation and rehabilitation enhancements
 44 500,000 (re. \$500,000)

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 By chapter 54, section 1, of the laws of 2006:
 2 For services and expenses related to the addition of a minimum of 55
 3 scattered site supported apartments and attendant services to
 4 provide independent housing for persons with serious mental illness
 5 currently residing in impacted adult homes
 6 810,000 (re. \$810,000)
 7 For services and expenses of contracts with municipalities, educa-
 8 tional institutions and/or not-for-profit agencies: Eating Disor-
 9 ders program initiatives ... 300,000 (re. \$85,000)

10 By chapter 54, section 1, of the laws of 2005:
 11 For services and expenses of contracts with municipalities and/or
 12 not-for-profit agencies:
 13 Hospital audiences ... 175,000 (re. \$10,000)
 14 Mental Health Projects ... 350,000 (re. \$5,000)

15 Special Revenue Funds - Federal / Aid to Localities
 16 Federal Health and Human Services Fund - 265

17 By chapter 54, section 1, of the laws of 2009:
 18 For programs to assist and transition from homelessness (PATH) grants.
 19 Notwithstanding any inconsistent provision of law, a portion of this
 20 appropriation, consistent with the terms and conditions of the PATH
 21 grant, may be transferred to other programs within the office of
 22 mental health for aid to localities, administrative and support
 23 services, including fringe benefits, associated with the grant
 24 4,800,000 (re. \$4,234,000)
 25 For services and expenses related to adult mental health services
 26 funded by the community mental health services block grant.
 27 Notwithstanding any inconsistent provision of law, a portion of this
 28 appropriation, consistent with the terms and conditions of the block
 29 grant, may be transferred to other programs within the office of
 30 mental health for aid to localities, administrative and support
 31 services, including fringe benefits, associated with the federal
 32 block grant ... 16,777,000 (re. \$8,285,000)
 33 For services and expenses associated with federal grant awards yet to
 34 be allocated by the federal department of health and human services.
 35 Notwithstanding any inconsistent provision of law, the director of the
 36 budget is hereby authorized to transfer appropriation authority
 37 contained herein to any other federal fund or program within the
 38 office of mental health services for aid to localities, administra-
 39 tive and support services, including fringe benefits, associated
 40 with the awarded grant ... 1,200,000 (re. \$1,200,000)

41 By chapter 54, section 1, of the laws of 2008:
 42 For programs to assist and transition from homelessness (PATH) grants.
 43 Notwithstanding any inconsistent provision of law, a portion of this
 44 appropriation, consistent with the terms and conditions of the PATH
 45 grant, may be transferred to other programs within the office of
 46 mental health for aid to localities, administrative and support

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 services, including fringe benefits, associated with the grant
 2 4,287,000 (re. \$3,095,000)

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

5 By chapter 54, section 1, of the laws of 2009:
 6 For services and expenses related to homeless and shelter plus care
 7 grants. Subject to a plan approved by the director of the budget,
 8 the amount appropriated herein may be made available to other state
 9 agencies for services and expenses related to federal homeless and
 10 shelter plus care grants ... 8,000,000 (re. \$8,000,000)

11 CHILDREN AND YOUTH SERVICES PROGRAM

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

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 North Country Children's Mental Health Programs
 17 75,000 (re. \$75,000)

18 By chapter 54, section 1, of the laws of 2006:
 19 For new and existing family support providers to work with and
 20 strengthen families of children being admitted to and/or currently
 21 receiving treatment from or soon to be discharged from mental health
 22 services, including but not limited to residential treatment facili-
 23 ties, community residences, hospitals, day treatment programs and
 24 home and community-based waiver programs
 25 1,000,000 (re. \$1,000,000)

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

28 By chapter 54, section 1, of the laws of 2009:
 29 For services and expenses related to children's mental health services
 30 funded by the community mental health services block grant.
 31 Notwithstanding any inconsistent provision of law, a portion of this
 32 appropriation, consistent with the terms and conditions of the block
 33 grant, may be transferred to other programs within the office of
 34 mental health for aid to localities, administrative and support
 35 services, including fringe benefits, associated with the federal
 36 block grant ... 7,062,000 (re. \$4,822,000)

37 Total reappropriations for state operations and aid to
 38 localities 35,350,000
 39 =====

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CAPITAL PROJECTS 2010-11

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

4	Capital Projects Fund	37,600,000
5	Mental Hygiene Capital Improvement Fund	196,691,000
6		-----
7	All Funds	234,291,000
8		=====

9	COMMUNITY MENTAL HEALTH FACILITIES (CCP)	11,639,000
10		-----

11 Capital Projects Fund

12 Minor Rehabilitation Purpose

13 State aid to municipalities and other
 14 public and not-for-profit agencies for
 15 acquisition, rehabilitation, and/or
 16 improvements to existing community
 17 mental health facilities as required to
 18 address code violations, health and
 19 safety issues, and/or
 20 structural/mechanical deficiencies.
 21 Notwithstanding any inconsistent
 22 provision of law, with-in the amounts
 23 hereby appropriated, the commissioner of
 24 the office of mental health may provide
 25 state aid grants of up to 100 per centum
 26 of reasonable capital costs associated
 27 with the acquisition, rehabilitation,
 28 and/or improvements (50101089) 6,000,000

29 Mental Hygiene Capital Improvement Fund - 389

30 Administration Purpose

31 For payment of personal service and
 32 nonpersonal service, including fringe
 33 benefits related to the administration
 34 of the community capital program
 35 provided by the office of mental health
 36 for new and reappropriated community
 37 capital projects. Upon request of the
 38 commissioner of mental health and
 39 approval by the director of the budget,
 40 this appropriation may be transferred to
 41 the dormitory authority of the state of
 42 New York (50121050) 639,000

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CAPITAL PROJECTS 2010-11

1 Preservation of Facilities Purpose

2 For the acquisition of property,
 3 construction and rehabilitation of new
 4 facilities and/or relocation of existing
 5 community mental health facilities under
 6 the auspice of municipalities and other
 7 public and not-for-profit agencies,
 8 approved by the commissioner of the
 9 office of mental health, pursuant to
 10 article 41 of the mental hygiene law
 11 (50231003) 5,000,000

12 DESIGN AND CONSTRUCTION SUPERVISION (CCP) 14,000,000
 13 -----

14 Capital Projects Fund

15 Preparation of Plans Purpose

16 For payment to the design and construction
 17 management account of the centralized
 18 services fund of the New York state
 19 office of general services or to the
 20 dormitory authority of the state of New
 21 York for the purpose of preparation and
 22 review of plans, specifications, esti-
 23 mates, services, construction management
 24 and supervision, inspection, studies,
 25 appraisals, surveys, testing and envi-
 26 ronmental impact statements for new and
 27 existing projects. Upon approval of the
 28 director of the budget, funds from this
 29 appropriation may be transferred to the
 30 office of mental retardation and devel-
 31 opmental disabilities and the office of
 32 alcoholism and substance abuse services
 33 for payment to the dormitory authority
 34 of the state of New York for preparation
 35 of plans purpose (50DC1030) 2,000,000

36 Mental Hygiene Capital Improvement Fund - 389

37 Preparation of Plans Purpose

38 For payment to the design and construction
 39 management account of the centralized
 40 services fund of the New York state
 41 office of general services or to the
 42 dormitory authority of the state of New

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1 York for the purpose of preparation and
 2 review of plans, specifications, esti-
 3 mates, services, construction management
 4 and supervision, inspection, studies,
 5 appraisals, surveys, testing and envi-
 6 ronmental impact statements for new and
 7 existing projects. Upon request of the
 8 commissioner of mental health and
 9 approval by the director of the budget,
 10 this appropriation may be transferred to
 11 the dormitory authority of the state of
 12 New York. Upon approval of the director
 13 of the budget, funds from this appropri-
 14 ation may be transferred to the office
 15 of mental retardation and developmental
 16 disabilities and the office of alcohol-
 17 ism and substance abuse services for
 18 payment to the dormitory authority of
 19 the state of New York for preparation of
 20 plans purpose (50311030) 12,000,000

21 EXECUTIVE DIRECTION (CCP) 3,717,000
 22 -----

23 Mental Hygiene Capital Improvement Fund - 389

24 Administration Purpose

25 For payment of personal service and
 26 nonpersonal service, including fringe
 27 benefits, related to the administration
 28 of the capital programs provided by the
 29 office of mental health for new and
 30 reappropriated state operated institu-
 31 tional capital projects. Upon request of
 32 the commissioner of mental health and
 33 approval by the director of the budget,
 34 this appropriation may be transferred to
 35 the dormitory authority of the state of
 36 New York (50991050) 3,717,000

37 MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) ... 203,935,000
 38 -----

39 Capital Projects Fund

40 Energy Conservation Purpose

41 For payment of the cost of construction,
 42 reconstruction and improvements, includ-

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CAPITAL PROJECTS 2010-11

1 ing the preparation of designs, plans,
2 specifications and estimates for energy
3 conservation improvements to existing
4 facilities and programs. Upon request of
5 the commissioner of mental health and
6 approval by the director of the budget,
7 this appropriation may be transferred to
8 the dormitory authority of the state of
9 New York (50051005) 4,500,000

10 Environmental Protection or Improvements Purpose

11 For payment of the cost of construction,
12 reconstruction and improvements, includ-
13 ing the preparation of designs, plans,
14 specifications and estimates for envi-
15 ronmental protection (50EP1006) 4,100,000

16 Health and Safety Purpose

17 For payment of the cost of construction,
18 reconstruction and improvements, includ-
19 ing the preparation of designs, plans,
20 specifications and estimates, for health
21 and safety improvements to existing
22 facilities and programs, provided,
23 however, that no expenditures may be
24 made from this appropriation until a
25 comprehensive plan of projects has been
26 approved by the director of the budget.
27 Upon request of the commissioner of
28 mental health and approval by the direc-
29 tor of the budget, this appropriation
30 may be transferred to the dormitory
31 authority of the state of New York
32 (50HS1001) 6,000,000

33 Preservation of Facilities Purpose

34 For payment of the cost of construction,
35 reconstruction and improvements, includ-
36 ing the preparation of designs, plans,
37 specifications and estimates to existing
38 facilities and programs, provided,
39 however, that no expenditures may be
40 made from this appropriation until a
41 comprehensive plan of projects has been
42 approved by the director of the budget
43 (50PF1003) 14,000,000

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1 Mental Hygiene Capital Improvement Fund - 389

2 Accreditation Purpose

3 For payment of the cost of land acquisi-
4 tion, construction, reconstruction and
5 improvements, including the preparation
6 of designs, plans, specifications and
7 estimates related to accreditation
8 improvements to existing facilities and
9 programs. This appropriation may be used
10 for payment of personal service, indi-
11 rect cost recovery, and fringe benefit
12 costs associated with New York State
13 employees assigned to such capital
14 projects. Upon request of the commis-
15 sioner of mental health and approval by
16 the director of the budget, this appro-
17 priation may be transferred to the
18 dormitory authority of the state of New
19 York (50061002) 9,565,000

20 Environmental Protection or Improvements Purpose

21 For payment of the cost of construction,
22 reconstruction and improvements, includ-
23 ing the preparations of designs, plans,
24 specifications and estimates for envi-
25 ronmental protection. Upon request of
26 the commissioner of mental health and
27 approval by the director of the budget,
28 this appropriation may be transferred to
29 the dormitory authority of the state of
30 New York (50061006) 1,000,000

31 Health and Safety Purpose

32 For payment of the cost of construction,
33 reconstruction and improvements, includ-
34 ing the preparation of designs, plans,
35 specifications and estimates, for health
36 and safety improvements to existing
37 facilities and programs, provided,
38 however, that no expenditures may be
39 made from this appropriation until a
40 comprehensive plan of projects has been
41 approved by the director of the budget.
42 This appropriation may be used for
43 payment of personal service, indirect
44 cost recovery, and fringe benefit costs

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associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50011001) 37,066,000

Preservation of Facilities Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50031003) 110,767,000

Program Improvement or Program Change Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50081008) 16,937,000

NON-BONDABLE PROJECTS (CCP) 1,000,000

Capital Projects Fund

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1 Non-Bondable Purpose

2 For transfer to the Mental Hygiene Capital
3 Improvement Fund for reimbursement of
4 the non-bondable cost of projects for
5 community facilities authorized by
6 appropriations or reappropriations fund-
7 ed from the Mental Hygiene Capital
8 Improvement Fund including liabilities
9 incurred prior to April 1, 2010 or for
10 payment to the dormitory authority of
11 the state of New York for defeasance of
12 bonds. Upon request of the commissioner
13 of mental health and approval by the
14 director of the budget, this appropri-
15 ation may be transferred to the dormito-
16 ry authority of the state of New York
17 (502910NB) 1,000,000

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1 COMMUNITY MENTAL HEALTH FACILITIES (CCP)

2 Capital Projects Fund

3 Minor Rehabilitation Purpose

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

5 State aid to municipalities and other public and not-for-profit agen-
6 cies for acquisition, rehabilitation, and/or improvements to exist-
7 ing community mental health facilities as required to address code
8 violations, health and safety issues, and/or structural/ mechanical
9 deficiencies. Notwithstanding any inconsistent provision of law,
10 within the amounts hereby appropriated, the commissioner of the
11 office of mental health may provide state aid grants of up to 100
12 per centum of reasonable capital costs associated with the acquisi-
13 tion, rehabilitation, and/or improvements (50100989)
14 6,000,000 (re. \$6,000,000)

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

16 State aid to municipalities and other public and not-for-profit agen-
17 cies for acquisition, rehabilitation, and/or improvements to exist-
18 ing community mental health facilities as required to address code
19 violations, health and safety issues, and/or structural/mechanical
20 deficiencies. Notwithstanding any inconsistent provision of law,
21 within the amounts hereby appropriated, the commissioner of the
22 office of mental health may provide state aid grants of up to 100
23 per centum of reasonable capital costs associated with the acquisi-
24 tion, rehabilitation, and/or improvements (50100889)
25 6,000,000 (re. \$6,000,000)

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

27 State aid to municipalities and other public and not-for-profit agen-
28 cies for acquisition, rehabilitation, and/or improvements to exist-
29 ing community mental health facilities as required to address code
30 violations, health and safety issues, and/or structural/mechanical
31 deficiencies. Notwithstanding any inconsistent provision of law,
32 within the amounts hereby appropriated, the commissioner of the
33 office of mental health may provide state aid grants of up to 100
34 per centum of reasonable capital costs associated with the acquisi-
35 tion, rehabilitation, and/or improvements (50100789)
36 6,000,000 (re. \$6,000,000)

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

38 State aid to municipalities and other public and not-for-profit agen-
39 cies for acquisition, rehabilitation, and/or improvements to exist-
40 ing community mental health facilities as required to address code
41 violations, health and safety issues, and/or structural/ mechanical
42 deficiencies. Notwithstanding any inconsistent provision of law,
43 within the amounts hereby appropriated, the commissioner of the
44 office of mental health may provide state aid grants of up to 100

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per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100689)
6,000,000 (re. \$4,843,000)

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100589)
6,000,000 (re. \$3,061,000)

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100489)
6,000,000 (re. \$2,645,000)

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100389)
7,000,000 (re. \$3,288,000)

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100289)
7,000,000 (re. \$3,288,000)

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1 tion, rehabilitation, and/or improvements (50100289)
 2 6,000,000 (re. \$1,199,000)

3 New Facilities Purpose

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

5 State aid to not-for-profit agencies for acquisition of property,
 6 construction and rehabilitation of 200 supported/SRO beds, approved
 7 by the commissioner of the office of mental health, pursuant to
 8 Article 41 of the mental hygiene law. The moneys hereby appropriated
 9 shall be available for payment of state aid grants for up to 50 per
 10 centum of the reasonable capital costs of those premises acquired,
 11 constructed or rehabilitated for the purpose of housing mentally ill
 12 persons (3/99) (50139807) ... 8,000,000 (re. \$3,062,000)

13 By chapter 54, section 1, of the laws of 1994, for:

14 State aid to municipalities and other public and not-for-profit
 15 private agencies for acquisition of property, design, construction
 16 and rehabilitation of community mental health facilities and associ-
 17 ated programs including, but not limited to, article 28 or article
 18 31 community mental health facilities or supported housing beds, and
 19 for state aid grants for facilities intended to serve mentally ill
 20 persons (50239407) ... 16,070,000 (re. \$580,000)

21 Mental Hygiene Capital Improvement Fund - 389

22 New Facilities Purpose

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

24 For payment to municipalities and not-for-profit community providers
 25 for the acquisition of property, design, construction and rehabili-
 26 tation of housing for mentally ill persons. To the extent that any
 27 portion of such appropriation is utilized to develop housing in any
 28 city having a population of one million or more, that portion of the
 29 appropriation shall be matched on a 50/50 basis (50VY0807)
 30 145,000,000 (re. \$145,000,000)

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

32 For payment to municipalities and not-for-profit community providers
 33 for the acquisition of property, design, construction and rehabili-
 34 tation of housing for mentally ill persons. To the extent that any
 35 portion of such appropriation is utilized to develop housing in any
 36 city having a population of one million or more, that portion of the
 37 appropriation shall be matched on a 50/50 basis (50VY0707)
 38 200,000,000 (re. \$200,000,000)

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

40 For payment to municipalities and other public and not-for-profit
 41 community providers approved by the commissioner of the office of
 42 mental health, pursuant to mental hygiene law, for the acquisition

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1 of property, construction and rehabilitation of supportive housing
2 for mentally ill homeless persons (50VY0607)
3 211,000,000 (re. \$171,354,000)

4 By chapter 54, section 1, of the laws of 2005:
5 For payment to municipalities and not-for-profit community providers
6 for the acquisition of property, design, construction and rehabili-
7 tation of housing for mentally ill persons. Of such appropriation up
8 to eighty percent shall be matched on a 50/50 basis (50VY0507)
9 75,000,000 (re. \$46,808,000)

10 By chapter 54, section 1, of the laws of 2003:
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. Of such appropriation up
14 to eighty percent shall be matched on a 50/50 basis (50VY0307)
15 65,000,000 (re. \$33,930,000)

16 By chapter 54, section 1, of the laws of 1999:
17 For payment to municipalities and not-for-profit community providers
18 for the acquisition of property, design, construction and rehabili-
19 tation of housing for mentally ill persons. Of such appropriation
20 eighty percent shall be matched on a 50/50 basis and twenty percent
21 shall not require a match (50VY9907)
22 50,000,000 (re. \$21,998,000)

23 By chapter 54, section 1, of the laws of 1998:
24 For payment to municipalities and not-for-profit community providers
25 for the acquisition of property, design, construction and rehabili-
26 tation of SRO/supportive housing for mentally ill homeless persons,
27 to be matched on a 50/50 basis (50279807)
28 40,000,000 (re. \$762,000)

29 By chapter 54, section 1, of the laws of 1993, as amended by chapter 54,
30 section 1, of the laws of 1996:
31 For the acquisition of property, construction and rehabilitation of
32 article 31 community mental health facilities and associated
33 programs and facilities under the auspice of municipalities and
34 other public and not-for-profit private agencies, approved by the
35 commissioner of the office of mental health, pursuant to article 41
36 of the mental hygiene law. The funds hereby appropriated shall be
37 used for the acquisition of property, construction and rehabili-
38 tation of community facilities (50149307)
39 42,000,000 (re. \$1,211,000)
40 For acquisition of property, design, construction and rehabilitation
41 of community facilities under the auspice of municipalities and
42 other public and not-for-profit private agencies approved by the
43 commissioner of the office of mental health, pursuant to article 41
44 of the mental hygiene law. The funds hereby appropriated shall be
45 available for the costs of those portions of acquired, constructed

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1 or rehabilitated facilities intended to house mentally ill persons.
2 All disbursements from funds apportioned from this appropriation
3 shall, for bonding purposes, be considered disbursements of the
4 Mental Hygiene Capital Improvement Fund (50139307)
5 13,000,000 (re. \$594,000)

6 By chapter 54, section 1, of the laws of 1990:

7 For the acquisition of property, construction and rehabilitation of
8 article 31 community mental health facilities under the auspice of
9 municipalities and other public and not-for-profit private agencies
10 approved by the commissioner of the office of mental health, pursu-
11 ant to article 41 of the Mental Hygiene Law. Notwithstanding any
12 inconsistent provision of law to the contrary, these funds may be
13 expended for personal service and non-personal service, including
14 fringe benefits, related to the administration of projects financed
15 through the issuance of medical care facilities finance agency
16 mental health services facilities improvement bonds authorized by
17 this appropriation or any prior appropriation in force. The funds
18 hereby appropriated shall be made available in accordance with a
19 comprehensive plan for proposed projects approved by the director of
20 the budget, and pursuant to a certificate of approval of availabili-
21 ty issued by the director of the budget with copies of the certif-
22 icate filed with the state comptroller, the chairperson of the
23 senate finance committee and the chairperson of the assembly ways
24 and means committee (50109007) ... 30,000,000 (re. \$2,338,000)

25 Preservation of Facilities Purpose

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

27 For the acquisition of property, construction and rehabilitation of
28 new facilities and/or relocation of existing community mental health
29 facilities under the auspice of municipalities and other public and
30 not-for-profit agencies, approved by the commissioner of the office
31 of mental health, pursuant to article 41 of the mental hygiene law
32 (50230903) ... 5,000,000 (re. \$5,000,000)

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

34 For the acquisition of property, construction and rehabilitation of
35 new facilities and/or relocation of existing community mental health
36 facilities under the auspice of municipalities and other public and
37 not-for-profit agencies, approved by the commissioner of the office
38 of mental health, pursuant to article 41 of the mental hygiene law
39 (50230803) ... 28,000,000 (re. \$28,000,000)

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

41 For the acquisition of property, construction and rehabilitation of
42 new facilities and/or relocation of existing community mental health
43 facilities under the auspice of municipalities and other public and
44 not-for-profit agencies, approved by the commissioner of the office

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1 of mental health, pursuant to article 41 of the mental hygiene law
 2 (50230703) ... 112,000,000 (re. \$94,737,000)

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

4 For the acquisition of property, construction and rehabilitation of
 5 new facilities and/or relocation of existing community mental health
 6 facilities under the auspice of municipalities and other public and
 7 not-for-profit agencies, approved by the commissioner of the office
 8 of mental health, pursuant to article 41 of the mental hygiene law
 9 (50230603) ... 15,000,000 (re. \$8,505,000)

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

11 For the acquisition of property, construction, rehabilitation and/or
 12 relocation of existing community mental health facilities under the
 13 auspice of municipalities and other public and not-for-profit agen-
 14 cies, approved by the commissioner of the office of mental health,
 15 pursuant to article 41 of the mental hygiene law (50230103)
 16 5,000,000 (re. \$226,000)

17 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

18 Capital Projects Fund

19 Preparation of Plans Purpose

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

21 For payment to the design and construction management account of the
 22 centralized services fund of the New York state office of general
 23 services or to the dormitory authority of the state of New York for
 24 the purpose of preparation and review of plans, specifications,
 25 estimates, services, construction management and supervision,
 26 inspection, studies, appraisals, surveys, testing and environmental
 27 impact statements for new and existing projects. Upon approval of
 28 the director of the budget, funds from this appropriation may be
 29 transferred to the office of mental retardation and developmental
 30 disabilities and the office of alcoholism and substance abuse
 31 services for payment to the dormitory authority of the state of New
 32 York for preparation of plans purpose (50DC0930)
 33 2,000,000 (re. \$2,000,000)

34 Mental Hygiene Capital Improvement Fund - 389

35 Preparation of Plans Purpose

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

37 For payment to the design and construction management account of the
 38 centralized services fund of the New York state office of general
 39 services or to the dormitory authority of the state of New York for
 40 the purpose of preparation and review of plans, specifications,
 41 estimates, services, construction management and supervision,

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 inspection, studies, appraisals, surveys, testing and environmental
2 impact statements for new and existing projects. Upon request of the
3 commissioner of mental health and approval by the director of the
4 budget, this appropriation may be transferred to the dormitory
5 authority of the state of New York. Upon approval of the director of
6 the budget, funds from this appropriation may be transferred to the
7 office of mental retardation and developmental disabilities and the
8 office of alcoholism and substance abuse services for payment to the
9 dormitory authority of the state of New York for preparation of
10 plans purpose (50310930) ... 12,000,000 (re. \$12,000,000)

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

12 For payment to the design and construction management account of the
13 centralized services fund of the New York state office of general
14 services or to the dormitory authority of the state of New York for
15 the purpose of preparation and review of plans, specifications,
16 estimates, services, construction management and supervision,
17 inspection, studies, appraisals, surveys, testing and environmental
18 impact statements for new and existing projects. Upon request of the
19 commissioner of mental health and approval by the director of the
20 budget, this appropriation may be transferred to the dormitory
21 authority of the state of New York. Upon approval of the director of
22 the budget, funds from this appropriation may be transferred to the
23 office of mental retardation and developmental disabilities and the
24 office of alcoholism and substance abuse services for payment to the
25 dormitory authority of the state of New York for preparation of
26 plans purpose (50310830) ... 12,000,000 (re. \$4,000,000)

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

28 For payment to the design and construction management account of the
29 centralized services fund of the New York state office of general
30 services or to the dormitory authority of the state of New York for
31 the purpose of preparation and review of plans, specifications,
32 estimates, services, construction management and supervision,
33 inspection, studies, appraisals, surveys, testing and environmental
34 impact statements for new and existing projects. Upon request of the
35 commissioner of mental health and approval by the director of the
36 budget, this appropriation may be transferred to the dormitory
37 authority of the state of New York. Upon approval of the director of
38 the budget, funds from this appropriation may be transferred to the
39 office of mental retardation and developmental disabilities and the
40 office of alcoholism and substance abuse services for payment to the
41 dormitory authority of the state of New York for preparation of
42 plans purpose (50310730) ... 12,000,000 (re. \$5,457,000)

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

44 For payment to the design and construction management account of the
45 centralized services fund of the New York state office of general
46 services or to the dormitory authority of the state of New York for
47 the purpose of preparation and review of plans, specifications,

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estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310630) ... 8,000,000 (re. \$2,000,000)

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

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310530) ... 8,000,000 (re. \$1,885,000)

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

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310430) ... 8,000,000 (re. \$2,563,000)

EXECUTIVE DIRECTION (CCP)

Mental Hygiene Capital Improvement Fund - 389

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1 Administration Purpose

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

3 For payment of personal service and nonpersonal service, including
 4 fringe benefits, related to the administration of the capital
 5 programs provided by the office of mental health for new and reap-
 6 propriated state operated institutional capital projects. Upon
 7 request of the commissioner of mental health 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 (50990950)
 10 3,717,000 (re. \$3,717,000)

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

12 For payment of personal service and nonpersonal service, including
 13 fringe benefits, related to the administration of the capital
 14 programs provided by the office of mental health for new and reap-
 15 propriated state operated institutional capital projects. Upon
 16 request of the commissioner of mental health and approval by the
 17 director of the budget, this appropriation may be transferred to the
 18 dormitory authority of the state of New York (50990850)
 19 3,717,000 (re. \$1,976,000)

20 By chapter 54, section 1, of the laws of 2004, as amended by chapter 54,
 21 section 1, of the laws of 2005, as supplemented by a certificate of
 22 transfer:

23 For payment of personal service and nonpersonal service, including
 24 fringe benefits, related to the administration of the capital
 25 programs provided by the office of mental health for new and reap-
 26 propriated state operated institutional capital projects. 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 (50990450)
 30 3,591,000 (re. \$428,000)

31 MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

32 Capital Projects Fund

33 Energy Conservation Purpose

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

35 For payment of the cost of construction, reconstruction and improve-
 36 ments, including the preparation of designs, plans, specifications
 37 and estimates for energy conservation improvements to existing
 38 facilities and programs. Upon request of the commissioner of mental
 39 health and approval by the director of the budget, this appropri-
 40 ation may be transferred to the dormitory authority of the state of
 41 New York (50050905) ... 4,500,000 (re. \$4,500,000)

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

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- 1 For payment of the cost of construction, reconstruction and improve-
2 ments, including the preparation of designs, plans, specifications
3 and estimates for energy conservation improvements to existing
4 facilities and programs. Upon request of the commissioner of mental
5 health and approval by the director of the budget, this appropri-
6 ation may be transferred to the dormitory authority of the state of
7 New York (50050805) ... 4,500,000 (re. \$1,948,000)
- 8 Environmental Protection or Improvements Purpose
- 9 By chapter 54, section 1, of the laws of 2009:
10 For payment of the cost of construction, reconstruction and improve-
11 ments, including the preparation of designs, plans, specifications
12 and estimates for environmental protection (50EP0906)
13 4,100,000 (re. \$4,100,000)
- 14 By chapter 54, section 1, of the laws of 2008:
15 For payment of the cost of construction, reconstruction and improve-
16 ments, including the preparation of designs, plans, specifications
17 and estimates for environmental protection (50EP0806)
18 4,100,000 (re. \$3,152,000)
- 19 By chapter 54, section 1, of the laws of 2007:
20 For payment of the cost of construction, reconstruction and improve-
21 ments, including the preparation of designs, plans, specifications
22 and estimates for environmental protection (50EP0706)
23 8,010,000 (re. \$1,633,000)
- 24 By chapter 54, section 1, of the laws of 2006:
25 For payment of the cost of construction, reconstruction and improve-
26 ments, including the preparation of designs, plans, specifications
27 and estimates for environmental protection (50EP0606)
28 6,550,000 (re. \$393,000)
- 29 Health and Safety Purpose
- 30 By chapter 54, section 1, of the laws of 2009:
31 For payment of the cost of construction, reconstruction and improve-
32 ments, including the preparation of designs, plans, specifications
33 and estimates, for health and safety improvements to existing facil-
34 ities and programs, provided, however, that no expenditures may be
35 made from this appropriation until a comprehensive plan of projects
36 has been approved by the director of the budget. Upon request of the
37 commissioner of mental health and approval by the director of the
38 budget, this appropriation may be transferred to the dormitory
39 authority of the state of New York (50HS0901)
40 8,410,000 (re. \$8,410,000)
- 41 By chapter 54, section 1, of the laws of 2008:

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1 For payment of the cost of construction, reconstruction and improve-
 2 ments, including the preparation of designs, plans, specifications
 3 and estimates, for health and safety improvements to existing facil-
 4 ities and programs, provided, however, that no expenditures may be
 5 made from this appropriation until a comprehensive plan of projects
 6 has been approved by the director of the budget. Upon request of the
 7 commissioner of mental health and approval by the director of the
 8 budget, this appropriation may be transferred to the dormitory
 9 authority of the state of New York (50HS0801)
 10 7,010,000 (re. \$4,926,000)

11 Preservation of Facilities Purpose

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

13 For payment of the cost of construction, reconstruction and improve-
 14 ments, including the preparation of designs, plans, specifications
 15 and estimates to existing facilities and programs, provided, howev-
 16 er, that no expenditures may be made from this appropriation until a
 17 comprehensive plan of projects has been approved by the director of
 18 the budget (50PF0903) ... 12,000,000 (re. \$12,000,000)

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

20 For payment of the cost of construction, reconstruction and improve-
 21 ments, including the preparation of designs, plans, specifications
 22 and estimates to existing facilities and programs, provided, howev-
 23 er, that no expenditures may be made from this appropriation until a
 24 comprehensive plan of projects has been approved by the director of
 25 the budget (50PF0803) ... 18,400,000 (re. \$12,698,000)

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

27 For payment for the renovation, improvements, space management and/or
 28 utilization activities at the St. Lawrence Psychiatric Center
 29 (50SL0603) ... 5,000,000 (re. \$5,000,000)

30 Mental Hygiene Capital Improvement Fund - 389

31 Accreditation Purpose

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

33 For payment of the cost of land acquisition, construction, recon-
 34 struction and improvements, including the preparation of designs,
 35 plans, specifications and estimates related to accreditation
 36 improvements to existing facilities and programs. This appropriation
 37 may be used for payment of personal service, indirect cost recovery,
 38 and fringe benefit costs associated with New York State employees
 39 assigned to such capital projects. Upon request of the commissioner
 40 of mental health and approval by the director of the budget, this
 41 appropriation may be transferred to the dormitory authority of the
 42 state of New York (50060902)
 43 347,480,000 (re. \$347,480,000)

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- 1 By chapter 54, section 1, of the laws of 2008:
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. This appropriation
6 may be used for payment of personal service, indirect cost recovery,
7 and fringe benefit costs associated with New York State employees
8 assigned to such capital projects. Upon request of the commissioner
9 of mental health and approval by the director of the budget, this
10 appropriation may be transferred to the dormitory authority of the
11 state of New York (50060802) ... 95,624,000 (re. \$92,064,000)
- 12 By chapter 54, section 1, of the laws of 2007:
13 For payment of the cost of land acquisition, construction, recon-
14 struction and improvements, including the preparation of designs,
15 plans, specifications and estimates related to accreditation
16 improvements to existing facilities and programs. Upon request of
17 the commissioner of mental health and approval by the director of
18 the budget, this appropriation may be transferred to the dormitory
19 authority of the state of New York (50060702)
20 164,153,000 (re. \$156,368,000)
- 21 By chapter 54, section 1, of the laws of 2006, as amended by chapter 54,
22 section 1, of the laws of 2008:
23 For payment of the cost of land acquisition, construction, recon-
24 struction and improvements, including the preparation of designs,
25 plans, specifications and estimates related to accreditation
26 improvements to existing facilities and programs. Upon request of
27 the commissioner of mental health and approval by the director of
28 the budget, this appropriation may be transferred to the dormitory
29 authority of the state of New York (50060602)
30 70,352,000 (re. \$30,464,000)
- 31 By chapter 54, section 1, of the laws of 2005:
32 For payment of the cost of land acquisition, construction, recon-
33 struction and improvements, including the preparation of designs,
34 plans, specifications and estimates related to accreditation
35 improvements to existing facilities and programs. Upon request of
36 the commissioner of mental health and approval by the director of
37 the budget, this appropriation may be transferred to the dormitory
38 authority of the state of New York (50060502)
39 45,212,000 (re. \$5,461,000)
- 40 By chapter 54, section 1, of the laws of 2004:
41 For payment of the cost of land acquisition, construction, recon-
42 struction and improvements, including the preparation of designs,
43 plans, specifications and estimates related to accreditation
44 improvements to existing facilities and programs. Upon request of
45 the commissioner of mental health and approval by the director of
46 the budget, this appropriation may be transferred to the dormitory

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1 authority of the state of New York (50060402)
 2 8,500,000 (re. \$1,371,000)

3 Environmental Protection or Improvements Purpose

4 By chapter 54, section 1, of the laws of 2009:
 5 For payment of the cost of construction, reconstruction and improve-
 6 ments, including the preparations of designs, plans, specifications
 7 and estimates for environmental protection. Upon request of the
 8 commissioner of mental health and approval by the director of the
 9 budget, this appropriation may be transferred to the dormitory
 10 authority of the state of New York (50060906)
 11 1,000,000 (re. \$1,000,000)

12 By chapter 54, section 1, of the laws of 2008:
 13 For payment of the cost of construction, reconstruction and improve-
 14 ments, including the preparations of designs, plans, specifications
 15 and estimates for environmental protection. Upon request of the
 16 commissioner of mental health and approval by the director of the
 17 budget, this appropriation may be transferred to the dormitory
 18 authority of the state of New York (50060806)
 19 1,000,000 (re. \$1,000,000)

20 By chapter 54, section 1, of the laws of 2007:
 21 For payment of the cost of construction, reconstruction and improve-
 22 ments, including the preparations of designs, plans, specifications
 23 and estimates for environmental protection. Upon request of the
 24 commissioner of mental health and approval by the director of the
 25 budget, this appropriation may be transferred to the dormitory
 26 authority of the state of New York (50060706)
 27 500,000 (re. \$174,000)

28 By chapter 54, section 1, of the laws of 2003:
 29 For payment of the cost of construction, reconstruction and improve-
 30 ments, including the preparations of designs, plans, specifications
 31 and estimates for environmental protection. Upon request of the
 32 commissioner of mental health and approval by the director of the
 33 budget, this appropriation may be transferred to the dormitory
 34 authority of the state of New York (50160306)
 35 2,000,000 (re. \$599,000)

36 Health and Safety Purpose

37 By chapter 54, section 1, of the laws of 2009:
 38 For payment of the cost of construction, reconstruction and improve-
 39 ments, including the preparation of designs, plans, specifications
 40 and estimates, for health and safety improvements to existing facil-
 41 ities and programs, provided, however, that no expenditures may be
 42 made from this appropriation until a comprehensive plan of projects
 43 has been approved by the director of the budget. This appropriation

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may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010901)
 38,125,000 (re. \$38,125,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010801)
 60,276,000 (re. \$51,006,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010701)
 28,963,000 (re. \$10,957,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010601)
 19,130,000 (re. \$1,634,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications

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and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010501)
43,797,000 (re. \$3,265,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010401)
29,350,000 (re. \$807,000)

Preservation of Facilities Purpose

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030903) ...
45,396,000 (re. \$45,396,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to

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1 the dormitory authority of the state of New York (50030803)
2 24,688,000 (re. \$19,724,000)

3 By chapter 54, section 1, of the laws of 2007:
4 For payment of the cost of construction, reconstruction and improve-
5 ments, including the preparation of designs, plans, specifications
6 and estimates, and minor rehabilitation and improvements for the
7 preservation of existing facilities and programs, 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. Upon request of the commissioner of mental health and
11 approval by the director of the budget, this appropriation may be
12 transferred to the dormitory authority of the state of New York
13 (50030703) ... 34,946,000 (re. \$17,822,000)

14 By chapter 54, section 1, of the laws of 2006:
15 For payment of the cost of construction, reconstruction and improve-
16 ments, including the preparation of designs, plans, specifications
17 and estimates, and minor rehabilitation and improvements for the
18 preservation of existing facilities and programs, provided, however,
19 that no expenditures may be made from this appropriation until a
20 comprehensive plan of projects has been approved by the director of
21 the budget. Upon request of the commissioner of mental health and
22 approval by the director of the budget, this appropriation may be
23 transferred to the dormitory authority of the state of New York
24 (50030603) ... 21,804,000 (re. \$4,634,000)

25 By chapter 54, section 1, of the laws of 2005:
26 For payment of the cost of construction, reconstruction and improve-
27 ments, including the preparation of designs, plans, specifications
28 and estimates, and minor rehabilitation and improvements for the
29 preservation of existing facilities and programs, provided, however,
30 that no expenditures may be made from this appropriation until a
31 comprehensive plan of projects has been approved by the director of
32 the budget. Upon request of the commissioner of mental health and
33 approval by the director of the budget, this appropriation may be
34 transferred to the dormitory authority of the state of New York
35 (50030503) ... 25,045,000 (re. \$4,746,000)

36 By chapter 54, section 1, of the laws of 2004:
37 For payment of the cost of construction, reconstruction and improve-
38 ments, including the preparation of designs, plans, specifications
39 and estimates, and minor rehabilitation and improvements for the
40 preservation of existing facilities and programs, provided, however,
41 that no expenditures may be made from this appropriation until a
42 comprehensive plan of projects has been approved by the director of
43 the budget. Upon request of the commissioner of mental health and
44 approval by the director of the budget, this appropriation may be
45 transferred to the dormitory authority of the state of New York
46 (50030403) ... 29,350,000 (re. \$4,383,000)

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1 Program Improvement or Program Change Purpose

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

3 For payment of the cost of construction, reconstruction and improve-
4 ments, including the preparation of designs, plans, specifications
5 and estimates related to improvements or changes to existing facili-
6 ties and programs. Upon request of the commissioner of mental health
7 and approval by the director of the budget, this appropriation may
8 be transferred to the dormitory authority of the state of New York
9 (50080908) ... 85,185,000 (re. \$85,185,000)

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

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. Upon request of the commissioner of mental health
15 and approval by the director of the budget, this appropriation may
16 be transferred to the dormitory authority of the state of New York
17 (50080808) ... 32,952,000 (re. \$32,935,000)

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

19 For payment of the cost of construction, reconstruction and improve-
20 ments, including the preparation of designs, plans, specifications
21 and estimates related to improvements or changes to existing facili-
22 ties and programs. Upon request of the commissioner of mental health
23 and approval by the director of the budget, this appropriation may
24 be transferred to the dormitory authority of the state of New York
25 (50080708) ... 46,208,000 (re. \$34,403,000)

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

27 For payment of the cost of construction, reconstruction and improve-
28 ments, including the preparation of designs, plans, specifications
29 and estimates related to improvements or changes to existing facili-
30 ties and programs, including for costs associated with the civil
31 commitment of persons convicted of sexually violent offenses in
32 accordance with the mental hygiene law directly upon their release
33 or conditional release from a correctional facility. Upon request of
34 the commissioner of mental health and approval by the director of
35 the budget, this appropriation may be transferred to the dormitory
36 authority of the state of New York (50080608)
37 85,473,000 (re. \$38,700,000)

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

39 For payment of the cost of construction, reconstruction and improve-
40 ments, including the preparation of designs, plans, specifications
41 and estimates related to improvements or changes to existing facili-
42 ties and programs, provided, however, that no expenditures may be
43 made from this appropriation until a comprehensive plan of projects
44 has been approved by the director of the budget. Upon request of the
45 commissioner of mental health and approval by the director of the

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1 budget, this appropriation may be transferred to the dormitory
2 authority of the state of New York (50080508)
3 14,146,000 (re. \$1,899,000)

4 NON-BONDABLE PROJECTS (CCP)

5 Capital Projects Fund

6 Non-Bondable Purpose

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

8 For transfer to the Mental Hygiene Capital Improvement Fund for
9 reimbursement of the non-bondable cost of institutional projects
10 authorized by appropriations or reappropriations funded from the
11 Mental Hygiene Capital Improvement Fund including liabilities
12 incurred prior to April 1, 2000 or for payment to the dormitory
13 authority of the state of New York for defeasance of bonds. Upon
14 request of the commissioner of mental health and approval by the
15 director of the budget, this appropriation may be transferred to the
16 dormitory authority of the state of New York (50FO00NB)
17 8,000,000 (re. \$5,045,000)

18 (APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

19 EXECUTIVE DIRECTION (CCP)

20 Capital Projects Fund

21 Preservation of Facilities Purpose

22 By chapter 1, section 8, of the laws of 1965, as amended by chapter 54,
23 section 1, of the laws of 2006:

24 (1) The payment of all claims for personal injury, death or property
25 damage for which the New York State Medical Care Facilities Finance
26 Agency or the facilities development corporation or the dormitory
27 authority might be liable occurring upon, in or about any projects
28 covered by the Agreement of Lease entered into by the facilities
29 development corporation, the department of mental hygiene and the
30 New York State Medical Care Facilities Finance Agency under date of
31 October 1, 1987 as from time to time amended and supplemented and
32 any and all penalties, costs, including attorneys' fees, claims,
33 demands and causes of action due directly or indirectly to the use,
34 disuse, misuse or interest in such projects; (2) in the case of
35 damage, loss or destruction of any such project, or any part of any
36 such project, the payment of the costs of repairing, restoring,
37 rebuilding or replacing the same in accordance with the obligations
38 of the facilities development corporation so to do from the proceeds
39 of insurance under the provisions of paragraph (b) of section 3.04
40 of the Agreement of Lease; and (3) payments to the New York State
41 Medical Care Facilities Finance Agency of moneys at the times and in

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1 the amounts that annual rentals would be due with respect to each
2 project during such time or times as each such project may be
3 damaged or destroyed and not available for use by the department of
4 mental hygiene in accordance with the terms of the Agreement of
5 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 division of the
13 budget shall submit a request for additional appropriations to cover
14 the additional losses. Upon approval by the director of the budget,
15 funds from this appropriation may be transferred to the office of
16 mental retardation and developmental disabilities and the office of
17 alcoholism and substance abuse services for payment to the dormitory
18 authority of the state of New York (00638103)
19 4,000,000 (re. \$2,445,000)

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1 For payment according to the following schedule:

2		APPROPRIATIONS	REAPPROPRIATIONS
3	General Fund - State and Local	1,607,322,000	923,000
4	Special Revenue Funds - Federal	751,000	3,998,000
5	Special Revenue Funds - Other	3,017,666,000	0
6	Capital Projects Funds	139,560,000	309,730,000
7	Enterprise Funds	2,668,000	0
8	Internal Service Funds	350,000	0
9		-----	-----
10	All Funds	4,768,317,000	314,651,000
11		=====	=====

12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

13	Fund Type	State Operations	Aid to Localities	Capital Projects	Total
14	-----	-----	-----	-----	-----
15	GF-St/Local	0	1,607,322,000	0	1,607,322,000
16	SR-Federal	751,000	0	0	751,000
17	SR-Other	2,255,692,000	761,974,000	0	3,017,666,000
18	Cap Proj	0	0	139,560,000	139,560,000
19	Enterprise	2,668,000	0	0	2,668,000
20	Internal Srv	350,000	0	0	350,000
21		-----	-----	-----	-----
22	All Funds	2,259,461,000	2,369,296,000	139,560,000	4,768,317,000
23		=====	=====	=====	=====
24					

25 SCHEDULE

26 CENTRAL COORDINATION AND SUPPORT PROGRAM 121,491,000
27 -----

28 Special Revenue Funds - Federal / State Operations
29 Federal Operating Grants Fund - 290

30 Notwithstanding any other provision of law,
31 the money hereby appropriated may be
32 transferred to local assistance and/or any
33 appropriation of the office of mental
34 retardation and developmental disabili-
35 ties, with the approval of the director of
36 the budget who shall file such approval
37 with the department of audit and control
38 and copies thereof with the chairman of
39 the senate finance committee and the
40 chairman of the assembly ways and means
41 committee.

42 For services and expenses related to the

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	administration of the federal senior	
2	companions program	333,000
3	For services and expenses associated with	
4	housing counseling assistance and training	
5	programs	418,000
6		-----
7	Program fund subtotal	751,000
8		-----
9	Special Revenue Funds - Other / State Operations	
10	Miscellaneous Special Revenue Fund - 339	
11	Mental Hygiene Patient Income Account	

12 Notwithstanding any other provision of law,
 13 the money hereby appropriated may be
 14 transferred to local assistance and/or any
 15 appropriation of the office of mental
 16 retardation and developmental disabili-
 17 ties, and may be increased or decreased by
 18 transfer or suballocation between these
 19 appropriated amounts and appropriations of
 20 the department of health, the office of
 21 medicaid inspector general, the office of
 22 mental health, and the office of alcohol-
 23 ism and substance abuse services with the
 24 approval of the director of the budget who
 25 shall file such approval with the depart-
 26 ment of audit and control and copies ther-
 27 eof with the chairman of the senate
 28 finance committee and the chairman of the
 29 assembly ways and means committee. The
 30 state comptroller is hereby authorized and
 31 directed to loan money in accordance with
 32 the provisions set forth in subdivision 5
 33 of section 4 of the state finance law to
 34 the mental hygiene patient income account.

PERSONAL SERVICE

36	Personal service--regular	61,750,000
37	Temporary service	572,000
38	Holiday/overtime compensation	202,000
39		-----
40	Amount available for personal service	62,524,000
41		-----

NONPERSONAL SERVICE

43	Supplies and materials	651,000
44	Travel	2,206,000

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1	Contractual services	19,487,000
2	Equipment	3,809,000
3	Fringe benefits	28,762,000
4	Indirect costs	1,951,000
5		-----
6	Amount available for nonpersonal service	56,866,000
7		-----
8	Program account subtotal	119,390,000
9		-----
10	Special Revenue Funds - Other / State Operations	
11	Miscellaneous Special Revenue Fund - 339	
12	Mental Hygiene Program Fund Account	
13	For services and expenses of the assets for	
14	independence program and other health and	
15	human services programs.	
16	NONPERSONAL SERVICE	
17	Contractual services	1,000,000
18		-----
19	Program account subtotal	1,000,000
20		-----
21	Internal Service Fund / State Operations	
22	Miscellaneous Internal Service Fund - 334	
23	OMRDD Copy Center Account	
24	For services and expenses associated with	
25	the office of mental retardation and	
26	developmental disabilities copy center.	
27	NONPERSONAL SERVICE	
28	Contractual services	350,000
29		-----
30	Program account subtotal	350,000
31		-----
32	COMMUNITY SERVICES PROGRAM	3,737,459,000
33		-----
34	General Fund / Aid to Localities	
35	Local Assistance Account - 001	
36	For services and expenses of the community	
37	services program, net of disallowances,	
38	for community mental retardation and	
39	developmental disabilities programs pursu-	

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1 ant to article 41 of the mental hygiene
2 law, and/or chapter 620 of the laws of
3 1974, chapter 660 of the laws of 1977,
4 chapter 412 of the laws of 1981, chapter
5 27 of the laws of 1987, chapter 729 of the
6 laws of 1989, chapter 329 of the laws of
7 1993 and other provisions of the mental
8 hygiene law. Notwithstanding any incon-
9 sistent provision of law, the following
10 appropriation shall be net of refunds,
11 rebates, reimbursements, and credits.

12 Notwithstanding any inconsistent provision
13 of law, the director of the budget is
14 authorized to make suballocations from
15 this appropriation to the department of
16 health medical assistance program.

17 Notwithstanding any other provision of law,
18 advances and reimbursement made pursuant
19 to subdivision (d) of section 41.15 and
20 section 41.18 of the mental hygiene law
21 shall be allocated pursuant to a plan and
22 in a manner prescribed by the agency head
23 and approved by the director of the budg-
24 et. No expenditure shall be made until a
25 certificate of allocation has been
26 approved by the director of the budget and
27 copies thereof filed with the state comp-
28 troller, and the chairs of the senate
29 finance and assembly ways and means
30 committees. The moneys hereby appropriated
31 are available to reimburse or advance
32 localities and voluntary non-profit agen-
33 cies for expenditures made during local
34 fiscal periods commencing January 1, 2010,
35 April 1, 2010 or July 1, 2010, and for
36 advances for the 3 month period beginning
37 January 1, 2011.

38 Notwithstanding the provisions of article 41
39 of the mental hygiene law or any other
40 inconsistent provision of law, rule or
41 regulation, the commissioner, pursuant to
42 such contract and in the manner provided
43 therein, may pay all or a portion of the
44 expenses incurred by such voluntary agen-
45 cies arising out of loans which are funded
46 from the proceeds of bonds and notes
47 issued by the dormitory authority of the
48 state of New York.

49 Notwithstanding any other provision of law,
50 the money hereby appropriated may be

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transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

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

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

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office of mental retardation and developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for the developmentally disabled.

Notwithstanding the provisions of section 41.36 of the mental hygiene law and any other inconsistent provision of law, moneys from this appropriation may be used for payment up to \$250 per year per client, at such times and in such manner as determined by the commissioner on the basis of financial need for the personal needs of each client residing in voluntary-operated community residences and volun-

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1 tary-operated community residential alter-
2 natives, including individualized
3 residential alternatives under the home
4 and community based services waiver. The
5 commissioner shall, subject to the
6 approval of the director of the budget,
7 alter existing advance payment schedules
8 for voluntary-operated community resi-
9 dences established pursuant to subdivision
10 (h) of section 41.36 of the mental hygiene
11 law.

12 Notwithstanding the provisions of section
13 16.23 of the mental hygiene law and any
14 other inconsistent provision of law, with
15 relation to the operation of certified
16 family care homes, including family care
17 homes sponsored by voluntary not-for-pro-
18 fit agencies, moneys from this appropri-
19 ation may be used for payments to purchase
20 general services including but not limited
21 to respite providers, up to a maximum of
22 14 days, at rates to be established by the
23 commissioner and approved by the director
24 of the budget in consideration of factors
25 including, but not limited to, geographic
26 area and number of clients cared for in
27 the home and for payment at the rate of
28 \$600 per year on the basis of financial
29 need for the personal needs of each client
30 residing in the family care home.

31 Notwithstanding the provisions of subdivi-
32 sion 12 of section 8 of the state finance
33 law and any other inconsistent provision
34 of law, moneys from this appropriation may
35 be used for expenses of family care homes
36 including payments to operators of certi-
37 fied family care homes for damages caused
38 by clients to personal and real property
39 in accordance with standards established
40 by the commissioner and approved by the
41 director of the budget.

42 Notwithstanding any inconsistent provision
43 of law, moneys from this appropriation may
44 be used for appropriate day program
45 services and residential services includ-
46 ing, but not limited to, direct housing
47 subsidies to individuals, start-up
48 expenses for family care providers, envi-
49 ronmental modifications, adaptive technol-
50 ogies, appraisals, property options,

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1 feasibility studies and preoperational
 2 expenses.
 3 Notwithstanding any inconsistent provision
 4 of law, moneys from this appropriation may
 5 be used for the operation of clinics
 6 licensed pursuant to article 16 of the
 7 mental hygiene law including, but not
 8 limited to, supportive and habilitative
 9 services consistent with the home and
 10 community based services waiver.
 11 Funds appropriated herein shall be available
 12 in accordance with the following:
 13 For the state share of medical assistance
 14 services expenses incurred by the depart-
 15 ment of health for the provision of
 16 medical assistance services to the devel-
 17 opmentally disabled 1,477,523,000
 18 For services and expenses related to the
 19 provision of residential services to the
 20 developmentally disabled 19,014,000
 21 For services and expenses related to the
 22 provision of family support services to
 23 the developmentally disabled 62,023,000
 24 For services and expenses related to the
 25 provision of workshop, day training and
 26 employment services to the developmentally
 27 disabled 46,229,000
 28 For other services and expenses provided to
 29 the developmentally disabled including but
 30 not limited to hepatitis B, care at home
 31 waiver, epilepsy services, Special Olym-
 32 pics New York, Inc. and voluntary finger-
 33 printing 2,533,000
 34 -----
 35 Program account subtotal 1,607,322,000
 36 -----

37 Special Revenue Funds - Other / State Operations
 38 Miscellaneous Special Revenue Fund - 339
 39 Mental Hygiene Patient Income Account

40 Notwithstanding any inconsistent provision
 41 of law, the state comptroller is hereby
 42 authorized and directed to loan money in
 43 accordance with the provisions set forth
 44 in subdivision 5 of section 4 of the state
 45 finance law to the mental hygiene patient
 46 income account.
 47 Notwithstanding any other provision of law,
 48 the money hereby appropriated may be

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transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

PERSONAL SERVICE

Personal service--regular	516,092,000
Temporary service	1,251,000
Holiday/overtime compensation	42,238,000

Amount available for personal service	559,581,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	42,364,000
Travel	4,464,000
Contractual services	68,072,000
Equipment	21,205,000
Fringe benefits	257,419,000
Indirect costs	17,462,000

Amount available for nonpersonal service ...	410,986,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2010 through March 31, 2011 pursuant to section 43.04 of the mental hygiene law

	10,116,000

Program account subtotal	980,683,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339

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1 Mental Hygiene Patient Income Account

2 Notwithstanding any inconsistent provision
3 of law, moneys for this appropriation may
4 be used for any purpose associated with an
5 aid to localities appropriation provided,
6 however, that these moneys may not be used
7 for payment of the state share of medical
8 assistance programs for which federal
9 reimbursement will be claimed.

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

22 Notwithstanding any inconsistent provision
23 of law, the following appropriation
24 amounts shall be net of refunds, rebates,
25 reimbursements, and credits. The state
26 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 patient income account.

31 Notwithstanding any inconsistent provision
32 of law, including section 1 of part C of
33 chapter 57 of the laws of 2006, as amended
34 by section 2 of part I of chapter 58 of
35 the laws of 2008 and part L of chapter 58
36 of the laws of 2009, for the period
37 commencing on April 1, 2009 and ending
38 March 31, 2011 the commissioner shall not
39 apply any cost of living adjustment for
40 the purpose of establishing rates of
41 payments, contracts or any other form of
42 reimbursement.

43 Funds appropriated herein shall be available
44 in accordance with the following:

45 For services and expenses related to the
46 provision of residential services to the
47 developmentally disabled 193,416,000
48 For services and expenses related to the

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1	provision of day program services to the	
2	developmentally disabled	112,567,000
3	For services and expenses related to the	
4	provision of family support services to	
5	the developmentally disabled	16,916,000
6	For other services and expenses provided to	
7	the developmentally disabled including but	
8	not limited to hepatitis B, care at home	
9	waiver, epilepsy services, Special Olym-	
10	pics New York, Inc. and voluntary finger-	
11	printing	3,825,000
12		-----
13	Program account subtotal	326,724,000
14		-----

15 Special Revenue Funds - Other / State Operations
 16 Miscellaneous Special Revenue Fund - 339
 17 Mental Hygiene Program Fund Account

18 Notwithstanding any inconsistent provision
 19 of law, the state comptroller is hereby
 20 authorized and directed to loan money in
 21 accordance with the provisions set forth
 22 in subdivision 5 of section 4 of the state
 23 finance law to the mental hygiene program
 24 fund account.

25 Notwithstanding any other provision of law,
 26 the money hereby appropriated may be
 27 transferred to local assistance and/or any
 28 appropriation of the office of mental
 29 retardation and developmental disabili-
 30 ties, with the approval of the director of
 31 the budget who shall file such approval
 32 with the department of audit and control
 33 and copies thereof with the chairman of
 34 the senate finance committee and the
 35 chairman of the assembly ways and means
 36 committee.

37 PERSONAL SERVICE

38	Personal service--regular	229,568,000
39	Temporary service	640,000
40	Holiday/overtime compensation	19,032,000
41		-----
42	Amount available for personal service	249,240,000
43		-----

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NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	2,654,000
Travel	918,000
Contractual services	9,083,000
Equipment	2,964,000
Fringe benefits	114,823,000
Indirect costs	7,798,000

Amount available for nonpersonal service ... 138,240,000

Program account subtotal 387,480,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD Joint Clinic Operating Account

For services and expenses of operating clinic treatment facilities serving persons with developmental disabilities.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee 250,000

Program account subtotal 250,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD - Provider of Service Account

For services and expenses related to mental retardation and developmental disabilities services associated with the New York state options for people through services

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1 initiative, in accordance with a program-
 2 matic and fiscal plan to be approved by
 3 the director of the budget.
 4 Notwithstanding any provision of law to the
 5 contrary, the director of the budget is
 6 authorized to make suballocations from
 7 this appropriation to the department of
 8 health medical assistance program.
 9 Notwithstanding any provision of law to the
 10 contrary, the moneys hereby appropriated,
 11 or so much thereof as may be necessary,
 12 are to be available for the purposes here-
 13 in specified for obligations heretofore
 14 accrued or hereafter to accrue 337,000,000
 15 -----
 16 Program account subtotal 337,000,000
 17 -----

18 Special Revenue Funds - Other / Aid to Localities
 19 Miscellaneous Special Revenue Fund - 339
 20 OMRDD - Day Services Account

21 For services and expenses related to the
 22 provision of HCBS waiver day services to
 23 individuals residing in intermediate care
 24 facilities.
 25 Notwithstanding any other provision of law,
 26 the money hereby appropriated may be
 27 transferred to state operations and/or any
 28 appropriation of the office of mental
 29 retardation and developmental disabili-
 30 ties, with the approval of the director of
 31 the budget who shall file such approval
 32 with the department of audit and control
 33 and copies thereof with the chairman of
 34 the senate finance committee and the
 35 chairman of the assembly ways and means
 36 committee 98,000,000
 37 -----
 38 Program account subtotal 98,000,000
 39 -----

40 INSTITUTIONAL SERVICES PROGRAM 742,913,000
 41 -----

42 Special Revenue Funds - Other / State Operations
 43 Mental Hygiene Gifts and Donations Fund - 019
 44 Office of Mental Retardation and Developmental Disabili-
 45 ties Gifts and Donations Account

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1 For expenditures on behalf of individuals
 2 from donated funds. Notwithstanding any
 3 other provision of law, the money hereby
 4 appropriated may be transferred to local
 5 assistance and/or any appropriation of the
 6 office of mental retardation and develop-
 7 mental disabilities, with the approval of
 8 the director of the budget who shall file
 9 such approval with the department of audit
 10 and control and copies thereof with the
 11 chairman of the senate finance committee
 12 and the chairman of the assembly ways and
 13 means committee.

14 NONPERSONAL SERVICE

15 Supplies and materials 500,000
 16 -----
 17 Program account subtotal 500,000
 18 -----

19 Special Revenue Funds - Other / State Operations
 20 Combined Nonexpendable Trust Fund - 332
 21 OMRDD Nonexpendable Trust Account

22 For expenditures on behalf of individuals
 23 from donated funds. Notwithstanding any
 24 other provision of law, the money hereby
 25 appropriated may be transferred to local
 26 assistance and/or any appropriation of the
 27 office of mental retardation and develop-
 28 mental disabilities, with the approval of
 29 the director of the budget who shall file
 30 such approval with the department of audit
 31 and control and copies thereof with the
 32 chairman of the senate finance committee
 33 and the chairman of the assembly ways and
 34 means committee.

35 NONPERSONAL SERVICE

36 Supplies and materials 4,000
 37 -----
 38 Program account subtotal 4,000
 39 -----

40 Special Revenue Funds - Other / State Operations
 41 Miscellaneous Special Revenue Fund - 339
 42 Mental Hygiene Patient Income Account

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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.

PERSONAL SERVICE

25 Personal service--regular 229,033,000
 26 Temporary service 426,000
 27 Holiday/overtime compensation 18,444,000
 28 -----
 29 Amount available for personal service 247,903,000
 30 -----

NONPERSONAL SERVICE

32 Supplies and materials 36,691,000
 33 Travel 1,379,000
 34 Contractual services 34,753,000
 35 Equipment 10,366,000
 36 Fringe benefits 117,048,000
 37 Indirect costs 7,041,000
 38 -----
 39 Amount available for nonpersonal service ... 207,278,000
 40 -----

MAINTENANCE UNDISTRIBUTED

42 For expenses related to the payment of a
 43 provider of services assessment for the
 44 period April 1, 2010 through March 31,

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2011 pursuant to section 43.04 of the
 mental hygiene law 135,130,000

Program account subtotal 590,311,000

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

Notwithstanding any inconsistent provision
 of law, the state comptroller is hereby
 authorized and directed to loan money in
 accordance with the provisions set forth
 in subdivision 5 of section 4 of the state
 finance law to the mental hygiene program
 fund account.

Notwithstanding any other provision of law,
 the money hereby appropriated may be
 transferred to local assistance and/or any
 appropriation of the office of mental
 retardation and developmental disabili-
 ties, with the approval of the director of
 the budget who shall file such approval
 with the department of audit and control
 and copies thereof with the chairman of
 the senate finance committee and the
 chairman of the assembly ways and means
 committee.

PERSONAL SERVICE

Personal service--regular 82,933,000
 Temporary service 154,000
 Holiday/overtime compensation 6,701,000
 Amount available for personal service 89,788,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for
 the community services program, net of
 refunds, rebates, reimbursements and cred-
 its.

Supplies and materials 7,826,000
 Travel 294,000
 Contractual services 7,413,000
 Equipment 2,211,000

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1	Fringe benefits	38,391,000
2	Indirect costs	3,507,000
3		-----
4	Amount available for nonpersonal service	59,642,000
5		-----
6	Program account subtotal	149,430,000
7		-----

8 Enterprise Funds / State Operations
 9 Mental Retardation Sheltered Workshop Account - 352
 10 Sheltered Workshop Fund OMRDD Account

11 For services and expenses including sala-
 12 ries, supplies and materials of sheltered
 13 workshops and vocational rehabilitation
 14 work activities.

15 Notwithstanding any other provision of law,
 16 the money hereby appropriated may be
 17 transferred to local assistance and/or any
 18 appropriation of the office of mental
 19 retardation and developmental disabili-
 20 ties, with the approval of the director of
 21 the budget who shall file such approval
 22 with the department of audit and control
 23 and copies thereof with the chairman of
 24 the senate finance committee and the
 25 chairman of the assembly ways and means
 26 committee.

27 NONPERSONAL SERVICE

28	Supplies and materials	700,000
29	Travel	10,000
30	Contractual services	800,000
31	Equipment	40,000
32		-----
33	Program account subtotal	1,550,000
34		-----

35 Enterprise Funds / State Operations
 36 Mental Hygiene Community Stores Account - 353
 37 MR Community Stores Fund Account

38 For services and expenses of community
 39 stores located at various developmental
 40 centers.

41 Notwithstanding any other provision of law,
 42 the money hereby appropriated may be
 43 transferred to local assistance and/or any
 44 appropriation of the office of mental

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retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

PERSONAL SERVICE

Personal service--regular 290,000

NONPERSONAL SERVICE

Supplies and materials 722,000

Fringe benefits 94,000

Indirect costs 12,000

Amount available for nonpersonal service 828,000

Program account subtotal 1,118,000

RESEARCH IN MENTAL RETARDATION PROGRAM 26,894,000

Special Revenue Funds - Other / State Operations

Combined Gifts, Grants and Bequests Fund - 020

Research in Mental Retardation Account

Amount available for genetic counseling and research from external grants and contributions.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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NONPERSONAL SERVICE

Contractual services	150,000

Program account subtotal	150,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular	16,150,000
Holiday/overtime compensation	353,000

Amount available for personal service	16,503,000

NONPERSONAL SERVICE

Supplies and materials	836,000
Travel	7,000
Contractual services	1,129,000
Equipment	157,000
Fringe benefits	7,597,000

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STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Indirect costs	515,000	
2		-----	
3	Amount available for nonpersonal service	10,241,000	
4		-----	
5	Program account subtotal	26,744,000	
6		-----	
7	Total new appropriations for state operations and aid to		
8	localities	4,628,757,000	
9		=====	

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STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 CENTRAL COORDINATION AND SUPPORT PROGRAM

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

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

5 Notwithstanding any other provision of law, the money hereby appropri-
 6 ated may be transferred to aid to localities and/or any appropri-
 7 ation of the office of mental retardation and developmental disabil-
 8 ities, with the approval of the director of the budget who shall
 9 file such approval with the department of audit and control and
 10 copies thereof with the chairman of the senate finance committee and
 11 the chairman of the assembly ways and means committee.
 12 For services and expenses of the Assets for Independence program and
 13 other health and human services programs
 14 1,000,000 (re. \$1,000,000)

15 Special Revenue Funds - Federal / State Operations
 16 Federal Health and Human Services Fund - 265
 17 Real Choice Grant Account

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

19 For services and expenses related to the real choice through options
 20 for people through services grant.
 21 For grants beginning prior to April 1, 2007
 22 2,865,000 (re. \$1,908,000)

23 Special Revenue Funds - Federal / State Operations
 24 Federal Operating Grants Fund - 290

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

26 Notwithstanding any other provision of law, the money hereby appropri-
 27 ated may be transferred to local assistance and/or any appropriation
 28 of the office of mental retardation and developmental disabilities,
 29 with the approval of the director of the budget who shall file such
 30 approval with the department of audit and control and copies thereof
 31 with the chairman of the senate finance committee and the chairman
 32 of the assembly ways and means committee.
 33 For services and expenses related to the administration of the federal
 34 senior companions program ... 333,000 (re. \$333,000)
 35 For services and expenses associated with housing counseling assist-
 36 ance and training programs ... 418,000 (re. \$418,000)

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

38 For services and expenses related to the administration of the federal
 39 senior companions program ... 280,000 (re. \$44,000)
 40 For services and expenses associated with housing counseling assist-
 41 ance and training programs ... 350,000 (re. \$295,000)

42 COMMUNITY SERVICES PROGRAM

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 General Fund / Aid to Localities
2 Local Assistance Account - 001

3 By chapter 54, section 1, of the laws of 2009:
4 New York Special Olympics ... 250,000 (re. \$250,000)

5 By chapter 54, section 1, of the laws of 2008, as amended by chapter 1,
6 section 3, of the laws of 2009:
7 For services and expenses of contracts with municipalities, educa-
8 tional institutions and/or not-for-profit agencies:
9 Quality services for the Autism Community (QSAC)
10 113,000 (re. \$113,000)

11 By chapter 54, section 1, of the laws of 2006:
12 For services and expenses of contracts with municipalities, educa-
13 tional institutions and/or not-for-profit agencies:
14 For services and expenses associated with a direct care worker
15 recruitment and retention pilot project program
16 2,500,000 (re. \$560,000)

17 Total reappropriations for state operations and aid to
18 localities 4,921,000
19 =====

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CAPITAL PROJECTS 2010-11

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

4	Capital Projects Fund	57,025,000
5	Mental Hygiene Capital Improvement Fund - 389	82,535,000
6		-----
7	All Funds	139,560,000
8		=====

9	DESIGN AND CONSTRUCTION SUPERVISION (CCP)	11,000,000
10		-----

11 Capital Projects Fund

12 Preparation of Plans Purpose

13 For payment to the design and construction
 14 management account of the centralized
 15 services fund of the New York state
 16 office of general services or to the
 17 dormitory authority for the purpose of
 18 preparation and review of plans, spec-
 19 ifications, estimates, services,
 20 construction management and supervision,
 21 inspection, studies, appraisals,
 22 surveys, testing and environmental
 23 impact statements for new and existing
 24 projects associated with the community
 25 services and institutional services
 26 programs. Upon the request of the
 27 commissioner of the office of mental
 28 retardation and developmental disabili-
 29 ties and the approval of the director of
 30 the budget, this appropriation may be
 31 transferred to the dormitory authority
 32 of the state of New York. Upon approval
 33 by the director of the budget, funds
 34 from this appropriation may be trans-
 35 ferred to the office of mental health
 36 and the office of alcoholism and
 37 substance abuse services for payment to
 38 the dormitory authority of the state of
 39 New York for the preparation of plans
 40 purpose (51F21030) 3,000,000

41 For: (1) the payment of all claims for
 42 personal injury, death or property
 43 damage for which the New York State
 44 Medical Care Facilities Finance Agency,

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CAPITAL PROJECTS 2010-11

1 the facilities development corporation,
2 or the dormitory authority of the state
3 of New York might be liable occurring
4 upon, in or about any projects covered
5 by the Agreement of Lease entered into
6 by the facilities development corpo-
7 ration, the department of mental hygiene
8 and the New York State Medical Care
9 Facilities Finance Agency under date of
10 October 1, 1987 as from time to time
11 amended and supplemented and any and all
12 penalties, costs, including attorneys'
13 fees, claims, demands and causes of
14 action due directly or indirectly to the
15 use, disuse, misuse or interest in such
16 projects; (2) in the case of damage,
17 loss or destruction of any such project,
18 or any part of any such project, the
19 payment of the costs of repairing,
20 restoring, rebuilding or replacing the
21 same in accordance with the obligations
22 of the facilities development corpo-
23 ration so to do from the proceeds of
24 insurance under the provisions of para-
25 graph (b) of section 3.04 of the Agree-
26 ment of Lease; and (3) payments to the
27 New York State Medical Care Facilities
28 Finance Agency of moneys at the times
29 and in the amounts that annual rentals
30 would be due with respect to each
31 project during such time or times as
32 each such project may be damaged or
33 destroyed and not available for use by
34 the department of mental hygiene in
35 accordance with the terms of the Agree-
36 ment of Lease.

37 Notwithstanding the provisions of any
38 general or special law, the facilities
39 development corporation may assign to
40 the New York State Medical Care Facili-
41 ties Finance Agency all or any portion
42 of the moneys hereby appropriated for
43 the purposes hereinabove set forth.

44 Notwithstanding the foregoing, in the
45 event the appropriation is insufficient
46 to cover the losses, upon notification
47 from the facilities development corpo-
48 ration, the director of the budget shall
49 submit a request for additional appro-
50 priations to cover the additional loss-

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CAPITAL PROJECTS 2010-11

1 es. Upon approval by the director of the
 2 budget, funds from this appropriation
 3 may be transferred to the office of
 4 mental health and the office of alcohol-
 5 ism and substance abuse services for
 6 payment to the dormitory authority of
 7 the state of New York for the prepara-
 8 tion of plans purpose (51WC1030) 2,000,000

9 Mental Hygiene Capital Improvement Fund - 389

10 Preparation of Plans Purpose

11 For payment to the design and construction
 12 management account of the centralized
 13 services fund of the New York state
 14 office of general services or to the
 15 dormitory authority for the purpose of
 16 preparation and review of plans, spec-
 17 ifications, estimates, services,
 18 construction management and supervision,
 19 inspection, studies, appraisals,
 20 surveys, testing and environmental
 21 impact statements for new and existing
 22 projects associated with the institu-
 23 tional services program and the communi-
 24 ty services program. Upon the request of
 25 the commissioner of the office of mental
 26 retardation and developmental disabili-
 27 ties and the approval of the director of
 28 the budget, this appropriation may be
 29 transferred to the dormitory authority
 30 of the state of New York. Upon approval
 31 by the director of the budget, funds
 32 from this appropriation may be trans-
 33 ferred to the office of mental health
 34 and the office of alcoholism and
 35 substance abuse services for payment to
 36 the dormitory authority of the state of
 37 New York for the preparation of plans
 38 purpose (51F11030) 6,000,000

39 INSTITUTIONAL SERVICES PROGRAM (CCP) 57,200,000
 40 -----

41 Capital Projects Fund

42 Health and Safety Purpose

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OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H11001) 7,600,000

10 Preservation of Facilities Purpose

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P11003) 4,600,000

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M21003) 4,500,000

34 Mental Hygiene Capital Improvement Fund - 389

35 Health and Safety Purpose

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by

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1	the director of the budget, this appro-	
2	priation may be transferred to the	
3	dormitory authority of the state of New	
4	York (51H31001)	40,500,000
5	NON-BONDABLE PROJECTS (CCP)	1,000,000
6		-----
7	Capital Projects Fund	
8	Non-Bondable Purpose	
9	For transfer to the Mental Hygiene Capital	
10	Improvement Fund for reimbursement of	
11	non-bondable costs of projects author-	
12	ized by appropriations or reappropri-	
13	ations funded from the Mental Hygiene	
14	Capital Improvement Fund including	
15	liabilities incurred prior to April 1,	
16	2010 or for payment to the dormitory	
17	authority of the state of New York for	
18	defeasance of bonds. Upon request of the	
19	commissioner of the office of mental	
20	retardation and developmental disabili-	
21	ties and approval by the director of the	
22	budget, this appropriation may be trans-	
23	ferred to the dormitory authority of the	
24	state of New York (51FL10NB)	1,000,000
25	STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)	53,580,000
26		-----
27	Capital Projects Fund	
28	Administration Purpose	
29	For payment of personal service and	
30	nonpersonal service costs related to the	
31	administration of capital projects for	
32	new and reappropriated appropriations.	
33	Upon request of the commissioner of the	
34	office of mental retardation and devel-	
35	opmental disabilities and approval by	
36	the director of the budget, this appro-	
37	priation may be transferred to the	
38	dormitory authority of the state of New	
39	York (51A110C1)	2,750,000
40	Preservation of Facilities Purpose	

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CAPITAL PROJECTS 2010-11

1 For renovation and minor rehabilitation
2 and improvements of state-owned communi-
3 ty residential and day program facili-
4 ties for the developmentally disabled.
5 Upon request of the commissioner of the
6 office of mental retardation and devel-
7 opmental disabilities and approval by
8 the director of the budget, this appro-
9 priation may be transferred to the
10 dormitory authority of the state of New
11 York (51M11003) 19,705,000

12 New Facilities Purpose

13 For alterations and improvements of sites
14 leased for state-operated programs, and
15 for the purchase of furniture and equip-
16 ment for state-operated programs. Upon
17 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 (51L11007) 1,800,000

24 Mental Hygiene Capital Improvement Fund - 389

25 Preservation of Facilities Purpose

26 For renovation and minor rehabilitation
27 and improvements of state-owned communi-
28 ty residential and day program facili-
29 ties for the developmentally disabled.
30 Upon request of the commissioner of the
31 office of mental retardation and devel-
32 opmental disabilities and approval by
33 the director of the budget, this appro-
34 priation may be transferred to the
35 dormitory authority of the state of New
36 York (51PR1003) 1,000,000

37 New Facilities Purpose

38 For the acquisition and alterations and
39 improvements of property to be used as
40 state-operated community residential
41 facilities. Upon request of the commis-
42 sioner of the office of mental retarda-
43 tion and developmental disabilities and

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CAPITAL PROJECTS 2010-11

1 approval by the director of the budget,
 2 this appropriation may be transferred to
 3 the dormitory authority of the state of
 4 New York. Upon request of the commis-
 5 sioner of the office of mental retarda-
 6 tion and developmental disabilities, and
 7 approval by the director of the budget,
 8 this appropriation may be used for the
 9 acquisition and alterations and improve-
 10 ments of property to be used as not-for-
 11 profit facilities licensed pursuant to
 12 articles 16 and 41 of the mental hygiene
 13 law (51R11007) 28,325,000

14 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) 16,780,000
 15 -----

16 Capital Projects Fund

17 Preservation of Facilities Purpose

18 For state aid, to municipalities and other
 19 public and not-for-profit agencies,
 20 including the payment of liabilities
 21 incurred prior to April 1, 2010, for up
 22 to 100 per centum of the net cost of
 23 services and expenses related to the
 24 maintenance and improvement of voluntary
 25 not-for-profit provider operated commu-
 26 nity residential and day service
 27 programs (51201003) 5,000,000

28 New Facilities Purpose

29 For state aid, to municipalities and other
 30 public and not-for-profit agencies,
 31 including the payment of liabilities
 32 incurred prior to April 1, 2010 for up
 33 to 100 per centum of the net cost of
 34 feasibility studies, property options,
 35 capital renovations, acquisition of
 36 property, construction, rehabilitation
 37 and capital costs incidental and appur-
 38 tenant to facilities required to be
 39 licensed pursuant to article 16, as
 40 defined in the mental hygiene law, and
 41 for services and expenses related to
 42 environmental modifications and adaptive
 43 technology services at voluntary not-
 44 for-profit provider operated community

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1 residential facilities, certified family
2 care homes and private residences, as a
3 loan and/or grant to family care provid-
4 ers, for payment to other state and
5 federal housing agencies, private corpo-
6 rations and for capital development of
7 residential housing or day program
8 alternatives not currently defined in
9 the mental hygiene law (51B11007) 5,070,000

10 Mental Hygiene Capital Improvement Fund - 389

11 Community Facilities Purpose

12 For the comprehensive construction
13 programs, purposes and projects as here-
14 in specified, and for departmental
15 administrative costs related thereto,
16 consistent with section 41.34 of the
17 mental hygiene law, and for the acquisi-
18 tion of property, construction and reha-
19 bilitation, including the payment of
20 preoperational costs incurred prior to
21 occupancy, of article 16 community
22 mental retardation facilities and asso-
23 ciated programs and facilities and under
24 the auspice of municipalities and other
25 public and not-for-profit private agen-
26 cies approved by the commissioner of the
27 office of mental retardation and devel-
28 opmental disabilities, pursuant to arti-
29 cle 41 of the mental hygiene law and for
30 management fees associated with volun-
31 tary not-for-profit operated projects to
32 be financed through dormitory authority
33 of the state of New York bonds
34 (513210H2) 6,710,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 DESIGN AND CONSTRUCTION SUPERVISION (CCP)

2 Mental Hygiene Capital Improvement Fund - 389

3 Preparation of Plans Purpose

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

5 For payment to the design and construction management account of the
6 centralized services fund of the New York state office of general
7 services or to the dormitory authority for the purpose of prepara-
8 tion and review of plans, specifications, estimates, services,
9 construction management and supervision, inspection, studies,
10 appraisals, surveys, testing and environmental impact statements for
11 new and existing projects associated with the institutional services
12 program and the community services program. Upon the request of the
13 commissioner of the office of mental retardation and developmental
14 disabilities and the approval of the director of the budget, this
15 appropriation may be transferred to the dormitory authority of the
16 state of New York. Upon approval by the director of the budget,
17 funds from this appropriation may be transferred to the office of
18 mental health and the office of alcoholism and substance abuse
19 services for payment to the dormitory authority of the state of New
20 York for the preparation of plans purpose (51F10930)
21 6,000,000 (re. \$3,750,000)

22 INSTITUTIONAL SERVICES PROGRAM (CCP)

23 Capital Projects Fund

24 Health and Safety Purpose

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

26 For alterations and improvements for health and safety projects at
27 various facilities. Upon request of the commissioner of the office
28 of mental retardation and developmental disabilities and approval by
29 the director of the budget, this appropriation may be transferred to
30 the dormitory authority of the state of New York (51H10901)
31 7,500,000 (re. \$7,500,000)

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

33 For alterations and improvements for health and safety projects at
34 various facilities. Upon request of the commissioner of the office
35 of mental retardation and developmental disabilities and approval by
36 the director of the budget, this appropriation may be transferred to
37 the dormitory authority of the state of New York (51H10801)
38 6,400,000 (re. \$6,400,000)

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

40 For alterations and improvements for health and safety projects at
41 various facilities. Upon request of the commissioner of the office

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10701) 7,325,000 (re. \$7,190,000)

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

For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10601) 4,000,000 (re. \$2,540,000)

Preservation of Facilities Purpose

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

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10903) 4,420,000 (re. \$4,420,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20903) ... 4,100,000 (re. \$4,100,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10803) 7,600,000 (re. \$7,600,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20803) ... 1,400,000 (re. \$1,380,000)

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

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For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10703)
4,180,000 (re. \$3,130,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20703) ... 3,300,000 (re. \$2,750,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10603) ... 8,415,000 (re. \$2,770,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20603) ... 1,700,000 (re. \$1,150,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10403) ... 8,180,000 (re. \$1,740,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20403) ... 2,600,000 (re. \$850,000)

Mental Hygiene Capital Improvement Fund - 389

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1 Health and Safety Purpose

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

3 For alterations and improvements for health and safety projects at
4 various facilities. This appropriation may be used for the cost of
5 potential claims against contracts awarded by the dormitory authori-
6 ty of the state of New York. Upon request of the commissioner of the
7 office of mental retardation and developmental disabilities and
8 approval by the director of the budget, this appropriation may be
9 transferred to the dormitory authority of the state of New York
10 (51H30901) ... 34,150,000 (re. \$34,150,000)

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

12 For alterations and improvements for health and safety projects at
13 various facilities. This appropriation may be used for the cost of
14 potential claims against contracts awarded by the dormitory authori-
15 ty of the state of New York. Upon request of the commissioner of the
16 office of mental retardation and developmental disabilities and
17 approval by the director of the budget, this appropriation may be
18 transferred to the dormitory authority of the state of New York
19 (51H30801) ... 33,200,000 (re. \$33,030,000)

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

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 (51H30701) ... 32,290,000 (re. \$27,190,000)

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 (51BF0701) ... 11,000,000 (re. \$10,990,000)

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

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 authori-
42 ty of the state of New York. Upon request of the commissioner of the
43 office of mental retardation and developmental disabilities and
44 approval by the director of the budget, this appropriation may be
45 transferred to the dormitory authority of the state of New York
46 (51H30601) ... 32,143,000 (re. \$21,790,000)

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1 For alterations and improvements for health and safety projects at
2 bernard fineson facilities on the creedmoor psychiatric center
3 campus and at Howard park. This appropriation may be used for the
4 cost of potential claims against contracts awarded by the dormitory
5 authority of the state of New York. Upon request of the commissioner
6 of the office of mental retardation and developmental disabilities
7 and approval by the director of the budget, this appropriation may
8 be transferred to the dormitory authority of the state of New York
9 (51BF0601) ... 27,000,000 (re. \$230,000)

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

11 For alterations and improvements for health and safety projects at
12 bernard fineson facilities on the creedmoor psychiatric center
13 campus and at Howard park. This appropriation may be used for the
14 cost of potential claims against contracts awarded by the dormitory
15 authority of the state of New York. Upon request of the commissioner
16 of the office of mental retardation and developmental disabilities
17 and approval by the director of the budget, this appropriation may
18 be transferred to the dormitory authority of the state of New York
19 (51BF0501) ... 40,000,000 (re. \$4,090,000)

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

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 or the facilities development corpo-
25 ration. Upon request of the commissioner of the office of mental
26 retardation and developmental disabilities and approval by the
27 director of the budget, this appropriation may be transferred to the
28 dormitory authority of the state of New York (51H30401)
29 26,270,000 (re. \$2,290,000)

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

31 For alterations and improvements for health and safety projects at
32 various facilities. This appropriation may be used for the cost of
33 potential claims against contracts awarded by the dormitory authori-
34 ty of the state of New York or the facilities development corpo-
35 ration. Upon request of the commissioner of the office of mental
36 retardation and developmental disabilities and approval by the
37 director of the budget, this appropriation may be transferred to the
38 dormitory authority of the state of New York (51H30301)
39 26,004,000 (re. \$3,820,000)

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

41 For alterations and improvements for health and safety projects at the
42 institute for basic research in developmental disabilities. Upon
43 request of the commissioner of the office of mental retardation and
44 developmental disabilities and approval by the director of the budg-
45 et, this appropriation may be transferred to the dormitory authority

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 of the state of New York (51IB0101)
 2 7,000,000 (re. \$4,270,000)
 3 STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)
 4 Capital Projects Fund
 5 Preservation of Facilities Purpose
 6 By chapter 54, section 1, of the laws of 2009:
 7 For renovation and minor rehabilitation and improvements of state-
 8 owned community residential and day program facilities for the
 9 developmentally disabled. Upon request of the commissioner of the
 10 office of mental retardation and developmental disabilities and
 11 approval by the director of the budget, this appropriation may be
 12 transferred to the dormitory authority of the state of New York
 13 (51M10903)
 14 19,380,000 (re. \$19,380,000)
 15 New Facilities Purpose
 16 By chapter 54, section 1, of the laws of 2009:
 17 For alterations and improvements of sites leased for state-operated
 18 programs, and for the purchase of furniture and equipment for state-
 19 operated programs. Upon request of the commissioner of the office of
 20 mental retardation and developmental disabilities and approval by
 21 the director of the budget, this appropriation may be transferred to
 22 the dormitory authority of the state of New York (51L10907)
 23 11,600,000 (re. \$11,600,000)
 24 Mental Hygiene Capital Improvement Fund - 389
 25 Preservation of Facilities Purpose
 26 By chapter 54, section 1, of the laws of 2009:
 27 For renovation and minor rehabilitation and improvements of state-
 28 owned community residential and day program facilities for the
 29 developmentally disabled. Upon request of the commissioner of the
 30 office of mental retardation and developmental disabilities and
 31 approval by the director of the budget, this appropriation may be
 32 transferred to the dormitory authority of the state of New York
 33 (51PR0903) ... 1,000,000 (re. \$1,000,000)
 34 By chapter 54, section 1, of the laws of 2008:
 35 For renovation and minor rehabilitation and improvements of state-
 36 owned community residential and day program facilities for the
 37 developmentally disabled. Upon request of the commissioner of the
 38 office of mental retardation and developmental disabilities and
 39 approval by the director of the budget, this appropriation may be

DEPARTMENT OF MENTAL HYGIENE

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 transferred to the dormitory authority of the state of New York
 2 (51PR0803) ... 1,000,000 (re. \$990,000)

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

4 For renovation and minor rehabilitation and improvements of state-
 5 owned community residential and day program facilities for the
 6 developmentally disabled. Upon request of the commissioner of the
 7 office of mental retardation and developmental disabilities and
 8 approval by the director of the budget, this appropriation may be
 9 transferred to the dormitory authority of the state of New York
 10 (51PR0703) ... 1,000,000 (re. \$160,000)

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

12 For renovation and minor rehabilitation and improvements of state-
 13 owned community residential and day program facilities for the
 14 developmentally disabled. Upon request of the commissioner of the
 15 office of mental retardation and developmental disabilities and
 16 approval by the director of the budget, this appropriation may be
 17 transferred to the dormitory authority of the state of New York
 18 (51PR0603) ... 1,000,000 (re. \$580,000)

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

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 (51PR0503) ... 1,000,000 (re. \$300,000)

27 New Facilities Purpose

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

29 For the acquisition and alterations and improvements of property to be
 30 used as state-operated community residential facilities. Upon
 31 request of the commissioner of the office of mental retardation and
 32 developmental disabilities and approval by the director of the budg-
 33 et, this appropriation may be transferred to the dormitory authority
 34 of the state of New York. Upon request of the commissioner of the
 35 office of mental retardation and developmental disabilities, and
 36 approval by the director of the budget, this appropriation may be
 37 used for the acquisition and alterations and improvements of proper-
 38 ty to be used as not-for-profit facilities licensed pursuant to
 39 articles 16 and 41 of the mental hygiene law (51R10907)
 40 14,675,000 (re. \$14,675,000)

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

42 For the acquisition and alterations and improvements of property to be
 43 used as state-operated community residential facilities. Upon
 44 request of the commissioner of the office of mental retardation and

DEPARTMENT OF MENTAL HYGIENE

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10807) 24,575,000 (re. \$19,200,000)

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

For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10707) 22,200,000 (re. \$15,200,000)

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

For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10607) 19,300,000 (re. \$5,300,000)

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

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

For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2009, for up to 100 per centum of the net cost of services and expenses related to the maintenance and improvement of voluntary

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

not-for-profit provider operated community residential and day
service programs (51200903) ... 5,000,000 (re. \$5,000,000)

New Facilities Purpose

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

For state aid, to municipalities and other public and not-for-profit
agencies, including the payment of liabilities incurred prior to
April 1, 2009 for up to 100 per centum of the net cost of feasibil-
ity studies, property options, capital renovations, acquisition of
property, construction, rehabilitation and capital costs incidental
and appurtenant to facilities required to be licensed pursuant to
article 16, as defined in the mental hygiene law, and for services
and expenses related to environmental modifications and adaptive
technology services at voluntary not-for-profit provider operated
community residential facilities, certified family care homes and
private residences, as a loan and/or grant to family care providers,
for payment to other state and federal housing agencies, private
corporations and for capital development of residential housing or
day program alternatives not currently defined in the mental hygiene
law (51B10907) ... 4,375,000 (re. \$4,375,000)

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

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

For the comprehensive construction programs, purposes and projects as
herein specified, and for departmental administrative costs related
thereto, consistent with section 41.34 of the mental hygiene law,
and for the acquisition of property, construction and rehabili-
tation, including the payment of preoperational costs incurred prior
to occupancy, of article 16 community mental retardation facilities
and associated programs and facilities and under the auspice of
municipalities and other public and not-for-profit private agencies
approved by the commissioner of the office of mental retardation and
developmental disabilities, pursuant to article 41 of the mental
hygiene law and for management fees associated with voluntary not-
for-profit operated projects to be financed through dormitory
authority of the state of New York bonds (513209H2)
6,450,000 (re. \$6,450,000)

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

For the comprehensive construction programs, purposes and projects as
herein specified, and for departmental administrative costs related
thereto, consistent with section 41.34 of the mental hygiene law,
and for the acquisition of property, construction and rehabili-
tation, including the payment of preoperational costs incurred prior
to occupancy, of article 16 community mental retardation facilities
and associated programs and facilities and under the auspice of

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CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

1 municipalities and other public and not-for-profit private agencies
2 approved by the commissioner of the office of mental retardation and
3 developmental disabilities, pursuant to article 41 of the mental
4 hygiene law and for management fees associated with voluntary not-
5 for-profit operated projects to be financed through dormitory
6 authority of the state of New York bonds (513208H2)
7 6,400,000 (re. \$6,400,000)

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
3 General Fund - State and Local	5,636,000	0
4 Special Revenue Funds - Federal	8,345,000	11,045,000
5 Special Revenue Funds - Other	4,663,000	0
6 Enterprise Funds	45,000	0
7	-----	-----
8 All Funds	18,689,000	11,045,000
9	=====	=====

10 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
14 GF-St/Local	5,466,000	170,000	0	5,636,000
15 SR-Federal	8,345,000	0	0	8,345,000
16 SR-Other	4,185,000	478,000	0	4,663,000
17 Enterprise	45,000	0	0	45,000
18	-----	-----	-----	-----
19 All Funds	18,041,000	648,000	0	18,689,000
20	=====	=====	=====	=====

21 SCHEDULE

22 ADMINISTRATION PROGRAM 9,996,000

23 -----

24 General Fund / State Operations

25 State Purposes Account - 003

26 For services and expenses of the commission

27 pursuant to chapter 58 of the laws of

28 2005.

29 PERSONAL SERVICE

30 Personal service--regular 4,133,000

31 Holiday/overtime compensation 17,000

32 -----

33 Amount available for personal service 4,150,000

34 -----

35 NONPERSONAL SERVICE

36 Supplies and materials 44,000

37 Travel 196,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Contractual services	932,000
2	Equipment	144,000
3		-----
4	Amount available for nonpersonal service	1,316,000
5		-----
6	Program account subtotal	5,466,000
7		-----

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

10	For services and expenses associated with	
11	federal grant awards yet to be allocated.	
12	Notwithstanding any inconsistent provision	
13	of law, the director of the budget is	
14	hereby authorized to transfer appropri-	
15	ation authority contained herein to any	
16	other federal fund or program within the	
17	commission on quality of care and advocacy	
18	for persons with disabilities	300,000
19		-----
20	Program fund subtotal	300,000
21		-----

22 Special Revenue Funds - Other / State Operations
23 Combined Gifts, Grants and Bequests Fund - 020
24 Disability and Technical Assistance Account

25 For services and expenses related to disa-
26 bility consultant services pursuant to
27 chapter 58 of the laws of 2005.

28 PERSONAL SERVICE

29	Personal service--regular	57,000
30	Holiday/overtime compensation	1,000
31		-----
32	Amount available for personal service	58,000
33		-----

34 NONPERSONAL SERVICE

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		-----

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Program account subtotal	157,000
2		-----
3	Special Revenue Funds - Other / State Operations	
4	Miscellaneous Special Revenue Fund - 339	
5	Conference Fee Account	
6	For services and expenses of the commission	
7	pursuant to chapter 58 of the laws of	
8	2005.	
9		
	NONPERSONAL SERVICE	
10	Supplies and materials	15,000
11	Travel	20,000
12	Contractual services	36,000
13		-----
14	Program account subtotal	71,000
15		-----
16	Special Revenue Funds - Other / State Operations	
17	Miscellaneous Special Revenue Fund - 339	
18	Federal Salary Sharing Account	
19		
	PERSONAL SERVICE	
20	Personal service--regular	2,381,000
21	Holiday/overtime compensation	14,000
22		-----
23	Amount available for personal service	2,395,000
24		-----
25		
	NONPERSONAL SERVICE	
26	Supplies and materials	2,000
27	Travel	146,000
28	Contractual services	164,000
29	Equipment	15,000
30	Fringe benefits	1,160,000
31	Indirect costs	75,000
32		-----
33	Amount available for nonpersonal service	1,562,000
34		-----
35	Program account subtotal	3,957,000
36		-----
37	Enterprise Funds / State Operations	
38	Miscellaneous Enterprise Fund - 331	
39	Publications Account	

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	NONPERSONAL SERVICE	
2	Supplies and materials	5,000
3	Contractual services	15,000
4		-----
5	Program account subtotal	20,000
6		-----
7	Enterprise Funds / State Operations	
8	Miscellaneous Enterprise Fund - 331	
9	TRAID Services Account	
10	For services and expenses related to TRAID	
11	project activities including the provision	
12	of educational, outreach, training and	
13	support services pursuant to chapter 58 of	
14	the laws of 2005.	
15	NONPERSONAL SERVICE	
16	Supplies and materials	5,000
17	Travel	10,000
18	Contractual services	10,000
19		-----
20	Program account subtotal	25,000
21		-----
22	ADULT HOMES PROGRAM	230,000
23		-----
24	General Fund / Aid to Localities	
25	Local Assistance Account - 001	
26	For services and expenses related to the	
27	adult homes advocacy program	170,000
28		-----
29	Program account subtotal	170,000
30		-----
31	Special Revenue Funds - Other / Aid to Localities	
32	HCRA Resources Fund - 061	
33	Adult Home Resident Council Support Project Account	
34	For services and expenses related to the	
35	adult homes resident council support	
36	project	60,000
37		-----
38	Program account subtotal	60,000
39		-----

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	CLIENT ASSISTANCE PROGRAM	721,000
2		-----
3	Special Revenue Funds - Federal / State Operations	
4	Federal Department of Education Fund - 267	
5	Personal service	82,000
6	Nonpersonal service	598,000
7	Fringe benefits	39,000
8	Indirect costs	2,000
9		-----
10	PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM	252,000
11		-----
12	Special Revenue Funds - Federal / State Operations	
13	Federal Department of Education Fund - 267	
14	For services and expenses related to assist-	
15	ing individuals with obtaining assistive	
16	technology services and devices consistent	
17	with federal grant requirements.	
18	Personal service	52,000
19	Nonpersonal service	174,000
20	Fringe benefits	25,000
21	Indirect costs	1,000
22		-----
23	PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECUR-	
24	RITY PROGRAM	335,000
25		-----
26	Special Revenue Funds - Federal / State Operations	
27	Federal Operating Grants Fund - 290	
28	Personal service	61,000
29	Nonpersonal service	243,000
30	Fringe benefits	29,000
31	Indirect costs	2,000
32		-----
33	PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED	
34	PROGRAM	2,397,000
35		-----
36	Special Revenue Funds - Federal / State Operations	
37	Federal Health and Human Services Fund - 265	

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Personal service	484,000
2	Nonpersonal service	1,676,000
3	Fringe benefits	228,000
4	Indirect costs	9,000
5		-----
6	PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL	
7	ILLNESS PROGRAM	2,036,000
8		-----
9	Special Revenue Funds - Federal / State Operations	
10	Federal Health and Human Services Fund - 265	
11	Personal service	577,000
12	Nonpersonal service	1,176,000
13	Fringe benefits	272,000
14	Indirect costs	11,000
15		-----
16	PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN	
17	INJURY PROGRAM	123,000
18		-----
19	Special Revenue Funds - Federal / State Operations	
20	Federal Health and Human Services Fund - 265	
21	Nonpersonal service	123,000
22		-----
23	PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM	215,000
24		-----
25	Special Revenue Funds - Federal / State Operations	
26	Federal Health and Human Services Fund - 265	
27	Nonpersonal service	215,000
28		-----
29	PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM	1,154,000
30		-----
31	Special Revenue Funds - Federal / State Operations	
32	Federal Department of Education Fund - 267	
33	Personal service	136,000
34	Nonpersonal service	951,000
35	Fringe benefits	64,000
36	Indirect costs	3,000
37		-----

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	Special Revenue Funds - Other / Aid to Localities	
4	Miscellaneous Special Revenue Fund - 339	
5	Federal Salary Sharing Account	
6	For surrogate decision-making committee	
7	program contracts with local service	
8	providers	418,000
9		-----
10	Program account subtotal	418,000
11		-----
12	TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISA-	
13	BILITIES	812,000
14		-----
15	Special Revenue Funds - Federal / State Operations	
16	Federal Department of Education Fund - 267	
17	1031-OT-Education Account	
18	For services and expenses related to TRAID	
19	including for contract for the delivery of	
20	direct services to persons utilizing	
21	regional technology centers or other enti-	
22	ties funded through the TRAID project	
23	pursuant to chapter 58 of the laws of	
24	2005.	
25	Personal service	184,000
26	Nonpersonal service	537,000
27	Fringe benefits	87,000
28	Indirect costs	4,000
29		-----
30	Total new appropriations for state operations and aid to	
31	localities	18,689,000
32		=====

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 ADMINISTRATION PROGRAM

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

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

5 For services and expenses associated with federal grant awards yet to
6 be allocated. Notwithstanding any inconsistent provision of law, the
7 director of the budget is hereby authorized to transfer appropri-
8 ation authority contained herein to any other federal fund or
9 program within the commission on quality of care and advocacy for
10 persons with disabilities ... 300,000 (re. \$300,000)

11 CLIENT ASSISTANCE PROGRAM

12 Special Revenue Funds - Federal / State Operations
13 Federal Department of Education Fund - 267

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

15 Personal service ... 80,000 (re. \$63,000)
16 Nonpersonal service ... 533,000 (re. \$533,000)
17 Fringe benefits ... 34,000 (re. \$27,000)
18 Indirect costs ... 7,000 (re. \$6,000)

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

20 Nonpersonal service ... 571,000 (re. \$505,000)

21 PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM

22 Special Revenue Funds - Federal / State Operations
23 Federal Department of Education Fund - 267

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

25 For services and expenses related to assisting individuals with
26 obtaining assistive technology services and devices consistent with
27 federal grant requirements.
28 Personal service ... 56,000 (re. \$56,000)
29 Nonpersonal service ... 133,000 (re. \$133,000)
30 Fringe benefits ... 24,000 (re. \$24,000)
31 Indirect costs ... 4,000 (re. \$4,000)

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

33 For services and expenses related to assisting individuals with
34 obtaining assistive technology services and devices consistent with
35 federal grant requirements ... 229,000 (re. \$97,000)

36 PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM

37 Special Revenue Funds - Federal / State Operations
38 Federal Operating Grants Fund - 290

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

2 Personal service ... 106,000 (re. \$94,000)

3 Nonpersonal service ... 243,000 (re. \$219,000)

4 Fringe benefits ... 45,000 (re. \$11,000)

5 Indirect costs ... 9,000 (re. \$2,000)

6 PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM

7 Special Revenue Funds - Federal / State Operations

8 Federal Health and Human Services Fund - 265

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

10 Personal service ... 452,000 (re. \$347,000)

11 Nonpersonal service ... 1,348,000 (re. \$1,348,000)

12 Fringe benefits ... 189,000 (re. \$146,000)

13 Indirect costs ... 36,000 (re. \$30,000)

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

15 Nonpersonal service ... 1,354,000 (re. \$1,326,000)

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

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

18 Nonpersonal service ... 1,264,000 (re. \$360,000)

19 PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS

20 Special Revenue Funds - Federal / State Operations

21 Federal Health and Human Services Fund - 265

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

23 Personal service ... 588,000 (re. \$465,000)

24 Nonpersonal service ... 796,000 (re. \$796,000)

25 Fringe benefits ... 246,000 (re. \$195,000)

26 Indirect costs ... 47,000 (re. \$40,000)

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

28 Nonpersonal service ... 887,000 (re. \$721,000)

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

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

31 Nonpersonal service ... 706,000 (re. \$ 97,000)

32 PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM

33 Special Revenue Funds - Federal / State Operations

34 Federal Health and Human Services Fund - 265

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

36 Nonpersonal service ... 167,000 (re. \$167,000)

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

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1 Nonpersonal service ... 89,000 (re. \$17,000)

2 PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM

3 Special Revenue Funds - Federal / State Operations

4 Federal Health and Human Services Fund - 265

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

6 Nonpersonal service ... 223,000 (re. \$223,000)

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

8 Nonpersonal service ... 181,000 (re. \$87,000)

9 PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM

10 Special Revenue Funds - Federal / State Operations

11 Federal Department of Education Fund - 267

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

13 Personal service ... 155,000 (re. \$121,000)

14 Nonpersonal service ... 668,000 (re. \$668,000)

15 Fringe benefits ... 65,000 (re. \$51,000)

16 Indirect costs ... 13,000 (re. \$11,000)

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

18 Nonpersonal service ... 704,000 (re. \$542,000)

19 TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM

20 Special Revenue Funds - Federal / State Operations

21 Federal Department of Education Fund - 267

22 1031-OT-Education Account

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

24 For services and expenses related to TRAID including for contract for

25 the delivery of direct services to persons utilizing regional tech-

26 nology centers or other entities funded through the TRAID project

27 pursuant to chapter 58 of the laws of 2005.

28 Personal service ... 185,000 (re. \$185,000)

29 Nonpersonal service ... 431,000 (re. \$431,000)

30 Fringe benefits ... 77,000 (re. \$77,000)

31 Indirect costs ... 14,000 (re. \$14,000)

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

33 For services and expenses related to TRAID including for contract for

34 the delivery of direct services to persons utilizing regional tech-

35 nology centers or other entities funded through the TRAID project

36 pursuant to chapter 58 of the laws of 2005

37 845,000 (re. \$506,000)

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1	Total reappropriations for state operations and aid to	
2	localities	11,045,000
3		=====

CONTINGENT AND OTHER APPROPRIATIONS

1 S 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.

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 By chapter 54, section 2, of the laws of 2002:

4 For expenses related to spinal cord injury research pursuant to chap-
5 ter 338 of the laws of 1998 ... 13,500,000 (re. \$13,500,000)

6 Special Revenue Funds - Other / State Operations
7 Miscellaneous Special Revenue Fund - 339
8 Health Services Account

9 By chapter 54, section 1, of the laws of 1997, as amended by chapter 54,
10 section 2, of the laws of 2002:
11 For advances to Roswell Park cancer institute account, the Helen Hayes
12 hospital account, the New York city veterans' home account, the New
13 York state home for veterans and their dependents at Oxford account,
14 New York state home for veterans in the lower-Hudson Valley account,
15 and the Western New York veterans' home account. Notwithstanding any
16 existing provision of law, amounts from this appropriation may be
17 made available only upon request of the commissioner of the depart-
18 ment of health and issuance of a certificate of approval by the
19 director of the budget. No moneys may be allocated from this appro-
20 priation until a repayment agreement has been signed between the
21 commissioner of the department of health and the director of the
22 budget regarding the outstanding balance in the miscellaneous
23 special revenue fund - health services account. Each allocation must
24 be repaid within 90 days of the date of the respective certificate
25 provided, however, an outstanding balance amount up to \$500,000 for
26 each institutional account may be carried over into the ensuing
27 fiscal year ... 20,000,000 (re. \$20,000,000)

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