S T A T E O F N E W Y O R K

S. 54 A. 154

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

(PREFILED)

January 7, 2009

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

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

AN ACT making appropriations for the support of government

HEALTH AND MENTAL HYGIENE BUDGET

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. a) The several amounts specified in this chapter for state operations and for aid to localities, or so much thereof as shall be sufficient to accomplish the purposes designated by the appropriations, are hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified.

b) Where applicable, appropriations made by this chapter for expenditures from federal grants for state operations and for aid to localities may be allocated for spending from federal grants for any grant period beginning, during, or prior to, the state fiscal year beginning on April 1, 2009.

c) The several amounts specified in this chapter 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, and authorized to be made available as hereinafter provided to the respective public officers; such appropriations shall be deemed to provide all costs necessary and pertinent to accomplish the intent of the appropriations and are appropriated in accordance with the provisions of section 93 of the state 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, 2009.

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 2008.

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, 2009. 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 2008.

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, 2009.

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	113,716,000	11,386,341
Special Revenue Funds - Federal	118,587,000	121,796,000
Special Revenue Funds - Other	1,230,000	0
Enterprise Funds	100,000	0
All Funds	233,633,000	133,182,341

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM		14,629,000
General Fund / State Operations		
State Purposes Account - 003		
PERSONAL SERVICE		
Personal service--regular	2,803,000	
Temporary service	8,000	
Amount available for personal service	2,811,000	
NONPERSONAL SERVICE		
Supplies and materials	53,000	
Travel	101,000	
Contractual services	300,000	
Equipment	27,000	
Amount available for nonpersonal service	481,000	
Program account subtotal	3,292,000	

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

For programs provided under the titles of the federal older Americans act and other health and human services programs 9,394,000

Program fund subtotal 9,394,000

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

For services and expenses related to the provision of aging services programs 1,200,000

Program account subtotal 1,200,000

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

For the senior community service employment program provided under title V of the federal older Americans act 393,000

Program account subtotal 393,000

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

For service and expenses of the state office for the aging.

NONPERSONAL SERVICE

Supplies and materials 50,000
Travel 50,000
Contractual services 150,000

Program account subtotal 250,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Aging Enterprises Account

For service and expenses related to video and other media.

NONPERSONAL SERVICE

Contractual services	100,000
Program account subtotal	100,000
COMMUNITY SERVICES PROGRAM	219,004,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses, including the payment of liabilities incurred prior to April 1, 2008, related to the community services elderly grant program. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purposes of such expenditures and the allocation of funds among the counties. Notwithstanding any provision of law, rule or regulation to the contrary, subject to the approval of the director of the budget, funds appropriated herein for the community services for the elderly program (CSE) and the expanded in-home services for the elderly program (EISEP) may be used in accordance with a waiver or reduction in county maintenance of effort requirements established pursuant to section 214 of the elder law, except for base year expenditures. To the extent that funds hereby appropriated are sufficient to exceed the per capita limit established in section 214 of the elder law, the excess funds shall be available to supplement the existing per capita level in a uniform manner consistent with statutory allocations 15,312,000

For planning and implementation, including the payment of liabilities incurred prior to April 1, 2008, of a program of expanded in-home, case management and ancillary community services for the elderly (EISEP). No expenditures shall be made from this appropriation until the director of the budget has approved a plan submit-

ted by the office outlining the amounts and purposes of such expenditures and the allocation of funds among the counties, including the city of New York 46,035,000

For services and expenses related to the congregate services initiative. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purposes of such expenditures and the allocation of funds among the counties 725,000

For services and expenses of grants to area agencies on aging for the establishment and operation of caregiver resource centers 353,000

For services and expenses, including the payment of liabilities incurred prior to April 1, 2008, associated with the supplemental nutrition assistance program (SNAP), including a suballocation to the department of agriculture and markets to be transferred to state operations for administrative costs of the farmers market nutrition program. No expenditure shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purpose of such expenditures and the allocation of funds among the counties 21,380,000

Local grants for services and expenses of the long-term care ombudsman program 621,000

For services and expenses of the retired and senior volunteer program (RSVP) 433,000

For services and expenses of the EAC/Nassau senior respite program 237,000

For services and expenses of the home aides of central New York, Inc. senior respite program 142,000

For services and expenses of the New York foundation for senior citizens home sharing and respite care program 172,000

For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 656,000

For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 872,000

For state aid grants to naturally occurring retirement communities (NORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 2,027,000

For state aid grants to neighborhood naturally occurring retirement communities (NNORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 2,027,000

For grants in aid to the 59 designated area agencies on aging for transportation operating expenses related to serving the elderly. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget 921,000

For services and expenses of the foster grandparents program 196,000

For services and expenses related to an elderly abuse education and outreach program in accordance with section 219 of the elder law funding priority shall be given to the renewal of existing contracts with the state office for the aging 490,000

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the director of the state office for the aging, expanded in-home services for the elderly program

(EISEP), community services for the elderly program (CSE) and the supplemental nutrition assistance program (SNAP). The director of the state office for the aging shall determine the standards and requirements necessary for reimbursement of such increases. Further, all such increases shall be made pursuant to a provider attestation regarding the use of such funds to be provided in the format prescribed by the state office for the aging. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget 13,207,000

For services and expenses of New York Statewide Senior Action Council, Inc. for the patients' rights hotline and advocacy project 63,000

For grants to the area agencies on aging for the health insurance information, counseling and assistance program 921,000

For state matching funds for services and expenses to match federally funded model projects and/or demonstration grant programs, a portion of which may be transferred to state operations or to other entities as necessary to meet federal grant objectives 236,000

For grants in aid to up to seven designated area agencies on aging for the creation of regional caregiver centers for excellence for the purpose of providing education and training to caregivers, the development and implementation of innovative approaches to assisting caregivers and reducing caregiver stress, provision of technical assistance and training to caregiver program coordinators and other programs and other activities to directly support community caregivers. At least $200,000 of the amount appropriated shall be used to provide respite services to informal caregivers 230,000

For up to eight community empowerment initiative start up grants to enable communities, neighborhoods, elders and families to develop their own supportive services that enable older persons to "age in place" and stay in their own neighborhoods 245,000

For the managed care consumer assistance program for the purpose of providing education, outreach, one-on-one counseling, monitoring of the implementation of medicare part D, and assistance with drug appeals and fair hearings related to medicare part D coverage for persons who are eligible for medical assistance and who are also beneficiaries under part D of title XVIII of the federal social security act and for participants of the elderly pharmaceutical insurance coverage program (EPIC) in accordance with the following:

Medicare Rights Center	414,000
New York StateWide Senior Action Council, Inc.	185,000
New York Legal Assistance Group	58,000
Legal Aid Society of New York	58,000
Selfhelp Community Services, Inc.	58,000
Empire Justice Center	81,000
Community Service Society	69,000

For services and expenses of grants to area agencies on aging and community-based organizations to assist seniors enrolled in the elderly pharmaceutical insurance coverage program in selecting, accessing, and maximizing medicare part D coverage. Such grant awards shall be made in consultation with the commissioner of the department of health 2,000,000

Program account subtotal 110,424,000

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

For programs provided under the titles of the federal older Americans act and other health and human services programs.

Title III-b social services	26,000,000
Title III-c nutrition programs, including a suballocation to the department of health for nutrition program activities	41,000,000
Title III-e caregivers	12,000,000
Health and human services programs	5,000,000
Nutrition services incentive program	16,000,000

Program fund subtotal 100,000,000

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

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

Office for the Aging Federal Grants Account

For services and expenses related to the provision of aging services programs 600,000

Program account subtotal 600,000

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

For the senior community service employment program provided under title V of the federal older Americans act 7,000,000

Program account subtotal 7,000,000

Special Revenue Fund - Other / Aid to Localities
Combined Gifts, Grants and Bequests Fund - 020
Aging Grants and Bequest Account

For services and expenses of the state office for the aging 980,000

Program account subtotal 980,000

Total new appropriations for state operations and aid to localities 233,633,000

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1 of the laws of 2008:
For services and expenses of establishing a family caregiver council.
Supplies and materials ... 15,000 ..... (re. $15,000)
Travel ... 40,000 ..... (re. $40,000)
Contractual services ... 55,000 ..... (re. $55,000)
Equipment ... 15,000 ..... (re. $15,000)
For services and expenses of establishing a community empowerment initiative.
Personal service--regular ... 75,000 ..... (re. $75,000)
Supplies and materials ... 5,000 ..... (re. $5,000)
Travel ... 5,000 ..... (re. $5,000)
Contractual services ... 10,000 ..... (re. $10,000)
Equipment ... 5,000 ..... (re. $5,000)

The appropriation made by chapter 54, section 1 of the laws of 2008, is hereby amended and reappropriated to read:
For services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to [a] chapter 58 of the laws of 2007. The funds appropriated hereby shall be suballocated to the department of health ... 50,000 ..... (re. $50,000)

By chapter 54, section 1 of the laws of 2007:
For the planning, development and feasibility study of the senior benefits program.
Contractual services ... 25,000 ..... (re. $25,000)
For services and expenses of establishing a family caregiver council.
Contractual services ... 55,000 ..... (re. $30,000)
For services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to a chapter of the laws of 2007.
The funds appropriated hereby shall be suballocated to the department of health ... 75,000 ..... (re. $75,000)
For additional services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to a chapter of the laws of 2007.
The funds appropriated hereby shall be suballocated to the department of health ... 150,000 ..... (re. $150,000)
For services and expenses of the mature worker taskforce ..... 100,000 ..... (re. $25,000)
For services and expenses of developing model zoning and planning guidelines that foster age-integrated communities ..... 100,000 ..... (re. $12,200)

By chapter 54, section 1 of the laws of 2006:
For the planning, development and feasibility study of the senior benefits program ... 25,000 ..... (re. $7,000)
For the planning, development and evaluation of a community green house project ... 150,000 ..... (re. $120,000)

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

By chapter 54, section 1 of the laws of 2005:
For the planning, development and evaluation of senior's single intake point technology solutions ... 250,000 ..... (re. $250,000)

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

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

By chapter 54, section 1, of the laws of 2007:
For programs provided under the titles of the federal older Americans act and other health and human services programs.
For the grant period October 1, 2007 to September 30, 2008 .....
4,200,000 ..... (re. $2,700,000)

By chapter 54, section 1, of the laws of 2006:
For programs provided under the titles of the federal older Americans act and other health and human services programs:
For the grant period October 1, 2006 to September 30, 2006 .....
4,200,000 ..... (re. $250,000)

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

By chapter 54, section 1, of the laws of 2008:
For the senior community service employment program provided under title V of the federal older Americans act .....
350,000 ..... (re. $196,000)

COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1 of the laws of 2008:
For services and expenses of New York Statewide Senior Action Council, Inc. for the patients' rights hotline and advocacy project .....
63,000 ..... (re. $63,000)
For state matching funds for services and expenses to match federally funded model projects and/or demonstration grant programs, a portion of which may be transferred to state operations or to other entities as necessary to meet federal grant objectives .....
236,000 ..... (re. $236,000)

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, including the payment of liabilities incurred prior to April 1, 2008, associated with the supplemental

nutrition assistance program (SNAP), including a suballocation to the department of agriculture and markets to be transferred to state operations for administrative costs of the farmers market nutrition program. No expenditure shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purpose of such expenditures and the allocation of funds among the counties, 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 ... 22,745,000 ..... (re. $300,000)

For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider, 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 ..... 698,000 ..... (re. $656,120)

For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider, 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 ..... 928,000 ..... (re. $872,320)

For state aid grants to naturally occurring retirement communities (NORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider, 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 ..... 2,156,000 ..... (re. $1,808,000)

For state aid grants to neighborhood naturally occurring retirement communities (NNORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider, 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 ... 2,156,000 ..... (re. $2,027,000)

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For additional grants in aid to the 59 designated area agencies on aging for transportation operating expenses related to serving the elderly. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget ..... 940,000 ..... (re. $500,000)

For grants in aid to up to seven designated area agencies on aging for the creation of regional caregiver centers for excellence for the purpose of providing education and training to caregivers, the development and implementation of innovative approaches to assisting caregivers and reducing caregiver stress, provision of technical assistance and training to caregiver program coordinators and other programs and other activities to directly support community caregivers. At least $200,000 of the amount appropriated shall be used to provide respite services to informal caregivers ..... 230,000 ..... (re. $230,000)

For up to eight community empowerment initiative start up grants to enable communities, neighborhoods, elders and families to develop their own supportive services that enable older persons to "age in place" and stay in their own neighborhoods ..... 245,000 ..... (re. $245,000)

For services and expenses related to the enriched social adult day services demonstration project to help older New Yorkers age in place in the community while avoiding spend-down to medicaid. No more than eight and one half percent of the amount appropriated for such purpose may be expended by the office for the aging for services and expenses in connection with the evaluation of the demonstration project which shall be conducted by the center for functional assessment research (CFAR) at the university of Buffalo. An amount not to exceed 10 percent of the allocation may be used for administration for the office ... 245,000 ..... (re. $245,000)

For the managed care consumer assistance program for the purpose of providing education, outreach, one-on-one counseling, monitoring of the implementation of medicare part D, and assistance with drug appeals and fair hearings related to medicare part D coverage for persons who are eligible for medical assistance and who are also beneficiaries under part D of title XVIII of the federal social security act and for participants of the elderly pharmaceutical insurance coverage program (EPIC) in accordance with the following, 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:

Medicare Rights Center ... 882,000 ..... (re. $449,532)

New York StateWide Senior Action Council, Inc. ..... 392,000 ..... (re. $199,794)

New York Legal Assistance Group ... 123,000 ..... (re. $62,694)

Legal Aid Society of New York ... 123,000 ..... (re. $62,694)

Selfhelp Community Services, Inc. ... 123,000 ..... (re. $62,694)

Empire Justice Center ... 172,000 ..... (re. $87,667)

Community Service Society ... 147,000 ..... (re. $74,926)

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For continuation of the pilot programs in geriatric in-home medical care initiatives, including in-home visits and consultations by physicians ... 705,000 ..... (re. $375,000)
For end of life care initiatives grants ... 188,000 ... (re. $100,000)
For additional state aid grants to existing providers of social model adult day services pursuant to the following sub-schedule ..... 244,400 ..... (re. $130,000)

sub-schedule

Chautauqua Adult Day Center	37,600
The Community Programs Center of Long Island	47,000
Lutheran Family Centers of Brooklyn	79,900
Park Slope Geriatric Center	79,900

By chapter 54, section 1, of the laws of 2007:
For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ... 712,000 ..... (re. $341,700)
For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ... 947,000 ..... (re. $337,000)
For pilot programs in geriatric in-home medical care initiatives, including in-home visits and consultations by physicians ..... 1,000,000 ..... (re. $713,000)
For a study to be conducted by the School of Social Welfare at Stoney Brook University to evaluate the pilot programs in geriatric home medical care initiatives and the related pilot project studying the role of social workers providing gerontological care coordination services serving the patients of the pilot programs in geriatric home medical initiatives. This study shall be developed in consultation with the Medical Society of the State of New York, New York Academy of Medicine and the State Office for the Aging ..... 150,000 ..... (re. $50,000)
For end of life care initiatives in at least four counties pursuant to and RFP ... 200,000 ..... (re. $188,000)

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

By chapter 54, section 1, of the laws of 2008:
For programs provided under the titles of the federal older Americans act and other health and human services programs.
Title III-b social services ... 26,000,000 ..... (re. $26,000,000)

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

Title III-c nutrition programs, including a suballocation to the department of health for nutrition program activities ..... 41,000,000 ..... (re. $41,000,000)
Title III-e caregivers ... 12,000,000 ..... (re. $12,000,000)
Health and human services programs ... 5,000,000 .... (re. $5,000,000)
Nutrition services incentive program ..... 16,000,000 ..... (re. $16,000,000)

By chapter 54, section 1, of the laws of 2007:
For programs provided under the titles of the federal older Americans act and other health and human services programs:
For the grant period October 1, 2006 to September 30, 2007: ..... 4,200,000 ..... (re. $4,200,000)

By chapter 54, section 1, of the laws of 2006:
For programs provided under the titles of the federal older Americans act and other health and human services programs:
For the grant period October 1, 2005 to September 30, 2006: ... ... 57,500,000 ..... (re. $250,000)

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

By chapter 54, section 1, of the laws of 2008:
For the senior community service employment program provided under title V of the federal older Americans act ..... 7,000,000 ..... (re. $5,500,000)

Total reappropriations for state operations and aid to localities 133,182,341
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DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
Special Revenue Funds - Federal	4,550,000	2,883,000
Enterprise Funds	10,000	0
All Funds	4,560,000	2,883,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM 4,560,000

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

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

Personal service	1,130,000
Nonpersonal service	449,000
Fringe benefits	448,000
Indirect costs	12,000
Maintenance undistributed	2,511,000
Program fund subtotal	4,550,000

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

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

cil related to producing, reproducing, distributing, and mailing printed, recorded and electronic media.

NONPERSONAL SERVICE

Supplies and materials	10,000	
Program account subtotal	10,000	
Total new appropriations for state operations and aid to localities		4,560,000

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five.
Personal service ... 1,098,000 ..... (re. $420,000)
Nonpersonal service ... 455,000 ..... (re. $200,000)
Fringe benefits ... 450,000 ..... (re. $212,000)
Indirect costs ... 16,000 ..... (re. $6,000)
Maintenance undistributed ... 2,531,000 ..... (re. $1,880,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five.
For the grant period October 1, 2007 to September 30, 2008:
Maintenance undistributed ... 1,519,000 ..... (re. $129,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five:
For the grant period October 1, 2006 to September 30, 2007: ... .
2,450,000 ..... (re. $36,000)

Total reappropriations for state operations and aid to localities 2,883,000
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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

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

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM 80,588,200

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	8,757,300
Temporary service	10,000
Holiday/overtime compensation	50,000
Amount available for personal service	8,817,300

NONPERSONAL SERVICE

Supplies and materials	1,077,400
Travel	406,500
Contractual services	19,352,000
Equipment	628,300

Amount available for nonpersonal service 21,464,200

MAINTENANCE UNDISTRIBUTED

For services and expenses of health e-link.

Contractual services 750,000

Program account subtotal 31,031,500

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment to the office of minority health, as determined by the commissioner of the department of health. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases. Further, each local government unit or direct contract provider receiving such funding shall submit a written certification regarding the use of such funds to be provided in the format proscribed by the department. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget 29,000

For services and expenses of the office of minority health including competitive grants to promote community strategic planning or new or improved health care delivery systems and networks in minority areas. Up to $102,000 of this appropriation may be transferred to state operations for administration, 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 532,000

Program account subtotal 561,000

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

For various food and nutritional services 818,000

Program account subtotal 818,000

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

For various food and nutritional services 1,983,000

Program account subtotal 1,983,000

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

For administration of the national health services corps. Notwithstanding any inconsistent provision of law, and subject to the approval of the director of the budget, moneys hereby appropriated may be suballocated to the higher education services corporation 419,000

Program fund subtotal 419,000

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 6,656,000

Program account subtotal 6,656,000

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

For services and expenses related to the department of health's patent and technology transfer program. The department of health may receive and deposit revenue from the sale and licensing of inventions pursuant to a technology and patent trans-

fer policy established in accordance with section 64-a of the public officers law. Notwithstanding any other provision of law, these funds may be used for payments to Health Research, Inc. as reimbursement for expenses incurred in its patent and technology transfer operations, to support research, training, and infrastructure development in the department's research facilities, and for payments to inventors. The moneys hereby appropriated shall be available for liabilities heretofore and hereafter to accrue.

NONPERSONAL SERVICE

Contractual services	500,000
Program account subtotal	500,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Health Occupation Development and Workplace Demo Account

For services and expenses related to administration of the health occupation development and workplace demonstration program established pursuant to sections 2807-g and 2807-h of the public health law. Up to 50 percent of this appropriation may be suballocated to the department of labor.

PERSONAL SERVICE

Personal service--regular	594,700
Temporary service	40,000
Amount available for personal service	634,700

NONPERSONAL SERVICE

Supplies and materials	5,000
Travel	10,300
Contractual services	1,184,800
Equipment	10,000
Fringe benefits	255,100
Indirect costs	254,300
Amount available for nonpersonal service	1,719,500

Program account subtotal 2,354,200

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Pilot Health Insurance Account

For services and expenses related to the administration of the program authorized by section 2807-l of the public health law.

PERSONAL SERVICE

Personal service--regular	1,164,400
Holiday/overtime compensation	3,000
Amount available for personal service	1,167,400

NONPERSONAL SERVICE

Supplies and materials	15,000
Travel	20,000
Contractual services	73,000
Equipment	100,000
Fringe benefits	464,400
Indirect costs	463,200
Amount available for nonpersonal service	1,135,600
Program account subtotal	2,303,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Primary Care Initiatives Account

For services and expenses related to the administration of the program authorized by section 2807-l of the public health law.

PERSONAL SERVICE

Personal service--regular	587,900
Temporary service	5,000
Holiday/overtime compensation	5,000
Amount available for personal service	597,900

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

Supplies and materials	5,400
Travel	7,600
Contractual services	15,000
Equipment	15,000
Fringe benefits	235,500
Indirect costs	233,200
Amount available for nonpersonal service	511,700
Program account subtotal	1,109,600

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Health Care Delivery Administration Account

For services and expenses related to administration of the health care and cancer initiative programs pursuant to section 2807-l of the public health law.

PERSONAL SERVICE

Personal service--regular	275,400
Temporary Service	5,000
Amount available for personal service	280,400

NONPERSONAL SERVICE

Supplies and materials	20,000
Travel	62,500
Contractual services	182,600
Equipment	34,500
Fringe benefits	111,600
Indirect costs	111,300
Amount available for nonpersonal service	522,500
Program account subtotal	802,900

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

For services and expenses, including indirect costs, related to the administration program.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	6,627,200
Holiday/overtime compensation	170,000
Amount available for personal service	6,797,200

NONPERSONAL SERVICE

Supplies and materials	1,000
Travel	50,000
Contractual services	2,816,000
Fringe benefits	2,771,700
Amount available for nonpersonal service	5,638,700
Program account subtotal	12,435,900

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

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

PERSONAL SERVICE

Personal service--regular	3,190,000
Holiday/overtime compensation	55,000
Amount available for personal service	3,245,000

NONPERSONAL SERVICE

Supplies and materials	52,000
Travel	18,000
Contractual services	1,658,000
Equipment	800,000
Fringe benefits	1,323,200
Indirect costs	1,002,100
Amount available for nonpersonal service	4,853,300
Program account subtotal	8,098,300

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339

Professional Medical Conduct Account

For services and expenses, including indirect costs, related to the professional medical conduct program.

PERSONAL SERVICE

Personal service--regular	4,868,100
Holiday/overtime compensation	10,000
Amount available for personal service	4,878,100

NONPERSONAL SERVICE

Supplies and materials	65,000
Travel	118,000
Contractual services	1,622,000
Equipment	52,000
Fringe benefits	1,989,200
Amount available for nonpersonal service	3,846,200
Program account subtotal	8,724,300

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Vital Records Management Account

For services and expenses including the collection of increased fees related to the vital records program.

PERSONAL SERVICE

Personal service--regular	1,199,800
Holiday/overtime compensation	125,000
Amount available for personal service	1,324,800

NONPERSONAL SERVICE

Supplies and materials	30,000
Travel	2,000
Contractual services	500,000
Equipment	17,000
Fringe benefits	508,600
Indirect costs	409,100

Amount available for nonpersonal service 1,466,700
Program account subtotal 2,791,500

AIDS INSTITUTE PROGRAM 124,483,000

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 11,918,000
Holiday/overtime compensation 20,000
Amount available for personal service 11,938,000

NONPERSONAL SERVICE

Supplies and materials 1,333,881
Travel 311,700
Contractual services 3,636,900
Equipment 228,519
Amount available for nonpersonal service 5,511,000

MAINTENANCE UNDISTRIBUTED

For suballocation to the office of children and family services through a memorandum of understanding with the AIDS institute, for services and expenses related to HIV policy development and training.

Personal service--regular 150,000

For suballocation to the state education department through a memorandum of understanding with the AIDS institute, for services and expenses of the provision of AIDS education by AIDS regional training coordinators for staff in elementary and secondary schools.

Contractual services 200,000

For suballocation to the division of human rights through a memorandum of understanding with the AIDS institute, for services and expenses of the office of AIDS discrimination investigation.

Personal service--regular	97,000
Supplies and materials	2,600
Travel	400
Amount available	100,000
Amount available for maintenance undistributed	450,000
Program account subtotal	17,899,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to a joint project between the state and the city of New York, known as the New York/New York III Supportive Housing Agreement. No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee.
The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation, provided 4,490,000
Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, adolescent services - act for youth; adolescent services - general; adolescent services schools; clinical education; clinical

guidelines development, clinical scholars; clinical trials experimental treatment; community development initiative; community HIV prevention and primary care; community services programs; criminal justice; education and training; evaluation and research; expanded syringe access program; families in transition; family centered care; harm reduction; general; harm reduction - syringe exchange; HIV health care and support services for women and kids; HIV prevention, primary care support services for substance abusers; homeless shelters; legal services and advocacy; lesbian, gay, bisexual, transgender - adolescent; lesbian, gay, bisexual, transgender - general; lesbian, gay, bisexual, transgender - substance use; multiple service agency; nutritional services; pediatric centers of excellence; permanency planning; racial and ethnic minority; social day care; specialized care centers for youth; specialty; supportive housing; treatment adherence; women's services - general; women's services - peer; women's services - supportive services and youth access program. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases. Further, each local government unit or direct contract provider receiving such funding shall submit a written certification regarding the use of such funds to be provided in the format proscribed by the department.

Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget 6,497,000

For grants to community based organizations to support permanency planning and support services for families affected by HIV, provided 517,000

For additional demonstration project grants to designated AIDS centers, and not-for-profit organizations, including but not limited to community service programs and community-based organizations, providing specialized AIDS-related services for purposes of patient education and case management services related to promoting

compliance with HIV-related treatment therapies and regimes 517,000
For grants to New York state community service programs to provide HIV/AIDS related education, prevention, outreach, legal and supportive services 1,626,000
For services and expenses related to the operation of the communities of color initiative 3,581,000
For services and expenses related to the communities of color initiative, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide communities of color initiative to provide advocacy, education, preventive services and treatment on behalf of and for individuals with HIV/AIDS from communities of color, including but not limited to Latino and African-American communities pursuant to the following:
Action for a Better Community, Inc. 41,454
AIDS Center of Lower Manhattan 73,696
Alianza Dominicana, Inc. 41,454
American Indian Community House, Inc. 41,454
Anthony Jordan Health Center 20,774
Asian and Pacific Islander Coalition on HIV/AIDS, Inc. 41,454
Audre Lorde Project, Inc. 41,454
Bedford Stuyvesant Family Health Center, Inc. 41,454
Betances Health Center 20,774
Black Men and Latino Men Health Crisis, Inc. 9,212
Black Veterans for Social Justice, Inc. 20,774
East Harlem Council for Human Services, Inc. 20,774
Breaking Ground 9,212
Brooklyn Plaza Medical-Rising Heights 9,212
Capital District African-American Coalition on AIDS 20,774
Caribbean Women's Health Association, Inc. 41,454
Center for Rapid Recovery 9,212
Centro Civico of Amsterdam, Inc. 41,454
Chinese-American Planning Council, Inc. 41,454
Circulo de la Hispanidad, Inc. 41,454
Citizen's Advice Bureau 41,454
Coalition for Hispanic Family Service 20,774
Committee for Hispanic Children and Families 20,774
Dale House Resource Center 20,774
Discipleship Outreach Ministries, Inc. 41,454
Economic Opportunity Council of Suffolk, Inc. 41,454
El Puente de Williamsburg 9,212

Family Services Network of New York, Inc. 41,454
Federation of Protestant Welfare Agencies, Inc. 41,454
Five Towns Community Center, Inc. 41,454
Gay Men of African Descent 20,774
Greater Hudson Valley Family Health Center, Inc. 41,454
Group Ministries, Inc. 41,454
Haitian Center's Council 41,454
Diaspora Community Services, Inc. 46,060
Harlem Congregations for Community Improvement 20,774
Harlem Dowling-Westside Center for Children and Families 41,454
Harlem United Community AIDS Center 41,454
Hispanic AIDS Forum, Inc. 41,454
Hispanic Federation, Inc. 41,454
Hispanic United of Buffalo 9,212
Housing Works, Inc. 41,454
Hunts Point Multi-Service Center 20,774
Institute for Puerto Rican Hispanic Elderly 9,212
Iris House 20,774
J-CAP Foundation, Inc. 41,454
Latino Commission on AIDS, Inc. 41,454
Life Force: Women Fighting AIDS, Inc. 20,774
Long Island Minority AIDS Coalition 41,454
Men of Color Health Awareness Project 20,774
El Regresso Foundation, Inc. 41,454
National Black Leadership Commission on AIDS, Inc. 41,454
New York Council on Adoptable Children 20,774
New York State Gay Men's Network 9,212
NYC HHC/Kings County Hospital 20,774
People of Color in Crisis, Inc. 92,120
Promesa, Inc. 41,454
Puerto Rican Family Institute 20,774
Puerto Rican Youth Development 9,212
Safe Space NYC, Inc. 41,454
Saint Ann's Corner of Harm Reduction 20,774
Settlement Health & Medical Services 41,454
Sharing Community, Inc. 41,454
Southeast Queens Clergy for Community Empowerment, Inc. 41,454
Steinway Child & Family Services, Inc. 41,454
Syracuse Model Neighborhood Facility, Inc. 41,454
Ten Points Ministral Alliance 9,212
United Bronx Parents, Inc. 41,454
Urban Health Plan, Inc. 20,774
Urban League of Westchester County, Inc. 41,454
VIDA Family Services 9,212
Vocational Instruction Project Community Services 41,454

Whitney M. Young, Jr. Health Center 41,454
William F. Ryan Community Health Center 41,454
For additional grants to existing community based organizations and to article 28 of the public health law diagnostic and treatment centers that must operate in a neighborhood or geographic area with high concentrations of at risk populations and provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. Such grants shall be used to meet increased demands for HIV education, prevention, outreach, and legal programs. Such grants shall be equitably distributed 1,626,000
For grants to organizations with specialty contracts administered by the AIDS institute to be allocated to organizations based on the proportionate share of the value of an organization's specialty contract to the value of all specialty contracts administered by the AIDS institute, provided 573,000
For suballocation to the office of temporary and disability assistance for operational support to projects which have received capital grant awards through the homeless housing assistance program 175,000
For services and expenses related to the national black leadership commission on AIDS 175,000
For services and expenses of the New York AIDS coalition 87,000
For services and expenses of AIDS and HIV testing and rapid testing program 490,000
For services and expenses for supplemental reviews and information management systems activities for AIDS related utilization review 390,000
For services and expenses of the comprehensive hepatitis c program. A portion of these funds may be transferred to state operations appropriations 1,190,000
For services and expenses of an HIV-related risk reduction program 625,000
For services and expenses of an HIV care retention in communities of color 200,000

Program account subtotal 25,166,000

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

For grants to existing community service programs, as deemed appropriate by the department of health, including but not limited to community based organizations and other organizations providing specialized AIDS-related services targeted to minority and other high-risk populations. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Up to $125,000 may be transferred to the general fund - state purposes account for the administration of this program. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process 18,923,000

For grants to existing community service programs to meet the increased demands for HIV education, prevention, outreach, legal and supportive services to high-risk groups and to address increased operating costs of these programs. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multiservice agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process 4,418,000

For additional grants to existing community service programs to meet the increased demands for HIV education, prevention, outreach, legal and supportive services to

high-risk groups and to address increased operating costs of these programs. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process 783,000

For services and expenses related to the operation of the Cornell university parent HIV/AIDS education project to provide educational workshops for parents in Nassau county, and to enhance the project in Suffolk county 74,000

For services and expenses of the Long Island association for AIDS care to conduct a study to (1) identify the medical and social services gaps for children orphaned by AIDS on Long Island, as well as strategies to link families with AIDS with community services in order to plan for future care needs of their children, and (2) develop innovative comprehensive model service programs for such children 49,000

For grants to county health departments for HIV-related public health activities in rural underserved counties and counties with the most rapid increases in HIV incidence 294,000

For services and expenses of the AIDS institute related to training and education activities and continuum of care initiatives 2,147,000

For services and expenses of a pilot surveillance project for investigation of reported AIDS cases by county health departments as authorized by the commissioner of health 88,000

For grants to community based organizations for the provision of services to parolees and their families. Up to $730,000 of this appropriation may be transferred to the general fund - state purposes account for administration of this program 1,041,000

For HIV counseling and testing services in facilities operated by the New York state department of correctional services. All or part of this appropriation may be transferred to the general fund - state purposes account for administration of this program 854,000

For grants for the provision of outreach and case management services to high-risk women and children 1,267,000

For services and expenses related to the provision of outreach and education to low-income and minority communities concerning the availability of and access to clinical drug trials 98,000

For services and expenses related to the care and service needs of children, adolescents and families with the HIV disease 1,693,000

For grants for the provision of comprehensive HIV prevention and health care services to high-risk adolescents and young adults. Up to 5 percent of this appropriation may be transferred to the general fund - state purposes account for the administration of this program, provided 2,139,000

For grants for housing, supported housing and referral services for homeless persons with HIV/AIDS and their families, including those with tuberculosis or if warranted those with tuberculosis only, in areas as determined by data collected by the department of health 2,303,000

For suballocation to the office of temporary and disability assistance for operational support to projects which have received capital grant awards through the homeless housing assistance program 917,000

For grants for the provision of HIV prevention and primary care services to high-risk populations in community health centers and substance abuse programs, provided 662,000

For grants to community based organizations for HIV prevention and outreach efforts targeted to substance abusers 461,000

For services and expenses related to education and prevention services and for nutritional services including individuals homebound with AIDS or in an adult day care or home care setting 4,514,000

For grants to community based organizations to support permanency planning and support services for families affected by HIV. Up to 5 percent of this appropriation may be transferred to the general fund - state purposes account for the administration of this program 921,000

For grants to community based organizations and for services and expenses of the AIDS institute related to the provision of HIV education and prevention services. Up to 10 percent of this appropriation may be transferred to the general fund - state purposes account for administration of this program 691,000

For services and expenses of surveillance projects for investigation of reported AIDS cases, including seroprevalence studies, as authorized by the commissioner of health 323,000

For provision of comprehensive HIV outreach and prevention services to adolescents and women 921,000

For state aid to municipalities pursuant to article 6 of the public health law or for grants to counties and local health departments for an HIV surveillance and partner notification program 3,777,000

For services and expenses of the medical society of the state of New York for a peer educational program for physicians regarding the testing and reporting of individuals who are infected with HIV 98,000

For grants for AIDS prevention and education and AIDS related services to existing community based organizations, as deemed appropriate by the department of health and to article 28 of the public health law diagnostic and treatment centers. For the purposes of this program, eligible organizations must (1) operate in a neighborhood or geographic area with high concentrations of at risk populations; and (2) provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Notwithstanding any provision of law to the contrary, the commissioner of health shall

be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process 11,331,000

For additional grants to existing community based organizations and to article 28 of the public health law diagnostic and treatment centers that must operate in a neighborhood or geographic area with high concentrations of at risk populations and provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. Such grants shall be used to meet the increased demands for HIV education, prevention, outreach, and legal programs. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process 783,000

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

For services and expenses relating to the provision of HIV counseling and testing by family planning clinics and prenatal care assistance programs to the extent that reimbursement through medical assistance is not available. These funds shall not be used by the department for any costs

directly related to the processing of tests 3,180,000
For grants for the development of women's HIV clinics to provide comprehensive obstetrical/gynecological services and for grants to health care facilities and community organizations for the provisions of primary care, subspecialty care and supportive services to HIV-infected women and children in underserved, high seropre-valence areas. Up to 5 percent of this appropriation may be transferred to the general fund - state purposes account for the administration of this program, provided 1,192,000
For services and expenses related to the special program for HIV services for infants and pregnant women established pursuant to section 71 of chapter 731 of the laws of 1993. Such programs may provide continuing services to high-risk and HIV-positive women and children, provided 1,382,000
For services and expenses associated with the HIV clinical education initiative program 1,474,000

Program account subtotal 71,254,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Hospital Based Grants Program Account

For grants to community service programs including but not limited to community based organizations and other organiza-tions providing specialized AIDS-related services targeted to minority and other high-risk populations 956,000
For services and expenses of an HIV and substance abuse fellowship program to encourage physicians and nurses to work in clinical settings providing care and treatment to persons with HIV infection, including but not limited to designated care centers, community health centers, hospital outpatient clinics, substance abuse treatment programs, mental health clinics, family planning and prenatal clinics, for training in diagnosis and management of HIV illness and substance

abuse treatment. Up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for administration of the program 1,372,000

For services and expenses related to the provision of HIV counseling and testing by family planning clinics and prenatal care assistance programs 505,000

For services and expenses of the AIDS institute related to training and education activities and continuum of care initiatives 318,000

For grants for the provision of primary health care services in drug treatment programs. Up to 5 percent of this amount may be transferred to the general fund - state purposes account 361,000

For grants for the provision of comprehensive HIV prevention and health care service to high-risk adolescents and young adults 783,000

For grants for the development of women's HIV clinics to provide comprehensive obstetrical/gynecological services and for grants to health care facilities and community organizations for the provision of primary care, subspecialty care and supportive services to HIV infected women and children in underserved, high seropre-valence areas 743,000

For grants for the provision of HIV prevention and primary care services to high-risk populations in community health centers and substance abuse programs 472,000

For grants to community based organizations for HIV prevention and outreach efforts targeted to substance abusers 29,000

Program account subtotal 5,539,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Maternal and Child HIV Services Account

For services and expenses related to special programs for HIV services for infants and pregnant women established pursuant to section 71 of chapter 731 of the laws of 1993. Such programs may provide continuing services to high-risk and HIV-positive

women and children. Up to 5 percent of this appropriation may be transferred to the general fund-state purposes account for administration of this program 4,625,000

Program account subtotal 4,625,000

CENTER FOR COMMUNITY HEALTH PROGRAM 1,590,814,700

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 2,851,000
Holiday/overtime compensation 20,000

Amount available for personal service 2,871,000

NONPERSONAL SERVICE

Supplies and materials 201,000
Travel 117,000
Contractual services 9,487,000
Equipment 309,000

Amount available for nonpersonal service 10,114,000

Program account subtotal 12,985,000

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 publicly sponsored certified home health agencies that demonstrate losses from a disproportionate share of bad debt and charity care, pursuant to chapter 884 of the laws of 1990. Within the maximum limits specified herein, the department shall transfer only those funds which are necessary to meet the state share requirements for disproportionate share adjustments expected to be paid for the period January 1, 2009 through December 31, 2009. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 201,713,000

For services and expenses related to public health emergencies as declared by the counties or the commissioner of the department of health, and approved by the director of the budget in accordance with article 6 of public health law. Notwithstanding any provision of the law to the contrary, a portion of these funds may be transferred to any program, fund, or account within the department to respond to any identified emergency, pursuant to approval by the director of the budget. Any such funds transferred to the general fund - state purposes account shall be available for personal service and nonpersonal service expenditures 40,000,000

For services and expenses, including grants, related to the reporting of body mass index on school physical forms. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,861,000

For services and expenses of an obesity prevention program in support of healthy

eating collaboratives. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,645,000

For grants to community based organizations, in accordance with chapter 820 of the laws of 1987, for nutrition outreach in areas where a significant percentage or number of those potentially eligible for food assistance programs are not participating in such programs. A portion of this appropriation, not to exceed 600,000 shall be suballocated to the office of temporary and disability assistance. Up to 15 percent of the funds appropriated may be allocated to fund a program of nutrition outreach as established pursuant to section 2597 of the public health law if such a program is administered through a contract arrangement 931,000

For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 20,610,000

For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 30,900,000

For services and expenses of a rabies program, including but not limited to reimbursement to counties for rabies expenses such as human post-exposure vaccination, and research studies in the control of wildlife rabies, pursuant to United States department of agriculture approval if necessary, to control the spread of rabies. A portion of this appropriation may be transferred to state oper-

ations appropriations for administration of this program 1,542,000

For grants to rape crisis centers for services to rape victims and programs to prevent rape. 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 1,871,000

State grants for a program of family planning services pursuant to article 2 of the public health law 28,595,000

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

For services and expenses including payment of health insurance premiums and reimbursement of health care providers for services rendered to individuals enrolled in the cystic fibrosis program pursuant to chapter 851 of the laws of 1987 573,000

For services and expenses to implement the early intervention program act of 1992.

The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued or hereafter to accrue. Notwithstanding the provisions of any other law to the contrary, for state fiscal year 2009-2010 the liability of the state and the amount to be distributed or otherwise expended by the state pursuant to section 2557 of the public health law shall be determined by first calculating the amount of the expenditure or other liability pursuant to such law, and then reducing the amount so calculated by two percent of such amount 160,000,000

The moneys hereby appropriated shall be available for respite services for families of eligible children. Such moneys shall be allocated to each municipality by the department of health as determined by the department, to reimburse such municipalities in the amount of 50 percent of the costs of respite services provided to eligible children and their families with the approval of the early intervention official, in accordance with section 2547 of the public health law, section 69-4.18

of title 10 of the New York codes rules and regulation and standards established by the department for the provision of respite services. The moneys allocated to each municipality by the department shall be the total amount of respite funds available for such purpose 1,861,000

For services and expenses of a comprehensive adolescent pregnancy prevention program. A portion of this appropriation may be transferred to state operations appropriations for administration of this program. Notwithstanding any inconsistent provision of law, a portion of these funds may be suballocated to the office of children and family services to continue contracting with existing providers for the adolescent pregnancy prevention and services program until the program is transferred to the department of health 11,259,000

For services and expenses of the cancer registry. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 49,000

For state grants for breast cancer detection and education program pursuant to chapter 328 of the laws of 1989 as amended. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 4,521,000

For services and expenses of cancer permanency planning, legal and family counseling services 490,000

For services and expenses of the health and social services sexuality-related programs 5,537,000

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

For services and expenses of a childhood cancer awareness program 35,000

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

sioner of health and approved by the director of the budget 3,000,000
For a grant to the Coalition of New York State Alzheimer's Chapter, Inc. in support of and for distribution to a statewide network of not-for-profit corporations established and dedicated to responding at the local level to the needs of the New York State Alzheimer's community pursuant to subdivision 2 of section 2005 of the public health law 246,000
For services and expenses of the arthritis foundation 246,000
For grants to community based programs providing support, including educational and outreach services to persons diagnosed with breast and other cancers 392,000
For services and expenses related to the statewide breast cancer support, education and outreach program, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide breast cancer support, education and outreach program to provide support and education services to community-based providers pursuant to the following:
Breast Cancer Coalition of Rochester, Inc. 20,385
Breast Cancer Network of WNY, Inc. 20,385
Brentwood/Bayshore Breast Cancer Coalition 6,454
Capital Region Action Against Breast Cancer (CRAAB!) 20,385
Health Care Choices, Inc. 4,461
Huntington Breast Cancer Action Coalition 20,385
Ithaca Breast Cancer Alliance 20,385
Mid Hudson Options Project, Inc. (dba Breast Cancer Options) 20,385
New York State Breast Cancer Support & Education Network, Inc. 27,879
Share Self-Help for Women with Breast or Ovarian Cancer, Inc. 37,511
Young Survivor Coalition 20,385
Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, red cross emergency preparedness, nutrition education and outreach, obesity prevention, nutritional services to pregnant women, infants and children, hunger prevention

and nutrition assistance program, Indian health, asthma, prenatal care assistance program, rape crisis, health and human services sexuality related programs, maternity and early childhood foundation, comprehensive adolescent pregnancy prevention, family planning, school health, sudden infant death syndrome education and outreach, childhood lead poisoning prevention, enhanced services for kids, act for youth, children with special health care needs, regional perinatal data centers, migrant health, dental services, osteoporosis prevention, eating disorders, cancer services, cancer registry, healthy heart, Alzheimer's disease assistance centers, Alzheimer's research and education, diabetes screening, education, and prevention, tobacco control, rabies, tick-borne disease, immunization, universal prenatal and postpartum home visitation, public health campaign, sexually transmitted diseases, and tuberculosis control. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases. Further, each local government unit or direct contract provider receiving such funding shall submit written certification regarding the use of such funds to be provided in the format prescribed by the department. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget 30,440,000

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

For services and expenses of the public health management leaders of tomorrow program, provided 554,000

For services and expenses of a study of racial disparities 295,000

For services and expenses, including grants, for statewide emergency contraception outreach and education, training and assistance as approved by the commissioner. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 2,406,000

For services and expenses related to statewide health broadcasts involving local, state and federal agencies. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 167,000
For services and expenses for Alzheimer's community service programs 295,000
For services and expenses, including suballocation to the state office for aging, for coordinating patient care Alzheimer's disease program. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 360,000
For services and expenses of a shaken baby syndrome public educational campaign, pursuant to chapter 110 of the laws of 2006. A portion of this appropriation may be transferred to state operations appropriations for administration of this program by the department of health 180,000
For services and expenses of a public health genomics. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 50,000
For services and expenses for stockpile storage for vaccines and supplies. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,200,000

Program account subtotal 554,655,000

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

For various food and nutritional services 9,195,000

Program account subtotal 9,195,000

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

For various federal food and nutritional services. The moneys hereby appropriated

shall be available for payment of finan-
cial assistance heretofore accrued 214,200,000

Program account subtotal 214,200,000

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

For various food and nutritional services 59,276,000

Program account subtotal 59,276,000

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

For various federal food and nutritional
services. The moneys hereby appropriated
shall be available for payment of finan-
cial assistance heretofore accrued 437,600,000

Program account subtotal 437,600,000

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

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

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 29,819,000

Program fund subtotal 29,819,000

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 expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget 41,938,000

Program fund subtotal 41,938,000

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 expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget 24,023,000

Program account subtotal 24,023,000

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

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

Program account subtotal 57,475,000

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

For activities related to a handicapped infants and toddlers program 24,265,000

Program account subtotal 24,265,000

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

For activities related to a handicapped infants and toddlers program 51,578,000

Program account subtotal 51,578,000

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

For Alzheimer's disease research and assistance pursuant to chapter 590 of the laws of 1999.

NONPERSONAL SERVICE

Contractual services 1,000,000

Program account subtotal 1,000,000

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

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

NONPERSONAL SERVICE

Contractual services 20,000

Program account subtotal 20,000

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

For prostate cancer research, detection and education pursuant to chapter 273 of the laws of 2004 1,000,000

Program account subtotal 1,000,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Prostate and Testicular Cancer Research and Education Account

For prostate and testicular cancer research and education pursuant to section 97-ccc of the state finance law.

NONPERSONAL SERVICE

Contractual services 150,000

Program account subtotal 150,000

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

For services and expenses of a statewide public health campaign for tuberculosis control and prevention and for screening and education activities regarding sexually transmitted diseases, provided that any funds allocated under this appropriation shall not supplant existing local funds or state funds allocated to county health departments under article 6 of the public health law. Up to $300,000 of this appropriation may be transferred to state operations for the administration of this program by the department of health 6,196,000

For services and expenses related to the Indian health program. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue. Up to 2.5 percent of this appropriation may be transferred to the general fund-state purposes account for the nonpersonal service administration of this program 16,121,000

State aid to municipalities for medical services for the rehabilitation of physically handicapped children, pursuant to article 6 of the public health law 3,685,000

For services and expenses for a school health program 3,981,000

For services and expenses of the prenatal care assistance program. Up to 100 percent of this appropriation may be suballocated to the medical assistance program general fund - local assistance account to be matched by federal funds 2,432,000

For state grants for the breast cancer detection and education program pursuant to chapter 328 of the laws of 1989 as amended, which may include coverage of geographic areas not presently covered by the program where the need for such services is demonstrated. Up to $110,000 may be transferred to state operations for administration of this program 2,276,000

For breast cancer awareness programs for school students conducted by organizations approved pursuant to chapter 328 of the laws of 1989 as amended 147,000

For grants to community based programs providing support, educational and outreach services to persons diagnosed with breast cancer 245,000
For services and expenses related to tobacco enforcement, education and related activities, pursuant to chapter 433 of the laws of 1997. Of amounts appropriated herein, up to $500,000 may be used for educational programs. A portion of this appropriation may be transferred to state operations 2,303,000
For services and expenses of the maternity and early childhood foundation 1,198,000
For transfer to the comprehensive care center for eating disorders development fund 490,000

Program account subtotal 39,074,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Hospital Based Grants Program Account

For services and expenses related to providing nutritional services to pregnant women, infants, and children. Notwithstanding any other provision of law to the contrary, up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for the administration of this program by the department of health 8,572,000
For grants in aid to contract for hypertension prevention, screening and treatment programs 669,000
State grants for a program of family planning services pursuant to article 2 of the public health law 2,300,000
For grants to rape crisis centers for services to rape victims and programs to prevent rape. 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 128,000
For services and expenses for a school health program 2,007,000
For services and expenses of breast cancer detection and education 270,000

For services and expenses of tuberculosis treatment, detection and prevention 599,000
For services and expenses of a lead poisoning prevention program 392,000

Program account subtotal 14,937,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Tobacco Control and Cancer Services Account

For services and expenses related to the tobacco control and cancer services programs authorized pursuant to sections 2807-r and 1399-ii of the public health law.

PERSONAL SERVICE

Personal service--regular 2,763,700
Holiday/overtime compensation 4,000

Amount available for personal service 2,767,700

NONPERSONAL SERVICE

Supplies and materials 10,000
Travel 45,000
Contractual services 50,000
Equipment 30,000
Fringe benefits 1,071,000
Indirect costs 751,000

Amount available for nonpersonal service 1,957,000

Program account subtotal 4,724,700

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Cable Television Account

For services and expenses related to public service education, with specific emphasis on public health issues.

NONPERSONAL SERVICE

Contractual services 454,000

Program account subtotal 454,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Comprehensive Care Center for Eating Disorders Development Grant Account

For services and expenses of providing development grants to comprehensive care centers for eating disorders provided pursuant to chapter 114 of the laws of 2004 921,000

Program account subtotal 921,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
CSFP Salvage Account

For services and expenses of the department of health related to the commodity supplemental food program.

NONPERSONAL SERVICE

Contractual services 25,000

Program account subtotal 25,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Diabetes Research and Education Account

For diabetes research and education pursuant to chapter 339 of the laws of 2001.

NONPERSONAL SERVICE

Contractual services 100,000

Program account subtotal 100,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Early Intervention Program Account

For services and expenses to implement the early intervention program act of 1992, as

amended by a chapter of the laws of 2009. The money's hereby appropriated shall be available for payment of financial assistance heretofore accrued or hereafter to accrue, and shall be available for early intervention program administrative costs and for the state share for reimbursement of early intervention services. A portion of these funds shall be available to transfer to state operations for administration of this program 1,700,000

Program account subtotal 1,700,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Local Public Health Services Account

For services and expenses of the local public health services program. Notwithstanding section 607 of the public health law these funds shall be allocated for state aid to municipalities for a program of immunization against German measles, and other communicable diseases, pursuant to article 6 of the public health law 1,095,000

For state aid to municipalities, notwithstanding section 607 of the public health law, for the operation of local health departments 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 3,036,000

Notwithstanding any other provision of law to the contrary, this appropriation is available for transfer to the state operations miscellaneous special revenue fund - local public health services program account, in the administration and executive direction program fiscal management group 285,000

Notwithstanding any other provision of law to the contrary, this appropriation is available for contractual audits of localities to supplement the audits performed by the department of health 209,000

Program account subtotal 4,625,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Tobacco Enforcement and Education Account

For services and expenses related to tobacco enforcement, education and related activities, pursuant to chapter 162 of the laws of 2002.

NONPERSONAL SERVICE

Contractual services	75,000
Program account subtotal	75,000

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM 68,277,000

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	7,428,100
Temporary service	243,700
Holiday/overtime compensation	24,000
Amount available for personal service	7,695,800

NONPERSONAL SERVICE

Supplies and materials	101,000
Travel	374,400
Contractual services	1,661,000
Equipment	100,600
Amount available for nonpersonal service	2,237,000
Program account subtotal	9,932,800

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the water supply protection program	5,527,200
For services and expenses of the healthy neighborhood program	1,983,400

For services and expenses related to enhancing the childhood lead poisoning primary

prevention program in accordance with article 13 of the public health law. A portion of this appropriation may be transferred to state operations 2,500,000

Program account subtotal 10,010,600

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

For various health prevention, diagnostic, detection and treatment services 1,673,000

Program account subtotal 1,673,000

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

For services and expenses of various health prevention, diagnostic, detection and treatment services 6,808,000

Program account subtotal 6,808,000

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

For services and expenses of various health prevention, diagnostic, detection and treatment services 3,687,000

Program account subtotal 3,687,000

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

For various environmental projects including suballocation for the department of environmental conservation 9,703,000

Program account subtotal 9,703,000

Special Revenue Funds - Other / State Operations
Environmental Conservation Special Revenue Fund - 301

Low Level Radioactive Waste Account

For services and expenses of the low-level radioactive waste siting program.

PERSONAL SERVICE

Personal service--regular	658,600
Holiday/overtime compensation	5,500
Amount available for personal service	664,100

NONPERSONAL SERVICE

Supplies and materials	20,000
Travel	41,000
Contractual services	184,800
Equipment	15,500
Fringe benefits	261,500
Indirect costs	168,800
Amount available for nonpersonal service	691,600

MAINTENANCE UNDISTRIBUTED

For suballocation to the energy research and development authority, pursuant to chapter 673 of the laws of 1986, as amended by chapters 368 and 913 of the laws of 1990	150,000
Program account subtotal	1,505,700

Special Revenue Funds - Other / State Operations

Environmental Protection and Oil Spill Compensation Fund - 303

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

PERSONAL SERVICE

Personal service--regular	181,300
Holiday/overtime compensation	2,000
Amount available for personal service	183,300

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

Supplies and materials	6,900
Travel	2,000
Contractual services	22,900
Equipment	4,000
Fringe benefits	72,600
Indirect costs	46,800
Amount available for nonpersonal service	155,200
Program fund subtotal	338,500

Special Revenue Funds - Other / Aid to Localities
Training and Education Program on Occupational Safety and Health Fund - 305
OSH Training and Education Account

These funds shall be available to the department of health occupational safety and health training education account to conduct occupational and environmental lead study 196,000

Program account subtotal	196,000

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

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

PERSONAL SERVICE

Personal service--regular	419,200
Holiday/overtime compensation	5,500
Amount available for personal service	424,700

NONPERSONAL SERVICE

Supplies and materials	3,500
Travel	5,000
Contractual services	25,000
Equipment	8,000

Fringe benefits 169,800
Indirect costs 109,600

Amount available for nonpersonal service 320,900

Program account subtotal 745,600

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 368,500
Holiday/overtime compensation 5,500

Amount available for personal service 374,000

NONPERSONAL SERVICE

Supplies and materials 3,200
Travel 30,000
Contractual services 63,000
Equipment 11,600
Fringe benefits 152,500
Indirect costs 98,400

Amount available for nonpersonal service 358,700

Program account subtotal 732,700

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Occupational Health Clinics Account

For services and expenses of implementing and operating a statewide network of occupational health clinics for diagnostic, screening, treatment, referral, and education services.

PERSONAL SERVICE

Personal service--regular 364,900
Holiday/overtime compensation 5,500

	Amount available for personal service	370,400

NONPERSONAL SERVICE

Supplies and materials	4,000
Travel	3,700
Contractual services	9,550,000
Equipment	3,400
Fringe benefits	151,000
Indirect costs	97,500
Amount available for nonpersonal service	9,809,600
Program account subtotal	10,180,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Radiological Health Protection Program Account

For services and expenses related to the radiological health protection account.

PERSONAL SERVICE

Personal service--regular	2,426,300
Temporary service	12,000
Holiday/overtime compensation	7,500
Amount available for personal service	2,445,800

NONPERSONAL SERVICE

Supplies and materials	31,100
Travel	156,000
Contractual services	56,000
Equipment	39,400
Fringe benefits	997,400
Indirect costs	643,800
Amount available for nonpersonal service	1,923,700
Program account subtotal	4,369,500

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Radon Detection Device Account

For services and expenses of the radon detection device distribution program.

NONPERSONAL SERVICE

Contractual services	200,000
Program account subtotal	200,000

Special Revenue Funds - Other / State Operations
Drinking Water Program Management and Administration Fund - 366

For services and expenses of the state revolving funds program.

PERSONAL SERVICE

Personal service--regular	4,772,700
Holiday/overtime compensation	10,500
Amount available for personal service	4,783,200

NONPERSONAL SERVICE

Supplies and materials	88,800
Travel	131,000
Contractual services	1,147,600
Equipment	117,700
Fringe benefits	1,926,300
Amount available for nonpersonal service	3,411,400
Program fund subtotal	8,194,600

CHILD HEALTH INSURANCE PROGRAM	1,010,926,400

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

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

For services and expenses related to the children's health insurance program provided pursuant to title XXI of the federal social security act 64,130,000

Program account subtotal 64,130,000

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation, effective April 1, 2009 through March 31, 2010, payment for marketing and facilitated enrollment activities set forth in subdivision 9 of section 2511 of the public health law and included in subsidy payments made to approved organizations providing such services pursuant to a contract with the state shall be limited to an amount determined by the commissioner of health. Such subsidy payments shall be adjusted by the commissioner of health to remove any costs of approved organizations in excess of the amount determined in accordance with this section based on cost reports submitted to the department of health by approved organizations; provided, however, if this chapter provides sufficient additional funding to cover costs in excess of the amount determined in accordance with this section, then the provisions of this section shall be deemed null and void as of February 28, 2009.

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

1. "Subsidy payment," as defined in subdivision 8 of section 2510 of the public health law, shall mean a payment made to an approved organization for the cost of covered health care services coverage to an eligible child or children enrolled in the child health insurance plan pursuant to title 1-A of article 25 of the public health law, the amount of which shall be

determined solely by the commissioner of health.
2. In addition, the cost of coverage provided under subdivision 5 of section 2511 of the public health law shall be determined solely by the commissioner of health and shall be no more than the cost of providing such coverage.
3. Provided, however, if this chapter provides sufficient additional funds to cover subsidy payments approved by the superintendent of insurance, then the provisions of this section shall be deemed null and void as of February 28, 2009 487,800,000

Program account subtotal 487,800,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Children's Health Insurance Account

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

PERSONAL SERVICE

Personal service--regular 3,178,400
Temporary service 5,000
Holiday/overtime compensation 45,000

Amount available for personal service 3,228,400

NONPERSONAL SERVICE

Supplies and materials 171,000
Travel 123,000
Contractual services 10,047,000
Equipment 400,000
Fringe benefits 1,265,000
Indirect costs 1,262,000

Amount available for nonpersonal service 13,268,000

Program account subtotal 16,496,400

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation, effective April 1, 2009 through March 31, 2010, payment for marketing and facilitated enrollment activities set forth in subdivision 9 of section 2511 of the public health law and included in subsidy payments made to approved organizations providing such services pursuant to a contract with the state shall be limited to an amount determined by the commissioner of health. Such subsidy payments shall be adjusted by the commissioner of health to remove any costs of approved organizations in excess of the amount determined in accordance with this section based on cost reports submitted to the department of health by approved organizations; provided, however, if this chapter provides sufficient additional funding to cover costs in excess of the amount determined in accordance with this section, then the provisions of this section shall be deemed null and void as of February 28, 2009.

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

1. "Subsidy payment," as defined in subdivision 8 of section 2510 of the public health law, shall mean a payment made to an approved organization for the cost of covered health care services coverage to an eligible child or children enrolled in the child health insurance plan pursuant to title 1-A of article 25 of the public health law, the amount of which shall be determined solely by the commissioner of health.

2. In addition, the cost of coverage provided under subdivision 5 of section

2511 of the public health law shall be determined solely by the commissioner of health and shall be no more than the cost of providing such coverage.

3. Provided, however, if this chapter provides sufficient additional funds to cover subsidy payments approved by the superintendent of insurance, then the provisions of this section shall be deemed null and void as of February 28, 2009 442,500,000

Program account subtotal 442,500,000

DIVISION OF MANAGED CARE AND PROGRAM EVALUATION 18,725,200

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 12,279,200

NONPERSONAL SERVICE

Supplies and materials 156,000
Travel 130,000
Contractual services 6,000,000
Equipment 160,000

Amount available for nonpersonal service 6,446,000

Program account subtotal 18,725,200

ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 415,061,000

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 contrary, for the period April 1, 2009 through March 31, 2010, payment under the elderly

pharmaceutical insurance coverage program for brand name drugs required by the prescriber to be dispensed as written and for covered drugs other than multiple source drugs shall be determined by applying the lower of: (A) average wholesale price discounted by 17.25 percent, plus a dispensing fee as defined in paragraph (c) of subdivision 1 of section 250 of the elder law, or (B) the pharmacy's usual and customary charge to the general public, taking into consideration any quantity and promotional discounts to the general public at the time of purchase.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, for purposes of the program for elderly pharmaceutical insurance coverage, provider pharmacies shall include nonresident establishments registered pursuant to section 6800-b of the education law; provided, however, that the participation in the program of pharmacies registered in the state pursuant to section 6808-b of the education law shall be limited to elderly pharmaceutical insurance coverage program assistance for prescription drugs covered by a program participant's medicare or other drug plan; and provided further that, if this chapter appropriates sufficient additional funds to exclude non-resident establishments from participation in the elderly pharmaceutical insurance coverage program as described herein, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, for a participant in the program for elderly pharmaceutical insurance coverage whose prescription drug expenses are paid or reimbursable under the provisions of the medicare program, assistance under the program for elderly pharmaceutical insurance coverage shall be limited to prescription drugs covered by the participant's medicare plan and to drugs excluded from medicare coverage in

accordance with section 1860-D-2 of the federal social security act, and in such cases the program for elderly pharmaceutical insurance coverage shall cover the amount that is the responsibility of the participant under the medicare plan benefit, subject to the participant's cost-sharing responsibility on such amount under sections 247 or 248 of the elder law.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, under the elderly pharmaceutical insurance coverage program, the requirement that, as a condition of continued eligibility for benefits under such program, a program participant who is eligible for medicare part D drug coverage under section 1860D of the federal social security act be required to enroll in medicare part D at the first available enrollment period and to maintain such enrollment shall not be waived if such enrollment would result in significant additional financial liability by the participant, including, but not limited to, individuals in a medicare advantage plan whose cost sharing would be increased; provided further that elderly pharmaceutical insurance coverage program representation of program participants in the pursuit of medicare part D coverage and the medicare savings programs shall be permitted notwithstanding additional financial liability on behalf of such program participants; provided further that, if this chapter appropriates sufficient additional funds to permit a waiver of the medicare part D enrollment requirement and the representation requirement described herein if the participant incurs significant additional financial liability, or additional financial liability, respectively, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, it shall be a condition of

eligibility for benefits under the program for elderly pharmaceutical insurance coverage that, if a program participant's income indicates that the participant could be eligible for an income-related subsidy under section 1860D-14 of the federal social security act by enrolling in a medicare savings program as a qualified medicare beneficiary, a specified low-income medicare beneficiary, or a qualifying individual, the participant shall provide any information or documentation required to establish the participant's eligibility for such subsidy, and shall authorize the program to apply on behalf of the participant for the subsidy or the medicare savings program; provided, however, if this chapter appropriates sufficient additional funds to allow eligibility for the elderly pharmaceutical insurance coverage program without the eligibility conditions described herein, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.

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

The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 168,150,000

Program account subtotal 168,150,000

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

PERSONAL SERVICE

Personal service--regular 2,141,600

NONPERSONAL SERVICE

Supplies and materials	30,000
Travel	25,000
Contractual services	18,498,900
Equipment	15,000
Fringe benefits	975,500
Amount available for nonpersonal service	19,544,400

MAINTENANCE UNDISTRIBUTED

For suballocation to the state office for the aging for the administration of the elderly pharmaceutical insurance coverage program.

Personal service--regular	212,000
Supplies and materials	3,000
Travel	3,000
Contractual services	7,000
Amount available for maintenance undistributed	225,000
Program account subtotal	21,911,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
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 contrary, for the period April 1, 2009 through March 31, 2010, payment under the elderly pharmaceutical insurance coverage program for brand name drugs required by the prescriber to be dispensed as written and for covered drugs other than multiple source drugs shall be determined by applying the lower of: (A) average wholesale price discounted by 17.25 percent, plus a dispensing fee as defined in paragraph (c) of subdivision 1 of section 250 of the elder law, or (B) the pharmacy's usual and customary charge to the general public, taking into consideration any quantity and

promotional discounts to the general public at the time of purchase.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, for purposes of the program for elderly pharmaceutical insurance coverage, provider pharmacies shall include nonresident establishments registered pursuant to section 6800-b of the education law; provided, however, that the participation in the program of pharmacies registered in the state pursuant to section 6808-b of the education law shall be limited to elderly pharmaceutical insurance coverage program assistance for prescription drugs covered by a program participant's medicare or other drug plan; and provided further that, if this chapter appropriates sufficient additional funds to exclude non-resident establishments from participation in the elderly pharmaceutical insurance coverage program as described herein, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, for a participant in the program for elderly pharmaceutical insurance coverage whose prescription drug expenses are paid or reimbursable under the provisions of the medicare program, assistance under the program for elderly pharmaceutical insurance coverage shall be limited to prescription drugs covered by the participant's medicare plan and to drugs excluded from medicare coverage in accordance with section 1860-D-2 of the federal social security act, and in such cases the program for elderly pharmaceutical insurance coverage shall cover the amount that is the responsibility of the participant under the medicare plan benefit, subject to the participant's cost-sharing responsibility on such amount under sections 247 or 248 of the elder law.

Notwithstanding any inconsistent provision of law, rule or regulation to the contra-

ry, for the period July 1, 2009 through March 31, 2010, under the elderly pharmaceutical insurance coverage program, the requirement that, as a condition of continued eligibility for benefits under such program, a program participant who is eligible for medicare part D drug coverage under section 1860D of the federal social security act be required to enroll in medicare part D at the first available enrollment period and to maintain such enrollment shall not be waived if such enrollment would result in significant additional financial liability by the participant, including, but not limited to, individuals in a medicare advantage plan whose cost sharing would be increased; provided further that elderly pharmaceutical insurance coverage program representation of program participants in the pursuit of medicare part D coverage and the medicare savings programs shall be permitted notwithstanding additional financial liability on behalf of such program participants; provided further that, if this chapter appropriates sufficient additional funds to permit a waiver of the medicare part D enrollment requirement and the representation requirement described herein if the participant incurs significant additional financial liability, or additional financial liability, respectively, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, it shall be a condition of eligibility for benefits under the program for elderly pharmaceutical insurance coverage that, if a program participant's income indicates that the participant could be eligible for an income-related subsidy under section 1860D-14 of the federal social security act by enrolling in a medicare savings program as a qualified medicare beneficiary, a specified low-income medicare beneficiary, or a qualifying individual, the participant shall provide any information or documen-

tation required to establish the participant's eligibility for such subsidy, and shall authorize the program to apply on behalf of the participant for the subsidy or the medicare savings program; provided, however, if this chapter appropriates sufficient additional funds to allow eligibility for the elderly pharmaceutical insurance coverage program without the eligibility conditions described herein, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.

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

The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 225,000,000

Program account subtotal 225,000,000

HEALTH CARE FINANCING PROGRAM 21,288,700

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	5,420,100
Temporary service	10,000
Holiday/overtime compensation	40,000
Amount available for personal service	5,470,100

NONPERSONAL SERVICE

Supplies and materials	99,000
Travel	40,000
Contractual services	2,318,000
Equipment	50,000

Amount available for nonpersonal service 2,507,000

Program account subtotal 7,977,100

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the annual hospital institutional cost report. A portion of this appropriation may be transferred to state operations appropriations 147,000

For services and expenses for the center for workforce studies at the school of public health through the research foundation of the state university of New York. A portion of this appropriation may be transferred to state operations appropriations 392,000

For services and expenses of upstate medical university through the research foundation of the state university of New York to promote minority participation in medical education. A portion of this appropriation may be transferred to state operations appropriations 39,000

For services and expenses of the gateway institute through the research foundation of the city university of New York to promote minority participation in medical education. A portion of this appropriation may be transferred to state operations appropriations 220,000

Program account subtotal 798,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Provider Collection Monitoring Account

For services and expenses related to administration of statutory duties for the collections authorized by sections 2807-j, 2807-s, 2807-t and 2807-v of the public health law and the assessments authorized by sections 2807-d, 3614-a and 3614-b of the public health law and section 367-i of the social services law pursuant to chapter 41 of the laws of 1992.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	3,245,900
Holiday/overtime compensation	10,000
Amount available for personal service	3,255,900

NONPERSONAL SERVICE

Supplies and materials	62,000
Travel	13,000
Contractual services	73,000
Equipment	341,000
Fringe benefits	1,191,900
Indirect costs	1,136,000
Amount available for nonpersonal service	2,816,900
Program account subtotal	6,072,800

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

For services and expenses of inspecting, regulating, supervising and auditing hospital and nursing home companies incorporated and authorized under articles 28-A and 28-B of the public health law, from funds received pursuant to these activities.

PERSONAL SERVICE

Personal service--regular	3,221,800
Holiday/overtime compensation	40,000
Amount available for personal service	3,261,800

NONPERSONAL SERVICE

Supplies and materials	82,000
Travel	20,000
Contractual services	239,000
Equipment	182,000
Fringe benefits	1,330,000
Indirect costs	1,326,000

Amount available for nonpersonal service 3,179,000
Program account subtotal 6,440,800

HEALTH CARE REFORM ACT PROGRAM 654,270,000

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

For services, expenses, grants and transfers necessary to implement the health care reform act program in accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-p, 2807-s and 2807-v of the public health law. The moneys hereby appropriated shall be available for payments heretofore accrued or hereafter to accrue. Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange or transfer with any appropriation of the department of health or by transfer or suballocation to any appropriation of the department of insurance, the office of mental health and the state office for the aging subject to 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. With the approval of the director of the budget, up to 5 percent of this appropriation may be used for state operations purposes. At the direction of the director of the budget, funds may also be transferred directly to the general fund for the purpose of repaying a draw on the tobacco revenue guarantee fund.
For transfer to the pool administrator for the purpose of making supplemental graduate medical education payments 30,400,000
For services and expenses of the ambulatory care training program pursuant to subdivision 5-a of section 2807-m of the public health law 4,900,000
For services and expenses of the physician loan repayment program pursuant to subdi-

vision 5-a of section 2807-m of the public health law. All or part of this appropriation may be suballocated to the NYS higher education services corporation 1,960,000
For services and expenses of the physician practice support program pursuant to subdivision 5-a of section 2807-m of the public health law 4,900,000
For services and expenses related to physician workforce studies pursuant to subdivision 5-a of section 2807-m of the public health law 590,000
For services and expenses of the diversity in medicine/post-baccalaureate program pursuant to subdivision 5-a of section 2807-m of the public health law 1,960,000
For transfer to Roswell park cancer institute corporation 76,400,000
For suballocation to the state insurance department related to the healthy NY program. A portion of this appropriation may be transferred to state operations appropriations 185,000,000
For suballocation to the state insurance department related to the pilot program for entertainment industry employees 1,960,000
For suballocation to the state insurance department related to the physicians excess medical malpractice program 127,400,000
For transfer to health research incorporated (HRI) for the AIDS drug assistance program 42,300,000
For state grants for the health workforce retraining program. Notwithstanding section 2807-g of the public health law, or any other provision of law to the contrary, funds hereby appropriated may be made available to other state agencies and facilities operated by the department of health for services and expenses related to the worker retraining program as disbursed pursuant to section 2807-g of the public health law. Provided, however, that the director of the budget must approve the release of any request for proposal or request for application or any other procurement initiatives issued on or after April 1, 2007. Further provided that any contract executed on or after April 1, 2007 must receive the prior approval of the director of the budget. A portion of

this appropriation may be transferred to state operations appropriations 10,400,000
For suballocation to the state insurance department for the health maintenance organization direct pay market program 36,800,000
For services and expenses of the New York state area health education center program 2,500,000
For state grants for rural health care access development 10,400,000
For state grants for rural health network development 6,700,000
For services and expenses, including grants, related to emergency assistance distributions as designated by the commissioner of health. Notwithstanding section 112 or 163 of the state finance law or any other contrary provision of law, such distributions shall be limited to providers or programs where, as determined by the commissioner of health, emergency assistance is vital to protect the life or safety of patients, to ensure the retention of facility caregivers or other staff, or in instances where health facility operations are jeopardized, or where the public health is jeopardized or other emergency situations exist 2,900,000
For transfer to the pool administrator for distributions related to school based health clinics 6,400,000
For services and expenses related to the disease management demonstration program 6,700,000
For services and expenses related to auditing or payment of audit contracts to determine payor and provider compliance requirements. All or a portion of this appropriation may be transferred to state operations appropriations 7,800,000
For services and expenses related to auditing or payment of audit contracts to determine hospital compliance with paragraph 6 of subdivision (a) of section 405.4 of title 10, NYCRR. All or a portion of this appropriation may be transferred to state operations appropriations 2,700,000
For services and expenses, including personal services, related to the long term care insurance education and outreach program. All or a portion of this appropriation may be transferred to state operations appropriations 1,400,000

For services and expenses related to the pool administration. All or a portion of this appropriation may be transferred to state operations appropriations 4,600,000
For services and expenses related to school based health centers. The total amount of funds provided herein shall be distributed to school-based health center providers based on the ratio of each provider's total enrollment for all sites to the total enrollment of all providers. This formula shall be applied to the total amount made available herein, provided, however, that notwithstanding any contrary provision of law, the commissioner of health may establish minimum and maximum awards for providers 3,200,000
For payments for uncompensated care to eligible voluntary non-profit diagnostic and treatment centers 54,400,000
For transfer to the dormitory authority of the state of New York for the health facility restructuring program 19,600,000

Program account subtotal 654,270,000

INSTITUTIONAL MANAGEMENT PROGRAM 165,752,100

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

For services and expenses of patient benefits and other activities and other services as funded by gifts and donations.

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
Helen Hayes Hospital Account

For services and expenses of patient benefits and other activities and services as funded by gifts and donations.

NONPERSONAL SERVICE

Supplies and materials 35,000

Program account subtotal 35,000

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

For services and expenses of patient benefits and other activities and other services as funded by gifts and donations.

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
Montrose Donation Account

For services and expenses of patient benefits and other activities and other services as funded by gifts and donations.

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 benefits 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 agreement contract. Up to $304,273 of this amount may be suballocated to the department of law for services and expenses of a collection unit at Helen Hayes hospital.

PERSONAL SERVICE

Personal service--regular	36,223,800
Temporary service	3,150,000
Holiday/overtime compensation	956,000
Amount available for personal service	40,329,800

NONPERSONAL SERVICE

Supplies and materials	3,945,000
Travel	32,000
Contractual services	19,247,000
Equipment	823,000
Fringe benefits	3,000,000
Indirect costs	200,000
Amount available for nonpersonal service	27,247,000
Program account subtotal	67,576,800

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

For services and expenses of the New York city veterans' home. Up to $400,000 of this amount may be suballocated to the department of law for services and expenses of a collection unit at the New York city veterans' home for the New York state home for veterans and their dependents at Oxford, the New York city veterans' home, the Western New York veterans' home and New York state veterans' home at Montrose.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

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

NONPERSONAL SERVICE

Supplies and materials	1,043,000
Travel	52,000
Contractual services	11,196,000
Equipment	466,000
Fringe benefits	6,700,000
Indirect costs	75,000
Amount available for nonpersonal service	19,532,000
Program account subtotal	34,698,100

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

For services and expenses of the New York state home for veterans and their dependents at Oxford.

PERSONAL SERVICE

Personal service--regular	14,462,700
Temporary service	795,000
Holiday/overtime compensation	1,012,000
Amount available for personal service	16,269,700

NONPERSONAL SERVICE

Supplies and materials	4,373,000
Travel	65,000
Contractual services	2,612,000
Equipment	513,000
Fringe benefits	1,200,000
Indirect costs	60,000
Amount available for nonpersonal service	8,823,000

Program account subtotal 25,092,700

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-Hudson Valley account.

PERSONAL SERVICE

Personal service--regular	13,939,200
Temporary service	2,159,000
Holiday/overtime compensation	1,875,000
Amount available for personal service	17,973,200

NONPERSONAL SERVICE

Supplies and materials	2,389,000
Travel	15,000
Contractual services	4,784,000
Equipment	290,000
Indirect costs	60,000
Amount available for nonpersonal service	7,538,000
Program account subtotal	25,511,200

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Western New York Veterans' Home Account

For services and expenses of the Western New York veterans' home.

PERSONAL SERVICE

Personal service--regular	8,013,300
Temporary service	280,000
Holiday/overtime compensation	490,000
Amount available for personal service	8,783,300

NONPERSONAL SERVICE

Supplies and materials	828,000
Travel	25,000
Contractual services	1,997,000
Equipment	800,000
Indirect costs	45,000
Amount available for nonpersonal service	3,695,000
Program account subtotal	12,478,300

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Oxford Arts and Crafts Fund Account

For services and expenses of patient benefits and other activities and services as funded by receipts from the sale of arts and crafts.

NONPERSONAL SERVICE

Supplies and materials	10,000
Program account subtotal	10,000

MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM 199,759,000

General Fund / State Operations
State Purposes Account - 003

For services and expenses for payment of liabilities accrued heretofore and hereafter to accrue.

NONPERSONAL SERVICE

Contractual services	94,505,000
Program account subtotal	94,505,000

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

For services and expenses related to the operation of an electronic medicaid eligibility verification system and operation

of a medicaid override application system, and operation of a medicaid management information system, and development and operation of a replacement medicaid system. The moneys hereby appropriated shall be available for payment of liabilities heretofore accrued and hereafter to accrue.

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, the amount appropriated herein may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the department of health special revenue funds - federal 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 105,254,000

Program fund subtotal 105,254,000

MAINTENANCE UNDISTRIBUTED 0

General Fund / State Operations
State Purposes Account - 003

Less amounts appropriated as offsets from the special revenue funds - other, miscellaneous special revenue fund - 339, quality of care account, hospital and nursing home management account, nurses aide registry account, third-party health insurance recoveries account and medicaid inquiry account. Notwithstanding any contrary provision of law, these offsets shall reduce general fund appropriations within the various programs of the department of health funded from the state purposes account ..... (112,822,000)

Program account subtotal ..... (112,822,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339

Hospital and Nursing Home Management Account

Amount appropriated as an offset to the general fund - state purposes account with various department of health programs. The director of the budget is hereby authorized to apportion funds to the various programs of this agency from this appropriation by certificate of approval 11,800,000

Program account subtotal 11,800,000

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

Amount appropriated as an offset to the general fund - state purposes account with various department of health programs. The director of the budget is hereby authorized to apportion funds to the various programs of this agency from this appropriation by certificate of approval 300,000

Program account subtotal 300,000

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

Amount appropriated as an offset to the general fund - state purposes account with various department of health programs. The director of the budget is hereby authorized to apportion funds to the various programs of this agency from this appropriation by certificate of approval 99,472,000

Program account subtotal 99,472,000

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

Amount appropriated as an offset to the general fund - state purposes account with various department of health programs. The director of the budget is hereby authorized to apportion funds to the various

programs of this agency from this appropriation by certificate of approval 1,250,000

Program account subtotal 1,250,000

General Fund / Aid to Localities
Local Assistance Account - 001

Less amounts appropriated as an offset from the special revenue funds - other, miscellaneous special revenue fund - 339, quality of care account. Notwithstanding any contrary provision of law, this offset shall reduce general fund appropriations within the various programs of the department of health funded from the local assistance account ..... (7,288,000)

Program account subtotal ..... (7,288,000)

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

Amount appropriated as an offset to the general fund - local assistance account with various department of health programs. The director of the budget is hereby authorized to apportion funds to the various programs of this agency from this appropriation by certificate of approval 7,288,000

Program account subtotal 7,288,000

MEDICAL ASSISTANCE ADMINISTRATION PROGRAM 1,130,300,000

General Fund / Aid to Localities
Local Assistance Account - 001

For state reimbursement of local administrative expenses for medical assistance programs notwithstanding section 153 of the social services law.
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant

to section 367-b of the social services law, and shall be available to the department net of disallowances, refunds, reimbursements, and credits.

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 office of mental health, the office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse serivces, 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 422,800,000

For contractual services related to medical necessity and quality of care reviews related to medicaid patients. Subject to

the approval of the director of the budget, all or part of this appropriation may be transferred to the health care standards and surveillance program, general fund - local assistance account 3,700,000

The amount appropriated herein, together with any federal matching funds obtained, may be available to the department, subject to the approval of the director of the budget, for contractual services related to a third party entity responsible for education of persons eligible for medical assistance regarding their options for enrollment in managed care plans. Subject to the approval of the director of the budget, all or a part of this appropriation may be transferred to the office of managed care, general fund - state purposes account. 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 22,000,000

For state reimbursement of administrative expenses for the medical assistance program provided by the office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services.

The money hereby appropriated is available for payment of aid heretofore accrued and hereafter to accrue. Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange with any other appropriation of the department of health with the approval of the director of the budget 100,000,000

Program account subtotal 548,500,000

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

For reimbursement of local administrative expenses of medical assistance programs provided pursuant to title XIX of the

federal social security act or its successor program.

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts 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 office of mental health, the office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, 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 481,800,000

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

Program account subtotal 581,800,000

MEDICAL ASSISTANCE PROGRAM 42,238,804,000

General Fund / Aid to Localities
Local Assistance Account - 001

For the medical assistance program, including administrative expenses, for local social services districts, and for medical care rates for authorized child care agencies.

The money hereby appropriated is to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, and shall be available to the

department net of disallowances, refunds, reimbursements, and credits.

Notwithstanding any inconsistent provision of law to the contrary, funds may be used by the department for outside legal assistance on issues involving the federal government, the conduct of preadmission screening and annual resident reviews required by the state's medicaid program, computer matching with insurance carriers to insure that medicaid is the payer of last resort and activities related to the management of the pharmacy benefit available under the medicaid program.

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.

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 the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance and

office of children and family services, and state office for the aging 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 to the contrary, the moneys hereby appropriated may be used for payments to the centers for medicaid and medicare services for obligations incurred related to the pharmaceutical costs of dually eligible medicare/medicaid beneficiaries participating in the medicare drug benefit authorized by P.L. 108-173.

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated shall not be used for any existing rates, fees, fee schedule, or procedures which may affect the cost of care and services provided by personal care providers, case managers, health maintenance organizations, out of state medical facilities which provide care and services to residents of the state, providers of transportation services, that are altered, amended, adjusted or otherwise changed by a local social services district unless previously approved by the department of health and the director of the budget.

Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of the public health law, subdivision 2-b of section 2808 of the public health law, section 21 of chapter 1 of the laws of 1999 and any other contrary provision of law, except with regard to subparagraph (iii) of paragraph (b) of subdivision 33 of section 2807-c of the public health law, for the period April 1, 2009 through March 31, 2010, rates of payments by state governmental agencies for inpatient and outpatient services provided by general hospitals, for inpatient services and adult day health care outpatient services provided by residential health care facilities pursuant to article 28 of the public health law, except for residential health care facilities that provide extensive nursing, medical, psychological and coun-

seling support services to children, for home health care services provided pursuant to article 36 of the public health law by certified home health agencies and long term home health care programs, and personal care services provided pursuant to paragraph (e) of subdivision 2 of section 365-a of the social services law, and including rates of payment for assisted living program services, the commissioner of health shall reflect zero trend factor projections for the 2008 calendar year.

Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of the public health law, subdivision 2-b of section 2808 of the public health law, section 21 of chapter 1 of the laws of 1999 and any other contrary provision of law, except with regard to subparagraph (iii) of paragraph (b) of subdivision 33 of section 2807-c of the public health law, for the period April 1, 2009 through March 31, 2010, rates of payments by state governmental agencies for inpatient and outpatient services provided by general hospitals, for inpatient services and adult day health care outpatient services provided by residential health care facilities pursuant to article 28 of the public health law, except for residential health care facilities that provide extensive nursing, medical, psychological and counseling support services to children, for home health care services provided pursuant to article 36 of the public health law by certified home health agencies and long term home health care programs, and personal care services provided pursuant to paragraph (e) of subdivision 2 of section 365-a of the social services law, including personal care services provided in those local social service districts, including New York City, whose rates of payment for such services are established by such local social service districts pursuant to a rate-setting exemption issued by the commissioner of health to such local social service districts in accordance with applicable regulations, and including rates of payment for assisted living program services, shall

reflect zero trend factor projections for the 2009 calendar year.

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

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

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

(a) For periods on and after July 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 2303 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

(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 June 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 $75,000,000 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 paragraphs 1 and 2 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 $168,000,000 for the period July 1, 2009 through March 31, 2010; and

(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 medicaid 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 applica-

ble regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 100 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 inflation, provided, however, that such payments shall be reduced by 50 percent for any 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 and after the eleventh day; and

(d) Per diem payments for inpatients placed in observation beds, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall be at the same level as would be paid pursuant to paragraph (a) of this section, provided, however, that such payments shall not apply for more than two days of care, after which payments for such inpatients shall reflect their designation as requiring either medically managed detoxification services or medically supervised withdrawal services, and further provided that days of care provided in such observation beds shall, for reimbursement purposes, be fully reflected in the computation of the initial five days of care as set forth in paragraphs (a) and (b) of this section; and

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

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

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

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

(iv) Northeast, consisting of the counties of Albany, Clinton, Essex, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren and Washington;
(v) Utica/Watertown, consisting of the counties of Franklin, Herkimer, Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison and Oneida;
(vi) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;
(vii) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and Yates;
(viii) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming.
(f) Provided, however, if this chapter appropriates sufficient additional funds to support payments for hospital inpatient detoxification services using the methodology in existence on February 28, 2009 as set forth in section 2807-c(4)(l) 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 paragraph (e) of subdivision 4 of section 2807-c of the public health law or any other contrary provision of law and subject to the availability of federal financial participation, per diem rates of payment by governmental agencies for a general hospital or a distinct unit of a general hospital for inpatient psychiatric services that would otherwise be subject to the provisions of paragraph (e) of subdivision 4 of section 2807-c of the public health law, and rates of payment for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public health law and as specified in this section, shall, with regard to days of service and visits occurring on and after July 1, 2009 through March 31, 2010, be in accordance with the following:
(a) For the period July 1, 2009 through December 31, 2009, the operating component

of such inpatient rates 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 adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for inpatient rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported inpatient costs by such facilities in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (l) of subdivision 4 of section 2807-c of the public health law; and

(b) For rate periods on and after January 1, 2010 through March 31, 2010, the operating component of such inpatient rates shall utilize 2005 operating costs as submitted to the department of health prior to December 1, 2008 and shall provide for methodologies establishing per diem inpatient rates that utilize case mix adjustment mechanisms and provide for post-discharge referral to outpatient services. Such inpatient rates shall reflect adjustments based on length of stay. Outpatient rates of payment for general hospitals or units of general hospitals subject to this section shall provide for reimbursement for the evaluation of potential inpatient psychiatric patients and the pre-admission referral of such patients, when appropriate, to outpatient services; and

(c) Rates of payment established pursuant to paragraph (b) of this paragraph shall reflect an aggregate net statewide increase in reimbursement for such services of $25,000,000; and

(d) Provided, however, if this chapter appropriates sufficient additional funds to support payments for inpatient psychiatric services provided by a general hospital or a distinct unit of a general hospital and for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public health law 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 paragraph (e) of subdivision 4 of section 2807-c of the public health law or any other contrary provision of law and subject to the availability of federal financial participation, the operating cost component of per diem rates of payment by governmental agencies for inpatient services provided by a general hospital or a distinct unit of a general hospital for services, as described below, that would otherwise be subject to the provisions of paragraph (e) of subdivision 4 of section 2807-c of the public health law, shall, with regard to days of service occurring on and after July 1, 2009 through March 31, 2010, be in accord with the following:

(a) For physical medical rehabilitation services and for chemical dependency rehabilitation services, such rates shall reflect the use of 2005 operating costs for each respective category of services as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported costs in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (l) of subdivision 4 of section 2807-c of the public health law; and

(b) For services provided by rural hospitals designated as critical access hospitals in accordance with title XVIII of the federal social security act, such rates 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 adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as other-

wise modified by any applicable statutes, provided, however, that such 2005 reported operating costs shall, for rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported costs for all such designated hospitals statewide; and

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

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

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

(f) Such rates of payment pursuant to this section for a general hospital or distinct unit of a general hospital without adequate 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 279,107,000

For services and expenses of the medical assistance program including hospital outpatient and emergency room services 334,657,000

For services and expenses of the medical assistance program including clinic services 285,844,000

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

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

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, the rates of payment by governmental agencies for residential health care facility inpatient services shall be computed on a regional basis, using allowable operating costs, as determined by the department of health, from the 2005 certified cost reports from facilities on file

with the department of health as of December 1, 2008, as adjusted for inflation in accordance with paragraph (c) of subdivision 10 of section 2807-c of the public health law, and in accordance with the following:

(a) For the purpose of this paragraph, the regions of the state shall be as follows:

(i) New York City, consisting of the counties of Bronx, New York, Kings, Queens, and Richmond;

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

(iii) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Steuben, Tioga and Tompkins;

(iv) Rochester, consisting of Monroe, Ontario, Livingston, Seneca, Wayne and Yates;

(v) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming;

(vi) Northern Metropolitan, consisting of the counties of Columbia, Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester;

(vii) Northeast, consisting of the counties of Albany, Clinton, Essex, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington;

(iii) Utica/Watertown, consisting of the counties of Franklin, Hamilton, Herkimer, Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison and Oneida;

(b) The operating component of such rates shall fully reflect the cost of local property taxes and payments made in lieu of local property taxes and payments in lieu of local property taxes, as reported in each facility's cost report submitted for the year two years prior to the rate year; and

(c) The direct component of the operating component of such rates shall be subject to case mix adjustment through application of the minimum data set (MDS) classification employed by the federal government with regard to payments to skilled nursing facilities pursuant to title XVIII of the federal social security act (Medicare) to reflect patient service intensity, as may be adjusted by the commissioner of health. Such adjustments shall be made semi-annu-

ally in each calendar year, and both the adjustments and the related patient classifications in each facility shall be subject to audit review in accordance with regulations promulgated by the commissioner of health; and

(d) Such rates shall, except for the establishment of any regional prices, be calculated utilizing only the number of patients properly assessed and reported in each patient classification group and eligible for medicaid; and

(e) Such rates for the following categories of facilities, as established pursuant to applicable regulations, shall receive the rates in effect for such facilities on December 31, 2006, as adjusted for inflation in accordance with paragraph (c) of subdivision 10 of section 2808-c of the public health law: (i) AIDS facilities or discrete AIDS units within facilities, (ii) discrete units for residents receiving care in a long term inpatient rehabilitation program for traumatic brain injured persons, (iii) discrete units providing specialized programs for residents requiring behavioral interventions, (iv) discrete units for long term ventilator dependent residents, and (v) facilities or discrete units within facilities that provide extensive nursing, medical, psychological and counseling support services solely to children; and

(f) The commissioner of health may make additional transition adjustments to rates of payment for residential health care facilities to facilitate improvements in residential health care facilities operations and finances in accordance with the following: and

(i) Residential health care facilities eligible for distributions pursuant to this paragraph shall be those non-public facilities 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 regional pricing.

(ii) Transition funds distributed pursuant to this paragraph shall be allocated based on each eligible facility's relative need

as determined by the commissioner of health.

(iii) Up to $75,000,000 in transition funding pursuant to this paragraph shall be available.

(iv) Payments made pursuant to this paragraph shall not be subject to retroactive adjustment or reconciliation and may be added to rates of payment or made as lump sum payments.

(v) Each residential health care facility receiving funds pursuant to this paragraph shall, as a condition for eligibility for such funds, adopt a resolution of the board of directors or submit a report by the owner acceptable to the commissioner of health setting forth its current financial condition and a plan for reforming and improving such financial condition, including ongoing board or owner oversight; and

(g) Administrative rate appeals of such rates shall be available by the department of health only for (i) the correction of computational errors or omissions of data by the department of health in determining the operating rate based upon the information provided to the department of health prior to the computation of the rate, (ii) capital cost reimbursement, or (iii) such reasons as the commissioner of health determines are appropriate. The department of health will not consider any revisions made to a facility's annual cost report for operating rate adjustment purposes later than the due date established by the commissioner of health; and

(h) Any proprietary residential health care facilities which otherwise would be entitled to residual reimbursement as provided under applicable regulation, may have the capital cost component of its rate recalculated by the department of health to take into account any capital improvements and/or renovations made to the facility's existing infrastructure for the purpose of converting beds to alternative long term care uses or protecting the health and safety of patients, subject to the approval of the commissioner of health and all applicable certificate of need requirements; and

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

Provided, however, if this chapter appropriates sufficient additional funds to support payments for residential health care facility rates using methodology in existence on February 28, 2009 as set forth in section 2808 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 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 1,587,533,000

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

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, the rates of payment paid by governmental agencies for home health care services to each certified home health agency, each long term home health care program, and each AIDS home care program shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject to a uniform reduction of one percent, and for certified home health agencies, an additional uniform reduction of 3.5 percent, and, for long term home health care program and the

AIDS home care program, an additional uniform reduction of 1.5 percent, and further, the rates of payment paid by governmental agencies for personal care services, including personal care services provided in those social service districts whose rates of payment for such services are established by such social service districts pursuant to a rate-setting exemption issued by the commissioner to such social service districts in accordance with applicable regulations, shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject to a uniform reduction of one percent and an additional uniform reduction of 1.5 percent.

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

Notwithstanding any contrary provision of law or regulation, for purposes of establishing rates of payment by governmental agencies for certified home health agencies for the period April 1, 2009 through March 31, 2010, the reimbursable base year administrative and general costs of a provider of services with annual expenses in excess of $20,000,000, as determined using the reported base year cost data used to establish the statewide average administrative and general cost ceiling for such period, shall not exceed the lower of such statewide average or 20 percent of each such agency's total reimbursable base year costs.

Notwithstanding any contrary provision of law, for the period April 1, 2009 through March 31, 2010, for purposes of establish-

ing rates of payment for certified home health agency services and long term home health care program services, no amount shall be included in the rate for any community-based agency or program that is in excess of 100 percent of the weighted average cost of all community-based agencies or programs in each such agency's or program's group, or that, in the case of hospital-based agencies or programs, is in excess of 100 percent of the weighted average cost of community based agencies or programs in the area in which such hospital-based agencies or programs are located.

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period January 1, 2010 through March 31, 2010, rates of payment by government agencies for services provided by certified home health agencies shall be based on episodic payments. In establishing such payments, a statewide base price shall be established for each 60 day episode of care and adjusted by a provider regional wage index factor and an individual patient case mix index. Such episodic payments may be further adjusted for low utilization cases and to reflect a percentage of the cost for high-utilization cases that exceed outlier thresholds of such payments. Base year episodic payments shall be further adjusted to the applicable rate year in accordance with paragraph c of subdivision 10 of section 2807-c of article 28 of the public health law. Such payments shall be based on medicaid paid claims, as determined by the commissioner of health, for service provided by all certified home health agencies in the 2007 base year. In determining case mix, each patient shall be classified using a system based on measures including, but not limited to, clinical and functional measures, as reported on the federal outcome and assessment information set (OASIS). As determined by the commissioner of health, agencies will be required to collect and submit any data required to implement this section. Provided, however, if this chapter appro-

priates sufficient additional funds to support payments for certified home health care agencies using methodology in existence on February 28, 2009 as set forth in section 3614 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, rule or regulation to the contrary, for the period October 1, 2009 through March 31, 2010, an agreement between the department of health and an entity offering a comprehensive health services plan, including an entity that has received a certificate of authority pursuant to sections 4403, 4403-a or 4408-a of the public health law, or a health maintenance organization authorized under article 43 of the insurance law, may allow for medical assistance payments on a capitated basis for home care or other long term care services, other than nursing facility services, without such entity being a managed long term care plan, operating demonstration, or approved managed long term care demonstration under section 4403-f of the public health law. Provided, however, if this chapter appropriates sufficient additional funds to support payments for care and services furnished by an entity offering comprehensive health services plan in existence on February 28, 2009 as set forth in section 365-a (k) of the social services 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, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, the department of health is authorized to establish long term care assessment centers to serve regions of the state as may be established by the department, including the city of New York, for the purpose of transferring from the social services district to the regional long term care assessment centers responsibility for activities related to the assessment of a person's need for, and the authorization of, long term care services

and programs identified in this section. The department is authorized to contract with one or more entities to operate regional long term care assessment centers. The regional long term care assessment center shall have responsibility for assessment of long term care needs of an applicant for, or recipient of, medical assistance and for authorization of services and participation in programs including: personal care services, including personal emergency response services, under paragraph (e) of subdivision 2 of section 365-a of the social services law, consumer-directed personal assistance services under section 365-f of the social services law and the cash and counseling demonstration program under section 367-v of the social services law; the assisted living program under section 461-l of the social services law; and participation in the long term home health care program under section 367-c of the social services law and section 3612 of the public health law, including the AIDS home care program under the provisions of section 367-e of the social services law and section 3620 of the public health law. The regional long term care assessment center shall have responsibility for reviewing assessments to verify that an individual requires a nursing home level of care and, after confirming that an enrollment is voluntary, for authorizing participation in a managed long term care plan or an approved managed long term care demonstration under paragraph (o) of subdivision 2 of section 365-a of the social services law. The regional long term care assessment center shall have responsibility for reviewing documentation from a person's physician and a certified home health agency and for making the determination as to the continuing need for home health services beyond 60 days provided by a certified home health agency under paragraph (d) of subdivision 2 of section 365-a of the social services law. This section shall apply to those consumers who apply for the services specified in this section on and after the later of

January 1, 2010 or the date specified in the contract between the department and the entity selected to be a regional long term care assessment center 1,857,424,000

For services and expenses of the medical assistance program including managed care services 2,032,455,000

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, medical assistance payment for certain drugs which may not be dispensed without a prescription shall be made at the following amounts: for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 17.25 percent thereof, and updated monthly by the department.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, medical assistance payment to a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 17.25 percent thereof, and updated monthly by the department; for multiple source gener-

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, the department of health

may establish or expand pharmacy prior authorization requirements for the medical assistance program without the need to obtain new statutory authority; provided, however, if this chapter appropriates sufficient additional funds to require the department and the panel to obtain new statutory authority for such prior authorization establishment or expansion, then the provisions of this paragraph shall not apply and shall be considered null and void as of February 28, 2009.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, for purposes of medical assistance coverage, the commissioner is authorized to limit the amount, frequency and duration of drug therapy

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period June 1, 2009 through March 31, 2010, patients who do not meet the criteria for approval established in the clinical drug review program, as set forth in subdivision 6 of section 274 of the public health law, will be given reasonable opportunity to reasonably present justification for prior authorization;

provided, however, that after provision of such reasonable opportunity, the program may determine that the use of the drug is not medically necessary and prior authorization may be denied; and further provided that if this chapter provides sufficient additional funding to cover the costs of drugs that the prescriber, in his or her reasonable professional judgment, determines the use of is warranted, then the provisions of this section shall be deemed null and void as of February 28, 2009.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, for the purposes of providing reimbursement under the medical assistance program, and subject to obtaining all necessary approvals under federal law and regulation to receive federal financial participation in the costs of services described herein, the commissioner of health is authorized to pay financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision; provided that such payments shall be in the following amounts: for prescribing practitioners, eighty cents per dispensed electronic prescription; for dispensing pharmacies, twenty cents per dispensed electronic prescription; provided, however, that

electronic prescribing software shall not use any means or permit any other person to use any means, including, but not limited to, advertising, instant messaging, and pop-up ads, to influence or attempt to influence, through economic incentives or otherwise, the prescribing decision of a prescribing practitioner at the point of care and that such means shall not be triggered or in specific response to the input, selection, or act of a prescribing practitioner or his or her agent in prescribing a certain pharmaceutical or directing a patient to a certain pharmacy. Provided however that if this chapter provides sufficient additional funding to eliminate financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision, then the provisions of this section shall be deemed null and void as of February 28, 2009 251,223,000

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, the commissioner of health is authorized to assume responsibility from a local social services official for the provision and reimbursement of medicaid transportation costs under this section 365-h of the social services law. If the commissioner elects to assume such responsibility, the commissioner shall notify the local social services official in writing as to the election, the date upon which the election shall be effective and such information as to transition of responsibilities as the commissioner deems prudent. The commissioner is authorized to contract with a transportation manager or managers that have experience in coordinating transportation services in New York state to manage the provision of such services. Such a contract or contracts may include, without limitation, responsibility for: review, approval and processing of trans-

portation orders; management of the appropriate level of transportation based on documented patient medical need; and development of new technologies and approaches leading to efficient transportation services. Notwithstanding any inconsistent provision of sections 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into such contract without a competitive bid or request for proposal process. Provided, however, if this chapter appropriates sufficient additional funds to permit local social services officials to maintain responsibility for management of medicaid transportation services without assumption of such responsibility by the commissioner of health, then the provisions of this paragraph shall not apply and shall be considered null and void as of February 28, 2009 105,794,000

For services and expenses of the medical assistance program including dental services 69,648,000

For services and expenses of the medical assistance program including non-institutional and other spending 489,966,000

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to pharmacy best practices initiatives including prior authorizations and prior approvals 6,800,000

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to utilization review activities including but not limited to utilization management for radiology and transportation management services 6,000,000

Notwithstanding any inconsistent provision of law, subject to the approval of the

director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to education of medicaid eligibles and recipients regarding the medicare part D program and recipient and provider notification and other program information as determined necessary by the commissioner of health. Subject to the approval of the director of the budget, a portion of this appropriation may be suballocated to other state agencies 2,500,000

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 to the general fund - state purposes account or suballocated to the 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 of care for the delivery of quality services in the community 16,000,000

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

Notwithstanding any inconsistent provision of law, subject to a plan developed by the commissioner of health and approved by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, will be available for demonstrations that develop

and evaluate interventions targeted at medicaid beneficiaries who are otherwise exempt or excluded from mandatory Medicaid managed care and who have multiple comorbidities. 6,000,000

Notwithstanding section 112 and section 163 of the state finance law, for chronic illness demonstration projects authorized by section 364-l 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 5,000,000

Notwithstanding any inconsistent provision of law, rule or regulation, subject to the approval of the director of budget, moneys appropriated herein, together with any available federal matching funds, will be available for home health telehealth and IT demonstration programs 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 York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program 3,200,000,000

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services .....

Program account subtotal 10,553,656,000

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

For services and expenses for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.

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

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 the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance, office of children and family services, and state office for the aging 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.

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

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

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

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

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, the operating cost component of medicaid per diem and per discharge rates of payment for inpatient services for discharges and days occurring during such period shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject

to a uniform percentage reduction of 2 percent.

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

(a) For periods on and after July 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 2303 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
(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 June 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 $75,000,000 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 paragraphs 1 and 2 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 $168,000,000 for the period July 1, 2009 through March 31, 2010; and

(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 medicaid 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 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 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 inflation, provided, however, that such payments shall be reduced by 50 percent for any 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 and after the eleventh day; and

(d) Per diem payments for inpatients placed in observation beds, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall be at the same level as would be paid pursuant to paragraph (a) of this section, provided, however, that such payments shall not apply for more than two days of care, after which payments for such inpatients shall reflect their designation as requiring either medically managed detoxification services or medically supervised withdrawal services, and further provided that days of care provided in such observation beds shall, for reimbursement purposes, be fully reflected in the computation of the initial five days of care as set forth in paragraphs (a) and (b) of this section; and

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

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

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

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

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

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

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

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

(viii) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua,

Erie, Genesee, Niagara, Orleans and Wyoming.

(f) Provided, however, if this chapter appropriates sufficient additional funds to support payments for hospital inpatient detoxification services using the methodology in existence on February 28, 2009 as set forth in section 2807-c(4)(l) 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 paragraph (e) of subdivision 4 of section 2807-c of the public health law or any other contrary provision of law and subject to the availability of federal financial participation, per diem rates of payment by governmental agencies for a general hospital or a distinct unit of a general hospital for inpatient psychiatric services that would otherwise be subject to the provisions of paragraph (e) of subdivision 4 of section 2807-c of the public health law, and rates of payment for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public health law and as specified in this section, shall, with regard to days of service and visits occurring on and after July 1, 2009 through March 31, 2010, be in accordance with the following:

(a) For the period July 1, 2009 through December 31, 2009, the operating component of such inpatient rates 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 adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for inpatient rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported inpatient costs by such facilities in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (l) of

subdivision 4 of section 2807-c of the public health law; and

(b) For rate periods on and after January 1, 2010 through March 31, 2010, the operating component of such inpatient rates shall utilize 2005 operating costs as submitted to the department of health prior to December 1, 2008 and shall provide for methodologies establishing per diem inpatient rates that utilize case mix adjustment mechanisms and provide for post-discharge referral to outpatient services. Such inpatient rates shall reflect adjustments based on length of stay. Outpatient rates of payment for general hospitals or units of general hospitals subject to this section shall provide for reimbursement for the evaluation of potential inpatient psychiatric patients and the pre-admission referral of such patients, when appropriate, to outpatient services; and

(c) Rates of payment established pursuant to paragraph (b) of this paragraph shall reflect an aggregate net statewide increase in reimbursement for such services of $25,000,000; and

(d) Provided, however, if this chapter appropriates sufficient additional funds to support payments for inpatient psychiatric services provided by a general hospital or a distinct unit of a general hospital and for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public health law 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 paragraph (e) of subdivision 4 of section 2807-c of the public health law or any other contrary provision of law and subject to the availability of federal financial participation, the operating cost component of per diem rates of payment by governmental agencies for inpatient services provided by a general hospital or a distinct unit of a general hospital for services, as described below, that would otherwise be subject to the

provisions of paragraph (e) of subdivision 4 of section 2807-c of the public health law, shall, with regard to days of service occurring on and after July 1, 2009 through March 31, 2010, be in accord with the following:

(a) For physical medical rehabilitation services and for chemical dependency rehabilitation services, such rates shall reflect the use of 2005 operating costs for each respective category of services as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported costs in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (l) of subdivision 4 of section 2807-c of the public health law; and

(b) For services provided by rural hospitals designated as critical access hospitals in accordance with title XVIII of the federal social security act, such rates 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 adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes, provided, however, that such 2005 reported operating costs shall, for rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported costs for all such designated hospitals statewide; and

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

2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes; and

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

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

(f) Such rates of payment pursuant to this section for a general hospital or distinct unit of a general hospital without adequate 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 4,608,348,000

For services and expenses of the medical assistance program including hospital outpatient and emergency room services 702,854,000

For services and expenses of the medical assistance program including clinic services 793,114,000

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

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

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

(a) For the purpose of this paragraph, the regions of the state shall be as follows:

(i) New York City, consisting of the counties of Bronx, New York, Kings, Queens, and Richmond;

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

(iii) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Steuben, Tioga and Tompkins;

(iv) Rochester, consisting of Monroe, Ontario, Livingston, Seneca, Wayne and Yates;
(v) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming;
(vi) Northern Metropolitan, consisting of the counties of Columbia, Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester;
(vii) Northeast, consisting of the counties of Albany, Clinton, Essex, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington;
(iii) Utica/Watertown, consisting of the counties of Franklin, Hamilton, Herkimer, Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison and Oneida;
(b) The operating component of such rates shall fully reflect the cost of local property taxes and payments made in lieu of local property taxes and payments in lieu of local property taxes, as reported in each facility's cost report submitted for the year two years prior to the rate year; and
(c) The direct component of the operating component of such rates shall be subject to case mix adjustment through application of the minimum data set (MDS) classification employed by the federal government with regard to payments to skilled nursing facilities pursuant to title XVIII of the federal social security act (Medicare) to reflect patient service intensity, as may be adjusted by the commissioner of health. Such adjustments shall be made semi-annually in each calendar year, and both the adjustments and the related patient classifications in each facility shall be subject to audit review in accordance with regulations promulgated by the commissioner of health; and
(d) Such rates shall, except for the establishment of any regional prices, be calculated utilizing only the number of patients properly assessed and reported in each patient classification group and eligible for medicaid; and
(e) Such rates for the following categories of facilities, as established pursuant to applicable regulations, shall receive the rates in effect for such facilities on

December 31, 2006, as adjusted for inflation in accordance with paragraph (c) of subdivision 10 of section 2808-c of the public health law: (i) AIDS facilities or discrete AIDS units within facilities, (ii) discrete units for residents receiving care in a long term inpatient rehabilitation program for traumatic brain injured persons, (iii) discrete units providing specialized programs for residents requiring behavioral interventions, (iv) discrete units for long term ventilator dependent residents, and (v) facilities or discrete units within facilities that provide extensive nursing, medical, psychological and counseling support services solely to children; and

(f) The commissioner of health may make additional transition adjustments to rates of payment for residential health care facilities to facilitate improvements in residential health care facilities operations and finances in accordance with the following: and

(i) Residential health care facilities eligible for distributions pursuant to this paragraph shall be those non-public facilities 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 regional pricing.

(ii) Transition funds distributed pursuant to this paragraph shall be allocated based on each eligible facility's relative need as determined by the commissioner of health.

(iii) Up to $75,000,000 in transition funding pursuant to this paragraph shall be available.

(iv) Payments made pursuant to this paragraph shall not be subject to retroactive adjustment or reconciliation and may be added to rates of payment or made as lump sum payments.

(v) Each residential health care facility receiving funds pursuant to this paragraph shall, as a condition for eligibility for such funds, adopt a resolution of the board of directors or submit a report by the owner acceptable to the commissioner

of health setting forth its current financial condition and a plan for reforming and improving such financial condition, including ongoing board or owner oversight; and

(g) Administrative rate appeals of such rates shall be available by the department of health only for (i) the correction of computational errors or omissions of data by the department of health in determining the operating rate based upon the information provided to the department of health prior to the computation of the rate, (ii) capital cost reimbursement, or (iii) such reasons as the commissioner of health determines are appropriate. The department of health will not consider any revisions made to a facility's annual cost report for operating rate adjustment purposes later than the due date established by the commissioner of health; and

(h) Any proprietary residential health care facilities which otherwise would be entitled to residual reimbursement as provided under applicable regulation, may have the capital cost component of its rate recalculated by the department of health to take into account any capital improvements and/or renovations made to the facility's existing infrastructure for the purpose of converting beds to alternative long term care uses or protecting the health and safety of patients, subject to the approval of the commissioner of health and all applicable certificate of need requirements; and

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

Provided, however, if this chapter appropriates sufficient additional funds to support payments for residential health care facility rates using methodology in existence on February 28, 2009 as set

forth in section 2808 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 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 3,953,193,000

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

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, the rates of payment paid by governmental agencies for home health care services to each certified home health agency, each long term home health care program, and each AIDS home care program shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject to a uniform reduction of one percent, and for certified home health agencies, an additional uniform reduction of 3.5 percent, and, for long term home health care program and the AIDS home care program, an additional uniform reduction of 1.5 percent, and further, the rates of payment paid by governmental agencies for personal care services, including personal care services provided in those social service districts whose rates of payment for such services are established by such social service districts pursuant to a rate-setting exemption issued by the commissioner to such social service districts in accordance with applicable regulations, shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject to a uniform

reduction of one percent and an additional uniform reduction of 1.5 percent.

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

Notwithstanding any contrary provision of law or regulation, for purposes of establishing rates of payment by governmental agencies for certified home health agencies for the period April 1, 2009 through March 31, 2010, the reimbursable base year administrative and general costs of a provider of services with annual expenses in excess of $20,000,000, as determined using the reported base year cost data used to establish the statewide average administrative and general cost ceiling for such period, shall not exceed the lower of such statewide average or 20 percent of each such agency's total reimbursable base year costs.

Notwithstanding any contrary provision of law, for the period April 1, 2009 through March 31, 2010, for purposes of establishing rates of payment for certified home health agency services and long term home health care program services, no amount shall be included in the rate for any community-based agency or program that is in excess of 100 percent of the weighted average cost of all community-based agencies or programs in each such agency's or program's group, or that, in the case of hospital-based agencies or programs, is in excess of 100 percent of the weighted average cost of community based agencies or programs in the area in which such hospital-based agencies or programs are located.

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period January 1, 2010 through March 31, 2010, rates of payment by government agencies for services provided by certified home health agencies shall be based on episodic payments. In establishing such payments, a statewide base price shall be established for each 60 day episode of care and adjusted by a provider regional wage index factor and an individual patient case mix index. Such episodic payments may be further adjusted for low utilization cases and to reflect a percentage of the cost for high-utilization cases that exceed outlier thresholds of such payments. Base year episodic payments shall be further adjusted to the applicable rate year in accordance with paragraph c of subdivision ten of section 2807-c of article 28 of the public health law. Such payments shall be based on medicaid paid claims, as determined by the commissioner of health, for service provided by all certified home health agencies in the 2007 base year. In determining case mix, each patient shall be classified using a system based on measures including, but not limited to, clinical and functional measures, as reported on the federal outcome and assessment information set (OASIS). As determined by the commissioner of health, agencies will be required to collect and submit any data required to implement this section. Provided, however, if this chapter appropriates sufficient additional funds to support payments for certified home health care agencies using methodology in existence on February 28, 2009 as set forth in section 3614 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, rule or regulation to the contrary, for the period October 1, 2009 through March 31, 2010, an agreement between the department of health and an entity offering a comprehensive health services plan, including an entity that has received a

certificate of authority pursuant to sections 4403, 4403-a or 4408-a of the public health law, or a health maintenance organization authorized under article 43 of the insurance law, may allow for medical assistance payments on a capitated basis for home care or other long term care services, other than nursing facility services, without such entity being a managed long term care plan, operating demonstration, or approved managed long term care demonstration under section 4403-f of the public health law. Provided, however, if this chapter appropriates sufficient additional funds to support payments for care and services furnished by an entity offering comprehensive health services plan in existence on February 28, 2009 as set forth in section 365-a (k) of the social services 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, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, the department of health is authorized to establish long term care assessment centers to serve regions of the state as may be established by the department, including the city of New York, for the purpose of transferring from the social services district to the regional long term care assessment centers responsibility for activities related to the assessment of a person's need for, and the authorization of, long term care services and programs identified in this section. The department is authorized to contract with one or more entities to operate regional long term care assessment centers. The regional long term care assessment center shall have responsibility for assessment of long term care needs of an applicant for, or recipient of, medical assistance and for authorization of services and participation in programs including: personal care services, including personal emergency response services, under paragraph (e) of subdivision 2 of section 365-a of the social services law, consumer-directed personal

assistance services under section 365-f of the social services law and the cash and counseling demonstration program under section 367-v of the social services law; the assisted living program under section 461-l of the social services law; and participation in the long term home health care program under section 367-c of the social services law and section 3616 of the public health law, including the AIDS home care program under the provisions of section 367-e of the social services law and section 3620 of the public health law. The regional long term care assessment center shall have responsibility for reviewing assessments to verify that an individual requires a nursing home level of care and, after confirming that an enrollment is voluntary, for authorizing participation in a managed long term care plan or an approved managed long term care demonstration under paragraph (o) of subdivision 2 of section 365-a of the social services law. The regional long term care assessment center shall have responsibility for reviewing documentation from a person's physician and a certified home health agency and for making the determination as to the continuing need for home health services beyond 60 days provided by a certified home health agency under paragraph (d) of subdivision 2 of section 365-a of the social services law. This section shall apply to those consumers who apply for the services specified in this section on and after the later of January 1, 2010 or the date specified in the contract between the department and the entity selected to be a regional long term care assessment center 3,028,228,000

For services and expenses of the medical assistance program including managed care services 3,758,534,000

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, medical assistance payment for certain drugs which may not be dispensed without a prescription shall be

made at the following amounts: for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 17.25 percent thereof, and updated monthly by the department.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, medical assistance payment to a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 17.25 percent thereof, and updated monthly by the department; for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 25 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period May 1, 2009 through March 31, 2010, the commissioner of health may, upon recommendation by the pharmacy and therapeutics committee, consider for

inclusion in the preferred drug program established pursuant to section 272 of the public health law the therapeutic class of anti-depressants; provided, however, if this chapter appropriates sufficient additional funds to exclude anti-depressants from the preferred drug program then the provisions of this paragraph shall not apply and shall be considered null and void as of February 28, 2009.

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, for purposes of

medical assistance coverage, "step therapy" shall mean the practice of beginning drug therapy for a medical condition with the most medically appropriate and cost effective therapy and progressing to other drugs as medically necessary; provided that the commissioner, through the prospective drug utilization review program, as established in section 369-aa of the social services law, is authorized to require step therapy when there is more than one drug appropriate to treat a medical condition; and provided further that the drug utilization review board, as established in section 369-cc of the social services law, shall recommend guidelines, which consider clinical effectiveness, safety, and cost effectiveness, for specific diagnoses and therapy regimens within which practitioners may prescribe drugs without the requirement for prior authorization of those drugs; provided, however, if this chapter provides sufficient additional funding to cover the costs of drugs which are dispensed without regard to the step therapy method described herein, then the provisions of the section shall be deemed null and void as of February 28, 2009.

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, for persons eligible for medical assistance, who are also beneficiaries under part D of title XVIII of the federal social security act, the following categories of drugs shall not be exempt from the definition of "covered part D drugs" and shall be subject to the medical assistance exclusion of coverage for "covered part D drugs": atypical antipsychotics, antidepressants, anti-retrovirals used in the treatment of HIV/AIDS, and anti-rejection drugs used for the treatment of organ and tissue transplants.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period June 1, 2009 through March 31, 2010, patients who do not meet the criteria for approval established in the clinical drug review program, as set forth in subdivision 6 of section 274 of the public health law, will be given reasonable opportunity to reasonably present justification for prior authorization; provided, however, that after provision of such reasonable opportunity, the program may determine that the use of the drug is not medically necessary and prior authorization may be denied; and further provided that if this chapter provides sufficient additional funding to cover the costs of drugs that the prescriber, in his or her reasonable professional judgment, determines the use of is warranted, then the provisions of this section shall be deemed null and void as of February 28, 2009.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, the commissioner

is authorized to deny reimbursement under the medical assistance program for a generic equivalent drug, including a generic equivalent that is on the preferred drug list or the clinical drug review program, when the net cost of the brand name prescription drug, after consideration of all rebates, is less than the cost of the generic equivalent; provided further that the co-payment charged for each such brand name prescription drug shall be $1 and the dispensing fee for each such brand name prescription drug shall be $4.50.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, for the purposes of providing reimbursement under the medical assistance program, and subject to obtaining all necessary approvals under federal law and regulation to receive federal financial participation in the costs of services described herein, the commissioner of health is authorized to pay financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision; provided that such payments shall be in the following amounts: for prescribing practitioners, eighty cents per dispensed electronic prescription; for dispensing pharmacies, twenty cents per dispensed electronic prescription; provided, however, that electronic prescribing software shall not use any means or permit any other person to use any means, including, but not limited to, advertising, instant messaging, and pop-up ads, to influence or attempt to influence, through economic incentives or otherwise, the prescribing decision of a prescribing practitioner at the point of care and that such means shall not be triggered or in specific response to the input, selection, or act of a prescribing practitioner or his or her agent in prescribing a certain pharmaceutical or directing a patient to a certain pharmacy. Provided however that if this chapter provides sufficient addi-

tional funding to eliminate financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision, then the provisions of this section shall be deemed null and void as of February 28, 2009 2,042,299,000

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, the commissioner of health is authorized to assume responsibility from a local social services official for the provision and reimbursement of medicaid transportation costs under this section 365-h of the social services law. If the commissioner elects to assume such responsibility, the commissioner shall notify the local social services official in writing as to the election, the date upon which the election shall be effective and such information as to transition of responsibilities as the commissioner deems prudent. The commissioner is authorized to contract with a transportation manager or managers that have experience in coordinating transportation services in New York state to manage the provision of such services. Such a contract or contracts may include, without limitation, responsibility for: review, approval and processing of transportation orders; management of the appropriate level of transportation based on documented patient medical need; and development of new technologies and approaches leading to efficient transportation services. Notwithstanding any inconsistent provision of sections 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into such contract without a competitive bid or request for proposal process. Provided, however, if this chapter appropriates sufficient additional funds to permit local social services officials to maintain responsibility for

management of medicaid transportation services without assumption of such responsibility by the commissioner of health, then the provisions of this paragraph shall not apply and shall be considered null and void as of February 28, 2009 248,564,000

For services and expenses of the medical assistance program including dental services 146,736,000

For services and expenses of the medical assistance program including noninstitutional and other spending 4,016,678,000

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-l 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

For services and expenses of the medical assistance program including home health telehealth and IT demonstration programs 5,000,000

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 York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program 6,000,000

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health,

the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services 3,200,000,000

Program account subtotal 26,515,548,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Medical Assistance Account

For the purpose of making payments, the money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued, to providers of medical care pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and the federal government where payment systems through fiscal intermediaries are not operational, to reimburse such providers for costs attributable to the provision of care to patients eligible for medical assistance.

For services and expenses related to the medical assistance program 114,100,000

For services and expenses of the medical assistance program related to disabled persons 23,500,000

For services and expenses of the medical assistance program related to physician services 85,200,000

For services and expenses of the medical assistance program related, but not limited to, pharmacy, inpatient, and nursing home services 2,076,500,000

For services and expenses of the medical assistance program related to the city of New York 124,700,000

For services and expenses of the medical assistance program related to providing distributions for supplemental medical insurance for medicare part B premiums, physician services, outpatient services, medical equipment, supplies and other health services 68,000,000

For services and expenses of the medical assistance program related to the family health plus program 573,000,000

For services and expenses of the medical

assistance program related to the priority restoration program 6,000,000
For services and expenses of the medical assistance program related to providing financial assistance to residential health care facilities 15,000,000
For services and expenses of the medical assistance program related to non-public general hospital rate increases for recruitment and retention of health care workers 7,600,000
For services and expenses of the medical assistance program related to free-standing diagnostic and treatment center rate increases for recruitment and retention of health care workers 1,700,000
For services and expenses of the medical assistance program related to supporting workforce recruitment and retention of personal care services or any worker with direct patient care responsibility for local social service districts which include a city with a population of over one million persons 136,000,000
For services and expenses of the medical assistance program related to supporting workforce recruitment and retention of personal care services for local social service districts that do not include a city with a population of over one million persons 11,200,000
For services and expenses of the medical assistance program related to supporting rate increases for certified home health agencies, long term home health care programs, AIDS home care programs, hospice programs, managed long term care plans and approved managed long term care operating demonstrations for recruitment and retention of health care workers 50,000,000
For services and expenses of the medical assistance program related to rate adjustments made to public hospitals in accordance with paragraph (i) of subdivision 1 of section 2807-c of the public health law pursuant to a chapter of the laws of 2007 6,000,000
For additional services and expenses of the medical assistance program. The moneys hereby appropriated shall be available for non-public general hospitals located in a city with a population of more than one

million persons to ensure meaningful access to the hospital's services and reasonable accommodation for all Medicaid patients that need language assistance 4,000,000

For additional services and expenses of the medical assistance program. The moneys hereby appropriated shall be available for general hospitals located in the counties of Nassau and Suffolk for distributions pursuant to paragraph (k) of subdivision 1 of section 2807-c of the public health law, as added by a chapter of the laws of 2007 625,000

For services and expenses of the medical assistance program related to supplemental rate adjustments to rural hospitals in accordance with subdivision 32 of section 2807-c of the public health law 875,000

Program account subtotal 3,304,000,000

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

For the purpose of making payments to providers of medical care pursuant to section 367-b of the social services law, and for payment of state aid to municipalities where payment systems through fiscal intermediaries are not operational, to reimburse such providers for costs attributable to the provision of care to patients eligible for medical assistance. Payments from this appropriation to general hospitals related to bad debt and charity care pursuant to article 28 of the public health law respectively, when combined with federal funds for services and expenses for the medical assistance program pursuant to title XIX of the federal social security act or its successor program, shall equal the amount of the funds received related to bad debt and charity care allowances and surcharges pursuant to article 28 of the public health law and deposited to this account less any such amounts withheld pursuant to subdivision 21 of section 2807-c of the public health law 982,100,000

Program account subtotal 982,100,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Medical Assistance Account

For the purpose of making payments to providers of medical care pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and the federal government where payment systems through fiscal intermediaries are not operational, to reimburse such providers for costs attributable to the provision of care to patients eligible for medical assistance.
For services and expenses of the medical assistance program including nursing home, personal care, certified home health agency and long term home health care program and hospital services 883,500,000

Program account subtotal 883,500,000

OFFICE OF HEALTH INSURANCE PROGRAMS 1,255,375,700

General Fund / State Operations
State Purposes Account - 003

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 medicaid inspector general, office of mental health, office of mental retardation and developmental disabilities and 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.

PERSONAL SERVICE

Personal service--regular	28,968,700
Temporary service	1,000
Holiday/overtime compensation	350,000
Amount available for personal service	29,319,700

NONPERSONAL SERVICE

Supplies and materials	536,000
Travel	823,000
Contractual services	29,902,000
Equipment	831,000
Amount available for nonpersonal service	32,092,000

MAINTENANCE UNDISTRIBUTED

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

Contractual services	32,000,000
Program account subtotal	93,411,700

General Fund / Aid to Localities
Local Assistance Account - 001

For grants to a New York state based not-for-profit organization with expertise in the New York state medicaid program for studies, reviews and analysis, to be performed in conjunction with the department of health, on medicaid policy, operational and other issues as defined by the department. All or a portion of this appropriation may be transferred to state operations appropriations 1,391,200

Program account subtotal	1,391,200

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

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
Program fund subtotal	846,697,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Medicaid Fraud Hotline and Medicaid Administration Account

For services and expenses related to the medicaid fraud hotline established pursuant to chapter 1 of the laws of 1999 and administrative expenses related to the family health plus program pursuant to section 369-ee of the social services law.

PERSONAL SERVICE

Personal service--regular	228,900

NONPERSONAL SERVICE

Supplies and materials	25,000
Contractual services	500,000
Fringe benefits	91,000
Indirect costs	84,000
Amount available for nonpersonal service	700,000
Program account subtotal	928,900

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Medical Assistance Account

For services and expenses related to the administration and marketing of the family health plus program established pursuant to chapter 1 of the laws of 1999.

PERSONAL SERVICE

Personal service--regular	925,900
Temporary services	20,000
Holiday/overtime compensation	10,000
Amount available for personal service	955,900

NONPERSONAL SERVICE

Supplies and materials	35,000
Travel	34,000
Contractual services	5,581,000
Equipment	34,000
Fringe benefits	369,000
Indirect costs	338,000
Amount available for nonpersonal service	6,391,000
Program account subtotal	7,346,900

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Disease Management Account

For services and expenses related to disease management.

NONPERSONAL SERVICE

Contractual services	5,000,000
Program account subtotal	5,000,000

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

Notwithstanding any inconsistent provision of law, the money appropriated herein

shall be available for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program, provided, however, that the section 1115 waiver demonstration which is entitled the federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services, and further provided that funds appropriated for the federal-state health reform partnership program are disbursed only in accordance with those terms and conditions. Subject to the approval of the director of the budget, moneys appropriated herein may be transferred or suballocated to the state office for the aging and other state agencies 300,000,000

Program account subtotal 300,000,000

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

For services and expenses related to improving services to medical assistance recipients and other medical assistance research activities.

NONPERSONAL SERVICE

Contractual services 600,000

Program account subtotal 600,000

OFFICE OF HEALTH SYSTEMS MANAGEMENT 111,223,100

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 22,419,600
Temporary service 53,000
Holiday/overtime compensation 546,000

Amount available for personal service 23,018,600

NONPERSONAL SERVICE

Supplies and materials 186,000
Travel 237,000
Contractual services 6,499,000
Equipment 201,000

Amount available for nonpersonal service 7,123,000

MAINTENANCE UNDISTRIBUTED

For suballocation to the office of mental health for services and expenses for surveys of psychiatric residential treatment facilities.

Personal service--regular 131,000
Supplies and materials 18,000
Travel 50,000
Equipment 74,000

Amount available for maintenance undistributed 273,000

Program account subtotal 30,414,600

General Fund / Aid to Localities
Local Assistance Account - 001

For contractual services related to medical necessity and quality of care reviews related to medicaid patients and to monitor health care services provided to persons with AIDS. A portion of this appropriation may be transferred to state operations appropriations 10,800,600
For services and expenses for patient health information and quality improvement initiatives. A portion of this appropriation may be transferred to state operations appropriations 368,000
For services and expenses for cardiac services access and cardiac data quality/outcomes initiatives 1,381,800
For services and expenses related to the operation of the incident reporting system (NYPORTS). A portion of this appropriation

may be transferred to state operations appropriations 625,100
For services and expenses for consulting services related to health information technology. A portion of this appropriation may be transferred to state operations appropriations 176,000
For services and expenses to support the center for liver transplant and the alliance for donation 372,000
For services and expenses of the brain trauma foundation 490,000
For services and expenses for a statewide campaign to promote awareness of the New York state donor registry to increase organ and tissue donation. A portion of this appropriation may be transferred to state operations appropriations 245,000

Program account subtotal 14,458,500

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

For expenses incurred in the administration of the prescription drug monitoring program relating to the prescribing and dispensing of controlled substances 400,000

Program account subtotal 400,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Emergency Medical Services Account

For services and expenses related to emergency medical services (EMS) administration including but not limited to, expenses related to training courses and instructor development, expenses of the state EMS council, expenses of the EMS regional councils and program agencies, and expenses of the general public health work - EMS reimbursement.

PERSONAL SERVICE

Personal service--regular	2,575,300
Temporary service	5,000
Holiday/overtime compensation	75,000
Amount available for personal service	2,655,300

NONPERSONAL SERVICE

Supplies and materials	130,000
Travel	180,000
Contractual services	15,693,000
Equipment	300,000
Fringe benefits	1,057,000
Indirect costs	804,000
Amount available for nonpersonal service	18,164,000
Program account subtotal	20,819,300

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

For services and expenses of inspecting, regulating, supervising and auditing hospital and nursing home companies incorporated and authorized under articles 28-A and 28-B of the public health law, from funds received pursuant to these activities.

PERSONAL SERVICE

Personal service--regular	535,000
Temporary service	2,000
Holiday/overtime compensation	7,000
Amount available for personal service	544,000

NONPERSONAL SERVICE

Supplies and materials	2,000
Travel	8,000
Contractual services	24,000
Equipment	20,000

Fringe benefits 222,000
Indirect costs 169,000

Amount available for nonpersonal service 445,000

Program account subtotal 989,000

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

For services and expenses, including indirect costs, related to the certificate of need program.

PERSONAL SERVICE

Personal service--regular 2,859,300
Holiday/overtime compensation 10,000

Amount available for personal service 2,869,300

NONPERSONAL SERVICE

Supplies and materials 26,000
Travel 38,000
Contractual services 1,970,000
Equipment 42,600
Fringe benefits 1,197,700
Indirect costs 877,200

Amount available for nonpersonal service 4,151,500

Program account subtotal 7,020,800

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

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

PERSONAL SERVICE

Personal service--regular 222,300
Holiday/overtime compensation 10,000

Amount available for personal service 232,300

NONPERSONAL SERVICE

Supplies and materials 14,000
Travel 24,000
Contractual services 45,000
Equipment 25,000
Fringe benefits 95,000
Indirect costs 73,000

Amount available for nonpersonal service 276,000

Program account subtotal 508,300

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

For services and expenses of the patient safety center created by title 2 of article 29-D of the public health law.

NONPERSONAL SERVICE

Contractual services 1,000,000

Program account subtotal 1,000,000

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

For services and expenses, including indirect costs, related to the professional medical conduct program.

PERSONAL SERVICE

Personal service--regular 15,388,900
Temporary service 340,000
Holiday/overtime compensation 49,000

Amount available for personal service 15,777,900

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

Supplies and materials	154,000
Travel	276,000
Contractual services	8,392,800
Equipment	250,000
Fringe benefits	6,516,900
Indirect costs	3,255,000
Amount available for nonpersonal service	18,844,700

MAINTENANCE UNDISTRIBUTED

For services and expenses of the medical society contract authorized pursuant to chapter 582 of the laws of 1984	990,000
Program account subtotal	35,612,600
OFFICE OF LONG TERM CARE	97,466,200

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	29,574,000
Temporary service	82,000
Holiday/overtime compensation	854,000
Amount available for personal service	30,510,000

NONPERSONAL SERVICE

Supplies and materials	350,000
Travel	1,065,000
Contractual services	19,574,000
Equipment	415,000
Amount available for nonpersonal service	21,404,000

MAINTENANCE UNDISTRIBUTED

For services and expenses related to the home health aide registry.

Personal service--regular 300,000
Supplies and materials 700
Travel 1,300
Contractual services 1,680,000
Equipment 18,000

Amount available for maintenance undistributed 2,000,000

Program account subtotal 53,914,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses, including grants, of a falls prevention program. All or a portion of this appropriation may be transferred to state operations appropriations 300,000

For services and expenses, including grants, of the uniform assessment program. All or a portion of this appropriation may be transferred to state operations appropriations 5,000,000

For services and expenses related to traumatic brain injury including but not limited to services rendered to individuals enrolled in the federally approved home and community based services (HCBS) waiver and including personal and nonpersonal services spending originally authorized by appropriations and reappropriations enacted prior to 1996. All or part of this appropriation may be transferred to state operations appropriations 13,733,400

For services and expenses of the long-term care nursing initiative demonstration projects established pursuant to section 2893 of the public health law. All or a portion of this appropriation may be transferred to state operations and/or suballocated to the NYS higher education services corporation 2,500,000

For services and expenses of the quality incentive payment program 2,605,000

For services and expenses of the quality incentive payment program, provided however, that such funds can be used for prior year 2006-07 commitments 2,750,000

For an operating assistance subprogram for enriched housing. To the extent that funds

are appropriated for such purposes, the department is authorized to pay an operating subsidy for SSI recipients who are residents in certified not-for-profit or public enriched housing programs. Such subsidy shall not exceed $115 per month per each SSI recipient and will be paid directly to the certified operator. If appropriations are not sufficient to meet such maximum monthly payments, such subsidy shall be reduced proportionately 502,900

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

The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of 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

Program account subtotal 29,763,300

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

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 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 2,447,800

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

Program account subtotal 4,311,700

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

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

NONPERSONAL SERVICE

Contractual services	500,000
Program account subtotal	500,000

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

For services and expenses related to the oversight and licensing activities for assisted living facilities. Subject to the approval of the director of the budget, moneys appropriated herein may be suballocated to the state office for the aging, a portion of which may be tranferred to state operations and aid to localities.

PERSONAL SERVICE

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

NONPERSONAL SERVICE

Supplies and materials	9,000
Travel	40,000
Contractual services	134,000
Equipment	16,000
Fringe benefits	445,000
Indirect costs	346,000
Amount available for nonpersonal service	990,000
Program account subtotal	2,118,200

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

For services and expenses related to the establishment of continuing care retire-

ment communities including expenses of the life care community council.

PERSONAL SERVICE

Personal service--regular	33,500

NONPERSONAL SERVICE

Supplies and materials	3,000
Travel	5,000
Contractual services	160,000
Fringe benefits	14,000
Indirect costs	34,000
Amount available for nonpersonal service	216,000
Program account subtotal	249,500

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Durable Medical Equipment Account

For services and expenses, including indirect costs, related to the durable medical equipment program.

PERSONAL SERVICE

Personal service--regular	348,500

NONPERSONAL SERVICE

Supplies and materials	23,000
Travel	24,000
Equipment	14,000
Fringe benefits	143,000
Indirect costs	109,000
Amount available for nonpersonal service	313,000
Program account subtotal	661,500

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

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

PERSONAL SERVICE

Personal service--regular	174,400
Holiday/overtime compensation	1,000
Amount available for personal service	175,400

NONPERSONAL SERVICE

Supplies and materials	10,000
Travel	5,000
Contractual services	3,605,000
Equipment	8,000
Fringe benefits	72,000
Indirect costs	55,000
Amount available for nonpersonal service	3,755,000
Program account subtotal	3,930,400

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Quality of Care Improvement Account

For services and expenses related to the protection of the health or property of residents of residential health care facilities that are found to be deficient including, but not limited to, payment for the cost of relocation of residents to other facilities and the maintenance and operation of a facility pending correction of deficiencies or closure.

PERSONAL SERVICE

Personal service--regular	147,600
Holiday/overtime compensation	20,000
Amount available for personal service	167,600

NONPERSONAL SERVICE

Supplies and materials	33,000
Travel	50,000
Contractual services	1,528,000
Equipment	117,000
Fringe benefits	70,000
Indirect costs	52,000
Amount available for nonpersonal service	1,850,000
Program account subtotal	2,017,600

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM 150,199,500

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	29,130,000
Temporary service	70,000
Holiday/overtime compensation	800,500
Amount available for personal service	30,000,500

NONPERSONAL SERVICE

Supplies and materials	3,352,000
Travel	76,000
Contractual services	7,285,000
Equipment	5,305,000
Amount available for nonpersonal service	16,018,000
Program account subtotal	46,018,500

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of a genetic disease screening program	645,000
For services and expenses of a sickle cell screening program	226,000
Program account subtotal	871,000

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

For health prevention, diagnostic, detection
and treatment services 1,556,000

Program fund subtotal 1,556,000

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

For health prevention, diagnostic, detection
and treatment services 11,376,000

Program account subtotal 11,376,000

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

For services and expenses of the various
health prevention, diagnostic, detection
and treatment services 3,682,000

Program account subtotal 3,682,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Breast Cancer Research and Education Account

For breast cancer research and education
pursuant to section 97-yy of the state
finance law as amended by chapter 550 of
the laws of 2000.

NONPERSONAL SERVICE

Contractual services 2,600,000

Program account subtotal 2,600,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Multiple Sclerosis Research Account

For research into the causes and treatment of pediatric multiple sclerosis pursuant to section 95-d of the state finance law.

NONPERSONAL SERVICE

Contractual services	20,000
Program account subtotal	20,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Clinical Laboratory Reference System Assessment Account

For services and expenses of the clinical laboratory reference and accreditation program.

PERSONAL SERVICE

Personal service--regular	7,937,000
Holiday/overtime compensation	100,000
Amount available for personal service	8,037,000

NONPERSONAL SERVICE

Supplies and materials	846,000
Travel	300,000
Contractual services	2,271,000
Equipment	1,441,000
Fringe benefits	3,468,000
Indirect costs	4,407,000
Amount available for nonpersonal service	12,733,000
Program account subtotal	20,770,000

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.

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	1,974,000
Holiday/overtime compensation	20,000
Amount available for personal service	1,994,000

NONPERSONAL SERVICE

Supplies and materials	295,000
Travel	170,000
Contractual services	210,000
Equipment	103,000
Fringe benefits	837,300
Indirect costs	1,167,700
Amount available for nonpersonal service	2,783,000
Program account subtotal	4,777,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Spinal Cord Injury Research Fund Account

For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.

PERSONAL SERVICE

Personal service--regular	224,000

NONPERSONAL SERVICE

Supplies and materials	50,000
Travel	45,000
Contractual services	7,978,000
Equipment	15,000
Fringe benefits	88,000
Indirect costs	129,000
Amount available for nonpersonal service	8,305,000
Program account subtotal	8,529,000

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339

Empire State Stem Cell Research Account

For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:

NONPERSONAL SERVICE

Contractual services	50,000,000	
Program account subtotal	50,000,000	
Total new appropriations for state operations and aid to localities		49,333,313,800

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2008:
Contractual services ... 19,352,000 ..... (re. $6,000,000)
For services and expenses related to the improvement of data protection and interoperability.
Contractual services ... 1,000,000 ..... (re. $982,000)
For services and expenses related to the improvement of electronic content and the production and presentation of electronically stored information (e-Discovery).
Contractual services ... 1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2007:
Contractual services ... 18,517,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2002:
Maintenance undistributed
For services and expenses related to a time and activity system .....
3,000,000 ..... (re. $770,000)

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

By chapter 54, section 1, of the laws of 2008:
For various food and nutritional services .....
976,000 ..... (re. $293,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007 .....
391,000 ..... (re. $78,000)
For the grant period October 1, 2007 to September 30, 2008 .....
476,000 ..... (re. $95,200)

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

By chapter 54, section 1, of the laws of 2008:
For various food and nutritional services .....
1,952,000 ..... (re. $586,000)

By chapter 54, section 1, of the laws of 2007:
For various food and nutritional services.
For the grant period October 1, 2006 to September 30, 2007 .....
935,000 ..... (re. $187,000)
For the grant period October 1, 2007 to September 30, 2008 .....
1,139,000 ..... (re. $228,000)

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

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

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 .....
2,893,000 ..... (re. $2,893,000)
For the grant period October 1, 2007 to September 30, 2008 .....
2,893,000 ..... (re. $2,893,000)

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

AIDS INSTITUTE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For additional grants to existing community service programs to meet the increased demands of HIV education, prevention, outreach, legal and supportive services to high risk groups and to address increased operating costs of these programs. Such grants shall be equitably distributed ... 540,500 ..... (re. $288,000)
For services and expenses related to the operation of the communities of color initiative, 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 .....
3,810,000 ..... (re. $2,500,000)
For additional grants to existing community based organizations and to article 28 of the public health law diagnostic and treatment centers that must operate in a neighborhood or geographic area with high concentrations of at risk populations and provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. Such grants shall be used to meet increased demands for HIV education, prevention, outreach, and legal programs. Such grants shall be equitably distributed .....
540,500 ..... (re. $288,000)

For additional services and expenses of the New York AIDS Coalition ... 23,500 ..... (re. $12,500)
For services and expenses of the Legal Aid Society of New York City ... 125,960 ..... (re. $67,000)
For services and expenses of the Legal Services for New York City .... 125,960 ..... (re. $67,000)

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

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For grants to existing community service programs, as deemed appropriate by the department of health, including but not limited to community based organizations and other organizations providing specialized AIDS-related services targeted to minority and other high-risk populations. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Up to $125,000 may be transferred to the general fund - state purposes account for the administration of this program. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process, 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 ..... 20,131,000 ..... (re. $3,500,000)
For suballocation to the office of temporary and disability assistance for operational support to projects which have received capital grant awards through the homeless housing assistance program, 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 ... 975,000 ..... (re. $500,000)

CENTER FOR COMMUNITY HEALTH PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

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 of an obesity prevention program in support of healthy eating collaboratives. A portion of this appropriation may be transferred to state operations appropriations for administration of this program ... 145,000 ..... (re. $145,000)

For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. A portion of this appropriation may be transferred to state operations appropriations for administration of this program, 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 ..... 27,850,000 ..... (re. $2,500,000)

For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. A portion of this appropriation may be transferred to state operations appropriations for administration of this program, 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 ... 21,600,000 ..... (re. $10,000,000)

For services and expenses of the health and social services sexuality-related programs, 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 ..... 5,890,000 ..... (re. $600,000)

For services and expenses of the public health management leaders of tomorrow program, 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 ..... 588,000 ..... (re. $276,000)

For services and expenses of a shaken baby syndrome public educational campaign, pursuant to chapter 110 of the laws of 2006. A portion of this appropriation may be transferred to state operations appropriations for administration of this program by the department of health ... 180,000 ..... (re. $180,000)

For services and expenses of Ellenville Regional Hospital ..... 188,000 ..... (re. $100,000)

For services and expenses of Catskill Regional Medical Center ..... 282,000 ..... (re. $150,000)

For services and expenses of the Health Information Technology program pursuant to chapter 58 of the laws of 2004 ..... 2,820,000 ..... (re. $1,500,000)

For services and expenses of the Primary Care Physician Training Program ... 188,000 ..... (re. $100,000)

For services and expenses of Northeast Health GPS tracking device for Home Care services ... 141,000 ..... (re. $75,000)
For services and expenses of comprehensive care centers for eating disorders ... 282,000 ..... (re. $150,000)
For services and expenses of Northeast Health Electronic Medical Records ... 376,000 ..... (re. $200,000)
For services and expenses of Saratoga Hospital Foundation ..... 470,000 ..... (re. $250,000)
For services and expenses of Rome Hospital ..... 216,200 ..... (re. $115,000)
For services and expenses of the Schenectady Health Care Practitioner Volunteer Program ... 329,000 ..... (re. $175,000)
For services and expenses of the Northern Regional Federally Qualified Community Health Centers ... 940,000 ..... (re. $500,000)
For services and expenses of the Lymphatic Research Foundation ..... 94,000 ..... (re. $50,000)
For additional services and expenses of the American Red Cross ..... 940,000 ..... (re. $500,000)
For services and expenses of Potsdam-Canton Hospital ..... 235,000 ..... (re. $125,000)
For services and expenses of the Latino Commission on AIDs ..... 141,000 ..... (re. $75,000)
For services and expenses of North Shore/Long Island Jewish Health System-Returning Veteran's Program ..... 188,000 ..... (re. $100,000)
For services and expenses for Health Information Technology for Nursing Homes program ... 188,000 ..... (re. $100,000)
For services and expenses of the New York Organ Donor Network ..... 23,500 ..... (re. $12,500)
For services and expenses of the Research Foundation of SUNY/HIV Center for Women and Children @ SUNY Downstate ..... 117,500 ..... (re. $62,500)
For services and expenses of the Brain Trauma Foundation ..... 188,000 ..... (re. $100,000)
For services and expenses of Village Care of New York, Inc. ..... 705,000 ..... (re. $375,000)
For services and expenses of the Long Island Health Network ..... 94,000 ..... (re. $50,000)
For services and expenses of the Arthritis Foundation ..... 94,000 ..... (re. $50,000)
For services and expenses of a Medical Homes Demonstration Program ... 211,500 ..... (re. $112,500)
For services and expenses of Community Blood Services for Orange County Bloodmobile ... 94,000 ..... (re. $50,000)
For services and expenses of New York State Ovarian Cancer Hotline ... 150,400 ..... (re. $80,000)
For services and expenses of Taconic IPA, Inc for an electronic prescribing and electronic medical records program in the Hudson Valley ... 470,000 ..... (re. $250,000)
For services and expenses of Putnam Hospital Center ..... 470,000 ..... (re. $250,000)

For services and expenses of Elizabethtown Hospital ..... 282,000 ..... (re. $150,000)
For services and expenses of Alice Hyde Medical Center ..... 282,000 ..... (re. $150,000)
For services and expenses of North Country Health Care Providers, LLC ... 282,000 ..... (re. $150,000)
For services and expenses of Good Samaritan Hospital ..... 470,000 ..... (re. $250,000)
For services and expenses Nyack Hospital Foundation ..... 141,000 ..... (re. $75,000)
For services and expenses of the Rhoneix Pilot Program at Wadsworth Laboratory ... 188,000 ..... (re. $100,000)
For services and expenses of the New York Wellness Program ..... 470,000 ..... (re. $250,000)
For services and expenses of the Academic Health Centers Consortium ... 470,000 ..... (re. $250,000)
For services and expenses AIDs Testing and Prevention Initiatives .... 540,500 ..... (re. $287,500)
For services and expenses of Westchester Regional Emergency Services ... 103,400 ..... (re. $55,000)
For services and expenses of the Catskill Area Hospice ..... 117,500 ..... (re. $62,500)
For services and expenses Cortland Regional Medical Center ..... 117,500 ..... (re. $62,500)
For services and expenses of Arnot Odgen Medical Center ..... 235,000 ..... (re. $125,000)
For services and expenses of Universal Primary Care Center ..... 564,000 ..... (re. $300,000)
For services and expenses of the Alzheimer's Association ..... 235,000 ..... (re. $125,000)
For services and expenses of Rota Care ... 47,000 ..... (re. $25,000)
For services and expenses of the Coalition for Community Well Being ... 47,000 ..... (re. $25,000)
For services and expenses of North Shore LIJ Huntington Hospital ..... 235,000 ..... (re. $125,000)
For services and expenses of Glens Falls Hospital ..... 188,000 ..... (re. $100,000)
For services and expenses of St. Luke's Cornwall Hospital ..... 470,000 ..... (re. $250,000)
For services and expenses of The Children's Annex/Autism Support Center ... 235,000 ..... (re. $125,000)
For additional state grants for a program of family planning services pursuant to article 2 of the public health law ..... 634,500 ..... (re. $337,500)
For additional services and expenses of existing Alzheimer's disease assistance centers as established pursuant to chapter 586 of the laws of 1987 ... 94,000 ..... (re. $50,000)
For additional state grants to improve access to infertility services, treatments, and procedures ... 940,000 ..... (re. $500,000)
For additional services and expenses associated with new and existing school based health centers ... 634,500 ..... (re. $337,500)

For additional services and expenses for the Alzheimer's Community Assistance Program as established pursuant to chapter 657 of the laws of 1997 ... 282,000 ..... (re. $150,000)
For services and expenses of a chernobyl thyroid cancer screening pilot project ... 507,600 ..... (re. $270,000)
For services and expenses related to perinatal care networks ..... 117,500 ..... (re. $62,500)
For services and expenses of a health care based literacy program .... 94,000 ..... (re. $50,000)
For services and expenses of the Huntington's Disease Society of America related to Huntington's Disease centers of excellence ..... 47,000 ..... (re. $25,000)
For services and expenses related to the New York State breast cancer network ... 47,000 ..... (re. $25,000)
For additional state grants to the American Red Cross ..... 466,898 ..... (re. $248,350)
For services and expenses related to amyotrophic lateral sclerosis ... 94,000 ..... (re. $50,000)
For services and expenses related to the statewide health and social services sexuality-related programs, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide health and social services sexuality-related programs to establish health and social services and provide technical assistance pursuant to the following sub-schedule ..... 1,925,402 ..... (re. $1,024,150)

sub-schedule

Ali Forney	14,020
Asian Pacific Islander Coalition of HIV/AIDS (Manhattan/Queens)	56,081
Audre Lorde Project	70,101
Bronx Lesbian and Gay Health Resource Consortium (BLGHRC)	70,101
Brooklyn AIDS Task Force - Shades of Lavender Project	31,739
Callen-Lorde Community Health Center	56,081
CANDLE (Community Awareness Network for a Drug-Free life and Environment)	44,188
Capital District Gay and Lesbian Community Council	31,739
Center Lane, Westchester Jewish Community Services	43,426
Empire State Pride Agenda	94,356
Ferre Institute	25,236
Gay Alliance of the Genesee Valley	70,101

Gay & Lesbian Switchboard 14,020
Gay and Lesbian Youth Services of Western New York 70,101
Gay Men of African Descent 31,739
Gay Men's Health Crisis 56,081
Greenwich Village Youth Council - New Neutral Zone 38,094
Heights Hill Mental Health Service - LGBT Affirmative Program 31,739
Hetrick Martin Institute 70,101
In Our Own Voices 67,297
Latino Commission on AIDS - Mano A Mano 31,739
Lesbian, Gay, Bisexual and Transgender Community Center 140,202
LGBT Wellness Program at Community Action Center 28,040
LOFT 33,323
Long Island Gay and Lesbian Youth 101,838
Men of Color Health Awareness Project 31,739
Metropolitan Community Church of New York 31,739
New York City Gay and Lesbian Anti-Violence Project 95,232
People of Color in Crisis 31,739
Planned Parenthood Health Services of Northeastern New York 28,040
Planned Parenthood of Niagara County 14,020
Positive Health Project 35,051
Pride Center of Western New York (Buffalo) 26,476
Pride for Youth/Long Island Crisis Center 71,101
Queens LGBT Pride Community Center 14,020
Queens Pride House 31,739
Rainbow Access Initiative Albany 21,031
Rainbow Seniors of Western New York 10,515
Safety Zone 14,020
SAGE Upstate 26,476
Senior Action in a Gay Environment (SAGE) - Rainbow Aging Awareness Program 121,976

For services and expenses of the health and social services sexuality-related programs domestic violence network pursuant to the following sub-schedule ... 352,500 ..... (re. $187,500)

sub-schedule	
In Our Own Voices	23,500
Men of Color Health Awareness Project	23,500
Alternatives for Battered Women	23,500
Gay Alliance Of the Genesee Valley	23,500
Empire Justice Center	23,500
The New York City Gay & Lesbian Anti-Violence Project	47,000
Safe Horizon	23,500
Syracuse Area Domestic Violence & Sexual Violence Coalition, Vera House	23,500
Rockland Family Shelter	23,500
Advocacy Center	23,500
Victim Assistance Services	23,500
NYS Coalition Against Domestic Violence	23,500
Lgbt Dv Committee Of Western NY	23,500
The Safe Homes Project	23,500

For services and expenses of the New York University College of Dentistry - Mobile Dental Clinics ... 235,000 ..... (re. $125,000)

For services and expenses of the Coalition for the Institutionalized Aged and Disabled ... 94,000 ..... (re. $50,000)

For services and expenses of the School Based Health Coalition ..... 47,000 ..... (re. $25,000)

For services and expenses of the Primary Care Development Corporation ... 493,500 ..... (re. $262,500)

For services and expenses of the Center for Health Care Access ..... 126,900 ..... (re. $67,500)

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

For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities ..... 17,004,000 ..... (re. $2,000,000)

For state grants to improve access to infertility services, treatments, and procedures. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and

approved by the director of the budget ..... 4,000,000 ..... (re. $4,000,000)
For services and expenses of a study of racial disparities ..... 300,000 ..... (re. $300,000)
For services and expenses of Health Information Technology, pursuant to chapter 58 of the laws of 2004 ... 3,000,000 ... (re. $3,000,000)

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

By chapter 54, section 1, of the laws of 2006:
For services and expenses of racial disparity study ..... 300,000 ..... (re. $300,000)
For services and expenses of health information technology ..... 3,000,000 ..... (re. $2,770,000)
For services and expenses of the safe patient handling demonstration program ... 500,000 ..... (re. $500,000)

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

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

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007 ..... 3,251,000 ..... (re. $325,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 4,207,000 ..... (re. $421,000)

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

By chapter 54, section 1, of the laws of 2008:
For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued ... 202,300,000 ..... (re. $12,138,000)

By chapter 54, section 1, of the laws of 2007:
For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued.

For the grant period October 1, 2006 to September 30, 2007 .....
82,300,000 ..... (re. $3,292,000)
For the grant period October 1, 2007 to September 30, 2008 .....
100,200,000 ..... (re. $4,008,000)

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

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

By chapter 54, section 1, of the laws of 2007:
For various food and nutritional services.
For the grant period October 1, 2006 to September 30, 2007 .....
21,013,000 ..... (re. $2,101,000)
For the grant period October 1, 2007 to September 30, 2008 .....
26,288,000 ..... (re. $2,629,000)

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

By chapter 54, section 1, of the laws of 2008:
For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued ... 392,200,000 ..... (re. $31,376,000)

By chapter 54, section 1, of the laws of 2007:
For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued.
For the grant period October 1, 2006 to September 30, 2007 .....
172,500,000 ..... (re. $8,625,000)
For the grant period October 1, 2007 to September 30, 2008 .....
207,600,000 ..... (re. $10,380,000)

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

By chapter 54, section 1, of the laws of 2008:
For various health prevention, diagnostic, detection and treatment services ... 29,819,000 ..... (re. $16,959,000)

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment Services.
For grants beginning prior to April 1, 2007 .....
16,959,000 ..... (re. $16,959,000)
For grants beginning on or after April 1, 2007 .....
8,080,000 ..... (re. $8,080,000)

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2006:
For various health prevention, diagnostic, detection and treatment services:
For grants beginning on or after April 1, 2006 .....
7,671,000 ..... (re. $7,671,000)

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

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment Services.
For grants beginning prior to April 1, 2007 .....
75,000 ..... (re. $75,000)
For grants beginning on or after April 1, 2007 .....
35,381,000 ..... (re. $35,381,000)

By chapter 54, section 1, of the laws of 2006:
For various health prevention, diagnostic, detection and treatment services:
For grants beginning on or after April 1, 2006 .....
35,381,000 ..... (re. $35,381,000)

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

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007 .....
451,000 ..... (re. $451,000)
For the grant period October 1, 2007 to September 30, 2008 .....
451,000 ..... (re. $451,000)

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

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008 .....
4,982,000 ..... (re. $4,982,000)

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

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

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 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. $57,475,000)

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 2008:
For activities related to a handicapped infants and toddlers program ... 20,620,000 ..... (re. $20,286,000)

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

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

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

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

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

For activities related to a handicapped infants and toddlers program ... 51,578,000 ..... (re. $51,578,000)

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

By chapter 54, section 1, of the laws of 2006:
For activities related to a handicapped infants and toddlers program:
For the grant period beginning on or after July 1, 2006 .....
29,220,000 ..... (re. $17,032,000)

By chapter 54, section 1, of the laws of 2005:
For activities related to a handicapped infants and toddlers program:
For the grant period October 1, 2005 to September 30, 2006 .....
29,220,000 ..... (re. $21,399,000)

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 .....
9,018,000 ..... (re. $9,018,000)
For the grant period October 1, 2007 to September 30, 2008 .....
10,370,000 ..... (re. $10,370,000)

By chapter 54, section 1, of the laws of 2006:
For various health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2006 to September 30, 2007 .....
10,370,000 ..... (re. $10,370,000)

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

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

For the grant period October 1, 2006 to September 30, 2007 .....
23,245,000 ..... (re. $23,245,000)
For the grant period October 1, 2007 to September 30, 2008 .....
26,732,000 ..... (re. $26,732,000)

By chapter 54, section 1, of the laws of 2006:
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.
For the grant period October 1, 2006 to September 30, 2007 .....
26,732,000 ..... (re. $26,732,000)

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

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

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

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

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Hospital Based Grants Program Account

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 providing nutritional services to pregnant women, infants, and children. Notwithstanding any other provision of law to the contrary, up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for the administration of this program by the department of

health, 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 ... 9,119,000 ..... (re. $2,100,000)

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For various health prevention, diagnostic, detection and treatment services ... 1,673,000 ..... (re. $1,356,000)

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For grants beginning prior to April 1, 2007 .....
503,000 ..... (re. $503,000)
For grants beginning on or after April 1, 2007 .....
1,218,000 ..... (re. $1,218,000)

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

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

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 2008:
For services and expenses of various health prevention, diagnostic, detection and treatment services ... 3,687,000 .... (re. $3,687,000)

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 .....
2,754,000 ..... (re. $2,754,000)
For the grant period October 1, 2007 to September 30, 2008 .....
3,166,000 ..... (re. $3,166,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses of various health prevention, diagnostic, detection and treatment services:

For the grant period October 1, 2006 to September 30, 2007 .....
3,166,000 ..... (re. $3,166,000)

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

By chapter 54, section 1, of the laws of 2007:
For services and expenses of various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 .....
1,491,000 ..... (re. $1,491,000)
For the grant period October 1, 2007 to September 30, 2008 .....
1,715,000 ..... (re. $1,715,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses of various health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2006 to September 30, 2007 .....
1,715,000 ..... (re. $1,715,000)

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

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

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

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

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

CHILD HEALTH INSURANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program provided pursuant to title XXI of the federal social security act.
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued to municipalities.
Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social services districts shall be reimbursed for additional administrative costs incurred for recipient and applicant eligibility and other administrative costs related to the expansion of, or changes to, the medical assistance program for children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.
Such reimbursement shall be made without any local share of costs. Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act
... 64,130,000 ..... (re. $64,130,000)

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

The appropriation made by by chapter 54, section 1, of the laws of 2008 is hereby amended and reappropriated to read:
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program, pursuant to title XXI 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 transferred to the medical assistance program, medicaid direct account, for expansions of or changes to the medical assist-

ance program related to children under the age of 19 pursuant to P.L. 105-33.

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

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

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

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

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

(a) for the period September 1, 2008 through March 31, 2009:

(i) no payments are required for eligible children whose family gross household income is less than 160 percent of the non-farm federal poverty level and no payments are required for eligible children who are American Indians or Alaskan Natives, as defined by the U.S. Department of Health and Human Services; and

(ii) $15 per month for each eligible child whose family gross household income is between 160 percent and 222 percent of the nonfarm federal poverty level, but no more than $45 per month per family; and

(iii) $25 per month for each eligible child whose family gross household income is between 223 percent and 250 percent of the nonfarm federal poverty level, but no more than $75 per month per family.

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

HEALTH CARE FINANCING PROGRAM

General Fund / State Operations
State Purposes Account - 003

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

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

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

HEALTH CARE REFORM ACT PROGRAM

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

By chapter 54, section 1, of the laws of 2007, as amended by chapter 496, section 5, of the laws of 2008:
For state grants for the long term care delivery demonstration projects, 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 ... 1,000,000 ..... (re. $ 100,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 496, section 5, of the laws of 2008:
For services and expenses related to studying pay for performance initiatives, 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 ..... 10,000,000 ..... (re. $4,300,000)

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

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2006:
For services, expenses, grants and transfers necessary to continue existing or planned contracts or other financing arrangements for the purposes of implementing the health care reform act program in accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, and 2807-v of the public health law and utilizing allocations authorized prior to July 1, 2005. The moneys hereby appropriated shall be available for payments heretofore accrued or hereafter to accrue. Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange or transfer with any appropriation of the department of health or by transfer or suballocation to any appropriation of the department of insurance, the office of mental health or the state office for the

aging subject to 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 ..... 600,000,000 ..... (re. $100,000,000)

INSTITUTIONAL MANAGEMENT PROGRAM

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

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

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

OFFICE OF MEDICAID MANAGEMENT PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

sub-schedule

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

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

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

sub-schedule

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

MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 1998, as amended by chapter 54, section 1, of the laws of 2006:
The amount appropriated herein may be used in all or in part for grants to those entities seeking certification to operate comprehensive HIV special needs plans to aid in the development of the systems, organizational structures and networks necessary to operate a managed care program and for entities contracted to participate in support of SNP development and for contractual services related to medical necessity and quality of care reviews for medicaid recipients with HIV or who have AIDS enrolled in special needs plans. Subject to the approval of the director of budget, all or part of

this appropriation may be transferred to the office of managed care, general fund - state purposes account ..... 30,000,000 ..... (re. $16,650,000)

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

By chapter 54, section 1, of the laws of 2008:
For reimbursement of local administrative expenses of medical assistance programs provided pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts 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 office of mental health, the office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, 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 ... 481,800,000 ..... (re. $330,000,000)
For reimbursement of administrative expenses of the medical assistance program provided by the office of mental health, office of mental

retardation and developmental disabilities, and office of alcoholism and substance abuse services provided pursuant to title XIX of the federal social security act. The money hereby appropriated is available for payment of aid heretofore accrued and hereafter to accrue. Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange with any other appropriation of the department of health with the approval of the director of budget ... 100,000,000 ..... (re. $75,000,000)

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

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

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts 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. $31,000,000)

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

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

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts 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, 2006 to September 30, 2007 ..... 240,900,000 ..... (re. $81,000,000)

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

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

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts 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 medical assistance administration program and/or medical assistance program, 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 with such interest accruing to the credit of the locality 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, 2005 to September 30, 2006 .....
240,900,000 ..... (re. $95,000,000)

MEDICAL ASSISTANCE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

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 to the general fund - state purposes account or suballocated to the state office for the aging for services and expenses related to making improvements in the longterm 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 of care for the delivery of quality services in the community .....
16,000,000 ..... (re. $16,000,000)

Notwithstanding any inconsistent provision of law, subject to a plan developed by the commissioner of health and approved by the director

of the budget, up to the amount appropriated herein, together with any available federal matching funds, will be available for demonstrations that develop and evaluate interventions targeted at medicaid beneficiaries who are otherwise exempt or excluded from mandatory Medicaid managed care and who have multiple comorbidities.

Notwithstanding section 112 and section 163 of the state finance law, for chronic illness demonstration projects authorized by section 364-l 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)

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

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

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 for the medical assistance program including additional funding for emergency transportation services ..... 2,820,000 ..... (re. $1,500,000)

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

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

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

Notwithstanding any inconsistent [provion] 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 [transfered] TRANSFERRED to the general fund - state purposes account or suballocated to the 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 [hom] HOME transition and diversion waiver, and point-of-entry initiatives for the purpose of expanding and promoting a more coordinated level of care for the delivery of quality services in the community ... 14,800,000 ..... (re. $12,200,000)

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

Notwithstanding any inconsistent provision of law, subject to a plan developed by the commissioner of health and approved by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, will be available for demon-

strations that develop and evaluate interventions targeted at medicaid beneficiaries who are otherwise exempt or excluded from mandatory Medicaid managed care and who have multiple comorbidities. 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 or any other competitive process ... 4,000,000 ..... (re. $4,000,000)

By chapter 54, section 1, of the laws of 2006, as added by chapter 108, section 4, of the laws of 2006:

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 to the general fund - state purposes account for services and expenses related to making improvements in the long-term care system for the purpose of expanding and promoting a more coordinated level of care for the delivery of quality services in the community ... 10,000,000 ..... (re. $2,400,000)

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

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 nursing home services ... 3,637,247,000 ..... (re. $2,287,247,000)

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-l 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 avail-

able for transfer or suballocation to the state university of New York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program .....
4,000,000 ..... (re. $4,000,000)

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services ... 2,700,000,000 ..... (re. $1,100,000,000)

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

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

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 for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.

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

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 the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance, office of children and family services, and state office for the aging 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.

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

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

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

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

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

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

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

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

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

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

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

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

(a) 100 percent of such rates shall be based on each general hospital's group category average inpatient reimbursable operating cost per discharge (price) determined in accordance with subdivision 7 of section 2807-c of the public health law; and

(b) 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 ratesetting process, provided, however, that the costs of providing services to inpatients enrolled in medicaid managed care plans or in the family health plus program shall be excluded from such ratesetting computations; and

(c) for the purposes of adjusting such rates to account for inflation from the 2005 base period, the adjustment factor methodology set forth in paragraph (c) of subdivision 10 of section 2807-c of the public health law, as reduced by 25 percent, with regard to trend projections attributable to the period January 1, 2008 through December 31, 2008 shall be utilized, provided, however, that for inflation attributable to the period January 1, 2006 through December 31, 2007, the adjustment methodology utilized shall be the hospital inpatient medicare market basket methodology as described in applicable federal regulations and effective for periods from October 1, 2005 through September 30, 2007; and

(d) such rates shall be deemed as excluding reimbursement for physician services for inpatient services and claims for medicaid fee payments for such physician services for such inpatient care may be submitted separately from such rates in accordance with otherwise applicable law; provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospital inpatient services using the methodology in existence on June 30, 2008 as set forth in section 2807-c of the public health law the

provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

Notwithstanding any contrary provision of law, and contingent upon the availability of federal financial participation, for the period April 1, 2008 through March 31, 2009, the operating cost component of rates of payment by governmental agencies to 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 discharges during such period who are determined to be in diagnosis-related groups numbered 743, 744, 745, 746, 747, 748, 749, 750, or 751, as determined in accordance with applicable regulations, 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 subdivision (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 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 subdivision (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 withdrawal services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 100 percent of the per diem amounts computed pursuant to subdivision (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 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 and after the eleventh day; and

(d) per diem payments for inpatients placed in observation beds, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall be at the same level as would be paid pursuant to subdivision (a) of this section, provided, however, that such payments shall not apply for more than two days of care, after which payments for such inpatients shall reflect their designation as requiring either medically managed detoxification services or medically supervised withdrawal services, and further provided that days of care provided in such observation beds shall, for reimbursement purposes, be fully reflected in the compu-

tation of the initial five days of care as set forth in subdivisions (b) and (c) of this section; and

(e) for the purposes of this section, the regions of the state shall be as follows:

(A) New York City, consisting of the counties of Bronx, New York, Kings, Queens and Richmond;

(B) Long Island, consisting of the counties of Nassau and Suffolk;

(C) Northern metropolitan, consisting of the counties of Columbia, Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester;

(D) Northeast, consisting of the counties of Albany, Clinton, Essex, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren and Washington;

(E) Utica/Watertown, consisting of the counties of Franklin, Herkimer, Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison and Oneida;

(F) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;

(G) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and Yates;

(H) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming; provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospitals which are certified by the office of alcoholism and substance abuse services to provide inpatient detoxification services and withdrawal services using the methodology in existence on March 31, 2008 as set forth in section 2807-c of the public health law the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

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

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

Notwithstanding any inconsistent provision of law, rule or regulation, in determining rates of payment made by state governmental agencies effective for services provided on and after April 1, 2008 through March 31, 2009, for inpatient and outpatient services provided by

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

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

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

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

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

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

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

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

of the public health law as in effect on March 31, 2008, such methodology shall continue in effect for the period April 1, 2008 through March 31, 2009 and the provisions of this section shall not apply and shall be considered null and void as of March 31, 2008.

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

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

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

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

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

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

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

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

For services and expenses for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.

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

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 the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance, office of children and family services, and state office for the aging 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.

Notwithstanding any inconsistent provision of law, rule or regulation, and contingent on the availability of federal financial participation, for the period commencing April 1, 2007 through March 31, 2008, in order to reimburse public and non-public general hospitals for graduate medical education costs, the commissioner of health shall adjust such hospitals' inpatient medical assistance rates of payment established pursuant to section 2807-c of the public health law, including discrete rates of payment calculated pursuant to paragraph (a-3) of subdivision 1 of section 2807-c of the public health law, in accordance with the methodology set forth in subparagraph (ii) of paragraph (d) of subdivision 25 of section 2807-c of the public health law used to calculate rate adjustments for nonpublic general hospitals for periods prior to April 1, 2007; provided, however, the 75 percent limit set forth in clause (C) of subparagraph (ii) of paragraph (d) of subdivision 25 of section 2807-c of the public health law shall not apply to rate decreases calculated pursuant to this paragraph and no public general hospital shall receive a rate increase calculated pursuant to this paragraph. Provided however, if this chapter appropriates sufficient additional funds to support reimbursement of graduate medical education for the period April 1, 2007 through March 31, 2008, using the methodology set forth in paragraph (d) of subdivision 25 of section 2807-c of the public health law as in effect on March 31, 2007, such methodol-

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

Notwithstanding any inconsistent provision of law or regulation to the contrary, residential health care facility rates of payment determined pursuant to article 28 of the public health law for services provided on and after April 1, 2007 through March 31, 2008, except for the establishment of any statewide or any peer group base, mean, or ceiling prices per day, shall be calculated utilizing only the number of residents properly assessed and reported in each patient classification group and eligible for medical assistance pursuant to title 11 of article 5 of the social services law. Provided, however, if this chapter appropriates sufficient additional funds to support fully for the period of April 1, 2007, through March 31, 2008, using the methodology for computing the operating component of such rates of payment as in effect on March 31, 2007, such methodology for computing the operating component shall continue in effect for the period April 1, 2007, through March 31, 2008, and the provisions of this appropriation as set forth in this paragraph shall not be utilized.

Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of the public health law, subdivision 2-b of section 2808 of the public health law, and section 21 of chapter 1 of the laws of 1999 and any other inconsistent provision of law or regulation to the contrary, in determining rates of payment by state governmental agencies effective for services provided on and after April 1, 2007 through March 31, 2008 and thereafter for inpatient and outpatient services 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 no trend factor projections attributable to the period January 1, 2007 through December 31, 2007. 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, 2007 through March 31, 2008, no prior authorization shall be required under the preferred drug program for: atypical anti-psychotics; anti-retrovirals used in the treatment of HIV/AIDS; anti-rejection drugs used for the treatment of organ and tissue transplants; or any other therapeutic class for the treatment of mental illness or HIV/AIDS, recommended by the committee and approved by the commissioner under section 272 of the public health law. The committee may consider and recommend the inclusion of the therapeutic class of anti-depressants in the preferred drug program. Such recommendation may be adopted by the commissioner only after consultation with, and consideration of the recommendation of, the commissioner of the office of mental health. Provided, however, if this chapter appropriates sufficient additional funds to support a preferred drug program as defined pursuant to the exemptions set forth in subdivision 12 of section 272 of the public health law as in effect on March 31, 2007, such exemptions

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2007 through March 31, 2008, the commissioner of health shall provide 10 days public notice on the department of health's website prior to any meeting of the pharmacy and therapeutics committee to develop recommendations concerning the preferred drug program; the commissioner shall provide notice of any recommendations developed by such committee regarding the preferred drug program, at least 10 days before any final determination by the commissioner, by making such information available on the department's website; within a reasonable time after a final determination regarding the preferred drug program, the commissioner shall provide public notice on the department's website of such determinations, including: the nature of the determination; an analysis of the impact of the commissioner's determination on state public health plan populations and providers; and the projected fiscal impact to the state public health plan programs of the commissioner's determination. Provided, however, if this chapter appropriates sufficient additional funds to support a preferred drug program as defined pursuant to the public notice requirements set forth in subdivisions 7, 8 and 9 of section 272 of the public health law as in effect on March 31, 2007, such public notice requirements for the preferred drug program shall continue in effect for the period April 1, 2007 through March 31, 2008 and the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2007.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2007 through March 31, 2008, medical assistance payment for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the federal centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharma-

cies, or the dispensing pharmacy's usual and customary price charged to the general public; (i) for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 15 percent thereof, and updated monthly by the department; for a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 14 percent thereof, and updated monthly by the department; (ii) for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 30 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of such subdivision; or, for a specialized HIV pharmacy, acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 22 percent thereof, or the maximum acquisition cost, if any, established pursuant to such paragraph (e).

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

Notwithstanding paragraph (c) of subdivision 3 of section 2807-c of the public health law and any inconsistent provision of law, rule or regulation to the contrary, for the period January 1, 2008 through March 31, 2008, adjustments to medical assistance rates of payment for rate periods on and after January 1, 2008, made pursuant to paragraph (c) of subdivision 3 of section 2807-c of the public health law shall, upon a determination by the commissioner of health and the director of the budget that such adjustments shall result in an aggregate increase in total medicaid payments to general hospitals for inpatient services, make such proportional adjustments to such rates of payments as are necessary to reduce such total aggregate payments to an aggregate total that reflects no such increase, provided, however, if this chapter appropriates sufficient additional funds to fully fund such increase, the provisions of this paragraph shall not apply and shall be considered null and void as of January 1, 2008.

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

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

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

For services and expenses of the medical assistance program including hospital outpatient and emergency room services.
For the grant period October 1, 2006 to September 30, 2007 .....
259,801,000 ..... (re. $79,900,000)
For the grant period October 1, 2007 to September 30, 2008 .....
389,702,000 ..... (re. $91,700,000)
For services and expenses of the medical assistance program including clinic services.
For the grant period October 1, 2006 to September 30, 2007 .....
344,352,000 ..... (re. $134,000,000)
For the grant period October 1, 2007 to September 30, 2008 .....
516,529,000 ..... (re. $126,000,000)
For services and expenses of the medical assistance program including nursing home services.
For the grant period October 1, 2006 to September 30, 2007 .....
1,447,430,000 ..... (re. $325,700,000)
For the grant period October 1, 2007 to September 30, 2008 .....
2,171,145,000 ..... (re. $826,000,000)
For services and expenses of the medical assistance program including other long term care services.
For the grant period October 1, 2006 to September 30, 2007 .....
1,041,109,000 ..... (re. $600,400,000)
For the grant period October 1, 2007 to September 30, 2008 .....
1,561,664,000 ..... (re. $447,100,000)
For services and expenses of the medical assistance program including managed care services.
For the grant period October 1, 2006 to September 30, 2007 .....
1,354,444,000 ..... (re. $312,200,000)
For the grant period October 1, 2007 to September 30, 2008 .....
2,031,666,000 ..... (re. $235,500,000)
For services and expenses of the medical assistance program including pharmacy services.
For the grant period October 1, 2006 to September 30, 2007 .....
754,766,000 ..... (re. $41,000,000)
For the grant period October 1, 2007 to September 30, 2008 .....
1,125,248,000 ..... (re. $28,000,000)
For services and expenses of the medical assistance program including transportation services.
For the grant period October 1, 2006 to September 30, 2007 .....
78,361,000 ..... (re. $78,361,000)
For the grant period October 1, 2007 to September 30, 2008 .....
117,541,000 ..... (re. $64,000,000)
For services and expenses of the medical assistance program including dental services.
For the grant period October 1, 2006 to September 30, 2007 .....
60,361,000 ..... (re. $38,400,000)
For the grant period October 1, 2007 to September 30, 2008 .....
90,542,000 ..... (re. $17,000,000)
For services and expenses of the medical assistance program including noninstitutional and other spending.
For the grant period October 1, 2006 to September 30, 2007 .....
1,749,193,000 ..... (re. $477,700,000)

For the grant period October 1, 2007 to September 30, 2008 .....
2,623,790,000 ..... (re. $1,723,800,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
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-l 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 or any other competitive process.
For the grant period October 1, 2006 to September 30, 2007 .....
1,600,000 ..... (re. $1,600,000)
For the grant period October 1, 2007 to September 30, 2008 .....
2,400,000 ..... (re. $2,400,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2007:
For services and expenses for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, shall be available to the department net of disallowances, refunds, reimbursements, and credits.
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, office of children and family services, and state office for the aging 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.

Notwithstanding any inconsistent provision of law, up to $500,000,000 of the moneys hereby appropriated may be used for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program and may be transferred to the miscellaneous special revenue fund federal-state health reform partnership program account and/or other state agencies, provided, however, that the section 1115 waiver demonstration which is entitled the federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services and accepted by the state, and further provided that funds appropriated for the federal-state health reform partnership program are disbursed only in accordance with those terms and conditions.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, up to $20,000,000 may be used for the purpose of rebasing residential health care facilities effective January 1, 2007 through March 31, 2007 in accordance with this paragraph, and as provided pursuant to a chapter of the laws of 2006. Notwithstanding any inconsistent provision of this section, or any other contrary provision of law and subject to the availability of federal financial participation, the operating cost component of rates of payment by governmental agencies for inpatient services provided for the period of January 1, 2007 through March 31, 2007, by residential health care facilities shall be in accordance with a chapter of the laws of 2006 which shall provide that for this period: (a) the operating cost component of rates of payment shall reflect the operating cost component of rates effective for October 1, 2006, as adjusted for inflation in accordance with the chapter amendment pursuant to the laws of 2006; (b) the rate shall be further adjusted by a per diem add-on amount, as determined by the commissioner, reflecting the proportional amount of each facility's projected Medicaid benefit to the total projected Medicaid benefit for all facilities of the imputed use of the rate-setting methodology set forth in this subdivision, provided, however, that for those facilities that do not receive a per diem adjustment shall have their rates further adjusted to include the proportionate benefit, as determined by the

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2006 through March 31, 2007, medical assistance payment for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the federal centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; (i) for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 13.25 percent thereof, and updated monthly by the department; (ii) for multiple source

generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 20 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, rates of payment by state governmental agencies effective for services provided on and after April 1, 2006 through March 31, 2007 and thereafter for inpatient and outpatient services 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 1614(a)(3) of the federal social security act; "income" has the same meaning given to such term in section 1612 of the federal social security act; "resources" has the same meaning given to such term in section 1613 of the federal social security act, without regard to the exclusion provided for in subsection (a)(1) of such section; "look-back period" means the sixty-month period immediately preceding the date that an institutionalized individual is both institutionalized and has applied for medical assistance; "institutionalized individual" means any individual who is an inpatient in a nursing facility, including an intermediate care facility for the mentally retarded, or who is an in-patient in a medical facility and is receiving a level of care provided in a nursing facility, or who is receiving care, services or supplies pursuant to a waiver granted pursuant to subsection (c) of section 1915 of the federal social security act; "intermediate care facility for the mentally retarded" means a facility certified under article sixteen of the mental hygiene law and which has a valid agreement with the department for providing intermediate care facility services and receiving payment therefor under title XIX of the federal social security act; "nursing facility" means a nursing home as defined by section twenty-eight hundred one of the public health law and an intermediate care facility for the mentally retarded; "nursing facility services" means nursing care and health related services provided in a nursing facility; a level of care provided in a hospital which is equivalent to the care which is provided in a nursing facility; and care, services or supplies provided pursuant to a waiver granted pursuant to subsection (c) of section 1915 of the federal social security act.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, in determining the medical assistance eligibility of an institutionalized individual for the period April 1, 2006 through March 31, 2007, any transfer of an asset by the individual or the individual's spouse for less than fair market value made within or after the look-back period shall render the individual ineligible for nursing facility services for the period of time specified in law. The purchase of an annuity shall be treated as the

disposal of an asset for less than fair market value unless: the state is named as the beneficiary in the first position for at least the total amount of medical assistance paid on behalf of the annuitant, or the state is named in the second position after a community spouse or minor or disabled child and is named in the first position if such spouse or a representative of such child disposes of any such remainder for less than fair market value; and the annuity meets the requirements of section 1917(c)(1)(G) of the federal social security act. The purchase of a life estate interest in another person's home shall be treated as the disposal of an asset for less than fair market value unless the purchaser resided in such home for a period of at least one year after the date of purchase. The purchase of a promissory note, loan, or mortgage shall be treated as the disposal of an asset for less than fair market value unless such note, loan, or mortgage meets the requirements of section 1917(c)(1) (I) of the federal social security act.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, an individual shall not be ineligible for services solely by reason of any such transfer to the extent that the asset transferred was a home and title to the home was transferred to: (A) the spouse of the individual; or (B) a child of the individual who is under the age of twenty-one years or blind or disabled; or (C) a sibling of the individual who has an equity interest in such home and who resided in such home for a period of at least one year immediately before the date the individual became an institutionalized individual; or (D) a child of the individual who was residing in such home for a period of at least two years immediately before the date the individual became an institutionalized individual, and who provided care to the individual which permitted the individual to reside at home rather than in an institution or facility; or the assets (A) were transferred to the individual's spouse, or to another for the sole benefit of the individual's spouse; or (B) were transferred from the individual's spouse to another for the sole benefit of the individual's spouse; or (C) were transferred to the individual's child who is blind or disabled, or to a trust established solely for the benefit of such child; or (D) were transferred to a trust established solely for the benefit of an individual under sixty-five years of age who is disabled; or a satisfactory showing is made that: (A) the individual or the individual's spouse intended to dispose of the assets either at fair market value, or for other valuable consideration; or (B) the assets were transferred exclusively for a purpose other than to qualify for medical assistance; or (C) all assets transferred for less than fair market value have been returned to the individual; or denial of eligibility would cause an undue hardship, such that application of the transfer of assets provision would deprive the individual of medical care such that the individual's health or life would be endangered, or would deprive the individual of food, clothing, shelter, or other necessities of life.

The commissioner of health shall develop a hardship waiver process which shall include a timely process for determining whether an undue hardship waiver will be granted and a timely process under

which an adverse determination can be appealed. The commissioner of health shall provide notice of the hardship waiver process in writing to those individuals who are required to comply with the transfer of assets provision under this section. If such an individual is an institutionalized individual, the facility in which he or she is residing shall be permitted to file an undue hardship waiver application on behalf of such individual with the consent of the individual or the personal representative of the individual.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, 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)

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

For services and expenses for the medical assistance program, excluding administrative expenses, pursuant to title XIX of the federal social security act or its successor program.

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

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 medical assistance administration program and/or medical assistance program, 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 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 with such interest accruing to the credit of the locality 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, 2004 to September 30, 2005 .....
10,435,451,000 ..... (re. $3,107,900,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses for the medical assistance program, excluding administrative expenses, pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, shall be available to the department net of disallowances, refunds, reimbursements, and credits.
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 medical assistance administration program and/or medical assistance program, 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 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 with such interest accruing to the credit of the locality 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, 2003 to September 30, 2004 .....
10,845,488,000 ..... (re. $3,600,900,000)

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Medical Assistance Account

By chapter 54, section 1, of the laws of 2008:
For services and expenses of the medical assistance program related to the priority restoration program ... 24,000,000 .. (re. $24,000,000)
For services and expenses of the medical assistance program related to non-public general hospital rate increases for recruitment and retention of health care workers ... 41,300,000 .. (re. $41,300,000)

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

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

For additional services and expenses of the medical assistance program. The moneys hereby appropriated shall be available for nonpublic general hospitals located in a city with a population of more than one million persons to ensure meaningful access to the hospital's services and reasonable accommodation for all Medicaid patients that need language assistance ..... 19,000,000 ..... (re. $19,000,000)

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

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

For additional services and expenses of the medical assistance program. The moneys hereby appropriated shall be available for general hospitals located in the counties of Nassau and Suffolk for distributions pursuant to paragraph (k) of subdivision 1 of section 2807-c of t he public health law, as added by [a] chapter 58 of the laws of 2007 ... 2,500,000 ..... (re. $2,500,000)

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
CHCCDP Transfer Account

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

Notwithstanding any other provision of law, the money appropriated herein shall be made available for grants related to the community care conversion demonstration project ..... 518,000,000 ..... (re. $24,000,000)

OFFICE OF HEALTH INSURANCE PROGRAMS

General Fund / State Operations
State Purposes Account - 003

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

For services and expenses related to an analysis of proposals for achieving universal health coverage in New York. The commissioner of

health shall contract with an independent entity, in accordance with applicable law, to conduct the analysis and report on its results. All records of the entity and the department relating to the methodology, findings and recommendations of the analysis shall be subject to article six of the public officers law. Proposals to be analyzed shall include, but not be limited to: proposals for providing or promoting universal health coverage through variations on existing private and public health coverage mechanisms; proposals for providing universal health coverage through publicly-sponsored health coverage financed entirely or predominantly through broad-based public financing; and combinations of such mechanisms. When evaluating different proposals, the entity shall consider, among other factors, how each proposal advances the goal of universal health coverage; controls the cost of health coverage and health care; affects the scope of benefits, the quality of care, and choice of providers for consumers; overcomes the obstacles to universal health coverage; fairly and equitably distributes the cost of health coverage and health care; deals with the level and distribution of costs as a barrier to health coverage or health care; affects employers and employment, particularly small business, the self-employed, sole-proprietors, collective bargaining arrangements, people with multiple, seasonal or sporadic employment and people who are underemployed or unable to work; and promotes the economic viability of hospitals, community health centers, health care professionals, and other health care providers. The entity may, with the approval of the commissioner, accept grants or other assistance from any government agency or not-for-profit entity to support or assist it in carrying out the analysis ... 200,000 ..... (re. $200,000)

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For grants to a New York state based not-for-profit organization with expertise in the New York state medicaid program for collaborative studies, reviews and analysis, to be performed in conjunction with the department of health, on medicaid policy, operational and other issues as defined by the department, 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 ... 1,480,000 ..... (re. $1,391,200)

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

By chapter 54, section 1, of the laws of 2008:
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. $839,000,000)

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

The appropriation made by chapter 54, section 1, of the laws of 2007, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
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. $1,600,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2006, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
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, 2006 to September 30, 2007 .....
1,867,679,500 ..... (re. $600,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
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, 2005 to September 30, 2006 .....
1,836,697,000 ..... (re. $400,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2004, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
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, 2004 to September 30, 2005 .....
1,863,395,000 ..... (re. $400,000,000)

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 2008:
Notwithstanding any inconsistent provision of law, the money appropriated herein shall be available for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program, provided, however, that the

section 1115 waiver demonstration which is entitled the federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services, and further provided that funds appropriated for the federal-state health reform partnership program are disbursed only in accordance with those terms and conditions. Subject to the approval of the director of the budget, moneys appropriated herein may be transferred or suballocated to the state office for the aging and other state agencies .....
300,000,000 ..... (re. $300,000,000)

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

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

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

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

Notwithstanding any inconsistent provision of law, the money appropriated herein shall be available for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program, provided, however, that the section 1115 waiver demonstration which is entitled federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services and accepted by the state, and further provided that funds appropriated for the federal-state health reform partnership program are disbursed only in accordance with those terms and conditions. Subject to the approval of the director of the budget, moneys appropriated herein may be transferred or suballocated to the state office for the aging and other state agencies ...
500,000,000 ..... (re. $411,000,000)

OFFICE OF HEALTH SYSTEMS MANAGEMENT

General Fund / State Operations
State Purposes Account - 003

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

The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:
For services and expenses of the health e-link.
Contractual services ... 750,000 ..... (re. $329,800)

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For grants for patient safety awards, 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 ... 1,176,000 ..... (re. $1,105,440)

The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:
For grants for patient safety awards ... 1,200,000 .. (re. $1,200,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:
For services and expenses of the health information technology program ... 3,000,000 ..... (re. $1,197,000)

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

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

The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby trans-

ferred and reappropriated to the office of health systems management:
For expenses incurred in the administration of the prescription drug monitoring program relating to the prescribing and dispensing of controlled substances.
For grants beginning on or after November 1, 2007 .....
400,000 ..... (re. $400,000)

The appropriation made by chapter 54, section 1, of the laws of 2006, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:
For expenses incurred in the administration of Harold Rogers prescription drug monitoring program relating to the prescribing and dispensing of controlled substances:
For the grant period June 1, 2006 to May 31, 2007 .....
400,000 ..... (re. $341,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:
For expenses incurred in the administration of Harold Rogers prescription drug monitoring program relating to the prescribing and dispensing of controlled substances:
For the grant period June 1, 2005 to May 31, 2006 .....
350,000 ..... (re. $1,500)

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

OFFICE OF LONG TERM CARE

General Fund / State Operations
State Purposes Account - 003

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

General Fund / Aid to Localities
Local Assistance Account - 001

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 of the quality incentive payment program, 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 ... 2,710,000 ..... (re. 2,547,400)
For additional services and expenses of the quality incentive payment program ... 2,750,000 ..... (re. $1,375,000)
The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of 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, 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 ..... 2,450,000 ..... (re. $2,303,000)
For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program for the purpose of providing air conditioning in resident rooms. 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 ... 1,800,000 ..... (re. $900,000)

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

The appropriation made by chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of long term care:
The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of 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 ... 2,500,000 ..... (re. $2,500,000)

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

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 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)

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

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 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 ... 2,750,000 ..... (re. $2,690,000)

For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program for the purpose of providing air conditioning in resident rooms. 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 finacial need of such assistance ... 2,000,000 ..... (re. $2,000,000)

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

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

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

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

By chapter 54, section 1, of the laws of 2006:
For health prevention, diagnostic, detection and treatment services:

For the grant period October 1, 2005 to September 30, 2006 .....
778,000 ..... (re. $778,000)
For the grant period October 1, 2006 to September 30, 2007 .....
778,000 ..... (re. $778,000)

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

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

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 2008:
For services and expenses of the various health prevention, diagnos-
tic, detection and treatment services .....
3,682,000 ..... (re. $3,682,000)

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

By chapter 54, section 1, of the laws of 2007:
For health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 .....
4,601,000 ..... (re. $4,601,000)
For the grant period October 1, 2007 to September 30, 2008 .....
5,291,000 ..... (re. $5,291,000)

By chapter 54, section 1, of the laws of 2006:
For health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2006 to September 30, 2007 .....
5,291,000 ..... (re. $5,291,000)

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

By chapter 54, section 1, of the laws of 2007:
For services and expenses of the various health prevention, diagnos-
tic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 .....
1,489,000 ..... (re. $1,489,000)
For the grant period October 1, 2007 to September 30, 2008 .....
1,712,000 ..... (re. $1,712,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses of the various health prevention, diagnos-
tic, detection and treatment services:

For the grant period October 1, 2006 to September 30, 2007 ..... 1,712,000 ..... (re. $1,712,000)

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Breast Cancer Research and Education Account

By chapter 54, section 1, of the laws of 2005:
For breast cancer research and education pursuant to section 97-yy of the state finance law as amended by chapter 550 of the laws of 2000 ... 2,600,000 ..... (re. $2,250,000)

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Empire State Stem Cell Research Account

By chapter 54, section 1, of the laws of 2008:
For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 50,000,000 ..... (re. $49,750,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 100,000,000 ..... (re. $99,437,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Spinal Cord Injury Research Fund Account

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.
Contractual services ... 7,860,800 ..... (re. $7,860,800)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.
Contractual services ... 8,004,794 ..... (re. $6,231,000)

By chapter 54, section 1, of the laws of 2006:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $4,385,000)

By chapter 54, section 1, of the laws of 2005:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $3,750,000)

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

For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $2,642,000)

By chapter 54, section 1, of the laws of 2003:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $3,511,000)

By chapter 54, section 1, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $675,000)

By chapter 54, section 1, of the laws of 2001:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $785,000)

By chapter 54, section 1, of the laws of 2000:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $233,000)

Total reappropriations for state operations and aid to localities 38,721,611,140
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General Fund
Community Projects Fund - 007
Account GG

By chapter 54, section 1, of the laws of 2000, as added by chapter 53, section 6, of the laws of 2000:
For services and expenses of cancer permanency planning - legal and family counseling services ... 500,000 ..... (re. $30,000)

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2009-10

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

Capital Projects Fund 232,600,000
Federal Capital Projects Fund 9,980,000
All Funds 242,580,000

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP) 217,000,000

Capital Projects Fund

Health Care System Improvement Purpose

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

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

LABORATORIES AND RESEARCH (CCP) 8,000,000

Capital Projects Fund

Preservation of Facilities Purpose

To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. 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) 8,000,000

MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP) 7,600,000

Capital Projects Fund

Preservation of Facilities Purpose

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 (12590903) 7,600,000

WATER RESOURCES (CCP) 9,980,000

Federal Capital Projects Fund

Water Resources Purpose

For federal grants for the safe drinking water revolving fund (12020957) 9,980,000

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2009-10

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

Capital Projects Fund - Advances	108,000,000
All Funds	108,000,000

Capital Projects Fund

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)	108,000,000

Health Care System Improvement Purpose

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

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 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, 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 (12HE08HE) ..... 133,000,000 ..... (re. $133,000,000)

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

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 (12RP08HE) ... 25,000,000 ... (re. $6,250,000)

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

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 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 (12HE07HE) ... 140,000,000 ..... (re. $140,000,000)

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

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 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 (12HE06HE) .... 140,000,000 ..... (re. $51,250,000)

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

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 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 (12HE05HE) ..... 65,000,000 ..... (re. $24,851,000)

LABORATORIES AND RESEARCH (CCP)

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. 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 (12590803) ... 10,000,000 ..... (re. $9,650,000)

By chapter 54, section 1, of the laws of 2007:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. 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 (12590703) ... 10,000,000 ..... (re. $3,923,000)

By chapter 54, section 1, of the laws of 2006:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. 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 (12590603) ... 10,000,000 ..... (re. $4,718,000)

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

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

By chapter 54, section 1, of the laws of 2003:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state

office of general services (12590303) .....
4,000,000 ..... (re. $1,988,000)

Umbilical Cord Blood Bank Purpose

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

MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

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. $7,600,000)

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. $3,465,000)

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. $1,755,000)

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 account of the centralized services fund of the New York state office of general services. (12600503) ..... 7,600,000 ..... (re. $2,003,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and Batavia 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 (12600403) ... 7,600,000 ..... (re. $2,363,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and Batavia 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 (12600303) ... 7,600,000 ..... (re. $2,556,000)

WATER RESOURCES (CCP)

Federal Capital Projects Fund

Water Resources Purpose

By chapter 54, section 1, of the laws of 2008:
For federal grants for the safe drinking water revolving fund (12020857) ... 9,980,000 ..... (re. $9,980,000)

By chapter 54, section 1, of the laws of 2007:
For federal grants for the safe drinking water revolving fund (12020757) ... 36,812,000 ..... (re. $36,447,000)

By chapter 54, section 1, of the laws of 2006:
For federal grants for the safe drinking water revolving fund (12020657) ... 32,937,000 ..... (re. $28,747,000)

By chapter 54, section 1, of the laws of 2005:
For federal grants for the safe drinking water revolving fund (12010557) ... 65,000,000 ..... (re. $1,480,000)

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2004:
For federal grants for the safe drinking water revolving fund (12020457) ... 65,000,000 ..... (re. $626,000)

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 2008:
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 (12BD08HE) ..... 85,000,000 ..... (re. $85,000,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
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 ..... (12BD07HE) ... 85,000,000 ..... (re. $85,000,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008:
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 ..... (12BD06HE) ... 85,000,000 ..... (re. $43,593,000)

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2008:
An advance for payments in accordance with section 2817 of the public health law establishing the community health care centers capital program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued

or hereafter to accrue (12BD05CH) .....
10,000,000 ..... (re. $10,000,000)
An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12BD05HE) .....
175,000,000 ..... (re. $120,184,000)

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	35,187,000	0
Special Revenue Funds - Federal	52,284,000	50,610,000
Special Revenue Funds - Other	5,274,000	0
All Funds	92,745,000	50,610,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	35,187,000	0	0	35,187,000
SR-Federal	52,284,000	0	0	52,284,000
SR-Other	5,274,000	0	0	5,274,000
All Funds	92,745,000	0	0	92,745,000

SCHEDULE

MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM 91,090,000

General Fund / State Operations
State Purposes Account - 003

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and 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.

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	23,363,000
Temporary service	23,000
Holiday/overtime compensation	120,000
Amount available for personal service	23,506,000

NONPERSONAL SERVICE

Supplies and materials	984,000
Travel	299,000
Contractual services	9,653,000
Equipment	3,500,000
Amount available for nonpersonal service	14,436,000

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 pended, 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	38,442,000

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 2009-10

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and 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.

For services and expenses related to the medicaid fraud and abuse program 52,284,000

Program fund subtotal 52,284,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Quality Assurance and Audit Revenue Activities Account

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and 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.

For additional administrative expenses of medicaid audit and fraud prevention.

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular 245,000

NONPERSONAL SERVICE

Fringe benefits 109,000
Indirect costs 10,000

Amount available for nonpersonal service 119,000

Program account subtotal 364,000

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. Notwithstanding 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 medicaid 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 2009-10

OFFICE OF WELFARE INSPECTOR GENERAL PROGRAM			1,655,000
General Fund / State Operations			
State Purposes Account - 003			
For services and expenses associated with the office of the welfare inspector general:			
PERSONAL SERVICE			
Personal service--regular	445,000		
Program account subtotal		445,000	
Special Revenue Funds - Other / State Operations			
Miscellaneous Special Revenue Fund - 339			
Administrative Reimbursement Account			
For services and expenses associated with the office of the welfare inspector general:			
PERSONAL SERVICE			
Personal service--regular	479,000		
NONPERSONAL SERVICE			
Supplies and materials	25,000		
Travel	28,000		
Contractual services	408,000		
Equipment	39,000		
Fringe benefits	211,000		
Indirect costs	20,000		
Amount available for nonpersonal service		731,000	
Program account subtotal		1,210,000	
Total new appropriations for state operations and aid to localities			92,745,000

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and 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.
For services and expenses related to the medicaid fraud and abuse program ... 50,610,000 ..... (re. $50,610,000)

Total reappropriations for state operations and aid to localities 50,610,000
==========

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
Special Revenue Funds - Other	600,000,000	0
All Funds	600,000,000	0

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

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

Amount appropriated for the various offices of the department of mental hygiene and for employee fringe benefits of any other state agency. The director of the budget is hereby authorized to transfer funds to the office of mental health, office of mental retardation and developmental disabilities, and office of alcoholism and substance abuse services of the department, or to the general fund from this appropriation by certificate of approval ... 300,000,000

Program account subtotal 300,000,000

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

Amount appropriated for the various offices of the department of mental hygiene and for employee fringe benefits of any other state agency. The director of the budget is hereby authorized to transfer funds to the office of mental health, office of mental retardation and developmental disa-

	bilities, and office of alcoholism and substance abuse services of the department, or to the general fund from this appropriation by certificate of approval ...	300,000,000	
	Program account subtotal	300,000,000	
	Total new appropriations for state operations and aid to localities		600,000,000

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	141,780,000	422,500
Special Revenue Funds - Federal	141,918,000	197,915,000
Special Revenue Funds - Other	312,350,000	0
Capital Projects Funds	98,883,000	328,454,000
All Funds	694,931,000	526,791,500

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	0	141,780,000	0	141,780,000
SR-Federal	6,445,000	135,473,000	0	141,918,000
SR-Other	128,271,000	184,079,000	0	312,350,000
Cap Proj	0	0	98,883,000	98,883,000
All Funds	134,716,000	461,332,000	98,883,000	694,931,000

SCHEDULE

COMMUNITY TREATMENT SERVICES PROGRAM 374,398,000

General Fund / Aid to Localities
Local Assistance Account - 001

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that 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 appropriated 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,

2009 or July 1, 2009 and for advances for the period beginning January 1, 2010.

Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract directly with voluntary agencies that are receiving, or are eligible to receive, state aid from this appropriation, and/or provide state aid from this appropriation to such voluntary agencies through a state aid funding authorization letter with local governmental units. The commissioner, pursuant to such contract and/or funding authorization letter, may pay from this appropriation all or a portion of the expenses incurred by such voluntary agencies arising out of loans obtained from the proceeds of bonds and notes issued by the dormitory authority of the state of New York or another authorized entity approved by the division of the budget. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any other provision of law, subject to the approval of the director of the budget, a portion of the money appropriated herein may be made available for obligations and payments heretofore or hereafter accrued by the department of health for community alcoholism, chemical dependence, and substance abuse treatment services, including the state share of medical assistance payments.

Notwithstanding any inconsistent provision of law, a portion of the money appropriated herein may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997, as amended.

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational

responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed into receivership pursuant to section 19.41 of the mental hygiene law.

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

Notwithstanding any contrary provision of law, a portion of the amounts appropriated herein shall be available for services and expenses to assist parolees in obtaining substance abuse treatment, housing and employment pursuant to a plan prepared by the executive director of the division of parole and the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget, and may be transferred to any other state agency for implementing such plan.

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, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, including section 41.23 of the mental hygiene law, no unified services plan shall be approved and no funding shall be available for unified services for the period beginning January 1, 2009 and ending March 31, 2010.

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 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.

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 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 to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2009-10 appropriation.

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

For services and expenses related to problem gambling and chemical dependence outpatient and chemotherapy services 105,500,000

For services and expenses of chemical dependence treatment and case management services for the diversion of felony offenders from prison to treatment, distributed through a competitive process

in consultation with the division of criminal justice services 3,500,000
For the state share of medical assistance payments for outpatient services and the state share of disproportionate share payments 32,780,000

Program account subtotal 141,780,000

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

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, 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 81,058,000
For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services 5,000,000

Program fund subtotal 86,058,000

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

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

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

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

Program fund subtotal 16,360,000

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 treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that 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 appropriated 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, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010.

Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract directly with voluntary agencies that are receiving, or are eligible to receive, state aid from this appropriation, and/or provide state aid from this appropriation to such voluntary agencies through a state aid funding authorization letter with local governmental units. The commissioner, pursuant to such contract and/or funding authorization letter, may pay from this appropriation all or a portion of the expenses incurred by such voluntary agencies arising out of loans obtained from the proceeds of bonds and notes issued by the dormitory authority of the state of New York or another authorized entity approved by the division of the budget. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed

into receivership pursuant to section 19.41 of the mental hygiene law.

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

Notwithstanding any contrary provision of law, a portion of the amounts appropriated herein shall be available for services and expenses to assist parolees in obtaining substance abuse treatment, housing and employment pursuant to a plan prepared by the executive director of the division of parole and the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget, and may be transferred to any other state agency for implementing such plan.

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, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

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 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.

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 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 program fund account.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2009-10 appropriation.

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

For services and expenses related to inpatient rehabilitation services 200,000

For services and expenses related to residential services 89,500,000

For services and expenses related to crisis services 16,000,000

For services and expenses of chemical dependence treatment and case management services for the diversion of felony offenders from prison to treatment, distributed through a competitive process in consultation with the division of criminal justice services 500,000

For expenses related to debt service payments for capital projects funded by the proceeds of bonds and notes issued by the dormitory authority of the state of New York 24,000,000

Program account subtotal 130,200,000

EXECUTIVE DIRECTION PROGRAM 62,976,000

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 transferred to local assistance 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.

Personal service 3,578,000
Nonpersonal service 977,000

Program fund subtotal 4,555,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

For services and expenses associated with the administration of 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, a portion of the funds 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 consistent with the terms of the federal award 147,000

Program fund subtotal 147,000

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

For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act.
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 543,000

Program account subtotal 543,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Credentialing Services Account

For services and expenses related to the credentialing of prevention, alcohol and substance abuse, and problem gambling counselors.
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.

PERSONAL SERVICE

Personal service--regular 626,000
Holiday/overtime compensation 5,000

Amount available for personal service 631,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

Fringe benefits	303,000
Indirect costs	25,000
Contractual services	3,000
Amount available for nonpersonal service	331,000
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 law to the mental hygiene program fund account.

Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of alcoholism and substance abuse services make payments for any such assessment of expenses of admin-

istration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular	25,795,000
Temporary service	130,000
Holiday/overtime compensation	75,000
Amount available for personal service	26,000,000

NONPERSONAL SERVICE

Supplies and materials	1,200,000
Travel	750,000
Contractual services	8,352,000
Equipment	300,000
Indirect costs	1,100,000
Fringe benefits	16,697,000
Amount available for nonpersonal service	28,399,000
Program account subtotal	54,399,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Methadone Registry Services Account

For services and expenses related to the operation of methadone services and a patient registry for the prevention of simultaneous enrollment in multiple methadone treatment programs.

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.

NONPERSONAL SERVICE

Contractual services	300,000
Program account subtotal	300,000

Special Revenue Funds - Other / State Operations
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		71,740,000

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 transferred to local assistance 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.

Personal service	865,000
Nonpersonal service	335,000
Program fund subtotal	1,200,000

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, 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 program fund account.

Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of alcoholism and substance abuse services make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	19,736,000
Temporary service	575,000
Holiday/overtime compensation	689,000
Amount available for personal service	21,000,000

NONPERSONAL SERVICE

Supplies and materials	5,900,000
Travel	290,000
Contractual services	9,400,000
Equipment	410,000
Indirect costs	840,000
Fringe benefits	10,500,000
Amount available for nonpersonal service	27,340,000
Program account subtotal	48,340,000

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 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.
Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged

by the state department of civil service, nor shall the office of alcoholism and substance abuse services make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular	15,000,000

NONPERSONAL SERVICE

Indirect costs	600,000
Fringe benefits	6,600,000
Amount available for nonpersonal service	7,200,000
Program account subtotal	22,200,000
PREVENTION AND PROGRAM SUPPORT	86,934,000

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

For services and expenses related to prevention, intervention and treatment programs provided by 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 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, 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 28,300,000

Program fund subtotal 28,300,000

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

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

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 appropriation 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 appropriated 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, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010.

Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract directly with voluntary agencies that are receiving, or are eligible to receive state aid from this appropriation, and/or provide state aid from this appropriation to such voluntary agencies through a state aid funding authorization letter with local governmental units.

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 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 program fund account.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2009-10 appropriation.

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

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, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

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 and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 46,000,000

Program account subtotal 46,000,000

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 operations 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 chemical dependence treatment and prevention services programs including services and expenses related to staff training, evaluation, and workforce development activities.
Notwithstanding any provision of law, rule or regulation to the contrary, a portion of this appropriation related to enforcement 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 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	7,840,000	
Program fund subtotal	7,840,000	
Total new appropriations for state operations and aid to localities		596,048,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

COMMUNITY TREATMENT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008, is hereby amended and reappropriated to read:
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
North Country Behavioral Network, Inc. .....
[117,500] 62,500 ..... (re. $62,500)
Cattaraugus County Council on Alcoholism and Substance Abuse .....
[70,500] 37,500 ..... (re. $37,500)
New York Council on Problem Gambling .....
[112,800] 60,000 ..... (re. $60,000)
Alcohol and Drug Dependency Services, Inc. .....
[188,000] 100,000 ..... (re. $100,000)
Our Lady of Lourdes Memorial Hospital, Inc. .....
[282,000] 150,000 ..... (re. $150,000)
Institute for the Professional Development in the Addictions .....
[23,500] 12,500 ..... (re. $12,500)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services.
Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services .....
5,000,000 ..... (re. $5,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2008, is hereby amended and reappropriated to read:
For services and expenses of prevention, intervention, and treatment programs provided by the SAPT block grants.
[Notwithstanding any inconsistent provision of law, up to $2,800,000 of this appropriation may be transferred and/or suballocated, pursuant to memoranda of understanding between the office of alcoholism and substance abuse services and the department of health and the department of correctional services, respectively, which addresses how such funds contribute to required set-asides of the block grant, to the following agencies: up to $1,400,000 to the AIDS institute of the department of health for the provision of primary health care services for persons enrolled in drug treatment programs; and up to $1,400,000 to the department of correctional services for treatment and counseling costs.]

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive 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. $72,137,000)

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

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

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

Notwithstanding any inconsistent provision of law, up to $2,800,000 of this appropriation may be transferred, pursuant to memoranda of understanding between the office of alcoholism and substance abuse services and the department of health and the department of correctional services, respectively, which addresses how such funds contribute to required set-asides of the block grant, to the following agencies: up to $1,400,000 to the AIDS institute of the department of health for the provision of primary health care services for persons enrolled in drug treatment programs; and up to $1,400,000 to the department of correctional services for treatment and counseling costs.

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

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.

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For grants beginning prior to April 1, 2007 .....
57,553,000 ..... (re. $372,000)
For grants beginning on or after April 1, 2007 .....
23,500,000 ..... (re. $23,500,000)
For services and expenses associated with federal block grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of alcoholism and substance abuse services for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant.
For grants beginning prior to April 1, 2007 .....
5,000,000 ..... (re. $4,996,000)

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

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 contained herein to any other federal fund in which federal homeless grants are actually received ... 11,000,000 ..... (re. $10,940,000)
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. $350,000)

By chapter 54, section 1, of the laws of 2007:
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 any other federal fund in which federal homeless grants are actually received.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For grants beginning prior to April 1, 2007 .....
11,000,000 ..... (re. $8,806,000)
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 in the office of alcoholism and substance abuse services consistent with the terms of the federal award for administrative and support services, including fringe benefits, associated with this grant.
For grants beginning on or after April 1, 2007 .....
360,000 ..... (re. $350,000)

By chapter 54, section 1, of the laws of 2006:
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 any other federal fund in which federal homeless grants are actually received.
For the grant period October 1, 2005 to September 30, 2010 .....
11,000,000 ..... (re. $6,799,000)
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 in the office of alcoholism and substance abuse services consistent with the terms of the federal award for administrative and support services, including fringe benefits, associated with this grant.
For the grant period June 1, 2006 to May 31, 2008 .....
360,000 ..... (re. $91,000)

By chapter 54, section 1, of the laws of 2005:
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 any other federal fund in which federal homeless grants are actually received.
For the grant period October 1, 2004 to September 30, 2009 .....
11,000,000 ..... (re. $6,603,000)

By chapter 54, section 1, of the laws of 2004:
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 any other federal fund in which federal homeless grants are actually received.
For the grant period October 1, 2003 to September 30, 2008 .....
11,000,000 ..... (re. $6,085,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses related to homeless grants ... ...
For the grant period October 1, 1998 to September 30, 2007 .....
11,000,000 ..... (re. $6,812,000)

EXECUTIVE DIRECTION PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant.
Personal service ... 3,578,000 ..... (re. $2,800,000)
Nonpersonal service ... 977,000 ..... (re. $484,000)

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with the administration of the federal safe and drug free schools and communities act consistent with the terms and conditions of the federal award .....
147,000 ..... (re. $147,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act .....
543,000 ..... (re. $543,000)

INSTITUTIONAL SERVICES

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant.
Personal service ... 865,000 ..... (re. $600,000)
Nonpersonal service ... 335,000 ..... (re. $192,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

PREVENTION AND PROGRAM SUPPORT

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant. 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, 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 ... 28,300,000 ..... (re. $21,462,000)

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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. $3,888,000)

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

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant. Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to the community treatment services program 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, 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 .....
2,200,000 ..... (re. $570,000)

Total reappropriations for state operations and aid to localities 198,337,500
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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2009-10

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

Capital Projects Fund	10,837,000
Mental Hygiene Capital Improvement Fund - 389	88,046,000
All Funds	98,883,000

ADMINISTRATION PROGRAM (CCP)	1,277,000

Capital Projects Fund

Administration Purpose

For payment of personal service and nonpersonal service including fringe benefits related to the administration of capital projects provided by the office of alcoholism and substance abuse services from new and reappropriated funds (53A10950) 1,277,000

COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)	89,356,000

Capital Projects Fund

Minor Rehabilitation Purpose

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2009, 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 (53030989) 4,810,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

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 (53030903) 42,273,000

New Facilities Purpose

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

DESIGN AND CONSTRUCTION SUPERVISION (CCP) 3,500,000

Capital Projects Fund

Preparation of Plans Purpose

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 projects (53A60930) 3,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

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 projects (53060930) 500,000

INSTITUTIONAL SERVICES PROGRAM (CCP) 4,000,000

Capital Projects Fund

Minor Rehabilitation Purpose

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2009, 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 (53HD0989) 1,000,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

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 (53A20903) 3,000,000

NON-BONDABLE PROJECTS (CCP) 750,000

Capital Projects Fund

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2009-10

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of community facilities authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2009 or for payment to the dormitory authority of the state of New York for defeasance of bonds. 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 (53NB09NB) 750,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2008:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2008, 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 (53030889) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, 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 (53030789) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2006, 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 (53030689) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2005:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2005, 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 (53030589) .....
5,310,000 ..... (re. $5,310,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, 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 (53030489) .....
5,310,000 ..... (re. $3,292,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2003, provided, however, that no expenditures may be made from this appro-

priation until a comprehensive plan of projects has been approved by the director of the budget (53030389) ..... 5,310,000 ..... (re. $443,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
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 (53030803) ..... 42,273,000 ..... (re. $42,273,000)

By chapter 54, section 1, of the laws of 2007:
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 (53030703) ..... 27,423,000 ..... (re. $26,668,000)

By chapter 54, section 1, of the laws of 2006:
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 (53030603) ..... 17,243,000 ..... (re. $10,343,000)

By chapter 54, section 1, of the laws of 2005:
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. $6,800,000)

New Facilities Purpose

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. $66,273,000)

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

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 (53AA0707) ..... 27,423,000 ..... (re. $19,492,000)

For the acquisition of property, design, construction and rehabilitation of 100 community residential treatment beds in Suffolk and Nassau counties, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. 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 (53010707) ..... 26,600,000 ..... (re. $26,600,000)

For the acquisition of property, design, construction and rehabilitation of 100 intensive residential and/or community residential beds for veterans, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. 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 (53020707) ... 25,400,000 ..... (re. $25,400,000)

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

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 (53AA0607) .....
17,243,000 ..... (re. $12,371,000)

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. $22,899,000)

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. $5,636,000)

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. $8,844,000)

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 office of alcoholism and substance abuse services and approved by the director of the budget (53AA0307) .....
12,970,000 ..... (re. $4,549,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
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 projects (53A60830) .....
2,000,000 ..... (re. $2,000,000)

By chapter 54, section 1, of the laws of 2007:
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 projects (53A60730) .....
2,000,000 ..... (re. $412,000)
For: (1) the payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency, the facilities development corporation, or the dormitory authority of the state of New York might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agen-

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

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth. Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the facilities development corporation, the director of the budget shall submit a request for additional appropriations to cover the additional losses. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of mental retardation and developmental disabilities for payment to the dormitory authority of the state of New York for the preparation of plans purpose (53WC0730) .....
2,000,000 ..... (re. $2,000,000)

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

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 projects (53A60630) .....
2,000,000 ..... (re. $48,000)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

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

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 projects (53060830) .....
500,000 ..... (re. $500,000)

INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2008:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2008, 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 (53HD0889) .....
500,000 ..... (re. $500,000)

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, 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 (53HD0789) .....
500,000 ..... (re. $500,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2006, 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 (53HD0689) .....
500,000 ..... (re. $500,000)

By chapter 54, section 1, of the laws of 2005:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2005, 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 (53HD0589) .....
500,000 ..... (re. $323,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, 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 (53HD0489) .....
500,000 ..... (re. $352,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2003, 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 (53HD0389) .....
500,000 ..... (re. $73,000)

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2002, 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 (53HD0289) .....
500,000 ..... (re. $120,000)

By chapter 54, section 1, of the laws of 2001:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2001, 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 (53HD0189) .....
500,000 ..... (re. $38,000)

By chapter 54, section 1, of the laws of 1999:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 1999, 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 (53HD9989) .....
1,000,000 ..... (re. $409,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
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 (53A20803) .....
3,000,000 ..... (re. $3,000,000)

By chapter 54, section 1, of the laws of 2007:
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 (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. $1,855,000)

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. $779,000)

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 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. $936,000)

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. $1,837,000)

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. $1,063,000)

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. $786,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	557,292,000	5,220,000
Special Revenue Funds - Federal	45,197,000	30,805,000
Special Revenue Funds - Other	2,620,378,000	0
Capital Projects Funds	576,543,000	1,553,418,000
Enterprise Funds	8,578,000	0
Internal Service Funds	2,782,000	0
All Funds	3,810,770,000	1,589,443,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	0	557,292,000	0	557,292,000
SR-Federal	1,358,000	43,839,000	0	45,197,000
SR-Other	2,033,140,000	587,238,000	0	2,620,378,000
Cap Proj	0	0	576,543,000	576,543,000
Enterprise	8,578,000	0	0	8,578,000
Internal Srv	2,782,000	0	0	2,782,000
All Funds	2,045,858,000	1,188,369,000	576,543,000	3,810,770,000

SCHEDULE

ADMINISTRATION AND FINANCE PROGRAM 117,011,000

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

Personal service	814,000
Nonpersonal service	178,000
Fringe benefits	366,000
Program fund subtotal	1,358,000

Special Revenue Funds - Other / State Operations
Mental Hygiene Gifts and Donations Fund - 019
Office of Mental Health Gifts and Donations Account

For nonpersonal service expenditures to benefit patients or for other purposes

from investment income, private donations and other contributions.

NONPERSONAL SERVICE

Supplies and materials	200,000
Travel	35,000
Contractual services	125,000
Equipment	140,000
Program account subtotal	500,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Office of Mental Health Grants and Bequests Account

For nonpersonal service expenditures to benefit patients from bequests from patients' families.

NONPERSONAL SERVICE

Supplies and materials	70,000
Program account subtotal	70,000

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Cook/Chill Account

For services and expenses related to the operation of the cook/chill production center at the Rockland psychiatric center.

NONPERSONAL SERVICE

Supplies and materials	1,650,000
Contractual services	1,650,000
Program account subtotal	3,300,000

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

increased or decreased by interchange, with any appropriation of the office of mental health, 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 retardation and developmental disabilities, 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. Notwithstanding any other provision of law to the contrary, a portion of this appropriation shall be available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract, subject to the approval of the director of the budget, to continue a study of the restructuring of financing of community-based mental health programs.

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 health, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. 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. Notwithstanding any inconsistent provision of law, this appropriation is not available to support the development or production of separate reports pursuant to: (i) subdivisions (h) and (I) of section 41.55 of the mental hygiene law; (ii) section 20 of chapter 723 of the laws of 1989; or (iii) subdivision (c) of section 7.15 of the mental hygiene law, for the period beginning April 1, 2009 and ending March 31, 2010.

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	46,541,000
Temporary service	1,005,000
Holiday/overtime compensation	288,000
Amount available for personal service	47,834,000

NONPERSONAL SERVICE

Supplies and materials	2,088,000
Travel	1,717,000
Contractual services	23,158,000
Equipment	3,355,000
Fringe benefits	21,601,000
Indirect costs	670,000
Amount available for nonpersonal service	52,589,000
Program account subtotal	100,423,000

Enterprise Funds / State Operations
Mental Health Sheltered Workshop Account - 351

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Temporary service	2,045,000

NONPERSONAL SERVICE

Supplies and materials	757,000
Travel	123,000
Contractual services	2,657,000
Equipment	257,000
Amount available for nonpersonal service	3,794,000
Program account subtotal	5,839,000

Enterprise Funds / State Operations
Mental Hygiene Community Stores Account - 353

PERSONAL SERVICE

Personal service--regular	587,000

NONPERSONAL SERVICE

Supplies and materials	1,679,000
Equipment	154,000
Fringe benefits	299,000
Indirect costs	20,000
Amount available for nonpersonal service	2,152,000
Program account subtotal	2,739,000

Internal Service Funds / State Operations
Mental Hygiene Revolving Account - 343

PERSONAL SERVICE

Personal service--regular	1,103,000

NONPERSONAL SERVICE

Supplies and materials	461,000
Travel	7,000
Contractual services	388,000

Equipment	236,000	
Fringe benefits	561,000	
Indirect costs	26,000	
Amount available for nonpersonal service	1,679,000	
Program account subtotal	2,782,000	
ADULT SERVICES PROGRAM		2,324,042,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various adult community mental health services, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2009 and ending June 30, 2010 and shall be available for expenditure from July 1, 2009 through September 15, 2010.

An amount of this appropriation shall be available for the development of a demonstration program pursuant to section 41.35 of the mental hygiene law, and notwith-

standing the provisions of any other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, including transfer to the department of health to reimburse the department for the state share of medical assistance payments for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal

years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2009-10 appropriation.

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, for the period commencing on January 1, 2009 the commissioner shall (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the purpose of establishing rates of payments, contracts, or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, including section 41.23 of the mental hygiene law, no unified services plan may be approved and no funding shall be available for unified services for the period beginning January 1, 2009 and ending March 31, 2010. 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 health, and to other state agencies, authorities, or accounts 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:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47 74,932,000

For services and expenses of various community mental health emergency programs, including comprehensive psychiatric emer-

gency programs pursuant to section 41.51 of the mental hygiene law 6,889,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. Notwithstanding any inconsistent provision of law, an amount up to $600,000 of this appropriation may be available for transfer to the department of health to reimburse the department for the state share of medical assistance payments related to certain hospitals with an increase in psychiatric inpatient volume of 5 percent or more during their participation in the alternate rate methodology (ARMS) through 1993 322,202,000

Program account subtotal 404,023,000

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

For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH 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 grant ... 4,800,000

For services and expenses related to adult 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 16,777,000

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of mental health services for aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant 1,200,000

For services and expenses associated with the federal New York makes work pay grant allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of mental health services and aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant 6,000,000

Program fund subtotal 28,777,000

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

For services and expenses related to homeless and shelter plus care 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 and shelter plus care grants 8,000,000

Program fund subtotal 8,000,000

Special Revenue Fund - 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 health, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. 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. 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, 2009 and ending March 31, 2010, and shall not be available for the continued operation of such facilities or wards.

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.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	525,915,000
Temporary service	3,780,000
Holiday/overtime compensation	39,300,000
Amount available for personal service	568,995,000

NONPERSONAL SERVICE

Supplies and materials	68,656,000
Travel	2,512,000
Contractual services	64,004,000
Equipment	2,732,000
Fringe benefits	254,099,000
Indirect costs	17,603,000
Amount available for nonpersonal service	409,606,000
Program account subtotal	978,601,000

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 mental health, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. 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. 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, 2009 and ending March 31, 2010, and shall not be available for the continued operation of such facilities or wards.

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	174,294,000
Temporary service	917,000
Holiday/overtime compensation	24,000,000
Amount available for personal service	199,211,000

NONPERSONAL SERVICE

Supplies and materials	49,412,000
Travel	1,802,000
Contractual services	50,486,000
Equipment	1,708,000
Fringe benefits	85,718,000
Indirect costs	9,082,000
Amount available for nonpersonal service	198,208,000

MAINTENANCE UNDISTRIBUTED

For transfer to the department of health medical assistance local assistance

program for payments for outside hospital care 3,165,000

Program account subtotal 400,584,000

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

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.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2009 and ending June 30, 2010 and shall be available for expenditure from July 1, 2009 through September 15, 2010.

An amount of this appropriation shall be available for the development of a demonstration program pursuant to section 41.35 of the mental hygiene law, and notwithstanding the provisions of any other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with

serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 2009-10 appropriation.

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, for the period commencing on January 1, 2009 the commissioner shall (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the purpose of establishing rates of payments, contracts, or any other form of reimbursement. 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 health, and to other state agencies, authorities, or accounts 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:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47. Notwithstanding any other provision of law to the contrary, up to $1,500,000 of this appropriation shall be made available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract with the office of mental health for two mental health managed care demonstration programs. One program shall be located in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties, and the other program shall be located in the city of New York. An amount from this appropriation when combined with the appropriation for the miscellaneous special revenue fund - 339 medication reimbursement account shall provide up to $15,000,000 for grants to the counties and city of New York to provide medication, and other services necessary to prescribe

and administer medication pursuant to a plan approved by the commissioner of mental health, as authorized under chapter 408 of the laws of 1999 as amended 184,200,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law. Notwithstanding the provisions of section 31.03 of the mental hygiene law and any other inconsistent provision of law, moneys appropriated for family care shall be available for, but not limited to, the purchase of substitute caretakers up to a maximum of 14 days and payments limited to $680 per year based upon financial need for the personal needs of each client residing in the family care home 312,277,000

Program account subtotal 496,477,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Medication Reimbursement Account

For services and expenses related to adult mental health services, including assisted outpatient treatment pursuant to article 9 and other provisions of the mental hygiene law. Notwithstanding any other provision of law, this appropriation may be made available upon the approval of the director of the budget 7,580,000

Program account subtotal 7,580,000

CHILDREN AND YOUTH SERVICES PROGRAM 455,506,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various children and families community mental health services, including transfer to the department of health to reimburse the department for the state share of medical

assistance for various community mental health services.

This appropriation anticipates the transfer of funds from the state education department to the office of mental health of tuition funds advanced in previous years and reimbursed by the child's school district of origin to the state of New York pursuant to chapter 810 of the laws of 1986 and applicable provisions of the education law.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2009 and ending June 30, 2010 and shall be available for expenditure from July 1, 2009 through September 15, 2010.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, including transfer to the department of health to reimburse the department for the state share of medical assistance payments for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office

of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2009-10 appropriation.

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, for the period commencing on January 1, 2009 the commissioner shall (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the purpose of establishing rates of payments, contracts, or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, including section 41.23 of the mental hygiene law, no unified services plan may be approved and no funding shall be available for unified services for the period beginning January 1, 2009 and ending March 31, 2010. 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 health, and to other state agencies, authorities, or accounts 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:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18 17,217,000

For services and expenses of various community mental health emergency programs 2,437,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended 133,615,000

Program account subtotal 153,269,000

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 7,062,000

Program fund subtotal 7,062,000

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 mental health, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. 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

the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	121,328,000
Temporary service	2,367,000
Holiday/overtime compensation	9,200,000
Amount available for personal service	132,895,000

NONPERSONAL SERVICE

Supplies and materials	11,426,000
Travel	673,000
Contractual services	11,029,000
Equipment	854,000
Fringe benefits	59,136,000
Indirect costs	4,198,000
Amount available for nonpersonal service	87,316,000
Program account subtotal	220,211,000

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

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.

For services and expenses of various children and families community mental health services, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services. This appropriation anticipates the transfer of funds from the state education department to the office of mental health of tuition funds advanced in previous years and reimbursed by the child's school district of origin to the state of New York pursuant to chapter 810

of the laws of 1986 and applicable provisions of the education law.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2009 and ending June 30, 2010 and shall be available for expenditure from July 1, 2009 through September 15,2010.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, including transfer to the department of health to reimburse the department for the state share of medical assistance payments for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 2009-10 appropriation.

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, for the period commencing on January 1, 2009 the commissioner shall (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the purpose of establishing rates of payments, contracts, or any other form of reimbursement. 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 health, and to other state agencies, authorities, or accounts 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:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18 59,251,000

For services and expenses of various community mental health emergency programs 13,826,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law 1,887,000

Program account subtotal 74,964,000

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM 7,717,000

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

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.

For services and expenses of community mental health support and workforce reinvestment services pursuant to chapter 62 of the laws of 2003, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.

Notwithstanding chapter 62 of the laws of 2003 or any provision of law to the contrary, this special revenue appropriation shall represent the full and complete obligation of the state and the office of mental health community mental health support workforce reinvestment program in fiscal year 2009-10.

For payment of state financial assistance, net of disallowances, for community mental

health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2009 and ending June 30, 2010 and shall be available for expenditure from July 1, 2009 through September 15, 2010.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, including transfer to the department of health to reimburse the department for the state share of medical assistance payments for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the

director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 2009-10 appropriation.

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, for the period commencing on January 1, 2009 the commissioner shall (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the purpose of establishing rates of payments, contracts, or any other form of reimbursement. 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 health, and to other state agencies, authorities, or accounts 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:

For services and expenses of various adult

community mental health residential programs 7,717,000

Program account subtotal 7,717,000

ENHANCED COMMUNITY SERVICES PROGRAM 500,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Enhanced Community Services Account

For transfer to the department of health comprehensive care center for eating disorders development fund 500,000

Program account subtotal 500,000

FORENSIC SERVICES PROGRAM 243,575,000

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 mental health, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. 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 the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	129,560,000
Temporary service	2,384,000
Holiday/overtime compensation	15,400,000
Amount available for personal service	147,344,000

NONPERSONAL SERVICE

Supplies and materials	12,259,000
Travel	925,000
Contractual services	6,193,000
Equipment	458,000
Fringe benefits	65,504,000
Indirect costs	10,892,000
Amount available for nonpersonal service	96,231,000
Program account subtotal	243,575,000

RESEARCH IN MENTAL ILLNESS PROGRAM 85,876,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
OMH-Research Recovery Account

For services and expenses to support central administration, research associates, equipment provided through external grants, travel, conference expenses, including the annual research conference, 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.

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, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental health, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1,

2009. 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 the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	45,430,000
Temporary service	65,000
Holiday/overtime compensation	884,000
Amount available for personal service	46,379,000

NONPERSONAL SERVICE

Supplies and materials	3,676,000
Travel	113,000
Contractual services	4,669,000
Equipment	102,000
Fringe benefits	20,185,000
Indirect costs	3,522,000
Amount available for nonpersonal service	32,267,000
Program account subtotal	78,646,000

Total new appropriations for state operations and aid to localities	3,234,227,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION AND FINANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Personal service ... 814,000 ..... (re. $814,000)
Nonpersonal service ... 178,000 ..... (re. $178,000)
Fringe benefits ... 366,000 ..... (re. $366,000)

ADULT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008, is hereby amended and reappropriated to read:
For services and expenses of the Mental Health Association in Rockland County ... [94,000] 50,000 ..... (re. $50,000)
For services and expenses of the Mental Health Association in Orange County ... [65,800] 35,000 ..... (re. $35,000)
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
Relief Resources ... [282,000] 150,000 ..... (re. $150,000)
NASW-NYS Training Initiative on Veteran's Mental Health .....
[235,000] 125,000 ..... (re. $125,000)
Health Care Enhancements for direct care workers .....
[282,000] 150,000 ..... (re. $150,000)
Hospital Audiences ... [141,000] 75,000 ..... (re. $75,000)
Farm Net ... [141,000] 75,000 ..... (re. $75,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses to support a public awareness and education campaign specifically focused on suicide prevention among young Latina and elderly Asian women. The office of mental health shall contract through a request for proposal process with organizations with demonstrated experience in outreach to non-English speaking communities. The selected organizations shall partner with community-based organizations with experience providing mental health services to Latina, East Asian, South Asian, Southeast Asian, and Pacific Islander communities ... 1,000,000 ..... (re. $750,000)
For grants to community-based organizations providing support to parents with psychiatric disabilities. The office of mental health shall contract through a request for proposal process with community-based organizations for services and expenses of the following programs: (a) programs offering counseling services and parenting skills that enable individuals to be more effective parents and (b) programs providing training for legal professionals to recognize psychiatric disabilities in parents and connect such parents to

services that enhance their parenting skills in an effort to prevent their children from entering the child welfare system. Of the amount appropriated herein no less than $200,000 and up to $350,000 shall be made available for transfer to the Commission on Quality of Care and Advocacy for Persons with Disabilities to increase legal services for parents with psychiatric disabilities through a request for proposal process ... 850,000 ..... (re. $850,000)

For services and expenses associated with a needs based request for proposals initiative assist community recovery providers efforts in critical physical plant improvements, transportation amelioration and/or renovation and rehabilitation enhancements ..... 500,000 ..... (re. $500,000)

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

For services and expenses related to the addition of a minimum of 55 scattered site supported apartments and attendant services to provide independent housing for persons with serious mental illness currently residing in impacted adult homes ..... 810,000 ..... (re. $810,000)

For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:

Eating Disorders program initiatives ... 300,000 ..... (re. $85,000)

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

For services and expenses of contracts with municipalities and/or not-for-profit agencies:

Hospital audiences ... 175,000 ..... (re. $10,000)

Mental Health Projects ... 350,000 ..... (re. $5,000)

Special Revenue Funds - Federal / Aid to Localities

Federal Health and Human Services Fund - 265

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

For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH 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 grant ..... 4,287,000 ..... (re. $3,767,000)

For services and expenses related to adult 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 ... 24,077,000 ..... (re. $5,563,000)

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services.

Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of mental health services for aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant ... 1,200,000 ..... (re. $1,200,000)

For services and expenses related to homeless and shelter plus care 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 and shelter plus care grants ... 8,000,000 ..... (re. $8,000,000)

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

For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH 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 grant:

For the grant period September 1, 2007 to August 31, 2008 .....

4,287,000 ..... (re. $3,798,000)

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

For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH 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 grant:

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

3,887,000 ..... (re. $1,692,000)

CHILDREN AND YOUTH SERVICES PROGRAM

General Fund / Aid to Localities

Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 1, of the laws of 2008, is hereby amended and reappropriated to read:

North Country Children's Mental Health Programs .....

[94,000] 50,000 ..... (re. $50,000)

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

For new and existing family support providers to work with and strengthen families of children being admitted to and/or currently receiving treatment from or soon to be discharged from mental health services, including but not limited to residential treatment facilities, community residences, hospitals, day treatment programs and

home and community-based waiver programs .....
1,000,000 ..... (re. $1,000,000)
For services and expenses related to two pilot projects and joint pilot project known as the New York state/New York local transitional housing task force for children. An amount up to $350,000 of this appropriation will be used to establish two transitional living housing pilot projects. An amount up to $75,000 of this appropriation will be used to establish and fund the taskforce and a report. An amount up to $75,000 of this appropriation will be used to fund outreach and education presentations to municipal and county officials about the feasibility of joint cooperative agreements on transitional living housing projects .....
500,000 ..... (re. $500,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses 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 ... 7,062,000 ..... (re. $5,427,000)

Total reappropriations for state operations and aid to localities 36,025,000
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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

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

Capital Projects Fund	38,010,000
Mental Hygiene Capital Improvement Fund	538,533,000
All Funds	576,543,000
COMMUNITY MENTAL HEALTH FACILITIES (CCP)	11,630,000

Capital Projects Fund

Minor Rehabilitation Purpose

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 (50100989) 6,000,000

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

For payment of personal service and nonpersonal service, including fringe benefits related to the administration of the community capital program provided by the office of mental health for new and reappropriated community 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 (50120950) 630,000

Preservation of Facilities Purpose

For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230903) 5,000,000

DESIGN AND CONSTRUCTION SUPERVISION (CCP) 14,000,000

Capital Projects Fund

Preparation of Plans Purpose

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 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 (50DC0930) 2,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

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 (50310930) 12,000,000

EXECUTIVE DIRECTION (CCP) 3,717,000

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional 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 (50990950) 3,717,000

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) ... 546,196,000

Capital Projects Fund

Energy Conservation Purpose

For payment of the cost of construction, reconstruction and improvements, includ-

ing the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050905) 4,500,000

Environmental Protection or Improvements Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0906) 4,100,000

Health and Safety Purpose

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 (50HS0901) 8,410,000

Preservation of Facilities Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates 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 (50PF0903) 12,000,000

Mental Hygiene Capital Improvement Fund - 389

Accreditation Purpose

For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. 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 (50060902) 347,480,000

Environmental Protection or Improvements Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. 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 (50060906) 1,000,000

Health and Safety Purpose

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 (50010901) 38,125,000

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 (50030903) 45,396,000

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 (50080908) 85,185,000

NON-BONDABLE PROJECTS (CCP) 1,000,000

Capital Projects Fund

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of projects for community facilities authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2008 or for payment to the dormitory authority of the state of New York for defeasance of bonds. 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 (502909NB) 1,000,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

COMMUNITY MENTAL HEALTH FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2008:
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 (50100889) .....
6,000,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2007:
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 (50100789) .....
6,000,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2006:
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 (50100689) .....
6,000,000 ..... (re. $6,000,000)

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. $4,308,0000)

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. $3,083,000)

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. $3,537,000)

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) ..... 6,000,000 ..... (re. $1,199,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 1998:
State aid to not-for-profit agencies for acquisition of property, construction and rehabilitation of 200 supported/SRO beds, approved by the commissioner of the office of mental health, pursuant to Article 41 of the mental hygiene law. The moneys hereby appropriated shall be available for payment of state aid grants for up to 50 per centum of the reasonable capital costs of those premises acquired,

constructed or rehabilitated for the purpose of housing mentally ill persons (3/99) (50139807) ... 8,000,000 ..... (re. $3,062,000)

By chapter 54, section 1, of the laws of 1994, for:
State aid to municipalities and other public and not-for-profit private agencies for acquisition of property, design, construction and rehabilitation of community mental health facilities and associated programs including, but not limited to, article 28 or article 31 community mental health facilities or supported housing beds, and for state aid grants for facilities intended to serve mentally ill persons (50239407) ... 16,070,000 ..... (re. $588,000)

Mental Hygiene Capital Improvement Fund - 389

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. To the extent that any portion of such appropriation is utilized to develop housing in any city having a population of one million or more, that portion of the appropriation shall be matched on a 50/50 basis (50VY0807) ..... 145,000,000 ..... (re. $145,000,000)

By chapter 54, section 1, of the laws of 2007:
For payment to municipalities and not-for- profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. To the extent that any portion of such appropriation is utilized to develop housing in any city having a population of one million or more, that portion of the appropriation shall be matched on a 50/50 basis (50VY0707) ..... 200,000,000 ..... (re. $200,000,000)

By chapter 54, section 1, of the laws of 2006:
For payment to municipalities and other public and not-for-profit community providers approved by the commissioner of the office of mental health, pursuant to mental hygiene law, for the acquisition of property, construction and rehabilitation of supportive housing for mentally ill homeless persons (50VY0607) ..... 211,000,000 ..... (re. $193,938,000)

By chapter 54, section 1, of the laws of 2005:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. Of such appropriation up to eighty percent shall be matched on a 50/50 basis (50VY0507) ..... 75,000,000 ..... (re. $59,047,000)

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

For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. Of such appropriation up to eighty percent shall be matched on a 50/50 basis (50VY0307) ..... 65,000,000 ..... (re. $33,930,000)

By chapter 54, section 1, of the laws of 1999:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. Of such appropriation eighty percent shall be matched on a 50/50 basis and twenty percent shall not require a match (50VY9907) ..... 50,000,000 ..... (re. $21,998,000)

By chapter 54, section 1, of the laws of 1998:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of SRO/supportive housing for mentally ill homeless persons, to be matched on a 50/50 basis (50279807) ..... 40,000,000 ..... (re. $1,112,000)

By chapter 54, section 1, of the laws of 1993, as amended by chapter 54, section 1, of the laws of 1996:
For the acquisition of property, construction and rehabilitation of article 31 community mental health facilities and associated programs and facilities under the auspice of municipalities and other public and not-for-profit private agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law. The funds hereby appropriated shall be used for the acquisition of property, construction and rehabilitation of community facilities (50149307) ..... 42,000,000 ..... (re. $1,211,000)
For acquisition of property, design, construction and rehabilitation of community facilities under the auspice of municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law. The funds hereby appropriated shall be available for the costs of those portions of acquired, constructed or rehabilitated facilities intended to house mentally ill persons. All disbursements from funds apportioned from this appropriation shall, for bonding purposes, be considered disbursements of the Mental Hygiene Capital Improvement Fund (50139307) ..... 13,000,000 ..... (re. $594,000)

By chapter 54, section 1, of the laws of 1990:
For the acquisition of property, construction and rehabilitation of article 31 community mental health facilities under the auspice of municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental health, pursuant to article 41 of the Mental Hygiene Law. Notwithstanding any

inconsistent provision of law to the contrary, these funds may be expended for personal service and non-personal service, including fringe benefits, related to the administration of projects financed through the issuance of medical care facilities finance agency mental health services facilities improvement bonds authorized by this appropriation or any prior appropriation in force. The funds hereby appropriated shall be made available in accordance with a comprehensive plan for proposed projects approved by the director of the budget, and pursuant to a certificate of approval of availability issued by the director of the budget with copies of the certificate filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee (50109007) ... 30,000,000 ..... (re. $2,338,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230803) ... 28,000,000 ..... (re. $28,000,000)

By chapter 54, section 1, of the laws of 2007:
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230703) ... 112,000,000 ..... (re. $103,139,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230603) ... 15,000,000 ..... (re. $11,814,000)

By chapter 54, section 1, of the laws of 2003:
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230303) ... 5,000,000 ..... (re. $409,000)

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

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For the acquisition of property, construction, rehabilitation and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230103) ..... 5,000,000 ..... (re. $595,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
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 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 (50DC0830) ..... 2,000,000 ..... (re. $2,000,000)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
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 (50310830) ... 12,000,000 ..... (re. $12,000,000)

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

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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 (50310730) ... 12,000,000 ..... (re. $5,457,000)

By chapter 54, section 1, of the laws of 2006:
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 (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. $2,000,000)

DEPARTMENT OF MENTAL HYGIENE

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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

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. $2,635,000)

By chapter 54, section 1, of the laws of 2003:
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 (50310330) ... 8,000,000 ..... (re. $300,000)

EXECUTIVE DIRECTION (CCP)

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional 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 (50990850) ..... 3,717,000 ..... (re. $3,717,000)

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By chapter 54, section 1, of the laws of 2007:
For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional 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 (50990750) .....
3,717,000 ..... (re. $2,396,000)

By chapter 54, section 1, of the laws of 2004, as amended by chapter 54, section 1, of the laws of 2005, as supplemented by a certificate of transfer:
For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional 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 (50990450) .....
3,591,000 ..... (re. $428,000)

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Energy Conservation Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050805) ... 4,500,000 ..... (re. $4,500,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050705) ... 4,200,000 ..... (re. $1,132,000)

Environmental Protection or Improvements Purpose

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

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For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0806) ..... 4,100,000 ..... (re. $4,100,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0706) ..... 8,010,000 ..... (re. $4,524,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0606) ..... 6,550,000 ..... (re. $990,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0506) ..... 7,450,000 ..... (re. $263,000)

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon 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 (50HS0801) ..... 7,010,000 ..... (re. $5,602,000)

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 (50HS0701) ..... 4,000,000 ..... (re. $788,000)

Minor Rehabilitation Purpose

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By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, 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 (50380789) .....
4,000,000 ..... (re. $339,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates 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 (50PF0803) ... 18,400,000 ..... (re. $18,273,000)

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 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 (50PF0703) ... 13,800,000 ..... (re. $8,209,000)

By chapter 54, section 1, of the laws of 2006:
For payment for the renovation, improvements, space management and/or utilization activities at the St. Lawrence Psychiatric Center (50SL0603) ... 5,000,000 ..... (re. $5,000,000)

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Accreditation Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. 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 (50060802) ... 95,624,000 ..... (re. $95,624,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs,

plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060702) .....
164,153,000 ..... (re. $159,202,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060602) .....
70,352,000 ..... (re. $52,441,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060502) .....
45,212,000 ..... (re. $19,791,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060402) .....
8,500,000 ..... (re. $1,371,000)

By chapter 54, section 1, of the laws of 2003, as amended by chapter 54, section 1, of the laws of 2008, as supplemented by a certificate of transfer:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060302) .....
6,900,000 ..... (re. $979,000)

DEPARTMENT OF MENTAL HYGIENE

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Environmental Protection or Improvements Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. 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 (50060806) .....
1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. 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 (50060706) .....
500,000 ..... (re. $241,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. 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 (50060606) .....
500,000 ..... (re. $104,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. 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 (50160306) .....
2,000,000 ..... (re. $610,000)

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. 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. $60,276,000)

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. $20,912,000)

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. $2,413,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for 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. $5,672,000)

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. $1,525,000)

By chapter 54, section 1, of the laws of 2003:
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 (50010301) .....
45,000,000 ..... (re. $1,374,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, 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 (50030803) .....
24,688,000 ..... (re. $24,688,000)

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, 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. 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 (50030703) ... 34,946,000 ..... (re. $27,675,000)

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, 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. 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 (50030603) ... 21,804,000 ..... (re. $8,516,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, 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. 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 (50030503) ... 25,045,000 ..... (re. $6,182,000)

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, 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. 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 (50030403) ... 29,350,000 ..... (re. $6,889,000)

By chapter 54, section 1, of the laws of 2003:
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. 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 (50030303) ... 21,700,000 ..... (re. $1,432,000)

Program Improvement or Program Change Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates 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 (50080808) ... 32,952,000 ..... (re. $32,952,000)

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 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 (50080708) ... 46,208,000 ..... (re. $41,675,000)

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 related to improvements or changes to existing facilities and programs, including for costs associated with the civil commitment of persons convicted of sexually violent offenses in accordance with the mental hygiene law directly upon their release or conditional release from a correctional facility. 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 (50080608) ..... 85,473,000 ..... (re. $44,694,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes 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 (50080508) ..... 14,146,000 ..... (re. $2,301,000)

By chapter 54, section 1, of the laws of 2003:
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, 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 (50080308) ..... 18,000,000 ..... (re. $1,834,000)

NON-BONDABLE PROJECTS (CCP)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

Capital Projects Fund

Non-Bondable Purpose

By chapter 54, section 1, of the laws of 2000:
For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of institutional projects authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2000 or for payment to the dormitory authority of the state of New York for defeasance of bonds. 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 (50FO00NB) .....
8,000,000 ..... (re. $5,045,000)

(APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

EXECUTIVE DIRECTION (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 1, section 8, of the laws of 1965, as amended by chapter 54, section 1, of the laws of 2006:
(1) The payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency or the facilities development corporation or the dormitory authority might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth.

Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the Facilities Development Corporation, the director of the division of the budget shall submit a request for additional appropriations to cover the additional losses. Upon approval by 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 (00638103) .....
4,000,000 ..... (re. $2,445,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	1,491,249,000	2,289,500
Special Revenue Funds - Federal	751,000	3,141,000
Special Revenue Funds - Other	2,897,403,000	0
Capital Projects Funds	127,315,000	318,910,000
Enterprise Funds	2,669,000	0
Internal Service Funds	350,000	0
All Funds	4,519,737,000	324,340,500

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	0	1,491,249,000	0	1,491,249,000
SR-Federal	751,000	0	0	751,000
SR-Other	2,167,640,000	729,763,000	0	2,897,403,000
Cap Proj	0	0	127,315,000	127,315,000
Enterprise	2,669,000	0	0	2,669,000
Internal Srv	350,000	0	0	350,000
All Funds	2,171,410,000	2,221,012,000	127,315,000	4,519,737,000

SCHEDULE

CENTRAL COORDINATION AND SUPPORT PROGRAM 118,624,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

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.

For services and expenses related to the

administration of the federal senior companions program 333,000
For services and expenses associated with housing counseling assistance and training programs 418,000
Program fund subtotal 751,000

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.
Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular	60,107,000
Temporary service	548,000
Holiday/overtime compensation	194,000
Amount available for personal service	60,849,000

NONPERSONAL SERVICE

Supplies and materials	681,000
Travel	2,309,000
Contractual services	20,393,000
Equipment	3,986,000
Fringe benefits	26,871,000
Indirect costs	2,434,000
Amount available for nonpersonal service	56,674,000
Program account subtotal	117,523,000

Internal Service Fund / State Operations
Miscellaneous Internal Service Fund - 334
OMRDD Copy Center Account

For services and expenses associated with the office of mental retardation and developmental disabilities copy center. 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.

NONPERSONAL SERVICE

Contractual services	350,000
Program account subtotal	350,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

COMMUNITY SERVICES PROGRAM 3,538,048,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of the community services program, net of disallowances, for community mental retardation and developmental disabilities programs pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law.

Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. No expenditure shall be made until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller, and the chairs of the senate finance and assembly ways and means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2009, April 1, 2009 or July 1, 2009, and for advances for the 3 month period beginning January 1, 2010.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, with the approval of the director of the budget, may contract with voluntary agencies that are receiving, or are eligible to receive, state aid directly or through written agreements with local governments pursuant to article 41 of the mental hygiene law. The commissioner, pursuant to such

contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any inconsistent provision of law, reimbursement from this appropriation for services delivered under the medical assistance program shall be pursuant to economic and efficient rates of payments, which recognize consumer choice, established by the commissioner, and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.

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.

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.

Notwithstanding any inconsistent provision of law, with the approval of the director of the budget, moneys from this appropriation may be used for expenses incurred by the office of mental retardation and developmental disabilities that may arise from the assumption of operational responsibility for programs when operating certificates for such programs cease to be in effect.

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, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, including section 41.23 of the mental hygiene law, no unified services plan shall be approved and no funding shall be available for unified services for the period beginning January 1, 2009 and ending March 31, 2010.

Notwithstanding any inconsistent provision of law, including section 31 of part E of chapter 58 of the laws of 1998, no income shall be considered exempt for the period beginning April 1, 2009 and ending March 31, 2010 to the long term sheltered workshop employment program for purposes of determining state aid.

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 any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net operating costs related to the provision of family support services, including services to persons with epilepsy.

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 voluntary-operated community residential alternatives, including individualized residential alternatives under the home and community based services waiver. The commissioner shall, subject to the approval of the director of the budget, alter existing advance payment schedules for voluntary-operated community residences established pursuant to subdivision (h) of section 41.36 of the mental hygiene law.

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment at the rate of $600 per year on the basis of financial need for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for the operation of clinics licensed pursuant to article 16 of the mental hygiene law and operated by voluntary non-profit providers, for appropriate clinical services including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for expenditure in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (ii) of subdivision 4 of section 1 of such part.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for services and expenses associated with the NYS-CARES initiative related to the operation of certified and noncertified voluntary operated community residential program alternatives including family care and community day program alternatives consistent with economic and efficient rates of payment and amounts, which recognize consumer choice, established by the commissioner, and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, the following appropriation amounts shall be net of refunds, rebates, reimbursements, and credits.

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

For the state share of medical assistance services expenses incurred by the department of health for the provision of

medical assistance services to the developmentally disabled 1,371,273,000
For services and expenses related to the provision of residential services to the developmentally disabled 16,722,000
For services and expenses related to the provision of family support services to the developmentally disabled 56,269,000
For services and expenses related to the provision of workshop, day training and employment services to the developmentally disabled 44,480,000
For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home waiver, epilepsy services, special olympics and voluntary fingerprinting 2,505,000

Program account subtotal 1,491,249,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income 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 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, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional

share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular	502,960,000
Temporary service	1,199,000
Holiday/overtime compensation	40,472,000
Amount available for personal service	544,631,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	41,202,000
Travel	4,154,000
Contractual services	59,950,000
Equipment	18,692,000
Fringe benefits	240,509,000
Indirect costs	21,785,000
Amount available for nonpersonal service	386,292,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2009 through March 31, 2010 pursuant to section 43.04 of the mental hygiene law	10,116,000
Program account subtotal	941,039,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any inconsistent provision of law, moneys for this appropriation may be used for any purpose enumerated in any existing office of mental retardation and developmental disabilities active aid to localities appropriation provided, however, that these moneys may not be used for payment of the state share of medical assistance programs for which federal reimbursement will be claimed.

Notwithstanding any other provisions 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.

Notwithstanding any inconsistent provision of law, the following appropriation amounts shall be net of refunds, rebates, reimbursements, and credits. 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.

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, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

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

For services and expenses related to the

provision of residential services to the developmentally disabled 183,915,000
For services and expenses related to the provision of day program services to the developmentally disabled 107,086,000
For services and expenses related to the provision of family support services to the developmentally disabled 16,748,000
For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home waiver, epilepsy services, special olympics and voluntary fingerprinting 3,764,000

Program account subtotal 311,513,000

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 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make

payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular	224,387,000
Temporary service	613,000
Holiday/overtime compensation	18,236,000
Amount available for personal service	243,236,000

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	107,413,000
Indirect costs	9,729,000
Amount available for nonpersonal service	132,761,000
Program account subtotal	375,997,000

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 (NYS-OPTS) initiative, in accordance with a programmatic and fiscal plan to be approved by the director of the budget.
Notwithstanding any provision of law to the contrary, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.
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.
Notwithstanding any provision of law to the contrary, the moneys hereby appropriated, or so much thereof as may be necessary, are to be available for the purposes herein specified for obligations heretofore accrued or hereafter to accrue 320,000,000

Program account subtotal 320,000,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD - Day Services Account

For services and expenses related to the provision of HCBS waiver day services to

developmentally disabled individuals residing in intermediate care facilities. 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 98,000,000

Program account subtotal 98,000,000

INSTITUTIONAL SERVICES PROGRAM 709,548,000

Special Revenue Funds - Other / State Operations
Mental Hygiene Gifts and Donations Fund - 019
Office of Mental Retardation and Developmental Disabilities Gifts and Donations Account

For expenditures on behalf of residents from donated funds. 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.

NONPERSONAL SERVICE

Supplies and materials 500,000

Program account subtotal 500,000

Special Revenue Funds - Other / State Operations
Combined Nonexpendable Trust Fund - 332
OMRDD Nonexpendable Trust Account

For expenditures on behalf of residents from donated funds. 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.

NONPERSONAL SERVICE

Supplies and materials	4,000
Program account subtotal	4,000

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.
Notwithstanding section 11 of title A of article 2 of the civil service law, this

appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular	223,211,000
Temporary service	408,000
Holiday/overtime compensation	17,673,000
Amount available for personal service	241,292,000

NONPERSONAL SERVICE

Supplies and materials	29,160,000
Travel	1,096,000
Contractual services	27,619,000
Equipment	8,238,000
Fringe benefits	106,555,000
Indirect costs	9,652,000
Amount available for nonpersonal service	182,320,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2009 through March 31, 2010 pursuant to section 43.04 of the mental hygiene law	135,130,000
Program account subtotal	558,742,000

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

Notwithstanding any inconsistent provision of law, 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 section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

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.

PERSONAL SERVICE

Personal service--regular	81,099,000
Temporary service	148,000
Holiday/overtime compensation	6,421,000
Amount available for personal service	87,668,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	7,826,000
Travel	294,000
Contractual services	7,413,000
Equipment	2,211,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

Fringe benefits	38,714,000
Indirect costs	3,507,000
Amount available for nonpersonal service	59,965,000
Program account subtotal	147,633,000

Enterprise Funds / State Operations
Mental Retardation Sheltered Workshop Account - 352
Sheltered Workshop Fund OMRDD Account

For services and expenses including residents' salaries, supplies and materials of sheltered workshops and vocational rehabilitation work activities.
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.

NONPERSONAL SERVICE

Supplies and materials	700,000
Travel	10,000
Contractual services	800,000
Equipment	40,000
Program account subtotal	1,550,000

Enterprise Funds / State Operations
Mental Hygiene Community Stores Account - 353
MR Community Stores Fund Account

For services and expenses including supervision and administration of community stores located at various developmental centers.
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.

PERSONAL SERVICE

Personal service--regular	291,000

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	1,119,000
RESEARCH IN MENTAL RETARDATION PROGRAM	26,202,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Research in Mental Retardation Account

Amount available on behalf of clients 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.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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.
Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

	PERSONAL SERVICE	
Personal service--regular	15,743,000	
Holiday/overtime compensation	338,000	
Amount available for personal service	16,081,000	
	NONPERSONAL SERVICE	
Supplies and materials	875,000	
Travel	7,000	
Contractual services	1,181,000	
Equipment	164,000	
Fringe benefits	7,101,000	
Indirect costs	643,000	
Amount available for nonpersonal service	9,971,000	
Program account subtotal	26,052,000	
Total new appropriations for state operations and aid to localities		4,392,422,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

CENTRAL COORDINATION AND SUPPORT PROGRAM

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

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to the real choice through options for people through services grant.
For grants beginning prior to April 1, 2007 .....
2,865,000 ..... (re. $2,511,000)

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to the administration of the federal senior companions program ... 280,000 ..... (re. $280,000)
For services and expenses associated with housing counseling assistance and training programs ... 350,000 ..... (re. $350,000)

COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008, is hereby amended and reappropriated to read:
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
Epilepsy Foundation of Western New York .....
[47,000] 25,000 ..... (re. $25,000)
NYS Cerebral Palsy - Camp Jened ... [47,000] 25,000 ... (re. $25,000)
ACHIEVE ... [94,000] 50,000 ..... (re. $50,000)
Chenango County ARC ... [32,900] 17,500 ..... (re. $17,500)
Epilepsy Foundation of Rochester - Syracuse - Binghamton .....
[23,500] 12,500 ..... (re. $12,500)
Handicapped Children's Association of Southern New York .....
[18,800] 10,000 ..... (re. $10,000)
Cerebral Palsy and Handicapped Children's Association of Chemung County ... [70,500] 37,500 ..... (re. $37,500)
Camp Wildwood ... [47,000] 25,000 ..... (re. $25,000)
Family and Children's Service of the Capital Region, Inc .....
[94,000] 50,000 ..... (re. $50,000)
Camp Anne ... [282,000] 150,000 ..... (re. $150,000)
Quality services for the Autism Community (QSAC) .....
[141,000] 75,000 ..... (re. $75,000)
Rockland County Association for the Learning Disabled .....
[47,000] 25,000 ..... (re. $25,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

Epilepsy Foundation of Southern New York .....
[141,000] 75,000 ..... (re. $75,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
Epilepsy Foundation of Southern New York ... 200,000 ... (re. $20,000)
Broome - Tioga ARC ... 100,000 ..... (re. $10,000)
Epilepsy Foundation of Rochester - Syracuse - Binghamton .....
25,000 ..... (re. $1,000)
Warren County Office of Community Services .....
200,000 ..... (re. $20,000)
NYS Cerebral Palsy - Camp Jened ... 150,000 ..... (re. $15,000)
Cody Center for Autism and Developmental Disabilities .....
100,000 ..... (re. $29,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
Local Respite ... 200,000 ..... (re. $4,000)
Cody Center for Autism and Developmental Disabilities .....
500,000 ..... (re. $1,000)
For services and expenses associated with a direct care worker recruitment and retention pilot project program .....
2,500,000 ..... (re. $1,612,000)

Total reappropriations for state operations and aid to localities 5,430,500
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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

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

Capital Projects Fund 65,040,000

Mental Hygiene Capital Improvement Fund - 389 62,275,000

All Funds 127,315,000

DESIGN AND CONSTRUCTION SUPERVISION (CCP) 11,000,000

Capital Projects Fund

Preparation of Plans Purpose

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 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 associated with the community services and institutional services programs. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F20930) 3,000,000

For: (1) the payment of all claims for personal injury, death or property damage for which the New York State

Medical Care Facilities Finance Agency, the facilities development corporation, or the dormitory authority of the state of New York might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth.

Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the facilities development corporation, the director of the budget shall submit a request for additional appro-

priations to cover the additional losses. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51WC0930) 2,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

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 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 associated with the institutional services program and the community services program. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F10930) 6,000,000

INSTITUTIONAL SERVICES PROGRAM (CCP) 50,170,000

Capital Projects Fund

Health and Safety Purpose

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 (51H10901) 7,500,000

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 (51P10903) 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

Mental Hygiene Capital Improvement Fund - 389

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

the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30901) 34,150,000

NON-BONDABLE PROJECTS (CCP) 1,000,000

Capital Projects Fund

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of non-bondable costs of projects authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2009 or for payment to the dormitory authority of the state of New York for defeasance of bonds. 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 (51FL09NB) 1,000,000

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP) 49,320,000

Capital Projects Fund

Administration Purpose

For payment of personal service and nonpersonal service costs related to the administration of capital projects for new and reappropriated appropriations. 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 (51A109C1) 2,665,000

Preservation of Facilities Purpose

For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51M10903) 19,380,000

New Facilities Purpose

For alterations and improvements of sites leased for state-operated programs, and for the purchase of furniture and equipment for state-operated programs. 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 (51L10907) 11,600,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51PR0903) 1,000,000

New Facilities Purpose

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 (51R10907) 14,675,000

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) 15,825,000

Capital Projects Fund

Preservation of Facilities Purpose

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 not-for-profit provider operated community residential and day service programs (51200903) 5,000,000

New Facilities Purpose

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 feasibility 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

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

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 rehabilitation, 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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
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 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 associated with the institutional services program and the community services program. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F10830) .....
7,280,000 ..... (re. $3,640,000)

INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2008:
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 (51H10801) .....
6,400,000 ..... (re. $6,400,000)

By chapter 54, section 1, of the laws of 2007:
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 (51H10701) .....
7,325,000 ..... (re. $7,300,000)

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. $2,760,000)

By chapter 54, section 1, of the laws of 2005:
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 (51H10501) ..... 7,350,000 ..... (re. $5,020,000)

Preservation of Facilities Purpose

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. $1,400,000)

By chapter 54, section 1, of the laws of 2007:
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. $3,420,000)
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 (51M20703) ... 3,300,000 ..... (re. $2,750,000)

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

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. $4,300,000)
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. $1,190,000)

By chapter 54, section 1, of the laws of 2005:
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 (51P10503) ... 6,200,000 ..... (re. $1,530,000)
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 (51M20503) ... 2,469,000 ..... (re. $1,130,000)

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. $1,130,000)

Mental Hygiene Capital Improvement Fund - 389

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30801) ... 33,200,000 ..... (re. $33,200,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30701) ... 32,290,000 ..... (re. $30,790,000)
For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0701) ... 11,000,000 ..... (re. $11,000,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30601) ... 32,143,000 ..... (re. $25,000,000)
For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0601) ... 27,000,000 ..... (re. $6,000,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0501) ... 40,000,000 ..... (re. $11,000,000)

By chapter 54, section 1, of the laws of 2004:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30401) ..... 26,270,000 ..... (re. $11,200,000)

By chapter 54, section 1, of the laws of 2003:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30301) ..... 26,004,000 ..... (re. $19,000,000)

By chapter 54, section 1, of the laws of 2002:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30201) ..... 48,612,000 ..... (re. $5,000,000)

By chapter 54, section 1, of the laws of 2001:
For alterations and improvements for health and safety projects at the institute for basic research in developmental disabilities. 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 (51IB0101) ..... 7,000,000 ..... (re. $6,010,000)

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51M10803) ... 18,470,000 ..... (re. $18,450,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements of sites leased for state-operated programs, and for the purchase of furniture and equipment for state-operated programs. 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 (51L10807) ..... 2,000,000 ..... (re. $1,570,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51PR0803) ... 1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2007:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51PR0703) ... 1,000,000 ..... (re. $1,000,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2006:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51PR0603) ... 1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2005:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. 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 (51PR0503) ... 1,000,000 ..... (re. $300,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
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 (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. $19,200,000)

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. $9,300,000)

By chapter 54, section 1, of the laws of 2005:
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 (51R10507) ..... 4,000,000 ..... (re. $1,250,000)

By chapter 54, section 1, of the laws of 2004:
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 (51R10407) ..... 4,000,000 ..... (re. $1,000,000)

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to

April 1, 2008, for up to 100 per centum of the net cost of services and expenses related to the maintenance and improvement of voluntary not-for-profit provider operated community residential and day service programs (51200803) ... 19,400,000 ..... (re. $19,390,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2008 for up to 100 per centum of the net cost of feasibility 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 (51B10807) ... 4,000,000 ..... (re. $3,990,000)

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

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 rehabilitation, 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 (513208H2) ..... 6,400,000 ..... (re. $6,400,000)

By chapter 54, section 1, of the laws of 2007, as amended 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 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 (513207H2) .....
6,350,000 ..... (re. $6,350,000)

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	5,873,000	0
Special Revenue Funds - Federal	7,274,000	12,537,000
Special Revenue Funds - Other	4,438,000	0
Enterprise Funds	45,000	0
All Funds	17,630,000	12,537,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	5,580,000	293,000	0	5,873,000
SR-Federal	7,274,000	0	0	7,274,000
SR-Other	3,960,000	478,000	0	4,438,000
Enterprise	45,000	0	0	45,000
All Funds	16,859,000	771,000	0	17,630,000

SCHEDULE

ADMINISTRATION PROGRAM 9,885,000

General Fund / State Operations
State Purposes Account - 003

For services and expenses of the commission pursuant to chapter 58 of the laws of 2005.

PERSONAL SERVICE

Personal service--regular	4,208,700
Holiday/overtime compensation	18,000
Amount available for personal service	4,226,700

NONPERSONAL SERVICE

Supplies and materials	64,000
Travel	256,400
Contractual services	969,700
Equipment	63,200

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

Amount available for nonpersonal service	1,353,300
Program account subtotal	5,580,000

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

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 any other federal fund or program within the commission on quality of care and advocacy for persons with disabilities 300,000

Program fund subtotal	300,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Disability and Technical Assistance Account

For services and expenses related to disability consultant services pursuant to chapter 58 of the laws of 2005.

PERSONAL SERVICE

Personal service--regular	56,000
Holiday/overtime compensation	2,000
Amount available for personal service	58,000

NONPERSONAL SERVICE

Supplies and materials	3,000
Travel	9,000
Contractual services	56,000
Equipment	1,000
Fringe benefits	27,000
Indirect costs	3,000
Amount available for nonpersonal service	99,000
Program account subtotal	157,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

For services and expenses of the commission pursuant to chapter 58 of the laws of 2005.

NONPERSONAL SERVICE

Supplies and materials	15,000
Travel	20,000
Contractual services	36,000
Program account subtotal	71,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account

PERSONAL SERVICE

Personal service--regular	2,270,000
Holiday/overtime compensation	24,000
Amount available for personal service	2,294,000

NONPERSONAL SERVICE

Supplies and materials	2,000
Travel	146,000
Contractual services	164,000
Equipment	15,000
Fringe benefits	1,013,000
Indirect costs	98,000
Amount available for nonpersonal service	1,438,000
Program account subtotal	3,732,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Publications Account

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

Supplies and materials	5,000
Contractual services	15,000
Program account subtotal	20,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
TRAID Services Account

For services and expenses related to TRAID project activities including the provision of educational, outreach, training and support services pursuant to chapter 58 of the laws of 2005.

NONPERSONAL SERVICE

Supplies and materials	5,000
Travel	10,000
Contractual services	10,000
Program account subtotal	25,000

ADULT HOMES PROGRAM	230,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the adult homes advocacy program

	170,000
Program account subtotal	170,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Adult Home Resident Council Support Project Account

For services and expenses related to the adult homes resident council support project

	60,000
Program account subtotal	60,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

CLIENT ASSISTANCE PROGRAM 654,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

Personal service 80,000
Nonpersonal service 533,000
Fringe benefits 34,000
Indirect costs 7,000

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM 217,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements.

Personal service 56,000
Nonpersonal service 133,000
Fringe benefits 24,000
Indirect costs 4,000

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM 403,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

Personal service 106,000
Nonpersonal service 243,000
Fringe benefits 45,000
Indirect costs 9,000

PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM 2,025,000

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

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

Personal service 452,000
Nonpersonal service 1,348,000
Fringe benefits 189,000
Indirect costs 36,000

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS PROGRAM 1,677,000

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

Personal service 588,000
Nonpersonal service 796,000
Fringe benefits 246,000
Indirect costs 47,000

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM 167,000

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

Nonpersonal service 167,000

PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM 223,000

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

Nonpersonal service 223,000

PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM 901,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

Personal service 155,000
Nonpersonal service 668,000
Fringe benefits 65,000
Indirect costs 13,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

SURROGATE DECISION-MAKING COMMITTEE PROGRAM 541,000

General Fund / Aid to Localities
Local Assistance Account - 001

For surrogate decision-making committee program contracts with local service providers 123,000

Program account subtotal 123,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account

For surrogate decision-making committee program contracts with local service providers 418,000

Program account subtotal 418,000

TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES 707,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional technology centers or other entities funded through the TRAID project pursuant to chapter 58 of the laws of 2005.

Personal service 185,000
Nonpersonal service 431,000
Fringe benefits 77,000
Indirect costs 14,000

Total new appropriations for state operations and aid to localities 17,630,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the commission on quality of care and advocacy for persons with disabilities ... 300,000 ..... (re. $300,000)

CLIENT ASSISTANCE PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2008:
Personal service ... 67,000 ..... (re. $67,000)
Nonpersonal service ... 571,000 ..... (re. $571,000)
Fringe benefits ... 31,000 ..... (re. $31,000)
Indirect costs ... 8,000 ..... (re. $8,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 536,000 ..... (re. $501,000)

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements ... 229,000 ..... (re. $229,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements:
For the grant period October 1, 2007 to September 30, 2008 .....
168,000 ..... (re. $99,000)

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

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 2009-10

Personal service ... 63,000 ..... (re. $63,000)
Nonpersonal service ... 235,000 ..... (re. $235,000)
Fringe benefits ... 29,000 ..... (re. $29,000)
Indirect costs ... 6,000 ..... (re. $6,000)

PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Personal service ... 466,000 ..... (re. $466,000)
Nonpersonal service ... 1,354,000 ..... (re. $1,354,000)
Fringe benefits ... 208,000 ..... (re. $208,000)
Indirect costs ... 34,000 ..... (re. $34,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007:
Personal service ... 213,000 ..... (re. $213,000)
Nonpersonal service ... 76,000 ..... (re. $76,000)
Fringe benefits ... 97,000 ..... (re. $97,000)
Indirect costs ... 15,000 ..... (re. $15,000)
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 1,264,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2006:
For the grant period October 1, 2006 to September 30, 2007: ... .
1,629,000 ..... (re. $900,000)

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS

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

By chapter 54, section 1, of the laws of 2008:
Personal service ... 488,000 ..... (re. $488,000)
Nonpersonal service ... 887,000 ..... (re. $887,000)
Fringe benefits ... 218,000 ..... (re. $218,000)
Indirect costs ... 37,000 ..... (re. $37,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007:
Personal service ... 239,000 ..... (re. $239,000)
Nonpersonal service ... 133,000 ..... (re. $133,000)
Fringe benefits ... 109,000 ..... (re. $109,000)
Indirect costs ... 18,000 ..... (re. $18,000)
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 706,000 ..... (re. $370,000)

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

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For the grant period October 1, 2006 to September 30, 2007: ... . 1,108,000 ..... (re. $471,000)

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 89,000 ..... (re. $89,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period June 1, 2007 to May 31, 2008:
Nonpersonal service ... 85,000 ..... (re. $34,000)

PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 181,000 ..... (re. $181,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007:
Nonpersonal service ... 179,000 ..... (re. $87,000)

PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2008:
Personal service ... 137,000 ..... (re. $137,000)
Nonpersonal service ... 704,000 ..... (re. $704,000)
Fringe benefits ... 62,000 ..... (re. $62,000)
Indirect costs ... 11,000 ..... (re. $11,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 645,000 ..... (re. $550,000)

TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional tech-

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

nology centers or other entities funded through the TRAID project pursuant to chapter 58 of the laws of 2005 ..... 845,000 ..... (re. $731,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional technology centers or other entities funded through the TRAID project pursuant to chapter 58 of the laws of 2005.
For the grant period October 1, 2007 to September 30, 2008 ..... 483,000 ..... (re. $479,000)

Total reappropriations for state operations and aid to localities 12,537,000
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CONTINGENT AND OTHER APPROPRIATIONS

S 2. The several amounts specified in this section, or so much thereof as may be sufficient to accomplish the purposes designated by the appropriations, are hereby appropriated and authorized to be paid as hereinafter provided, for the several purposes specified.

CONTINGENT AND OTHER APPROPRIATIONS

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 2, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 13,500,000 ..... (re. $13,500,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Health Services Account

By chapter 54, section 1, of the laws of 1997, as amended by chapter 54, section 2, of the laws of 2002:
For advances to Roswell Park cancer institute account, the Helen Hayes hospital account, the New York city veterans' home account, the New York state home for veterans and their dependents at Oxford account, New York state home for veterans in the lower-Hudson Valley account, and the Western New York veterans' home account. Notwithstanding any existing provision of law, amounts from this appropriation may be made available only upon request of the commissioner of the department of health and issuance of a certificate of approval by the director of the budget. No moneys may be allocated from this appropriation until a repayment agreement has been signed between the commissioner of the department of health and the director of the budget regarding the outstanding balance in the miscellaneous special revenue fund - health services account. Each allocation must be repaid within 90 days of the date of the respective certificate provided, however, an outstanding balance amount up to $500,000 for each institutional account may be carried over into the ensuing fiscal year ... 20,000,000 ..... (re. $20,000,000)

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