

S. 8167

A. 11437

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

June 14, 2010

IN SENATE -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government; to amend chapter 20 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 46 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 47 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 90 of the laws of 2010, relating to making appropriations for the support of government; and to amend chapter 108 of the laws of 2010, relating to making appropriations for the support of government

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that the enactment of these appropriations provides sufficient
3 authority to the comptroller for the purpose of making payments for the
4 purposes described herein until such time as appropriation bills submitted by the governor pursuant to article VII of the state constitution
5 for the support of government for the state fiscal year beginning April
6 1, 2010 are enacted.

8 S 2. Section 2 of chapter 20 of the laws of 2010, relating to making
9 appropriations for the support of government, as amended by chapter 108
10 of the laws of 2010, is amended to read as follows:

11 S 2. The sum of two billion [two hundred thirty-six] NINETY-SIX
12 million eight hundred twenty-one thousand dollars [(\$2,236,821,000)]
13 (\$2,096,821,000) or so much thereof as shall be sufficient to accomplish
14 the purpose designated, is hereby appropriated and authorized to be paid
15 as hereinafter provided, to the public officers and for the purposes

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

LBD12278-03-0

1 specified, which amount shall be available for the state fiscal year
2 beginning April 1, 2010.

3 ALL STATE DEPARTMENTS AND AGENCIES

4 For the purpose of making payments for
5 personal service, including liabilities
6 incurred prior to April 1, 2010, on the
7 payrolls scheduled to be paid during the
8 period April 1 through June [17] 20, 2010
9 to state officers and employees of the
10 executive branch, including the governor,
11 lieutenant governor, comptroller and
12 attorney general; to officers and employ-
13 ees of the judiciary; and to officers and
14 employees of the legislature, including
15 payments to the members of the senate and
16 assembly under sections 5 and 5-a of the
17 legislative law; and payments for services
18 performed by mentally ill or develop-
19 mentally disabled persons who are employed
20 in state-operated special employment,
21 work-for-pay or sheltered workshop
22 programs provided that, notwithstanding
23 any other provision of law to the contra-
24 ry, the expiration dates of the exemption
25 from licensure requirements as set forth
26 in section 9 of chapter 420 of the laws of
27 2002 and section 17-a of chapter 676 of
28 the laws of 2002 are hereby extended until
29 [June 17, 2010] MARCH 31, 2011
30 [2,236,821,000] 2,096,821,000
31 =====

32 S 3. Section 3 of chapter 20 of the laws of 2010, relating to making
33 appropriations for the support of government, as amended by chapter 108
34 of the laws of 2010, is amended to read as follows:

35 S 3. The sum of two hundred four million eight hundred sixty-two thou-
36 sand dollars (\$204,862,000), or so much thereof as shall be sufficient
37 to accomplish the purpose designated, is hereby appropriated out of any
38 moneys in the general fund to the credit of the state purposes account
39 not otherwise appropriated for the purpose of paying to the social secu-
40 rity contribution fund, the state's share, as employer, of the payroll
41 tax for payrolls scheduled to be paid during the period April 1 through
42 June [17] 20, 2010, including liabilities incurred prior to April 1,
43 2010 204,862,000
44 =====

45 S 4. Section 6 of chapter 46 of the laws of 2010, relating to making
46 appropriations for the support of government, as amended by chapter 108
47 of the laws of 2010, is amended to read as follows:

48 S 6. The several amounts specified in this section, or so much thereof
49 as shall be sufficient to accomplish the purposes designated, are hereby
50 appropriated and authorized to be paid as hereinafter provided, to the
51 respective public officers and for the several purposes specified, which

1 amounts shall be available for the state fiscal year beginning April 1,
2 2010.

3 THE JUDICIARY

4 For the payment of state operations nonpersonal service liabilities,
5 the sum of [forty-nine] FIFTY-ONE million dollars [(\$49,000,000)]
6 (\$51,000,000), or so much thereof as shall be sufficient to accomplish
7 the purpose designated, is hereby appropriated to the judiciary out of
8 any moneys in the general fund to the credit of the state purposes
9 account not otherwise appropriated. The comptroller is hereby authorized
10 and directed to utilize this appropriation for the purpose of making
11 payments for nonpersonal service liabilities incurred by the judiciary
12 from April 1 through June [13] 20, 2010 [49,000,000] 51,000,000
13 =====

14 The sum of four million dollars (\$4,000,000), or so much thereof as
15 shall be sufficient to accomplish the purpose designated, is hereby
16 appropriated to the judiciary out of any moneys in the special revenue
17 funds - other / aid to localities, court facility incentive aid fund -
18 340 for services and expenses related to court cleaning and minor
19 repairs, interest aid, appellate aid and judicial institute financing
20 payments 4,000,000
21 =====

22 S 5. Section 5 of chapter 20 of the laws of 2010, relating to making
23 appropriations for the support of government, as amended by chapter 108
24 of the laws of 2010, is amended to read as follows:

25 S 5. The amount specified in this section, or so much thereof as shall
26 be sufficient to accomplish the purpose designated, is hereby appropri-
27 ated and authorized to be paid as hereinafter provided, to the public
28 officers and for the purposes specified, which amount shall be available
29 for the state fiscal year beginning April 1, 2010.

30 ALL STATE DEPARTMENTS AND AGENCIES

31 For the payment of state operations nonper-
32 sonal service liabilities, including the
33 legislature, including contracts approved
34 prior to, on, and after April 1, 2010 for
35 liabilities incurred in the ordinary
36 course of business, during the period
37 April 1 through June [13] 20, 2010, pursu-
38 ant to existing state law and for purposes
39 for which the legislature authorized the
40 expenditure of moneys during the 2009-2010
41 state fiscal year; provided, however, that
42 nothing contained herein shall be deemed
43 to limit or restrict the power or authori-
44 ty of state departments or agencies to
45 conduct their activities or operations in
46 accordance with existing law, and further
47 provided that nothing contained herein
48 shall be deemed to supersede, nullify or
49 modify the provisions of section 40 of the
50 state finance law prescribing when appro-
51 priations made for the 2009-2010 state

1 fiscal year shall have ceased to have
2 force and effect [195,000,000] 225,000,000
3 =====

4 S 5-a. The amount specified in this section, or so much thereof as
5 shall be sufficient to accomplish the purpose designated, is hereby
6 appropriated and authorized to be paid as hereinafter provided, to the
7 public officers and for the purpose specified, which amount shall be
8 available for the state fiscal year beginning April 1, 2010.

9 ALL STATE DEPARTMENTS AND AGENCIES

10 For the payment of state operations liabil-
11 ities from federal special revenue funds
12 for state operations pursuant to existing
13 state law and for purposes which the
14 legislature authorized the expenditure of
15 moneys during the 2009-10 fiscal year,
16 including contracts approved prior to, on,
17 and after April 1, 2010 for liabilities
18 incurred in the ordinary course of busi-
19 ness during the period July 1, 2010
20 through final action by the legislature on
21 appropriation bills submitted by the
22 governor pursuant to article VII of the
23 state constitution for the support of
24 government for the state fiscal year
25 beginning April 1, 2010 200,000,000
26 =====

27 S 6. Section 6 of chapter 20 of the laws of 2010, relating to making
28 appropriations for the support of government, as amended by chapter 108
29 of the laws of 2010, is amended to read as follows:

30 S 6. The several amounts specified in this section, or so much thereof
31 as shall be sufficient to accomplish the purposes designated, are hereby
32 appropriated and authorized to be paid as hereinafter provided, to the
33 respective public officers and for the several purposes specified, which
34 amounts shall be available for the state fiscal year beginning April 1,
35 2010.

36 AMERICAN RECOVERY AND REINVESTMENT ACT (CCP)
37 [110,000,000] 115,000,000
38 -----

39 Federal Capital Projects Fund - 291
40 American Recovery and Reinvestment Act Purpose

41 The sum of [seventy] SEVENTY-FIVE million dollars [(\$70,000,000)]
42 (\$75,000,000), or so much thereof as shall be sufficient to accomplish
43 the purpose designated, is hereby appropriated for contracts approved
44 prior to April 1, 2010 for the payment by the state of the federal share
45 of transportation related capital projects liabilities funded by the
46 American Recovery and Reinvestment Act of 2009 incurred in the ordinary
47 course of business from April 1 through June [13] 20, 2010, pursuant to
48 existing state law and for purposes for which the legislature authorized
49 the expenditures of money during the 2009-2010 fiscal year; provided,

1 however, that nothing contained herein shall be deemed to limit or
2 restrict the power or authority of state departments or agencies to
3 conduct their activities or operations in accordance with existing law,
4 and further provided that nothing contained herein shall be deemed to
5 supersede, nullify, or modify the provisions of section 40 of the state
6 finance law prescribing when appropriations made for the 2009-2010
7 fiscal year shall have ceased to have force and effect. Funds appropri-
8 ated herein shall be subject to all applicable reporting and account-
9 ability requirements contained in such act [70,000,000] 75,000,000
10 =====

11 The sum of forty million dollars (\$40,000,000), or so much thereof as
12 shall be sufficient to accomplish the purpose designated, is hereby
13 appropriated for contracts approved for purposes for which the legisla-
14 ture authorized the expenditures of money during the 2009-2010 fiscal
15 year. An amount up to forty million dollars (\$40,000,000) shall be
16 available for the payment by the state of the federal share of transpor-
17 tation related capital projects liabilities, funded by the American
18 Recovery and Reinvestment Act of 2009 incurred in the ordinary course of
19 business during the period from April 1 through June [13] 20, 2010 for
20 contracts approved during the period April 1 through June [13] 20, 2010,
21 provided, however, that nothing contained herein shall be deemed to
22 limit or restrict the power or authority of state departments or agen-
23 cies to conduct their activities or operations in accordance with exist-
24 ing law, and further provided that nothing contained herein shall be
25 deemed to supersede, nullify, or modify the provisions of section 40 of
26 the state finance law prescribing when appropriations made for the
27 2009-2010 fiscal year shall have ceased to have force and effect. Funds
28 appropriated herein shall be subject to all applicable reporting and
29 accountability requirements contained in such act 40,000,000
30 =====

31 S 7. Section 7 of chapter 20 of the laws of 2010, relating to making
32 appropriations for the support of government, as amended by chapter 108
33 of the laws of 2010, is amended to read as follows:

34 S 7. The several amounts specified in this section, or so much thereof
35 as shall be sufficient to accomplish the purposes designated, are hereby
36 appropriated and authorized to be paid as hereinafter provided, to the
37 respective public officers and for the several purposes specified, which
38 amounts shall be available for the state fiscal year beginning April 1,
39 2010.

40 ALL STATE DEPARTMENTS AND AGENCIES

41 The sum of thirty million dollars (\$30,000,000), or so much thereof as
42 shall be sufficient to accomplish the purpose designated, is hereby
43 appropriated for contracts approved in accordance with section 112 of
44 the state finance law for purposes for which the legislature authorized
45 the expenditures of money during the 2009-2010 fiscal year. An amount up
46 to thirty million dollars (\$30,000,000) shall be available for the
47 payment of capital projects liabilities, including any contractual
48 services liabilities of the engineering services fund, incurred to
49 address emergency health and safety needs as certified by the director
50 of budget during the period from April 1 through June [13] 20, 2010 for
51 contracts approved prior to, on, or after April 1, 2010, provided,
52 however, that nothing contained herein shall be deemed to limit or

1 restrict the power or authority of state departments or agencies to
2 conduct their activities or operations in accordance with existing law,
3 and further provided that nothing contained herein shall be deemed to
4 supersede, nullify, or modify the provisions of section 40 of the state
5 finance law prescribing when appropriations made for the 2009-2010
6 fiscal year shall have ceased to have force and effect 30,000,000
7 =====

8 The sum of two hundred million dollars (\$200,000,000), or so much
9 thereof as shall be sufficient to accomplish the purpose designated, is
10 hereby appropriated for contracts approved in accordance with section
11 112 of the state finance law for purposes for which the legislature
12 authorized the expenditures of money during the 2009-2010 fiscal year.
13 An amount up to two hundred million dollars (\$200,000,000) shall be
14 available for the payment of ALL FACETS OF capital projects liabilities
15 incurred ON AND after April 1, 2010 for contracts ORIGINALLY approved
16 prior to April 1, 2010, provided, however, that nothing contained herein
17 shall be deemed to limit or restrict the power or authority of state
18 departments or agencies to conduct their activities or operations in
19 accordance with existing law, and further provided that nothing
20 contained herein shall be deemed to supersede, nullify, or modify the
21 provisions of section 40 of the state finance law prescribing when
22 appropriations made for the 2009-2010 fiscal year shall have ceased to
23 have force and effect 200,000,000
24 =====

25 S 8. Section 9 of chapter 47 of the laws of 2010, relating to making
26 appropriations for the support of government, as amended by chapter 108
27 of the laws of 2010, is amended to read as follows:

28 S 9. The several amounts specified in this section, or so much thereof
29 as shall be sufficient to accomplish the purposes designated, are hereby
30 appropriated and authorized to be paid as hereinafter provided, to the
31 respective public officers and for the several purposes specified, which
32 amounts shall be available for the state fiscal year beginning April 1,
33 2010.

34 DEPARTMENT OF TRANSPORTATION

35 FEDERAL AID HIGHWAYS FEDERAL PURPOSE [100,000,000] 135,000,000
36 -----

37 Federal Capital Projects Fund - 291
38 Federal Aid Highways Purpose

39 The sum of [eighty] ONE HUNDRED FIFTEEN million dollars
40 [(\$80,000,000)] (\$115,000,000), or so much thereof as shall be suffi-
41 cient to accomplish the purpose designated, is hereby appropriated for
42 contracts approved prior to April 1, 2010 for the payment by the state
43 of the federal share of transportation related capital projects liabil-
44 ities as provided for in the Safe, Accountable, Flexible, Efficient
45 Transportation Equity Act: A Legacy for Users and any successive legis-
46 lation incurred in the ordinary course of business from April 1 through
47 June [13] 20, 2010, pursuant to existing state law and for purposes for
48 which the legislature authorized the expenditures of money during the
49 2009-2010 fiscal year; provided, however, that nothing contained herein
50 shall be deemed to limit or restrict the power or authority of state
51 departments or agencies to conduct their activities or operations in

1 accordance with existing law, and further provided that nothing
2 contained herein shall be deemed to supersede, nullify, or modify the
3 provisions of section 40 of the state finance law prescribing when
4 appropriations made for the 2009-2010 fiscal year shall have ceased to
5 have force and effect. Funds appropriated herein shall not be available
6 for the payment of liabilities funded by the American Recovery and Rein-
7 vestment Act of 2009 [80,000,000] 115,000,000
8 =====

9 The sum of twenty million dollars (\$20,000,000), or so much thereof as
10 shall be sufficient to accomplish the purpose designated, is hereby
11 appropriated for contracts approved during the period from April 1
12 through June [13] 20, 2010 for the payment by the state of the federal
13 share of transportation related capital projects liabilities as provided
14 for in the Safe, Accountable, Flexible, Efficient Transportation Equity
15 Act: A Legacy for Users and any successive legislation incurred in the
16 ordinary course of business from April 1 through June [13] 20, 2010, for
17 projects that do not contain any state funding shares UNLESS SUCH STATE
18 SHARES ARE FUNDED BY THE CONSOLIDATED LOCAL STREET AND HIGHWAY IMPROVE-
19 MENT PROGRAM AND/OR THE MUNICIPAL STREETS AND HIGHWAY PROGRAM, or for
20 projects containing both state funding shares that are eligible to be
21 funded by bond proceeds to the extent that such bond proceeds are avail-
22 able and federal shares funded by the American Recovery and Reinvestment
23 Act of 2009, pursuant to existing state law and for purposes for which
24 the legislature authorized the expenditures of money during the
25 2009-2010 fiscal year; provided, however, that nothing contained herein
26 shall be deemed to limit or restrict the power or authority of state
27 departments or agencies to conduct their activities or operations in
28 accordance with existing law, and further provided that nothing
29 contained herein shall be deemed to supersede, nullify, or modify the
30 provisions of section 40 of the state finance law prescribing when
31 appropriations made for the 2009-2010 fiscal year shall have ceased to
32 have force and effect. Funds appropriated herein shall not be available
33 for the payment of liabilities funded by the American Recovery and Rein-
34 vestment Act of 2009 20,000,000
35 =====

36 NEW YORK STATE AGENCY FUND (CCP) 10,000,000
37 -----

38 Fiduciary Funds/Capital Projects
39 Highway Costs Improvement Accounts
40 Non-Federal Aided Highway Purpose

41 The sum of ten million dollars (\$10,000,000), or so much thereof as
42 shall be sufficient to accomplish the purpose designated, is hereby
43 appropriated for contracts approved prior to, on or after April 1, 2010
44 for the payment of transportation related capital projects liabilities
45 incurred by the department of transportation on behalf of entities other
46 than state departments or agencies pursuant to the highway law or trans-
47 portation law incurred in the ordinary course of business from April 1
48 through June [13] 20, 2010 10,000,000
49 =====

1 S 8-a. Section 9-b of chapter 90 of the laws of 2010, relating to
2 making appropriations for the support of government, as amended by chap-
3 ter 108 of the laws of 2010, is amended to read as follows:

4 S 9-b. The amount specified in this section, or so much thereof as
5 shall be sufficient to accomplish the purpose designated, is hereby
6 appropriated and authorized to be paid as hereinafter provided, to the
7 public officers and for the purpose specified, which amount shall be
8 available for the state fiscal year beginning April 1, 2010.

9 DEPARTMENT OF TRANSPORTATION

10 The sum of one million dollars (\$1,000,000), or so much thereof as
11 shall be sufficient to accomplish the purpose designated, is hereby
12 appropriated for contracts approved during the period from April 1, 2010
13 through June [13] 20, 2010, for the payment by the state of the state
14 share of transportation related capital projects liabilities incurred in
15 the ordinary course of business from April 1, 2010 through June [13] 20,
16 2010, including construction inspection, funded by the dedicated highway
17 and bridge trust fund - non-federal aided highway purpose and prepara-
18 tion of plans purpose and/or the rebuild and renew New York transporta-
19 tion bond act of 2005 - highway facilities purpose, only for the shares
20 of projects that are eligible to be funded by bond proceeds, only to the
21 extent that bond proceeds are available, and only for capital projects
22 that contain funding shares from the American Recovery and Reinvestment
23 Act of 2009, pursuant to existing state law and for purposes for which
24 the legislature authorized the expenditures of money during the
25 2009-2010 fiscal year; provided, however, that nothing contained herein
26 shall be deemed to limit or restrict the power or authority of state
27 departments or agencies to conduct their activities or operations in
28 accordance with existing law, and further provided that nothing
29 contained herein shall be deemed to supersede, nullify, or modify the
30 provisions of section 40 of the state finance law prescribing when
31 appropriations made for the 2009-2010 fiscal year shall have ceased to
32 have force and effect 1,000,000
33 =====

34 S 9. The several amounts specified in this section, or so much thereof
35 as shall be sufficient to accomplish the several purposes designated,
36 are hereby appropriated and authorized to be paid as hereinafter
37 provided, to the respective public officers and for the several purposes
38 specified, which amounts shall be available for the state fiscal year
39 beginning April 1, 2010.

40 DEPARTMENT OF TRANSPORTATION

41 MASS TRANSPORTATION OPERATING ASSISTANCE FUND PROGRAM 136,571,500
42 -----

43 Special Revenue Funds - Other / Aid to Localities
44 Mass Transportation Operating Assistance Fund - 313
45 Metropolitan Mass Transportation Operating Assistance
46 Account

47 Notwithstanding any inconsistent provision
48 of law, the following appropriations are
49 for payment of mass transportation operat-

1 ing assistance provided that payments from
2 this appropriation shall be made pursuant
3 to a financial plan approved by the direc-
4 tor of the budget.

5 To the metropolitan transportation authority
6 for the operating expenses of the New York
7 city transit authority, the Manhattan and
8 Bronx surface transit operating authority,
9 and the Staten Island rapid transit oper-
10 ating authority 50,000,000

11 To the metropolitan transportation authority
12 for the operating expenses of the Long
13 Island rail road company and the Metro-
14 North commuter railroad company which
15 includes the New York state portion of
16 Harlem, Hudson, Port Jervis, Pascack, and
17 the New Haven commuter railroad services
18 regardless of whether the services are
19 provided directly or pursuant to joint
20 service agreements 50,000,000

21 To Rockland county for a trans-Hudson bus
22 service to be provided pursuant to a
23 contract between Rockland county and
24 Metro-North commuter railroad 322,500

25 To the city of New York for the operating
26 expenses of the Staten Island ferry
27 notwithstanding any other provisions of
28 law 2,797,500

29 To the county of Westchester for the operat-
30 ing expenses thereof incurred for public
31 transportation services, provided within
32 the county directly or under contract 4,927,500

33 To the county of Nassau or its sub-grantees
34 for the operating expenses thereof
35 incurred for public transportation
36 services 5,529,500

37 To the county of Suffolk for operating
38 expenses thereof incurred for public
39 transportation services, provided within
40 the county directly or under contract 2,368,000

41 To the city of New York for the operating
42 expenses thereof incurred for public
43 transportation services, provided within
44 the city directly or under contract;
45 provided however, that \$2,000,000 of this
46 appropriation shall be for expenses
47 incurred for the Staten Island express bus
48 service 7,556,000

49 To all other public transportation systems
50 serving primarily within the metropolitan
51 commuter transportation district, as
52 defined in section 1262 of the public
53 authorities law, eligible to receive oper-
54 ating assistance under the provisions of
55 section 18-b of the transportation law for
56 the operating expenses thereof in accord-

1 DEPARTMENT OF TRANSPORTATION

2 MASS TRANSPORTATION AND RAIL FREIGHT (CCP)

3 Special Revenue Funds - Other
4 Dedicated Mass Transportation Trust Fund - 073

5 Non-MTA Capital Purpose

6 For the payment of operating expenses for
7 public transportation systems eligible
8 to receive operating assistance under
9 the provisions of section 18-b of the
10 transportation law in accordance with
11 the schedule below (17020929) 3,685,000

12 SCHEDULE

13 To the Capital District transportation
14 authority for the operating expenses
15 thereof 760,000
16 To the Central New York regional transpor-
17 tation authority for the operating
18 expenses thereof 668,000
19 To the Rochester-Genesee regional trans-
20 portation authority for the operating
21 expenses thereof 732,500
22 To the Niagara Frontier Regional Transpor-
23 tation Authority for the operating
24 expenses thereof 946,500
25 To all other public transportation bus
26 systems serving primarily areas outside
27 of the metropolitan transportation
28 commuter district eligible to receive
29 operating assistance under the
30 provisions of section 18-b of the trans-
31 portation law for the operating expenses
32 thereof in accordance with the service
33 and usage formula to be established by
34 the commissioner of transportation with
35 the approval of the director of the
36 budget 578,000
37 -----
38 Total of schedule 3,685,000
39 =====

40 S 10. The several amounts specified in this section, or so much there-
41 of as shall be sufficient to accomplish the several purposes designated,
42 are hereby appropriated and authorized to be paid as hereinafter
43 provided, to the respective public officers and for the several purposes
44 specified, which amounts shall be available for the state fiscal year
45 beginning April 1, 2010.

1 DEPARTMENT OF HEALTH

2 CENTER FOR COMMUNITY HEALTH PROGRAM 10,840,000
3 -----

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

7 For services and expenses related to the
8 Indian health program. The moneys hereby
9 appropriated shall be available for
10 reimbursement to pharmacies participating
11 in such program prior to, on or after
12 April 1, for liabilities heretofore
13 accrued or hereafter to accrue 840,000
14 -----
15 Program account subtotal 840,000
16 -----

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

20 For various federal food and nutritional
21 services. The moneys hereby appropriated
22 shall be available for contracts approved
23 prior to, on, or after April 1, 2010, and
24 for the payment of financial assistance
25 heretofore accrued or hereafter to accrue ... 10,000,000
26 -----
27 Program account subtotal 10,000,000
28 -----

29 OFFICE OF LONG TERM CARE 750,000
30 -----

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

33 For services and expenses related to trau-
34 matic brain injury including but not
35 limited to services rendered to individ-
36 uals enrolled in the federally approved
37 home and community based services (HCBS)
38 waiver and including personal and nonper-
39 sonal services spending originally author-
40 ized by appropriations and reappropri-
41 ations enacted prior to 1996. All or part
42 of this appropriation may be transferred
43 to state operations appropriations. The
44 moneys hereby appropriated shall be avail-
45 able for contracts approved prior to, on,
46 or after April 1, 2010, and for the
47 payment of financial assistance heretofore
48 accrued or hereafter to accrue 750,000
49 -----

1 Program account subtotal 750,000

2 -----

3 S 11. The amount specified in this section, or so much thereof as
4 shall be sufficient to accomplish the purpose designated, is hereby
5 appropriated and authorized to be paid as hereinafter provided, to the
6 public officers and for the purpose specified, which amount shall be
7 available for the state fiscal year beginning April 1, 2010.

8 DEPARTMENT OF LABOR

9 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 195,000,000

10 -----

11 Enterprise Funds / State Operations

12 Unemployment Insurance Benefit Fund - 481

13 For payment of unemployment insurance bene-
14 fits pursuant to article 18 of the labor
15 law or as authorized by the Federal
16 government through the disaster unemploy-
17 ment assistance program 195,000,000

18 -----

19 S 12. The several amounts specified in this section, or so much there-
20 of as shall be sufficient to accomplish the purposes designated, are
21 hereby appropriated and authorized to be paid as hereinafter provided,
22 to the respective public officers and for the several purposes speci-
23 fied, which amounts shall be available for the state fiscal year begin-
24 ning April 1, 2010.

25 EDUCATION DEPARTMENT

26 CULTURAL EDUCATION PROGRAM 1,800,000

27 -----

28 Special Revenue Funds - Federal / State Operations

29 Federal Operating Grants Fund - 290

30 The sum of one hundred thousand dollars (\$100,000), or so much thereof
31 as shall be sufficient to accomplish the purpose designated, is hereby
32 appropriated to the state education department out of any moneys in the
33 special revenue funds - federal to the credit of the federal operating
34 grants fund not otherwise appropriated. The comptroller is hereby
35 authorized and directed to utilize this appropriation for the purpose of
36 the administration of federal grants for the broadband technology oppor-
37 tunities program (BTOP) as funded by the American recovery and reinvest-
38 ment act of 2009. Funds appropriated herein shall be subject to all
39 applicable reporting and accountability requirements contained in such
40 act.

41 NONPERSONAL SERVICE

42 Equipment 100,000

43 -----

44 Amount available for nonpersonal service 100,000

45 -----

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

3 The sum of one million seven hundred thousand dollars (\$1,700,000), or
4 so much thereof as shall be sufficient to accomplish the purpose desig-
5 nated, is hereby appropriated to the state education department out of
6 any moneys in the special revenue funds - federal to the credit of the
7 federal operating grants fund not otherwise appropriated. The comp-
8 troller is hereby authorized and directed to utilize this appropriation
9 for the purpose of the administration of federal grants for the broad-
10 band technology opportunities program (BTOP) as funded by the American
11 recovery and reinvestment act of 2009. Funds appropriated herein shall
12 be subject to all applicable reporting and accountability requirements
13 contained in such act 1,700,000
14 =====

15 S 13. The amount specified in this section, or so much thereof as
16 shall be sufficient to accomplish the purpose designated, is hereby
17 appropriated and authorized to be paid as hereinafter provided, to the
18 public officers and for the purposes specified, which amount shall be
19 available for the state fiscal year beginning April 1, 2010.

20 DIVISION OF VETERANS' AFFAIRS

21 BLIND, VETERAN ANNUITY ASSISTANCE PROGRAM 500,000
22 -----

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

25 For payment of annuities to blind veterans
26 and eligible surviving spouses. Up to
27 \$15,000 of this appropriation may be
28 transferred to state operations for post-
29 age costs associated with this program 500,000
30 -----

31 S 14. Section 14 of chapter 108 of the laws of 2010, relating to
32 making appropriations for the support of government, is amended to read
33 as follows:

34 S 14. The several amounts specified in this section, or so much there-
35 of as shall be sufficient to accomplish the purposes designated, are
36 hereby appropriated and authorized to be paid as hereinafter provided,
37 to the respective public officers and for the several purposes speci-
38 fied, which amounts shall be available for the state fiscal year begin-
39 ning April 1, 2010.

40 DEPARTMENT OF MENTAL HYGIENE

41 OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

42 COMMUNITY SERVICES PROGRAM 34,200,000
43 -----

44 General Fund / Aid to Localities
45 Local Assistance Account - 001

1 For services and expenses related to the
2 provision of individual support services 2,000,000
3 For services and expenses related to the
4 provision of family support AND OTHER
5 services to the developmentally disabled 5,200,000
6 -----
7 Program account subtotal 7,200,000
8 -----

9 Special Revenue Funds - Other / Aid to Localities
10 Miscellaneous Special Revenue Fund - 339
11 Mental Hygiene Patient Income Account

12 For services and expenses related to the
13 provision of [residential] services to the
14 developmentally disabled 2,000,000
15 -----
16 Program account subtotal 2,000,000
17 -----

18 Special Revenue Funds - Other / Aid to Localities
19 Miscellaneous Special Revenue Fund - 339
20 OMRDD - Provider of Service Account

21 For services and expenses related to mental
22 retardation and developmental disabilities
23 services associated with the New York
24 state options for people through services
25 (NYS-OPTS) initiative, in accordance with
26 a programmatic and fiscal plan to be
27 approved by the director of the budget.
28 Notwithstanding any provision of law to the
29 contrary, the director of the budget is
30 authorized to make suballocations from
31 this appropriation to the department of
32 health medical assistance program.
33 Notwithstanding any other provision of law,
34 the money hereby appropriated may be
35 transferred to state operations and/or any
36 appropriation of the office of mental
37 retardation and developmental disabili-
38 ties, with the approval of the director of
39 the budget who shall file such approval
40 with the department of audit and control
41 and copies thereof with the chairman of
42 the senate finance committee and the
43 chairman of the assembly ways and means
44 committee.
45 Notwithstanding any provision of law to the
46 contrary, the moneys hereby appropriated,
47 or so much thereof as may be necessary,
48 are to be available for the purposes here-
49 in specified for obligations heretofore
50 accrued or hereafter to accrue 25,000,000
51 -----

1 Program account subtotal 25,000,000
2 -----

3 S 15. The several amounts specified in this section, or so much there-
4 of as shall be sufficient to accomplish the purposes designated, are
5 hereby appropriated and authorized to be paid as hereinafter provided,
6 to the respective public officers and for the several purposes speci-
7 fied, which amounts shall be available for the state fiscal year begin-
8 ning April 1, 2010.

9 DEPARTMENT OF FAMILY ASSISTANCE
10 OFFICE OF CHILDREN AND FAMILY SERVICES

11 STATE OPERATIONS AND AID TO LOCALITIES 2010-11

12 FAMILY AND CHILDREN'S SERVICES PROGRAM 968,754,900
13 -----

14 General Fund / Aid to Localities
15 Local Assistance Account - 001

16 Notwithstanding paragraph (a) of subdivision
17 1 of section 153-k of the social services
18 law and any other provision of law to the
19 contrary, for state fiscal year 2010-2011,
20 the amount appropriated herein shall be
21 made available to reimburse 95.4 percent
22 of 65 percent of eligible social services
23 district expenditures that are claimed by
24 March 31, 2011 for child welfare services
25 which shall include and be limited to
26 preventive services provided pursuant to
27 section 409-a of the social services law
28 other than community optional preventive
29 services, child protective services, inde-
30 pendent living services, after-care
31 services as defined in regulations of the
32 department of family assistance, and
33 adoption administration and services,
34 other than adoption subsidies provided
35 pursuant to title 9 of article 6 of the
36 social services law and regulations of the
37 department of family assistance incurred
38 on or after October 1, 2009 and before
39 October 1, 2010 and that are otherwise
40 reimbursable by the state on or after
41 April 1, 2010, after first deducting ther-
42 efrom any federal funds properly received
43 or to be received on account thereof upon
44 certification by the social services
45 district that it will not be using these
46 funds to supplant other state and local
47 funds and that the district will not
48 submit claims for reimbursement under this
49 appropriation for the same type and level
50 of services that the county previously

1 provided and claimed under any contract in
2 existence on October 1, 2002 as other than
3 child protective, preventive, independent
4 living, after care or adoption services or
5 adoption administration.

6 The money hereby appropriated is to be
7 available for payment of state aid hereto-
8 fore accrued or hereafter to accrue to
9 municipalities. Subject to the approval of
10 the director of the budget, the money
11 hereby appropriated shall be available to
12 the office net of disallowances, refunds,
13 reimbursements, and credits; provided,
14 however, that notwithstanding any other
15 provision of law, for a district to
16 receive reimbursement for such services,
17 the amount of funds that the district
18 expends on such services from its flexible
19 fund for family services allocation and
20 any flexible fund for family services
21 funds transferred at the district's
22 request to the title XX social services
23 block grant must, to the extent that fami-
24 lies are eligible therefore, be equal to
25 or greater than the district's portion of
26 the \$342,322,341 statewide child welfare
27 threshold amount, which shall be estab-
28 lished pursuant to a formula developed by
29 the office of temporary and disability
30 assistance and the office of children and
31 family services and approved by the direc-
32 tor of the budget.

33 Notwithstanding any other provision of law,
34 selected social services districts may
35 authorize the office of temporary and
36 disability assistance to intercept a
37 portion of the funds on behalf of the
38 office of children and family services
39 otherwise due to the districts under this
40 appropriation and/or under any other
41 general fund - aid to localities appropri-
42 ation available to such districts to
43 suballocate to the office of mental health
44 and subsequently for suballocation from
45 the office of mental health to the depart-
46 ment of health to use for the 38.9 percent
47 of the non-federal share of the medical
48 assistance payments for home and community
49 based waiver services provided in accord-
50 ance with subdivision 9 of section 366 of
51 the social services law as authorized by
52 such selected social services districts
53 which choose to use preventive services
54 funds to support such costs.

55 Notwithstanding any other provision of law,
56 social services districts may authorize

1 the office of temporary and disability
2 assistance to intercept a portion of the
3 funds on behalf of the office of children
4 and family services otherwise due to the
5 districts under this appropriation and/or
6 under any other general fund - aid to
7 localities appropriation available to such
8 districts to transfer to any miscellaneous
9 special revenue fund available to the
10 office of children and family services to
11 use for the local share of the federal
12 funds available for education and training
13 vouchers provided in accordance with
14 section 477 of title IV-E of the social
15 security act as authorized by such social
16 services districts which choose to use
17 funds to support such costs.

18 Notwithstanding any inconsistent provision
19 of law, the amount herein appropriated may
20 be transferred to any other appropriation
21 within the office of children and family
22 services and/or the office of temporary
23 and disability assistance and/or suballo-
24 cated to the office of temporary and disa-
25 bility assistance for the purpose of
26 paying local social services districts'
27 costs of the above program and may be
28 increased or decreased by interchange with
29 any other appropriation or with any other
30 item or items within the amounts appropri-
31 ated within the office of children and
32 family services general fund - local
33 assistance account with the approval of
34 the director of the budget who shall file
35 such approval with the department of audit
36 and control and copies thereof with the
37 chairman of the senate finance committee
38 and the chairman of the assembly ways and
39 means committee.

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

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

8 Notwithstanding the provisions of any other
9 law to the contrary, the office of chil-
10 dren and family services may, on behalf of
11 local social services districts, make
12 payments for adoption subsidies by direct
13 deposit or debit card. Local social
14 services districts shall reimburse the
15 office for the costs of administering such
16 direct deposit or debit card payments.

17 Notwithstanding any inconsistent provision
18 of the social services law or the state
19 finance law, the office of children and
20 family services shall, on a quarterly
21 basis, request that the office of tempo-
22 rary and disability assistance reimburse
23 the office of children and family services
24 in an amount equal to 38 percent of the
25 non-federal share of the costs of adminis-
26 tering such direct deposit or debit card
27 payments to capture the local share of
28 such costs.

29 Notwithstanding any other provision of law,
30 the office of children and family services
31 shall reissue per diem rates, required
32 pursuant to section 529 of the executive
33 law, for calendar years 2002 through 2009
34 to remove any adjustments to the costs
35 included in determining such rates to
36 reflect any changes in federal funding
37 made available to the office or to local
38 social services districts for such costs
39 and, provided further, the office shall
40 not include any such adjustments in per
41 diem rates established hereafter.

42 All reimbursement made by local social
43 services districts for care, maintenance
44 and supervision under this section shall
45 be paid directly to the state through the
46 office of children and family services for
47 deposit into a miscellaneous special
48 revenue fund known as the youth facility
49 per diem account.

50 Notwithstanding any other provision of law,
51 if a social services district fails to
52 provide reimbursement to the office of
53 children and family services pursuant to
54 section 529 of the executive law within 60
55 days of receiving a bill for services
56 under such section, or by the date certain

1 set by such office for providing
2 reimbursement, whichever is later, the
3 offices of the department of family
4 assistance are authorized to exercise the
5 state's set-off rights by withholding any
6 amounts due and owing to such district
7 under this appropriation, up to such
8 amounts due and owing to the state under
9 section 529 of the executive law and
10 transferring such funds to the special
11 revenue other youth facilities per diem
12 account.

13 Notwithstanding any law to the contrary, and
14 in accordance with section 4 of the state
15 finance law, the comptroller is hereby
16 authorized and directed to transfer, upon
17 request of the director of the budget, on
18 or before March 31, 2011, up to
19 \$69,000,000 from the miscellaneous special
20 revenue fund (339), youth facility per
21 diem account (YF), to the general fund 669,517,000

22 Notwithstanding any other provision of law,
23 the amount appropriated herein shall be
24 available to reimburse for 98 percent of
25 65 percent of eligible social services
26 district expenditures that are claimed by
27 March 31, 2011 for those community preven-
28 tive services provided from October 1,
29 2009 through September 30, 2010 at a cost
30 that does not exceed the cost that was in
31 effect on October 1, 2008 and that a
32 social services district can demonstrate
33 had been approved by the office of chil-
34 dren and family services on or before
35 October 1, 2008; provided, however, that
36 should insufficient funds be available to
37 provide state reimbursement for 98 percent
38 of 65 percent of such costs, reimbursement
39 shall be made proportionally to each
40 district based on the percentage of their
41 total eligible claims to the amount appro-
42 priated; and, provided further, however,
43 that if the amount appropriated exceeds
44 the amount of funds necessary to reimburse
45 98 percent of 65 percent of the eligible
46 social services district expenditures, the
47 office may, to the extent funds are avail-
48 able, provide reimbursement for 98 percent
49 of 65 percent of eligible social services
50 district expenditures for new community
51 preventive services programs approved by
52 the office and only up to the amounts
53 approved by the office. A local social
54 services district seeking federal and/or
55 state reimbursement for community preven-
56 tive services provided on or after October

1 1, 2009 must submit claims that separately
2 identify the costs of such services in a
3 form and manner and at such times as are
4 required by the department of family
5 assistance and must submit to the office
6 of children and family services informa-
7 tion regarding the outcomes of such
8 services in a form and manner and at such
9 times as required by the office 24,249,500

10 For state aid to reimburse 100 percent of
11 social services district expenditures
12 related to the improvement of staff to
13 client ratios in the local district child
14 protective workforce including, but not
15 limited to new hiring to increase the
16 number of caseworkers and to increase the
17 number of supervisory staff in the local
18 district child protective workforce. Each
19 social services district receiving these
20 funds shall certify that the district will
21 not be using these funds to supplant other
22 state and local funds and that the
23 district will not submit claims for
24 reimbursement under this appropriation for
25 the same type and level of funding so
26 certified; provided, however, that a
27 district may use these funds for expendi-
28 tures to continue or expand activities
29 that were funded with last year's appro-
30 priation that was enacted for this purpose
31 1,514,400

32 Notwithstanding any inconsistent provision
33 of law, subject to an expenditure plan
34 approved by the director of the budget,
35 for eligible services and expenses of
36 improving the quality of child welfare
37 services that may include, but not be
38 limited to, training to mandated reporters
39 regarding the proper identification of and
40 response to signs of child abuse and
41 neglect, public information programs and
42 services that advance a zero tolerance
43 campaign of child abuse and neglect, and
44 demonstration projects to test models for
45 new or targeted expansion of services
46 beyond the level currently funded by local
47 social services districts including
48 continuing to contract with existing
49 providers that are performing satisfac-
50 torily 1,796,400

51 For services and expenses of certain child
52 fatality review teams approved by the
53 office of children and family services for
54 the purposes of investigating and/or
55 reviewing the death of children 829,100

1 For services and expenses of certain local
2 or regional multidisciplinary child abuse
3 investigation teams approved by the office
4 of children and family services for the
5 purpose of investigating reports of
6 suspected child abuse or maltreatment and
7 for new and established child advocacy
8 centers 5,229,900

9 Notwithstanding any other provision of law,
10 for services and expenses to initiate
11 and/or continue program modifications
12 and/or to provide services including, but
13 not limited to, demonstrate effective
14 programs such as evidence-based initi-
15 atives for alternatives to detention for
16 persons alleged or determined to be in
17 need of supervision or otherwise at risk
18 of placement in the juvenile justice
19 system and for services and expenses
20 related to reducing office of children and
21 family services institutional placements
22 through program modifications and/or
23 services including, but not limited to,
24 mental health and substance abuse
25 programs, demonstrated effective programs
26 such as evidence-based initiatives to
27 divert youth at-risk of placement with the
28 office of children and family services
29 and/or as alternatives to residential
30 placements with such office. Notwith-
31 standing any other provision of law to the
32 contrary, the office may authorize one or
33 more demonstration projects to co-locate
34 respite beds for youth alleged or at risk
35 of juvenile delinquency in a runaway and
36 homeless youth program 2,215,000

37 Of the amount appropriated herein,
38 \$21,245,350 shall be available as follows:
39 For services and expenses related to locally
40 operated youth development and delinquency
41 prevention programs. No expenditure shall
42 be made from this appropriation until a
43 plan has been approved by the director of
44 the budget and a certificate of approval
45 allocating these funds has been issued by
46 the director of the budget.

47 Notwithstanding the provisions of section
48 420 of the executive law which would
49 require expenditure of state aid for youth
50 programs in a total amount greater than
51 \$21,245,350, for payment of state aid for
52 programs pursuant to article 19-A of the
53 executive law, for delinquency prevention
54 and youth development. Notwithstanding the
55 provisions of section 420 of the executive
56 law, eligibility for state aid reimburse-

1 ment for counties which do not participate
2 in the county comprehensive planning proc-
3 ess shall be determined as follows: the
4 aggregate amount of state aid for recre-
5 ation, youth service and similar projects
6 to a county and municipalities within such
7 county shall not exceed \$2,750 of which no
8 more than \$1,450 may be used for recre-
9 ation projects, per 1,000 youths residing
10 in the county based on a single count of
11 such youths as shown by the last published
12 federal census for the county certified in
13 the same manner as provided by section 54
14 of the state finance law. The office shall
15 not reimburse any claims unless they are
16 submitted within 12 months of the project
17 year in which the expenditure was made.
18 Notwithstanding any law to the contrary,
19 the office of children and family services
20 may require that such claims for youth
21 development and delinquency prevention
22 programs be submitted to the office elec-
23 tronically in the manner and format
24 required by the office.

25 Of the amount appropriated herein \$6,998,050
26 shall be available as follows:

27 For services and expenses related to
28 programs providing special delinquency
29 prevention or other youth development
30 services. No expenditure shall be made for
31 such programs from this appropriation
32 until a plan has been approved by the
33 director of the budget and a certificate
34 of approval allocating these funds has
35 been issued by the director of the budget.
36 The office shall not reimburse any claims
37 unless they are submitted within 7 months
38 of the project year in which the expendi-
39 ture was made. Notwithstanding any law to
40 the contrary, the office of children and
41 family services may require that such
42 claims for special delinquency prevention
43 or other youth development services be
44 submitted to the office electronically in
45 the manner and format required by the
46 office.

47 For direct contracts with private not-for-
48 profit community agencies to provide need-
49 ed services for the operation of programs
50 to prevent juvenile delinquency and
51 promote youth development, and through an
52 allocation to public agencies where it is
53 documented that private not-for-profit
54 community agencies are not available to
55 provide such services. Moneys shall be
56 made available to community agencies in

1 counties outside the city of New York
2 based on a statewide allocation formula
3 determined by each county's eligibility
4 for comprehensive planning funds as a
5 proportion of the statewide total provided
6 under paragraph a of subdivision 1 of
7 section 420 of the executive law. Moneys
8 made available to community agencies shall
9 be allocated by local youth bureaus
10 subject to final funding determinations by
11 the commissioner of children and family
12 services and approved by the director of
13 the budget.

14 For direct contract with private not-for-
15 profit community agencies to provide need-
16 ed services for the operation of programs
17 to prevent juvenile delinquency and
18 promote youth development, and through an
19 allocation to public agencies where it is
20 documented that private not-for-profit
21 agencies are not available to provide such
22 services.

23 Notwithstanding any inconsistent provision
24 of law, moneys shall be made available to
25 community agencies in cities with popu-
26 lations greater than 275,000 and to commu-
27 nity agencies statewide 28,243,400

28 For payment of state aid for programs for
29 the provision of services to runaway and
30 homeless youth pursuant to subdivisions 2,
31 3 and 4 of section 420 of the executive
32 law and pursuant to chapter 800 of the
33 laws of 1985 amending the runaway and
34 homeless youth act for the provision of
35 transitional independent living support
36 services and the establishment and opera-
37 tion of young adult shelters for youth
38 between the ages of 16 and 21; the office
39 of children and family services shall not
40 reimburse any claims unless they are
41 submitted within 12 months of the calendar
42 quarter in which the claimed service or
43 services were delivered. Notwithstanding
44 any law to the contrary, the office of
45 children and family services may require
46 that such claims for provision of services
47 to runaway and homeless youth be submitted
48 to the office electronically in the manner
49 and format required by the office. No
50 expenditures shall be made from this
51 appropriation until an annual expenditure
52 plan is approved by the director of the
53 budget and a certificate of approval allo-
54 cating these funds has been issued by the
55 director of the budget and copies of such
56 certificate or any amendment thereto filed

1 with the state comptroller, the chair-
2 person of the senate finance committee and
3 the chairperson of the assembly ways and
4 means committee 4,711,600
5 For services and expenses provided by local
6 probation departments, for the post-place-
7 ment care of youth leaving a youth resi-
8 dential facility and for services and
9 expenses of the office of children and
10 family services related to community-based
11 programs for youth in the care of the
12 office of children and family services
13 which may include but not be limited to
14 multi-systemic therapy, family functional
15 therapy and/or functional therapeutic
16 foster care, and electronic monitoring.
17 Funds appropriated herein shall be made
18 available subject to the approval of an
19 expenditure plan by the director of the
20 budget 623,400
21 For services and expenses of kinship care
22 programs. Such funds are available pursu-
23 ant to a plan prepared by the office of
24 children and family services and approved
25 by the director of the budget to continue
26 or expand existing programs with existing
27 contractors that are satisfactorily
28 performing as determined by the office of
29 children and family services, to award new
30 contracts to continue programs where the
31 existing contractors are not satisfactori-
32 ly performing as determined by the office
33 of children and family services and/or
34 award new contracts through a competitive
35 process 677,500
36 For services and expenses related to the
37 home visiting program. Such funds are to
38 be available pursuant to a plan prepared
39 by the office of children and family
40 services and approved by the director of
41 the budget to continue or expand existing
42 programs with existing contractors that
43 are satisfactorily performing as deter-
44 mined by the office of children and family
45 services, to award new contracts to
46 continue programs where the existing
47 contractors are not satisfactorily
48 performing as determined by the office of
49 children and family services and/or to
50 award new contracts through a competitive
51 process 23,288,200
52 For services and expenses of the William B.
53 Hoyt memorial children and family trust
54 fund, for prevention and support service
55 programs for victims of family violence
56 pursuant to article 10-A of the social

1 services law. Funds appropriated herein
2 may be transferred to the office of chil-
3 dren and family services miscellaneous
4 special revenue fund, children and family
5 trust fund 1,243,700
6 For services and expenses of the Catholic
7 Family Center in Rochester to establish
8 and operate a statewide kinship informa-
9 tion and referral network 220,500
10 For services and expenses of the advantage
11 after school program. Such funds are to be
12 available pursuant to a plan prepared by
13 the office of children and family services
14 and approved by the director of the budget
15 to extend or expand current contracts with
16 community based organizations, to award
17 new contracts to continue programs where
18 the existing contractors are not satisfac-
19 torily performing as determined by the
20 office of children and family services
21 and/or to award new contracts through a
22 competitive process to community based
23 organizations 11,433,300
24 For services and expenses related to the
25 settlement house program 900,000
26 Notwithstanding sections 131-u and 459-c of
27 the social services law or any other law
28 to the contrary, for reimbursement of 98
29 percent of 50 percent of eligible expendi-
30 tures to local social services districts
31 for the provision and administration of,
32 after first deducting therefrom any feder-
33 al funds properly received or to be
34 received on account thereof: adult protec-
35 tive services; residential services for
36 victims of domestic violence who are
37 determined to be ineligible for public
38 assistance during the time the victims
39 were residing in residential programs for
40 victims of domestic violence; and nonresi-
41 dential services for victims of domestic
42 violence.
43 The money hereby appropriated is to be
44 available for payment of state aid hereto-
45 fore accrued or hereafter to accrue to
46 municipalities. Subject to the approval of
47 the director of the budget, the money
48 hereby appropriated shall be available to
49 the office net of disallowances, refunds,
50 reimbursements, and credits.
51 Notwithstanding any inconsistent provision
52 of law, the amount herein appropriated may
53 be transferred to any other appropriation
54 within the office of children and family
55 services and/or the office of temporary
56 and disability assistance and/or suballo-

1 cated to the office of temporary and disa-
2 bility assistance for the purpose of
3 paying local social services districts'
4 costs of the above program and may be
5 increased or decreased by interchange with
6 any other appropriation or with any other
7 item or items within the amounts appropri-
8 ated within the office of children and
9 family services general fund - local
10 assistance account with the approval of
11 the director of the budget who shall file
12 such approval with the department of audit
13 and control and copies thereof with the
14 chairman of the senate finance committee
15 and the chairman of the assembly ways and
16 means committee.

17 Notwithstanding any inconsistent provision
18 of law, in lieu of payments authorized by
19 the social services law, or payments of
20 federal funds otherwise due to the local
21 social services districts for programs
22 provided under the federal social security
23 act or the federal food stamp act, funds
24 herein appropriated, in amounts certified
25 by the state commissioner or the state
26 commissioner of health as due from local
27 social services districts each month as
28 their share of payments made pursuant to
29 section 367-b of the social services law
30 may be set aside by the state comptroller
31 in an interest-bearing account with such
32 interest accruing to the credit of the
33 locality in order to ensure the orderly
34 and prompt payment of providers under
35 section 367-b of the social services law
36 pursuant to an estimate provided by the
37 commissioner of health of each local
38 social services district's share of
39 payments made pursuant to section 367-b of
40 the social services law 42,062,000

41 -----
42 Program account subtotal 818,754,900
43 -----

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

47 For services and expenses for supportive
48 social services provided pursuant to title
49 XX of the federal social security act.
50 Notwithstanding any other provision of
51 law, the moneys hereby appropriated shall
52 be apportioned by the office of children
53 and family services to local social
54 services districts, to reimburse local

1 district expenditures for supportive
2 services and training subject to the
3 approval of the director of the budget;
4 provided, however, that reimbursement to
5 social services districts for eligible
6 expenditures for services incurred during
7 a particular federal fiscal year will be
8 limited to expenditures claimed by March
9 31 of the following year.

10 Notwithstanding any other provision of law,
11 of the funds available herein, including
12 any funds transferred from the temporary
13 assistance to needy families block grant
14 to the title XX block grant, \$66,000,000
15 shall be allocated to social services
16 districts, solely for reimbursement of
17 expenditures for the provision and admin-
18 istration of adult protective services,
19 residential services for victims of domes-
20 tic violence who are determined to be
21 ineligible for public assistance during
22 the time the victims were residing in
23 residential programs for victims of domes-
24 tic violence, and nonresidential services
25 for victims of domestic violence, pursuant
26 to an allocation plan developed by the
27 office and submitted for approval by the
28 division of the budget no later than 60
29 days following enactment of this chapter,
30 based on each district's claims for such
31 costs and any other factors as identified
32 in the allocation plan, adjusted by appli-
33 cable cost allocation methodology and net
34 of any retroactive payments for the 12
35 month period ending June 30, 2009 that are
36 submitted on or before January 4, 2010;
37 provided, however, that if the office
38 determines that the total amount of a
39 social services district's claims for such
40 services which could be reimbursed from
41 these funds is less than the amount allo-
42 cated to the district for such claims, the
43 office may, subject to approval by the
44 director of the budget, authorize the
45 district to use these funds for other
46 allowable claims; provided further, howev-
47 er, that if the total amount of a social
48 services district's allowable claims is
49 less than the amount allocated to the
50 district for such claims, the office may
51 reallocate the unused funds to other
52 social services districts with eligible
53 claims that exceed their allocation.

54 Funds appropriated herein shall be available
55 for aid to municipalities and for payments
56 to the federal government for expenditures

1 made pursuant to the social services law
2 and the state plan for individual and
3 family grant program under the disaster
4 relief act of 1974.

5 The funds hereby appropriated are to be
6 available for payment of state aid hereto-
7 fore accrued or hereafter to accrue to
8 municipalities. Subject to the approval of
9 the director of the budget, such funds
10 hereby appropriated shall be available to
11 the office net of disallowances, refunds,
12 reimbursements, and credits.

13 Notwithstanding any inconsistent provision
14 of law, the amount herein appropriated may
15 be transferred to any other appropriation
16 within the office of children and family
17 services and/or the office of temporary
18 and disability assistance and/or suballo-
19 cated to the office of temporary and disa-
20 bility assistance for the purpose of
21 paying local social services districts'
22 costs of the above program and may be
23 increased or decreased by interchange with
24 any other appropriation or with any other
25 item or items within the amounts appropri-
26 ated within the office of children and
27 family services general fund - local
28 assistance account with the approval of
29 the director of the budget who shall file
30 such approval with the department of audit
31 and control and copies thereof with the
32 chairman of the senate finance committee
33 and the chairman of the assembly ways and
34 means committee.

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

1 payments made pursuant to section 367-b of
2 the social services law 150,000,000
3 -----
4 Program account subtotal 150,000,000
5 -----

6 S 16. The several amounts specified in this section, or so much there-
7 of as shall be sufficient to accomplish the purposes designated, are
8 hereby appropriated and authorized to be paid as hereinafter provided,
9 to the respective public officers and for the several purposes speci-
10 fied, which amounts shall be available for the state fiscal year begin-
11 ning April 1, 2010.

12 DEPARTMENT OF FAMILY ASSISTANCE
13 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

14 STATE OPERATIONS AND AID TO LOCALITIES 2010-11

15 EMPLOYMENT AND ECONOMIC SUPPORT PROGRAM 3,204,634,000
16 -----

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

19 For state reimbursement of social services
20 district expenditures for public assist-
21 ance programs, including but not limited
22 to the family assistance, safety net and
23 disability assistance programs established
24 pursuant to chapter 436 of the laws of
25 1997 enacting comprehensive welfare reform
26 and of its predecessor programs and for
27 related expenditures authorized by social
28 services law including but not necessarily
29 limited to those for emergency assistance
30 for families and for state reimbursement
31 of expenditures of predecessor programs.

32 Such funds are to be available for payment
33 of aid heretofore accrued or hereafter to
34 accrue to municipalities. Subject to the
35 approval of the director of the budget,
36 such funds shall be available to the
37 office of temporary and disability assist-
38 ance, net of disallowances, refunds,
39 reimbursements, and credits, including
40 those related to title IV-E of the social
41 security act and to the state share of
42 child support collections for persons in
43 receipt of public assistance; and includ-
44 ing, but not limited to, additional feder-
45 al funds resulting from any changes in
46 federal cost allocation methodologies.

47 Notwithstanding any inconsistent provision
48 of law, the amount herein appropriated may
49 be increased or decreased by interchange
50 with any other appropriation within the

1 office of temporary and disability assist-
2 ance general fund - local assistance
3 account with the approval of the director
4 of the budget, who shall file such
5 approval with the department of audit and
6 control and copies thereof with the chair-
7 man of the senate finance committee and
8 the chairman of the assembly ways and
9 means committee.

10 Notwithstanding any inconsistent provision
11 of law, funds appropriated herein shall be
12 used by the office to reimburse 50 percent
13 of the non-federal share of approved
14 expenditures made by social services
15 districts on or after April 1, 1996, after
16 first deducting therefrom any federal
17 funds received or to be received on
18 account thereof, for emergency shelter,
19 transportation, or nutrition payments
20 which the district determines are neces-
21 sary to establish or maintain independent
22 living arrangements among persons who have
23 been medically diagnosed as having
24 acquired immunodeficiency syndrome (AIDS)
25 or HIV-related illness and who are home-
26 less or are faced with homelessness and
27 for whom no viable and less costly alter-
28 native housing is available; provided,
29 however, that funds appropriated herein
30 may only be used for such purposes if the
31 cost of such allowances are not eligible
32 for reimbursement under medical assistance
33 or other programs.

34 Notwithstanding any inconsistent provision
35 of law to the contrary, funds appropriated
36 herein may be used to reimburse social
37 services districts for 50 percent of the
38 non-federal cost of residential shelters
39 for victims of domestic violence in
40 accordance with section 131-u of the
41 social services law. To the extent that
42 payments for residential services for
43 victims of domestic violence are made from
44 this appropriation, such payment shall
45 only be made in accordance with standards
46 of payment established by the office of
47 children and family services or its prede-
48 cessor under provisions of chapter 838 of
49 the laws of 1987 and approved by the
50 director of the budget for victims of
51 domestic violence where such services are
52 provided by residential programs for
53 victims of domestic violence operated by
54 not-for-profit corporations or the city of
55 New York.

1 Notwithstanding section 153-f of the social
2 services law, or any other inconsistent
3 provision of law, after deducting the
4 amount of federal funds properly received
5 or to be received by each social services
6 district on account of expenditures made
7 by such district pursuant to subdivision
8 3-c of section 131-a of the social
9 services law, funds appropriated herein
10 may be used by the office to reimburse 50
11 percent of any such local expenditures not
12 fully reimbursed under section 153-f of
13 the social services law prior to April 1,
14 1992.

15 Notwithstanding any inconsistent provision
16 of law, except as provided for in chapter
17 81 of the laws of 1995, funds appropriated
18 herein may not be used to reimburse social
19 services districts for more than 50
20 percent of the non-federal share of
21 expenditures related to state charges.
22 This prohibition shall apply to all such
23 reimbursement without regard to the date
24 on which expenditures were made or
25 services provided.

26 Funds appropriated herein, as matched by
27 federal and local funds in accordance with
28 section 153 of the social services law,
29 may be used to provide rent supplements at
30 local option to public assistance house-
31 holds in order to prevent eviction and
32 address homelessness in accordance with
33 social services district plans approved by
34 the office of temporary and disability
35 assistance and the director of the budget,
36 provided, however, that such supplements
37 shall not be part of the standard of need
38 pursuant to section 131-a of the social
39 services law.

40 Notwithstanding any inconsistent provision
41 of law, the commissioner of the office of
42 temporary and disability assistance, with
43 the approval of the director of the budg-
44 et, shall be authorized to exercise
45 discretion in federal expenditure report-
46 ing without claiming federal reimbursement
47 for certain cases in receipt of family
48 assistance or safety net assistance, in
49 order to meet federal requirements and
50 further the interests of the state.

51 Notwithstanding section 153 of the social
52 services law, or any other inconsistent
53 provision of law, such appropriation shall
54 be available for reimbursement of eligible
55 claims incurred on or after January 1,
56 2010 and before January 1, 2011 that are

1 otherwise reimbursable by the state on or
2 after April 1, 2010 and that are claimed
3 by March 31, 2011. Such reimbursement
4 shall constitute total state reimbursement
5 for activities funded herein in state
6 fiscal year 2010-2011 330,000,000

7 For the services of a program to provide
8 homelessness prevention and services to
9 prevent eviction of families with children
10 receiving temporary assistance. Funds
11 appropriated herein shall be awarded to
12 community based organizations to provide
13 eviction prevention activities to eligible
14 families, including but not limited to
15 risk assessment, service plan development,
16 advocacy services and legal services
17 referral. Notwithstanding section 153 of
18 the social services law or any other
19 inconsistent provision of law, funds
20 appropriated herein shall be used to reim-
21 burse the full non-federal share of any
22 approved expenditures 3,400,000

23 For services and expenses of a program,
24 pursuant to section 35 of the social
25 services law, providing legal represen-
26 tation of individuals whose federal disa-
27 bility benefits have been denied or may be
28 discontinued. The commissioner shall
29 reduce reimbursement otherwise payable to
30 social services districts to ensure that
31 social services districts shall financial-
32 ly participate in additional legal repre-
33 sentation expenditures made pursuant to
34 this provision. Such reduction in local
35 reimbursement shall be allocated among
36 districts by the commissioner based on the
37 cost of, and number of district residents
38 served by, each legal assistance program,
39 or by such alternative cost allocation
40 procedure deemed appropriate by the
41 commissioner after consultation with
42 social services officials 2,380,000

43 For services to support human immunodefici-
44 ency virus specific welfare-to-work
45 programs. Components of each such program
46 shall include, but not be limited to,
47 on-the-job training and employment. Each
48 such program shall guarantee that individ-
49 uals completing the program obtain full-
50 time employment with health insurance
51 coverage. The office of temporary and
52 disability assistance, in conjunction with
53 the AIDS institute of the department of
54 health, shall select the organizations to
55 operate such programs through a compet-
56 itive bid process 1,161,000

1 -----
2 Program account subtotal 336,941,000
3 -----

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

6 For services and expenses under the tempo-
7 rary assistance for needy families block
8 grant, including but not limited to the
9 family assistance program, the emergency
10 assistance to families program, and the
11 safety net program.

12 Such funds are to be available for payment
13 of aid heretofore accrued or hereafter to
14 accrue to municipalities. Subject to the
15 approval of the director of the budget,
16 such funds shall be available to the
17 department of family assistance net of
18 disallowances, refunds, reimbursements,
19 and credits including, but not limited to,
20 additional federal funds resulting from
21 any changes in federal cost allocation
22 methodologies.

23 Notwithstanding any inconsistent provision
24 of law, the amount herein appropriated may
25 be increased or decreased by interchange
26 with any other appropriation within the
27 office of temporary and disability assist-
28 ance federal fund - local assistance
29 account with the approval of the director
30 of the budget, who shall file such
31 approval with the department of audit and
32 control and copies thereof with the chair-
33 man of the senate finance committee and
34 the chairman of the assembly ways and
35 means committee.

36 Funds appropriated herein, as matched by
37 state and local funds in accordance with
38 section 153 of the social services law,
39 may be used to provide rent supplements at
40 local option to family assistance house-
41 holds and to cases that include a child in
42 receipt of safety net assistance in order
43 to prevent eviction and address homeless-
44 ness in accordance with social services
45 district plans approved by the office of
46 temporary and disability assistance and
47 the director of the budget, provided,
48 however, that such supplements shall not
49 be part of the standard of need pursuant
50 to section 131-a of the social services
51 law.

52 Amounts appropriated herein may, subject to
53 the approval of the director of the budg-
54 et, be used to reimburse social services

1 districts for 100 percent of the expendi-
2 tures for foster care made on and after
3 October 1, 2009 provided to children
4 eligible for emergency assistance for
5 families, other than juvenile justice
6 services and other than tuition costs for
7 foster care children who are eligible for
8 emergency assistance for families and are
9 in the custody of the commissioner of any
10 local social services district with a
11 population in excess of two million
12 persons and, subject to the approval of
13 the director of the budget, the commis-
14 sioner of the office of children and fami-
15 ly services, in consultation with the
16 commissioner of labor and the commissioner
17 of the office of temporary and disability
18 assistance, may exclude foster care and
19 foster care administration costs incurred
20 on behalf of children in foster care
21 placements who are at least 19 years of
22 age.

23 Notwithstanding section 153 of the social
24 services law, or any other inconsistent
25 provision of the social services law or
26 this chapter, the commissioner of the
27 office of temporary and disability assist-
28 ance, upon consultation with the commis-
29 sioner of the office of children and fami-
30 ly services and subject to the approval of
31 the director of the budget, may reduce
32 federal financial participation in the
33 cost of eligible public assistance
34 expenses, including but not limited to,
35 the family assistance program, the emer-
36 gency assistance for families program and
37 their administration paid to social
38 services districts by the amount of feder-
39 al financial participation received by
40 each district for foster care pursuant to
41 this provision and shall require each
42 district to be responsible for 100 percent
43 of the additional non-federal cost that
44 results from such reduction in federal
45 financial participation in an amount not
46 to exceed the actual amount of federal
47 temporary assistance for needy families
48 funds for foster care provided to children
49 eligible for emergency assistance for
50 families pursuant to this appropriation.
51 The commissioner of the office of tempo-
52 rary and disability assistance may require
53 each social services district to make
54 necessary adjustments in claims for eligi-
55 ble public assistance expenses to effectu-

1 ate the reduction in federal financial
2 participation required herein.

3 Notwithstanding section 153 of the social
4 services law, or any other inconsistent
5 provision of the social services law or
6 this chapter, the commissioner of the
7 office of temporary and disability assist-
8 ance may not reduce federal financial
9 participation in local administrative
10 expenses for a social services district
11 until the reduction in federal financial
12 participation in all other expenditures
13 for such public assistance programs has
14 been reduced by 95 percent of estimated
15 expenditures otherwise eligible for feder-
16 al financial participation unless other-
17 wise waived by the commissioner.

18 Notwithstanding section 153 of the social
19 services law, or any other inconsistent
20 provision of law, such appropriation shall
21 be available for reimbursement of eligible
22 claims incurred on or after January 1,
23 2010 and before January 1, 2011 that are
24 otherwise reimbursable on or after April
25 1, 2010 and that are claimed by March 31,
26 2011. Such reimbursement shall constitute
27 total federal reimbursement for activities
28 funded herein in state fiscal year
29 2010-2011 881,000,000

30 For services and expenses under the tempo-
31 rary assistance for needy families block
32 grant, including but not limited to the
33 family assistance program, the emergency
34 assistance to families program, and the
35 safety net program.

36 Notwithstanding any inconsistent provision
37 of law, the amount herein appropriated may
38 be increased or decreased by interchange
39 with any other appropriation within the
40 office of temporary and disability assist-
41 ance federal fund - local assistance
42 account with the approval of the director
43 of the budget, who shall file such
44 approval with the department of audit and
45 control and copies thereof with the chair-
46 man of the senate finance committee and
47 the chairman of the assembly ways and
48 means committee.

49 Notwithstanding section 153 of the social
50 services law, or any other inconsistent
51 provision of law, such appropriation shall
52 be available for reimbursement of eligible
53 claims incurred on or after January 1,
54 2010 and before January 1, 2011 that are
55 otherwise reimbursable on or after April
56 1, 2010 and that are claimed by March 31,

1 2011. Such reimbursement shall constitute
2 total federal reimbursement for activities
3 funded herein in state fiscal year
4 2010-2011.

5 Consistent with the purposes and rules
6 established in the American recovery and
7 reinvestment act of 2009, the emergency
8 contingency fund for temporary assistance
9 for needy families state program, funds
10 appropriated herein shall be subject to
11 all applicable reporting and accountabil-
12 ity requirements contained in such act 547,000,000

13 For expenses associated with the operation
14 of the statewide electronic benefit trans-
15 fer (EBT) system; the common benefit iden-
16 tification card (CBIC); and the automated
17 finger imaging system (AFIS) 4,000,000

18 Funds appropriated according to the follow-
19 ing shall be available for payment of aid
20 heretofore accrued or hereafter to accrue
21 to municipalities. Notwithstanding any
22 inconsistent provision of law, such funds
23 may be increased or decreased by inter-
24 change with any other appropriation within
25 the office of temporary and disability
26 assistance or office of children and fami-
27 ly services federal fund - local assist-
28 ance account with the approval of the
29 director of the budget. Consistent with
30 the purposes and rules established in the
31 American recovery and reinvestment act of
32 2009, such funds shall be subject to all
33 applicable reporting and accountability
34 requirements contained in such act. Such
35 funds shall be provided without state or
36 local participation for services to eligi-
37 ble individuals under the state plan for
38 the temporary assistance for needy fami-
39 lies block grant whose incomes do not
40 exceed 200 percent of the federal poverty
41 level or who are otherwise eligible under
42 such plan, provided that such services to
43 eligible persons not in receipt of public
44 assistance shall not constitute "assist-
45 ance" under applicable federal regulations
46 and no more than 15 percent of the funds
47 made available herein may be used for
48 administration, provided further that the
49 director of the budget does not determine
50 that such use of funds can be expected to
51 have the effect of increasing qualified
52 state expenditures under paragraph 7 of
53 subdivision (a) of section 409 of the
54 federal social security act above the
55 minimum applicable federal maintenance of
56 effort requirement:

1 For transfer to the credit of the office of
2 children and family services federal
3 health and human services fund - 265 state
4 operations or federal health and human
5 services fund - 265 local assistance,
6 federal day care account for additional
7 reimbursement to social services districts
8 for child care assistance provided pursu-
9 ant to title 5-C of article 6 of the
10 social services law. The funds shall be
11 apportioned among the social services
12 districts by the office according to an
13 allocation plan developed by the office
14 and submitted to the director of the budg-
15 et for approval within 60 days of enact-
16 ment of the budget. The funds allocated to
17 a district under this appropriation in
18 addition to any state block grant funds
19 allocated to the district for child care
20 services and any funds the district
21 requests the office of temporary and disa-
22 bility assistance to transfer from the
23 district's flexible fund for family
24 services allocation to the federal day
25 care account shall constitute the
26 district's entire block grant allocation
27 for a particular federal fiscal year,
28 which shall be available only for child
29 care assistance expenditures made during
30 that federal fiscal year and which are
31 claimed by March 31 of the year immediate-
32 ly following the end of that federal
33 fiscal year. Any claims for child care
34 assistance made by a social services
35 district for expenditures made during a
36 particular federal fiscal year, other than
37 claims made under title XX of the federal
38 social security act, shall be counted
39 against the social services district's
40 block grant allocation for that federal
41 fiscal year.

42 A social services district shall expend its
43 allocation from the block grant in accord-
44 ance with the applicable provision in
45 federal law and regulations relating to
46 the federal funds included in the state
47 block grant for child care and the regu-
48 lations of the office of children and
49 family services. Notwithstanding any other
50 provision of law, each district's claims
51 submitted under the state block grant for
52 child care will be processed in a manner
53 that maximizes the availability of federal
54 funds and ensures that the district meets
55 its maintenance of effort requirement in
56 each applicable federal fiscal year. Prior

1 to transfer of funds appropriated herein,
2 the commissioner of the office of children
3 and family services shall consult with the
4 commissioner of the office of temporary
5 and disability assistance to determine the
6 availability of such funding and to
7 request that the commissioner of the
8 office of temporary and disability assist-
9 ance take necessary steps to notify the
10 department of health and human services of
11 the transfer of funding 392,967,000

12 For allocation to local social services
13 districts for the flexible fund for family
14 services. Funds shall, without state or
15 local participation, be allocated to local
16 social services districts in accordance
17 with a methodology to be developed by the
18 office of temporary and disability assist-
19 ance and the office of children and family
20 services and approved by the director of
21 the budget. Such amounts allocated to
22 local social services districts shall
23 hereinafter be referred to as the flexible
24 fund for family services and shall be used
25 for eligible services to eligible individ-
26 uals under the State plan for the federal
27 temporary assistance for needy families
28 block grant, except for "assistance",
29 which may only be provided to persons in
30 receipt of public assistance benefits
31 funded by the temporary assistance for
32 needy families block grant with prior
33 approval of the office of temporary and
34 disability assistance.

35 Notwithstanding any inconsistent provision
36 of law, such amounts shall constitute the
37 full amount of federal temporary assist-
38 ance for needy families funds to be paid
39 on account of activities funded in whole
40 or in part hereunder. District allocations
41 from the flexible fund for family services
42 may be spent only pursuant to plans of
43 expenditure, developed by each social
44 services district and the local governing
45 body and approved by the office of tempo-
46 rary and disability assistance, the office
47 of children and family services, and the
48 director of the budget. Such allocation
49 shall be available for reimbursement
50 through March 31, 2013; provided, however,
51 that reimbursement for child welfare
52 services other than foster care services
53 shall be available for eligible expendi-
54 tures incurred on or after October 1, 2009
55 and before October 1, 2010 that are other-
56 wise reimbursable by the state on or after

1 April 1, 2010 and that are claimed by
2 March 31, 2011.
3 Notwithstanding any inconsistent provision
4 of law, the amounts so appropriated for
5 allocation to local social services
6 districts, may be used, without state or
7 local financial participation, by social
8 services districts with a population in
9 excess of two million persons for such
10 district's first eligible expenditures
11 that occurred on or after October 1, 2009,
12 or, subject to the approval of the direc-
13 tor of the budget, during any other period
14 beginning on or after January 1, 1997, for
15 tuition costs for foster care children who
16 are eligible for emergency assistance for
17 families in the manner the state was
18 authorized to fund such costs under part A
19 of title IV of the social security act as
20 such part was in effect on September 30,
21 1995; provided that the funds appropriated
22 herein may not be used to reimburse local-
23 ities for costs disallowed under title
24 IV-E of the social security act. Such
25 expenditures shall constitute good cause
26 pursuant to section 408 (a) (10) of the
27 social security act. Such funds may also
28 be used, without state or local partic-
29 ipation, for care, maintenance, super-
30 vision, and tuition for juvenile delin-
31 quents and persons in need of supervision
32 who are placed in residential programs
33 operated by authorized agencies and who
34 are eligible for emergency assistance to
35 families in the manner the state was
36 authorized to fund such costs under part A
37 of title IV of the social security act as
38 such part was in effect on September 30,
39 1995. Such expenditures shall constitute
40 good cause pursuant to section 408 (a)
41 (10) of the social security act. Unless
42 otherwise approved by the commissioner of
43 the office of children and family services
44 with the approval of the director of the
45 budget, these funds may be used only for
46 eligible expenditures made from October 1,
47 2009 through September 30, 2010. Notwith-
48 standing any inconsistent provision of
49 law, the funds so appropriated may not be
50 used to reimburse localities for costs
51 disallowed under title IV-E of the social
52 security act.
53 Notwithstanding any inconsistent provision
54 of law, a social services district may
55 request that the office of temporary and
56 disability assistance retain and transfer

1 a portion of the district's allocation of
2 these funds to the credit of the office of
3 children and family services federal
4 health and human services fund - 265 local
5 assistance, title XX social services block
6 grant for use by the district for eligible
7 title XX services and/or to the credit of
8 the office of children and family services
9 federal health and human services fund -
10 265 local assistance, federal day care
11 account for use by the district for eligi-
12 ble child care expenditures under the
13 state block grant for child care, within
14 the percentages established by the state
15 in accordance with the federal social
16 security act and related federal regu-
17 lation. Any funds transferred at a
18 district's request to the title XX social
19 services block grant shall be used by the
20 district for eligible title XX social
21 services provided in accordance with the
22 provisions of the federal social security
23 act and the social services law to chil-
24 dren or their families whose income is
25 less than 200 percent of the federal
26 poverty level applicable to the family
27 size involved. Any funds transferred at a
28 district's request to the office of chil-
29 dren and family services federal health
30 and human services fund - 265 local
31 assistance, federal day care account shall
32 be made available to the district for use
33 for eligible child care expenditures in
34 accordance with the applicable provisions
35 of federal law and regulations relating to
36 federal funds included in the state block
37 grant for child care and in accordance
38 with applicable state law and regulations
39 of the office of children and family
40 services. Any claims made by a social
41 services district for expenditures made
42 for child care during a particular federal
43 fiscal year, other than claims made under
44 title XX of the federal social security
45 act, shall be counted against the social
46 services district's block grant for child
47 care for that federal fiscal year. Each
48 social services district must certify to
49 the department of family assistance, with-
50 in 90 days of enactment of the budget but
51 before August 15, 2010, the amount of
52 funds it wishes to have transferred under
53 this provision.

54 Notwithstanding any other provision of law,
55 the amount of the funds that each district
56 expends on child welfare services from its

flexible fund for family services funds and any flexible fund for family services funds transferred at the district's request to the title XX social services block grant must, to the extent that families are eligible therefore, be equal to or greater than the district's portion of the \$342,322,341 statewide child welfare threshold amount, which shall be established pursuant to a formula developed by the office of temporary and disability assistance and the office of children and family services and approved by the director of the budget.

Notwithstanding any other provision of law including the state finance law and any local procurement law, at the request of a social services district and with the approval of the director of the budget, a portion of the funds so appropriated may be retained by the office of temporary and disability assistance for use by such office or for transfer or suballocation to the department of labor, the department of health and/or the office of children and family services to provide centralized administrative services, including but not limited to issuing requests for proposals; entering into, processing and/or amending contracts with existing providers for any services eligible for funding under the flexible fund for family services for which the applicable state agency has a contractual relationship or had a contractual relationship during state fiscal year 2004-05 or thereafter, and providing vendor payments 960,000,000

For the continuation and expansion of a demonstration project to assist individuals and families in moving out of poverty through the pursuit of higher education. Projects shall include intensive, long-term case management and statistically-based outcome assessments. The amount appropriated herein shall be made available for one project at an education and work consortium having developed programs that moved significant numbers of people from welfare to permanent employment, in receipt of financial commitments from a not-for-profit foundation, and having an established working relationship with regional social services agencies, the local business community and other public and/or private institutions of higher education. Such program shall provide

1 services to recipients of family assist-
2 ance, safety net assistance and other
3 eligible individuals. The consortium shall
4 consist of three institutions of higher
5 education with one of the institutions
6 being a CUNY institution, one a New York
7 city based institution, and one based in
8 Westchester county 250,000

9 For services and expenses related to the
10 advantage afterschool program. Such funds
11 are to be available pursuant to a plan
12 prepared by the office of children and
13 family services and approved by the direc-
14 tor of the budget to extend or expand
15 current contracts with community based
16 organizations, to award new contracts to
17 continue programs where the existing
18 contractors are not satisfactorily
19 performing as determined by the office of
20 children and family services and/or to
21 award new contracts through a competitive
22 process to community based organizations 11,213,000

23 For services and expenses, notwithstanding
24 any other provision of law, relating to
25 initiating and/or continuing program
26 modifications and/or providing services
27 including, but not limited to, demon-
28 strated effective programs such as
29 evidence-based initiatives for alterna-
30 tives to detention for persons alleged or
31 determined to be in need of supervision or
32 otherwise at risk of placement in the
33 juvenile justice system and for services
34 and expenses related to reducing office of
35 children and family services institutional
36 placements through program modifications
37 and/or services including, but not limited
38 to, demonstrated effective programs such
39 as evidence-based initiatives to divert
40 youth at-risk of placement with the office
41 of children and family services and/or as
42 alternatives to residential placements
43 with such office 6,000,000

44 For services of the BRIDGE program, provided
45 however, that, unless otherwise determined
46 by the director of the budget, the rate of
47 state financial participation shall be the
48 same rates as required in the month imme-
49 diately preceding December, 1996. Funds
50 shall be made available and/or suballo-
51 cated to the state university of New York
52 for services and expenditures of the
53 BRIDGE program and may be transferred to
54 the state university of New York for
55 personal and nonpersonal service costs and
56 other expenses incurred in administering

1 the provision of such services to eligible
2 individuals and families. A portion of the
3 funds may be transferred to the office of
4 temporary and disability assistance state
5 operations for personal and nonpersonal
6 service costs incurred by the office in
7 administering the program. Funds made
8 available herein shall be used for
9 services to eligible individuals and fami-
10 lies who, upon determination of eligibil-
11 ity for such program, are receiving public
12 assistance benefits under the state plan
13 for the temporary assistance for needy
14 families block grant or whose public
15 assistance case includes a dependent child
16 under the age of 18 or under the age of 19
17 if the child is attending secondary school
18 and is in receipt of safety net assist-
19 ance. To the extent that sufficient
20 numbers of eligible public assistance
21 recipients are not available, funds may be
22 used to serve individuals and families not
23 in receipt of public assistance, but
24 eligible under the state plan for the
25 temporary assistance for needy families
26 block grant 1,000,000

27 For services, notwithstanding any inconsis-
28 tent provision of law, and without state or
29 local financial participation, of the
30 career pathways program for not-for-
31 profit, community-based organizations
32 providing coordinated, comprehensive
33 employment services beyond the level
34 currently funded by local social services
35 districts to eligible individuals and
36 families. Such funds are to be made avail-
37 able to establish a career pathways
38 program to link education and occupational
39 training to subsequent employment through
40 a continuum of educational programs and
41 integrated support services to enable
42 temporary assistance for needy families
43 eligible participants, including discon-
44 nected young adults, ages sixteen to twen-
45 ty-four, to advance over time both to
46 higher levels of education and to higher
47 wage jobs in targeted occupational
48 sectors. With funds appropriated herein,
49 the office of temporary and disability
50 assistance in consultation with the
51 department of labor shall establish the
52 career pathways program and provide tech-
53 nical support, as needed, to provide
54 education, training, and job placement for
55 low-income individuals, age sixteen and
56 older. Preference shall be given to eigh-

1 teen to twenty-four year olds who are
2 unemployed or underemployed, in areas of
3 the state with demonstrated labor market
4 needs and unemployment rates that are
5 greater than the appropriate or compar-
6 ative rate of employment for the region,
7 and to persons in receipt of family
8 assistance and/or safety net assistance.
9 Of the amounts appropriated, at least
10 sixty percent shall be available for
11 services to eighteen to twenty-four year
12 olds, with remaining funds available to
13 recipients of family assistance and/or
14 safety net assistance, without age
15 restrictions, and sixteen to seventeen
16 year old self-supporting individuals who
17 are heads of household. The office of
18 temporary and disability assistance in
19 consultation with the department of labor
20 shall develop a request for proposals and
21 shall receive, review, and assess applica-
22 tions. In selecting proposals, the office
23 of temporary and disability assistance and
24 the department of labor shall give prefer-
25 ence to programs that demonstrate communi-
26 ty-based collaborations with education and
27 training providers and employers in the
28 region. Such education and training
29 providers may include, but not be limited
30 to general equivalency diplomas programs,
31 community colleges, junior colleges, busi-
32 ness and trade schools, vocational insti-
33 tutions, and institutions with baccalau-
34 reate degree-granting programs; programs
35 that provide for a career path or career
36 paths, as supported by identified local
37 employment needs; programs that provide
38 employment services, including but not
39 limited to, post-secondary training
40 designed to meet the needs of employers in
41 the local labor market, or catchment area;
42 programs that include education and train-
43 ing components, such as remedial educa-
44 tion, individual training plans, pre-em-
45 ployment training, workplace basic skills,
46 and literacy skills training. Such educa-
47 tion and training must include insti-
48 tutions, industry associations, or other
49 credentialing bodies for the purpose of
50 providing participants with certificates,
51 diplomas, or degrees; projects that
52 provide comprehensive student support
53 services, including but not limited to
54 tutoring, mentoring, child care, after
55 school program access, transportation, and
56 case management, as part of the individual

1 training plan. Preference shall be given
2 to proposals that include not-for-profit
3 collaborations with education, training,
4 or employer stakeholders in the region;
5 programs which leverage additional commu-
6 nity resources and provide participant
7 support services; training that result in
8 job placement; and education that links
9 participants with occupational skills
10 training and/or employer-related creden-
11 tials, credits, diplomas or certificates 5,000,000

12 For services and expenses of not-for-profit
13 and voluntary agencies providing support
14 services to the caretaker relative of a
15 minor child when such services are
16 provided to eligible individuals and fami-
17 lies. Such funds are available pursuant to
18 a plan prepared by the office of children
19 and family services and approved by the
20 director of the budget to continue or
21 expand existing programs with existing
22 contractors that are satisfactorily
23 performing as determined by the office of
24 children and family services, to award new
25 contracts to continue programs where the
26 existing contractors are not satisfactori-
27 ly performing as determined by the office
28 of children and family services and/or to
29 award new contracts through a competitive
30 process 250,000

31 Notwithstanding any inconsistent provision
32 of law, the funds appropriated herein
33 shall be available for transfer to the
34 federal health and human services fund -
35 265, federal day care account to provide
36 additional funding for subsidies and qual-
37 ity activities at the city university of
38 New York, provided that of such amount,
39 \$278,000 shall be available to community
40 colleges and \$418,000 shall be available
41 to senior colleges. 696,000

42 Notwithstanding any inconsistent provision
43 of law, the funds appropriated herein,
44 shall be available for transfer to the
45 federal health and human services fund -
46 265, federal day care account to continue
47 operation of and support existing enroll-
48 ment in the child care facilitated enroll-
49 ment pilot programs which expand access to
50 child care subsidies for working families
51 living or employed in the Liberty Zone,
52 the boroughs of Brooklyn, Queens, and
53 Bronx, and in the county of Monroe, with
54 income up to 275 percent of the federal
55 poverty level. Of the amount appropriated
56 herein, \$1,207,500 shall be made available

1 for Monroe county, and \$2,898,200 shall be
2 made available for all other projects. Up
3 to \$120,750 shall be made available to the
4 current designated administrator in the
5 county of Monroe, or to a successor admin-
6 istrator designated by the current admin-
7 istration to administer such county's
8 program and to implement a plan approved
9 by the office of children and family
10 services; and up to \$289,820 shall be made
11 available to the Consortium for Worker
12 Education, Inc., or other designated
13 successor, to administer and to implement
14 a plan approved by the office of children
15 and family services for the programs in
16 the Liberty Zone, and the boroughs of
17 Brooklyn, Queens and Bronx. Each pilot
18 program administrator shall prepare and
19 submit to the office of children and fami-
20 ly services, the chairs of the senate
21 committee on children and families and the
22 senate committee on social services, the
23 chair of the assembly committee on chil-
24 dren and families, the chair of the assem-
25 bly committee on social services, the
26 chair of the senate committee on labor,
27 and the chair of the assembly committee on
28 labor, an evaluation of the pilot with
29 recommendations for continuation or
30 dissolution of the program supported by
31 appropriate documentation. Such evalu-
32 ation shall include available, information
33 regarding the pilot programs or partic-
34 ipants in the pilot programs, absent iden-
35 tifying information, including but not
36 limited to: the number of income-eligible
37 children of working parents with income
38 greater than 200 percent but at or less
39 than 275 percent of the federal poverty
40 level; the ages of the children served by
41 the project, the number of families served
42 by the project who are in receipt of fami-
43 ly assistance, the factors that parents
44 considered when searching for child care,
45 the factors that barred the families'
46 access to child care assistance prior to
47 their enrollment in the pilot program, the
48 number of families who receive a child
49 care subsidy pursuant to this program who
50 choose to use such subsidy for regulated
51 child care, and the number of families who
52 receive a child care subsidy pursuant to
53 this program who choose to use such subsi-
54 dy to receive child care services provided
55 by a legally exempt provider. Such report
56 shall be submitted by the applicable

1 project administrator, on or before Octo-
2 ber 1, 2010, provided that if such report
3 is not received by October 1, 2010,
4 reimbursement for administrative costs
5 shall be either reduced or withheld, and
6 failure of an administrator to submit a
7 timely report may jeopardize such
8 program's funding in future years.
9 Expenses related to the development of the
10 evaluation of the pilot programs shall be
11 paid from the pilot program's administra-
12 tive set-aside or non-state funds. The
13 remaining portion of the project's funds
14 shall be allocated by the office of chil-
15 dren and family services to the local
16 social services districts where the recip-
17 ient families reside as determined by the
18 project administrator based on projected
19 needs and cost of providing child care
20 subsidy payments to working families
21 enrolled in the child care subsidy program
22 through the pilot initiative, provided
23 however that the office of children and
24 family services shall not reimburse subsi-
25 dy payments in excess of the amount the
26 subsidy funding appropriated herein can
27 support and the applicable local social
28 services district shall not be required to
29 approve or pay for subsidies not funded
30 herein. The total number of slots for
31 pilot programs located within the city of
32 New York shall not exceed one thousand
33 during fiscal year 2010-2011. Vacancies in
34 child care slots may be filled at such
35 time as the total enrollment of the New
36 York city pilot program is less than one
37 thousand slots. The pilot program located
38 in the borough of Queens shall receive one
39 new additional slot for each slot which
40 becomes available through attrition once
41 the total number of filled child care
42 slots reaches less than one thousand.
43 Child care subsidies paid on behalf of
44 eligible families shall be reimbursed at
45 the actual cost of care up to the applica-
46 ble market rate for the district in which
47 the child care is provided, for subsidy
48 payments made from April 1, 2010 through
49 March 31, 2011 for the New York city pilot
50 program and for subsidy payments made from
51 January 1, 2011 through December 31, 2011
52 for the Monroe county pilot program in
53 accordance with the fee schedule of the
54 local social services district making the
55 subsidy payments. Pilot programs are
56 required to submit monthly reports to the

1 office of children and family services,
2 the local social services district, and
3 for programs located in the city of New
4 York, the administration for children's
5 services, and the legislature. Each month-
6 ly report must provide without benefit of
7 personal identifying information, the
8 pilot program's current enrollment level,
9 amount of the child's subsidy, co-payment
10 levels and other information as needed or
11 required by the office of children and
12 family services. Further, the office of
13 children and family services shall provide
14 technical assistance to the pilot program
15 to assist with project administration and
16 timely coordination of the monthly claim-
17 ing process. Notwithstanding any other
18 provision of law, any pilot programs main-
19 tained herein may be terminated if the
20 administrator for such programs mismanages
21 such programs, by engaging in actions
22 including but not limited to, improper use
23 of funds, providing for child care subsi-
24 dies in excess of the amount the subsidy
25 funding appropriated herein can support,
26 and failing to submit claims for
27 reimbursement in a timely fashion 4,105,700
28 Notwithstanding any inconsistent provision
29 of law, the funds appropriated herein
30 shall be available for transfer to the
31 federal health and human services fund -
32 265, federal day care account to continue
33 operation of the facilitated enrollment
34 pilot program in Capital Region-Oneida
35 (consisting of Rensselaer, Schenectady,
36 Saratoga, Albany and Oneida counties) as
37 provided to the NYS AFL-CIO Workforce
38 Development Institute to act or continue
39 to act as the administrator to implement
40 the program proposed by the union child
41 care coalition of the NYS AFL-CIO and
42 approved by the office of children and
43 family services. The administrative cost,
44 including the cost of the development of
45 the evaluation of the pilot program shall
46 not exceed ten percent of the funds avail-
47 able for this purpose. The remaining
48 portion of the funds shall be allocated by
49 the office of children and family services
50 to the local social services districts
51 where the recipient families reside as
52 determined by the project administrator
53 based on projected need and cost of
54 providing child care subsidies payment to
55 working families enrolled through the
56 pilot initiative, a local social services

1 district shall not reimburse subsidy
2 payments in excess of the amount the
3 subsidy funding appropriated herein can
4 support. Child care subsidies paid on
5 behalf of eligible families shall be reim-
6 bursed at the actual cost of care up to
7 the applicable market rate for the
8 district in which child care is provided
9 and in accordance with the fee schedule of
10 the local social services district making
11 the subsidy payment. Up to \$115,930 shall
12 be made available to the NYS AFL-CIO Work-
13 force Development Institute, or other
14 designated administrator, to administer
15 and to implement a plan approved by the
16 office of children and family services for
17 this pilot program in consultation with
18 the advisory council. This administrator
19 shall prepare and submit to the office of
20 children and family services, the chairs
21 of the senate committee on social
22 services, the senate committee on children
23 and families, the senate committee on
24 labor, the chairs of the assembly commit-
25 tee on children and families, and the
26 assembly committee on social services, an
27 evaluation of the pilot with recommenda-
28 tions. Such evaluation shall include
29 available information regarding the pilot
30 programs or participants in the pilot
31 programs, including but not limited to:
32 the number of income-eligible children of
33 working parents with income greater than
34 200 percent but at or less than 275
35 percent of the federal poverty level, the
36 ages of the children served by the
37 project, the number of families served by
38 the project who are in receipt of family
39 assistance, the factors that parents
40 considered when searching for child care,
41 the factors that barred the families'
42 access to child care assistance prior to
43 their enrollment in the facilitated
44 enrollment program, the number of families
45 who receive a child care subsidy pursuant
46 to this program who choose to use such
47 subsidy for regulated child care, and the
48 number of families who receive a child
49 care subsidy pursuant to this program who
50 choose to use such subsidy to receive
51 child care services provided by a legally
52 exempt provider. Such report shall be
53 submitted by the applicable project admin-
54 istrator, on or before November 1, 2010,
55 provided that if such report is not
56 received by November 30, 2010, reimburse-

1 ment for administrative costs shall be
2 either reduced or withheld, and failure of
3 an administrator to submit a timely report
4 may jeopardize such administrator's
5 program from receiving funding in future
6 years. Child care subsidies paid on behalf
7 of eligible families shall be reimbursed
8 at the actual cost of care up to the
9 applicable market rate for the district in
10 which the child care is provided, for
11 subsidy payments made from April 1, 2010
12 through March 31, 2011 in accordance with
13 the fee schedule of the local social
14 services district making the subsidy
15 payments. The administrator for this pilot
16 project is required to submit bi-monthly
17 reports on the fifteenth day of every
18 other month beginning on May 15, 2010 and
19 bi-monthly thereafter that provide current
20 enrollment and information including, but
21 not limited to, the amount of the approved
22 subsidy level, the level of co-payment by
23 the local social services district
24 required for the participants in the
25 program, the program's adopted budget
26 reflecting all expenses including salaries
27 and other information as needed, to the
28 office of children and family services,
29 the chairs of the senate committee on
30 social services, the senate committee on
31 children and families, the senate commit-
32 tee on labor, the chairs of the assembly
33 committee on children and families and the
34 assembly committee on social services, and
35 the local social services districts.
36 Provided however that if such bi-monthly
37 reports are not received from this Capital
38 Region-Oneida administrator, reimbursement
39 for administrative costs shall be either
40 reduced or withheld and failure of an
41 administrator to submit a timely report
42 may jeopardize such administrator's
43 program from receiving funding in future
44 years. The office of children and family
45 services shall provide technical assist-
46 ance to the pilot program to assist in
47 timely coordination with the monthly
48 claiming process. Notwithstanding any
49 other provision of law, this pilot program
50 maintained herein may be terminated if the
51 administrator for such program mismanages
52 such program, by engaging in actions
53 including but not limited to, improper use
54 of funds, providing for child care subsi-
55 dies in excess of the amount the subsidy
56 funding appropriated herein can support,

1 and failing to submit claims for
2 reimbursement in a timely fashion 1,159,300
3 Notwithstanding any inconsistent provision
4 of law, the funds appropriated herein
5 shall be available for transfer to the
6 federal health and human services fund -
7 265, federal day care account to provide
8 additional funding for subsidies and qual-
9 ity activities at the state university of
10 New York, provided that of such amount,
11 \$379,000 shall be available to community
12 colleges and \$568,000 shall be available
13 to state operated campuses. 947,000
14 For services of a program, pursuant to
15 section 35 of the social services law but
16 without state or local financial partic-
17 ipation, providing legal representation of
18 individuals whose federal disability bene-
19 fits have been denied or may be discontin-
20 ued 483,000
21 For services related to the continuation of
22 displaced homemaker services. Funds made
23 available herein may be used for state
24 agency contractors, or aid to local social
25 services districts, provided, further,
26 that no more than ten percent of such
27 funds may be used for program adminis-
28 tration at each individual displaced home-
29 maker center. Each program administrator
30 shall prepare and submit an annual report
31 by December 1, 2010, to the office of
32 temporary and disability assistance, the
33 chairs of the senate committee on social
34 services, and the senate committee on
35 children and families and the assembly
36 chair of the committee on social services,
37 on the summary of activities, including
38 but not limited to the number of eligible
39 recipients, and the outcome for each
40 recipient together with a summary of
41 revenues and expenses including all sala-
42 ries 1,605,000
43 For services and expenses of programs
44 providing literacy training, workplace
45 literacy instruction and English-as-a-sec-
46 ond-language instruction to eligible indi-
47 viduals and families under the state plan
48 for the federal temporary assistance for
49 needy families block grant, including, but
50 not limited to, programs which offer
51 intergenerational educational models
52 intended to increase workplace prepared-
53 ness, and English-as-a-second-language
54 programs which appropriately address the
55 specific linguistic and cultural needs of
56 the participants and the language skill

1 needs of non-English speaking workers that
2 relate to workplace safety. Of the amount
3 appropriated herein, at least \$25,000
4 shall be available for literacy training
5 and English-as-a-second-language instruc-
6 tion to individuals and families, who upon
7 determination of eligibility for such
8 services, are in receipt of public assist-
9 ance and lack a literacy level equivalent
10 to the ninth month of eighth grade or who
11 have English language proficiency equal to
12 a score of 34 or less on the NYS PLACE
13 test or an equivalent score on a compara-
14 ble test 125,000

15 For services of programs, in local social
16 services districts with a population in
17 excess of two million, that meet the emer-
18 gency needs of homeless individuals and
19 families and those at risk of becoming
20 homeless. Such programs shall have demon-
21 strated experience in providing services
22 to meet the emergency needs of homeless
23 individuals and families and those at risk
24 of becoming homeless, including crisis
25 intervention services, eviction prevention
26 services, mobile emergency feeding
27 services, and summer youth services 125,000

28 For services related to the green jobs corps
29 program. Such funds are available for
30 continuation of services related to the
31 green jobs corps programs established by
32 local social services districts during
33 state fiscal year 2009-10, or new projects
34 to the extent funds are available, provid-
35 ing comprehensive employment services to
36 eligible individuals and families under
37 the state plan for the federal temporary
38 assistance for needy families block grant,
39 with priority given to public assistance
40 recipients. Such funds are to be made
41 available to establish and maintain a
42 green jobs corps program to provide subsi-
43 dized employment that links low- or no-in-
44 come individuals, particularly those
45 facing greater barriers to employment, to
46 incremental job skills training, basic
47 education, GED preparation, job placement,
48 job retention, and career advancement
49 opportunities in entry-level high-growth
50 energy efficiency and environmental
51 conservation industries, including but not
52 limited to weatherization, building
53 construction and retrofitting, environ-
54 mental remediation, renewable energy, and
55 natural resource preservation. The green
56 jobs corps program shall provide job read-

1 iness and hard skills training to prepare
2 participants for subsidized employment
3 placement consisting of up to 40 hours per
4 week of paid employment. Such program
5 shall consist of job readiness training as
6 intensive preparation for subsidized
7 employment and advanced training. Local
8 social services districts receiving funds
9 from the green jobs corps program shall
10 contract or develop partnerships with
11 organizations to provide such training,
12 which shall include but not be limited to
13 soft skills training, such as attitudinal
14 training, career development, and intro-
15 duction to basic computer literacy skills;
16 hard skills training, including but not
17 limited to basic construction (electrical,
18 plumbing and carpentry), environmental
19 remediation, weatherization, building
20 retrofits, renewable energy, and natural
21 resource preservation. Districts will
22 provide program participants with avail-
23 able supportive services to support
24 program participation and completion,
25 which may include but not be limited to
26 child care, transportation, and other
27 necessary services. In conjunction with
28 the subsidized employment, funds must be
29 used to provide adult basic education and
30 GED preparation for program participants,
31 or other education and/or training
32 programs necessary to accomplish the goals
33 of the program. Preference shall be given
34 to districts with opportunities for jobs
35 in the sectors specified above and for
36 counties with unemployment rates that
37 exceed the statewide average. Priority
38 shall be given to providing services to
39 public assistance recipients and services
40 shall target eighteen to twenty-four year
41 olds, formerly incarcerated individuals,
42 and non-custodial parents including those
43 who were formerly incarcerated or who have
44 a criminal history and who can attest to
45 such parental relationship and make that
46 information available to local social
47 services districts child support unit.
48 Districts must comply with the nondis-
49 placement provisions of sections 336-e and
50 336-f of the social services law when
51 establishing subsidized employment posi-
52 tions funded through the green jobs corps
53 program. 2,000,000
54 For services related to the health care jobs
55 program. Such funds are available for
56 continuation of services related to the

1 health care jobs programs established by
2 local social services districts during
3 state fiscal year 2009-10, or new projects
4 to the extent funds are available, provid-
5 ing coordinated, comprehensive employment
6 services beyond the level previously fund-
7 ed by local social services districts to
8 eligible individuals and families under
9 the state plan for the federal temporary
10 assistance for needy families block grant.
11 Such funds are to be made available to
12 local social services districts, with
13 priority to districts with over 1,500
14 active adults in receipt of public assist-
15 ance residing in households with dependent
16 children, to train individuals for place-
17 ment into employment in the health care
18 sector, and to establish temporary subsidi-
19 zed employment opportunities for tempo-
20 rary assistance for needy families eligi-
21 ble adults for up to one year in the
22 health sector including community health
23 outreach positions and other suboccupa-
24 tions within the sector. Low-income
25 employees supported by this program may
26 help provide information and education to
27 assist low-income individuals with obtain-
28 ing and maintaining eligibility for public
29 health care programs, connecting to prima-
30 ry and preventive care services, reducing
31 reliance on emergency rooms for basic
32 care, wellness education, on such topics
33 including but not limited to weight
34 management, exercise and nutrition, stress
35 management, and with accessing benefits
36 under other work support programs. With
37 funds appropriated herein and allocated to
38 local social services districts, the
39 office of temporary and disability assist-
40 ance shall provide technical support, as
41 needed, to provide employment opportu-
42 nities to low-income workers in the health
43 care industry, including adults with
44 limited English proficiency. Each local
45 social services district shall submit a
46 plan for its health care jobs program.
47 Districts must comply with the nondis-
48 placement provisions of sections 336-e and
49 336-f of the social services law when
50 establishing subsidized employment posi-
51 tions funded through the health care jobs
52 program 2,000,000
53 For services and expenses related to the
54 provision of non-residential domestic
55 violence. Such funds may be made available
56 to the office of children and family

1 services. Local social services districts
2 are encouraged to collaborate with not-
3 for-profit providers in the provision of
4 such services 1,449,000

5 For services related to a Nurse-Family Part-
6 nership program for eligible individuals
7 and families. Such funds are to be made
8 available to local social services
9 districts to establish or fund Nurse-Fami-
10 ly Partnership programs to provide
11 supportive services to temporary assist-
12 ance for needy families eligible individ-
13 uals aimed at: improving pregnancy
14 outcomes by helping first time mothers and
15 pregnant women engage in sound preventive
16 health practices, including education on
17 receiving thorough prenatal care from
18 their healthcare providers, improving
19 diets, and reducing the use of cigarettes,
20 alcohol and illegal substances; improving
21 child health and development by helping
22 parents provide responsible and competent
23 care; and improving the economic self-suf-
24 ficiency of the family by helping parents
25 develop a vision for their own future,
26 plan future pregnancies, continue their
27 education and find work, as appropriate.
28 Provided that no funds expended under this
29 provision may be used to provide actual
30 medical care 2,000,000

31 For preventive services to eligible individ-
32 uals and families under the state plan for
33 the federal temporary assistance for needy
34 families block grant whose incomes do not
35 exceed 200 percent of the federal poverty
36 level, including but not limited to:
37 intensive case management and related
38 services for families with children at
39 risk of foster care placement due to the
40 presence of alcohol and/or substance abuse
41 in the household; family preservation
42 services, centers and programs; foster
43 care diversion demonstrations; and not-
44 for-profit provider collaborations with
45 family treatment courts. Such funds are
46 available pursuant to a plan prepared by
47 the office of children and family services
48 and approved by the director of the budget
49 to continue or expand existing programs
50 with existing contractors that are satis-
51 factorily performing as determined by the
52 office of children and family services, to
53 award new contracts to continue programs
54 where the existing contractors are not
55 satisfactorily performing as determined by
56 the office of children and family

1 services, and/or award new contracts
2 through a competitive process. Provided
3 that, of the funds appropriated herein, at
4 least \$1,045,000 shall be available for
5 programs providing post adoption services 6,000,000
6 For enhanced services to refugees, asylees
7 and other immigrant populations eligible
8 for refugee services to assist such indi-
9 viduals and families to attain economic
10 self-sufficiency and reduce or eliminate
11 reliance on public assistance benefits as
12 a primary means of support. Such services
13 shall include, but not be limited to, case
14 management, English-as-a-second-language,
15 job training and placement assistance,
16 post-employment services necessary to
17 ensure job retention, and services neces-
18 sary to assist the individual and family
19 members to establish and maintain a perma-
20 nent residence in the state. Funds appro-
21 priated herein shall, to the extent
22 permitted by federal law and regulations,
23 be awarded at the discretion of the
24 commissioner of the office of temporary
25 and disability assistance to voluntary
26 refugee resettlement agencies and/or local
27 representatives of such agencies currently
28 under contract with the office of tempo-
29 rary and disability assistance to provide
30 services to refugee populations and indi-
31 vidual awards shall be made proportionate-
32 ly based on the number of refugees each
33 organization resettled in the previous
34 five year period based on the most recent
35 five year data published by the federal
36 department of health and human services
37 office of refugee resettlement or its
38 contractor. Of the amount appropriated
39 herein, up to \$415,000 shall be made
40 available to organizations providing
41 services to refugees settling in local
42 social services districts with a popu-
43 lation in excess of two million and all
44 remaining funding shall be awarded to
45 organizations providing such services to
46 refugees settling in other geographic
47 locations 500,000
48 For the services of the Rochester-Genesee
49 Regional Transportation Authority for the
50 provision of transportation services to
51 eligible individuals and families, for the
52 purpose of transportation to and from
53 employment or other allowable work activ-
54 ities 403,000
55 For those services and expenses provided to
56 eligible individuals and families by

1 existing settlement houses; provided,
2 however, that the funds may be made avail-
3 able without regard to the limitations on
4 the amount of grants provided to, and the
5 requirements for fundraising by such
6 programs as set forth in article 10-B of
7 the social services law 1,000,000
8 For allocation to local social services
9 districts, notwithstanding any inconsis-
10 tent provision of law, and without state or
11 local financial participation, for costs
12 of operating the summer youth programs
13 providing full wage subsidy paid summer
14 employment and associated supportive
15 services to eligible individuals under the
16 state plan for the temporary assistance
17 for needy families block grant. Notwith-
18 standing any other inconsistent law to the
19 contrary, the commissioner of any local
20 department of social services may assign
21 all or a portion of moneys appropriated
22 herein on behalf of such local department
23 of social services to the workforce
24 investment board designated by such
25 commissioner and upon receipt of such
26 monies, any such workforce investment
27 board shall be obligated to utilize such
28 funds consistent with the purposes of this
29 appropriation. Funds appropriated herein
30 shall be allocated to local social
31 services districts in accordance with a
32 methodology that shall be based on allo-
33 cations for the prior state fiscal year
34 and on a district's relative share of
35 persons aged fourteen to twenty living in
36 households whose incomes do not exceed 200
37 percent of the federal poverty level. At
38 the request of local social services
39 districts, funds not used for costs of the
40 summer youth program may be transferred to
41 the credit of the district's allocation of
42 the flexible fund for family services;
43 provided, however, that a minimum of
44 \$14,200,000 will be used for the summer
45 youth program 15,500,000
46 For services related to the homelessness
47 intervention program for eligible individ-
48 uals and families. These funds shall be
49 available to not-for-profit organizations
50 designed to provide services to prevent
51 homelessness or to secure permanent hous-
52 ing, including but not limited to
53 landlord/tenant conflict resolution, legal
54 services, outreach and referral for other
55 eligible services and benefits to stabi-

1 lize households, and relocation assistance
2 1,006,000
3 For services related to a supportive housing
4 program for families and for young adults
5 age eighteen to twenty-five, who are
6 eligible for benefits under the state plan
7 for the federal temporary assistance for
8 needy families block grant. Such support-
9 ive housing program shall be designed to
10 enhance the employability, self-sufficien-
11 cy, and/or family stability of residents,
12 and prevent out-of-wedlock pregnancies
13 among young adult residents. Eligible
14 families shall include: homeless families;
15 families at risk of exceeding, and those
16 that have exceeded, their TANF assistance
17 time limit; families with multiple barriers
18 to employment and housing stability;
19 families at risk for foster care place-
20 ment; and those that are reunited after
21 placements. Eligible young adults shall
22 include: young adults aging out of the
23 foster care system; runaway and homeless
24 youth; and youth subject to criminal
25 charges who are at risk for incarceration.
26 Provided that, of the \$2,500,000 up to
27 \$500,000 shall be available to continue
28 existing services or to expand services
29 provided to eligible young adults 2,500,000
30 For services, related to transitional jobs
31 programs administered by local social
32 services districts with employment oppor-
33 tunities established in public or private
34 organizations including community based
35 agencies. Eligible local social services
36 districts must establish a plan to provide
37 coordinated, comprehensive employment
38 services beyond the level currently funded
39 by the local social services district to
40 eligible individuals and families under
41 the state plan for the federal temporary
42 assistance for needy families block grant.
43 Such funds are to be made available to
44 establish a transitional jobs program to
45 provide a subsidized employment placement
46 for up to 12 months for up to 40 hours per
47 week of paid employment, with the require-
48 ment that all program participants receive
49 at least 105 hours of paid education and
50 training activities linked directly to
51 local employment opportunities in sectors
52 with substantial opportunities for contin-
53 ued unsubsidized employment, including but
54 not limited to child care, health care,
55 social and human services, clerical admin-
56 istrative assistance, transportation and

1 construction/outdoor maintenance, to
2 enable temporary assistance for needy
3 families eligible participants, including
4 disconnected young adults, ages eighteen
5 to twenty-four, to obtain the job skills
6 and education to advance into unsubsidized
7 work at the end of the transitional
8 employment period. Public or private
9 organizations receiving funds appropriated
10 herein shall report to the office of
11 temporary and disability assistance on the
12 average hourly wage paid to individuals
13 participating in the program herein
14 described. With funds appropriated herein,
15 the office of temporary and disability
16 assistance shall provide technical
17 support, as needed, to enable local social
18 services districts to develop transitional
19 jobs programs that provide education,
20 training, and job placement for low or no
21 income individuals. Preference shall be
22 given to persons in receipt of public
23 assistance, formerly incarcerated individ-
24 uals, and non-custodial parents including
25 those who were formerly incarcerated or
26 who have a criminal history and who can
27 attest to such parental relationship and
28 make that information available to local
29 social services district child support
30 units. The office of temporary and disa-
31 bility assistance shall establish allo-
32 cations to local social services districts
33 with priority to areas of the state with
34 unemployment rates that exceed the state-
35 wide average. Each participating district
36 must submit a plan for its transitional
37 jobs program that outlines the employment
38 opportunities and education and training
39 that will be provided to prepare individ-
40 uals for unsubsidized employment.
41 Districts will be encouraged to leverage
42 services available through community-based
43 education and training providers and
44 target training to the needs of employers
45 in the region. Such education and training
46 providers may include, but not be limited
47 to general equivalency diploma programs,
48 adult basic education, English-as-a-sec-
49 ond-language programs, community colleges,
50 junior colleges, business and trade
51 schools, vocational institutions, and
52 institutions with baccalaureate degree-
53 granting programs, programs that provide
54 employment services, including but not
55 limited to programs that include education
56 and training components, such as remedial

1 education, individual training plans,
2 pre-employment training, workplace basic
3 skills, and literacy skills training. In
4 those instances where program participants
5 do not have a high school diploma or
6 equivalent, preference shall be given to
7 providing adult basic education services
8 that will enable the participant to obtain
9 an equivalency diploma. Additionally,
10 training that provides employment related
11 credentials, credits or certificates to
12 support future employment opportunities is
13 preferred. As part of the individual
14 training plan, projects are encouraged to
15 provide comprehensive student support
16 services, including but not limited to
17 tutoring, mentoring, child care, after
18 school program access, transportation,
19 financial development services, referrals
20 for public benefits, and case management.
21 Districts must comply with the nondis-
22 placement provisions of sections 336-e and
23 336-f of the social services law when
24 establishing subsidized employment posi-
25 tions funded through the transitional jobs
26 program 5,000,000
27 For services related to the wheels for work
28 program, including, but not limited to
29 activities which procure, repair, finance,
30 and/or insure vehicles needed for trans-
31 portation to and from employment or allow-
32 able work activities 409,000
33 -----
34 Program fund subtotal 2,857,693,000
35 -----

36 Special Revenue Funds - Other / Aid to Localities
37 Miscellaneous Special Revenue Fund - 339
38 Electronic Benefit Transfer and Common Benefit Identifi-
39 cation Card Account

40 For the operation of an automated finger
41 imaging system; the operation of an elec-
42 tronic benefit transfer system; and the
43 production of common benefit identifica-
44 tion cards. Notwithstanding section 153 of
45 the social services law or any other
46 inconsistent provision of law, the depart-
47 ment shall reduce reimbursement otherwise
48 payable to social services districts to
49 recover 50 percent of the non-federal
50 share of costs incurred by the department
51 for these purposes 10,000,000
52 -----
53 Program account subtotal 10,000,000
54 -----

1	SPECIALIZED SERVICES PROGRAM	25,050,700
2		-----
3	General Fund / Aid to Localities	
4	Local Assistance Account - 001	
5	For 50 percent reimbursement of expenditures	
6	made by a social services district or a	
7	not-for-profit corporation for supportive	
8	service subsidies for single room occupan-	
9	cy housing for homeless individuals,	
10	pursuant to title 2 of article 2-A of the	
11	social services law. Subject to a plan	
12	approved by the director of the budget, up	
13	to \$250,000 of the funds appropriated	
14	herein, may be used by the office of	
15	temporary and disability assistance	
16	through contract, for technical assistance	
17	to organizations operating or supervising	
18	the operation of a single room occupancy	
19	program	17,664,300
20	For 75 percent reimbursement of the approved	
21	costs for homeless intervention program	
22	activities pursuant to title 4 of article	
23	2-A of the social services law. Notwith-	
24	standing any other inconsistent provision	
25	of law, social services districts or	
26	contractors, as a condition of receiving	
27	such funds herein appropriated, shall	
28	provide 25 percent cash or in-kind share.	
29	Funding provided for herein shall not	
30	supplant existing federal, state or local	
31	funding	2,669,400
32	For services related to programs which	
33	assist non-citizens in their attainment of	
34	citizenship status. No funds shall be	
35	expended from this appropriation until a	
36	plan is submitted by the commissioner and	
37	approved by the director of the budget.	
38	Such funds are to be available for payment	
39	of aid heretofore accrued or hereafter to	
40	accrue to municipalities. Subject to the	
41	approval of the director of the budget,	
42	such funds shall be available to the	
43	office of temporary and disability assist-	
44	ance net of disallowances, refunds,	
45	reimbursements, and credits	1,668,600
46	For enhanced services to refugees, asylees,	
47	entrants, certified victims of human traf-	
48	ficking and their family members, precer-	
49	tified victims of human trafficking and	
50	their family members and other immigrant	
51	populations eligible for refugee services	
52	to assist such individuals and families to	
53	attain economic self-sufficiency and	
54	reduce or eliminate reliance on public	

1 assistance benefits as a primary means of
 2 support.
 3 Such services shall include, but not be
 4 limited to, case management, English-as-a-
 5 second-language, job training and place-
 6 ment assistance, post-employment services
 7 necessary to ensure job retention, and
 8 services necessary to assist the individ-
 9 ual and family members to establish and
 10 maintain a permanent residence in New York
 11 state. Funds appropriated herein shall, at
 12 the discretion of the commissioner of the
 13 office of temporary and disability assist-
 14 ance, be awarded to voluntary refugee
 15 resettlement agencies and/or local repre-
 16 sentatives of such agencies currently
 17 under contract with the office of tempo-
 18 rary and disability assistance to provide
 19 services to refugee populations and indi-
 20 vidual awards shall be made proportionate-
 21 ly based on each organization's number of
 22 refugees resettled and asylees, entrants,
 23 certified and pre-certified victims of
 24 human trafficking and their family
 25 members, and other immigrant populations
 26 eligible for refugee services served in
 27 the previous five year period based on the
 28 most recent five year data published by
 29 the federal department of health and human
 30 services office of refugee resettlement or
 31 its grantee 1,668,600
 32 For services related to the human traffick-
 33 ing program as established pursuant to
 34 chapter 74 of the laws of 2007 397,000
 35 For operational support to projects which
 36 have received capital grant awards through
 37 the homeless housing assistance program
 38 and house homeless singles and families
 39 living with HIV/AIDS 982,800
 40 -----

41 S 17. The several amounts specified in this section, or so much there-
 42 of as shall be sufficient to accomplish the purposes designated, are
 43 hereby appropriated and authorized to be paid as hereinafter provided,
 44 to the respective public officers and for the several purposes speci-
 45 fied, which amounts shall be available for the state fiscal year begin-
 46 ning April 1, 2010.

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

50 COMMUNITY TREATMENT SERVICES PROGRAM 390,960,000
 51 -----

52 General Fund / Aid to Localities

1 Local Assistance Account - 001

2 For payment, net of disallowances, of state
3 financial assistance in accordance with
4 the mental hygiene law related to treat-
5 ment services.

6 Notwithstanding any other provisions of law,
7 no payment shall be made from this appro-
8 priation until the recipient agency has
9 demonstrated that it has applied for and
10 received, or received formal notification
11 of refusal of, all forms of third-party
12 reimbursement, including federal aid and
13 patient fees. The moneys hereby appropri-
14 ated are available to reimburse or advance
15 to localities and voluntary nonprofit
16 agencies for expenditures heretofore
17 accrued or hereafter to accrue during
18 local fiscal periods commencing January 1,
19 2010 or July 1, 2010 and for advances for
20 the period beginning January 1, 2011.

21 The commissioner, pursuant to such contract
22 and/or funding authorization letter, may
23 pay from this appropriation all or a
24 portion of the expenses incurred by such
25 voluntary agencies arising out of loans
26 obtained from the proceeds of bonds and
27 notes issued by the dormitory authority of
28 the state of New York or another author-
29 ized entity approved by the division of
30 the budget. Such expenses may include, but
31 shall not be limited to, amounts relating
32 to principal and interest and any other
33 fees and charges arising from such loans.

34 Notwithstanding any other provision of law,
35 subject to the approval of the director of
36 the budget, a portion of the money appro-
37 priated herein may be made available for
38 obligations and payments heretofore or
39 hereafter accrued by the department of
40 health for community alcoholism, chemical
41 dependence, and substance abuse treatment
42 services, including the state share of
43 medical assistance payments.

44 Notwithstanding any inconsistent provision
45 of law, a portion of the money appropri-
46 ated herein may be made available for
47 transfer to the department of health for
48 the state share of disproportionate share
49 payments to voluntary nonprofit general
50 hospitals pursuant to chapter 119 of the
51 laws of 1997, as amended.

52 Payment limitations set forth in paragraph 2
53 of subdivision 6 of section 1 of chapter
54 119 of the laws of 1997 as amended by
55 section 1 of part S2 of chapter 62 of the

1 laws of 2003 related to costs incurred by
2 general hospitals in providing services to
3 uninsured patients and patients eligible
4 for medical assistance pursuant to title
5 11 of article 5 of the social services
6 law, for state fiscal year 2010-11, shall
7 be based initially on reported reconciled
8 data from 2008-09, and further reconciled
9 to actual reported data from such payment
10 year.

11 Notwithstanding any inconsistent provisions
12 of law, moneys from this appropriation may
13 be used for expenses of localities,
14 nonprofit and for-profit agencies that may
15 arise from the assumption of operational
16 responsibilities for programs when operat-
17 ing certificates for such programs cease
18 to be in effect and/or programs are placed
19 into receivership pursuant to section
20 19.41 of the mental hygiene law.

21 Notwithstanding any inconsistent provision
22 of law, including section 1 of part C of
23 chapter 57 of the laws of 2006, as amended
24 by section 2 of part I of chapter 58 of
25 the laws of 2008 and part L of chapter 58
26 of the laws of 2009, for the period
27 commencing on April 1, 2009 and ending
28 March 31, 2011 the commissioner shall not
29 apply any cost of living adjustment for
30 the purpose of establishing rates of
31 payments, contracts or any other form of
32 reimbursement.

33 Notwithstanding any inconsistent provision
34 of law, moneys from this appropriation
35 shall not be available for unified
36 services after June 30, 2010.

37 No expenditure shall be made for such
38 program until a certificate of allocation
39 has been approved by the director of the
40 budget and copies thereof filed with the
41 state comptroller and chairs of the senate
42 finance committee and the assembly ways
43 and means committee.

44 Notwithstanding any provision of law to the
45 contrary, the commissioner of the office
46 of alcoholism and substance abuse services
47 shall be authorized to continue contracts
48 which were executed on or before March 31,
49 2010 with entities providing services for
50 problem gambling and chemical dependency
51 prevention, treatment and recovery
52 services, without any additional require-
53 ments that such contracts be subject to
54 competitive bidding, a request for
55 proposal process or other administrative
56 procedures.

1 Notwithstanding any other provision of law,
2 the money hereby appropriated may be
3 transferred to state operations and/or any
4 appropriation of the office of alcoholism
5 and substance abuse services, with the
6 approval of the director of the budget who
7 shall file such approval with the depart-
8 ment of audit and control and copies ther-
9 eof with the chairman of the senate
10 finance committee and the chairman of the
11 assembly ways and means committee.

12 The state comptroller is hereby authorized
13 to receive funds from the office of alco-
14 holism and substance abuse services that
15 were returned from providers in the
16 current fiscal year in respect of a
17 settlement of local assistance funds from
18 prior fiscal years and is authorized to
19 refund such moneys to the credit of the
20 local assistance account of the general
21 fund for the purpose of reimbursing the
22 2010-11 appropriation.

23 Funds appropriated herein shall be available
24 in accordance with the following:

25 For services and expenses related to problem	
26 gambling and chemical dependence outpa-	
27 tient services	115,400,000
28 For the state share of medical assistance	
29 payments for outpatient services and the	
30 state share of disproportionate share	
31 payments	34,000,000
32	-----
33 Program account subtotal	149,400,000
34	-----

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

37 For services and expenses of prevention,
38 intervention, and treatment programs
39 provided by the SAPT block grants.

40 Notwithstanding any inconsistent provision
41 of law, including section 1 of part C of
42 chapter 57 of the laws of 2006, as amended
43 by section 2 of part I of chapter 58 of
44 the laws of 2008 and part L of chapter 58
45 of the laws of 2009, for the period
46 commencing on April 1, 2010 and ending
47 March 31, 2011 the commissioner shall not
48 apply any cost of living adjustment for
49 the purpose of establishing rates of
50 payments, contracts or any other form of
51 reimbursement.

52 Notwithstanding any inconsistent provision
53 of law, a portion of the funds hereby
54 appropriated may, subject to the approval

1 of the director of the budget, be trans-
2 ferred to state operations and/or any
3 appropriation of the office of alcoholism
4 and substance abuse services consistent
5 with the terms and conditions of the SAPT
6 block grant award.
7 Notwithstanding any provision of law to the
8 contrary, the commissioner of the office
9 of alcoholism and substance abuse services
10 shall be authorized to continue contracts
11 which were executed on or before March 31,
12 2010 with entities providing services for
13 problem gambling and chemical dependency
14 prevention, treatment and recovery
15 services, without any additional require-
16 ments that such contracts be subject to
17 competitive bidding, a request for
18 proposal process or other administrative
19 procedures 82,000,000
20 For services and expenses associated with
21 federal grant awards yet to be allocated
22 by the federal department of health and
23 human services. Notwithstanding any incon-
24 sistent provision of law, the director of
25 the budget is hereby authorized to trans-
26 fer appropriation authority contained
27 herein to state operations and/or any
28 appropriation of the office of alcoholism
29 and substance abuse services 5,000,000
30 -----
31 Program fund subtotal 87,000,000
32 -----

33 Special Revenue Funds - Federal / State Operations
34 Federal Operating Grants Fund - 290

35 For services and expenses related to enforc-
36 ing the underage drinking laws program
37 grant. Notwithstanding any inconsistent
38 provision of law, a portion of the funds
39 hereby appropriated may, subject to the
40 approval of the director of the budget, be
41 transferred to aid to localities and/or
42 any appropriation of the office of alco-
43 holism and substance abuse services
44 consistent with the terms of the federal
45 award 360,000
46 -----
47 Program account subtotal 360,000
48 -----

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

51 For services and expenses related to home-
52 less grants. Subject to a plan approved by

1 the director of the budget, the amount
2 appropriated herein may be made available
3 to other state agencies for services and
4 expenses related to federal homeless
5 grants. The director of the budget is
6 hereby authorized to transfer appropri-
7 ation authority contained herein to state
8 operations and/or any appropriation of the
9 office of alcoholism and substance abuse
10 services and/or any other federal fund in
11 which federal homeless grants are actually
12 received.

13 Notwithstanding any inconsistent provision
14 of law, including section 1 of part C of
15 chapter 57 of the laws of 2006, as amended
16 by section 2 of part I of chapter 58 of
17 the laws of 2008 and part L of chapter 58
18 of the laws of 2009, for the period
19 commencing on April 1, 2010 and ending
20 March 31, 2011 the commissioner shall not
21 apply any cost of living adjustment for
22 the purpose of establishing rates of
23 payments, contracts or any other form of
24 reimbursement 14,000,000

25 For services and expenses associated with
26 federal grant awards yet to be allocated.
27 Notwithstanding any inconsistent provision
28 of law, the director of the budget is
29 hereby authorized to transfer appropri-
30 ation authority contained herein to state
31 operations and/or any appropriation of the
32 office of alcoholism and substance abuse
33 services 5,000,000

34 -----
35 Program fund subtotal 19,000,000
36 -----

37 Special Revenue Funds - Other / Aid to Localities
38 Miscellaneous Special Revenue Fund - 339
39 Mental Hygiene Program Fund Account

40 For payment, net of disallowances, of state
41 financial assistance in accordance with
42 the mental hygiene law related to treat-
43 ment services.

44 Notwithstanding any other provisions of law,
45 no payment shall be made from this appro-
46 priation until the recipient agency has
47 demonstrated that it has applied for and
48 received, or received formal notification
49 of refusal of, all forms of third-party
50 reimbursement, including federal aid and
51 patient fees. The moneys hereby appropri-
52 ated are available to reimburse or advance
53 to localities and voluntary nonprofit
54 agencies for expenditures heretofore

1 accrued or hereafter to accrue during
2 local fiscal periods commencing January 1,
3 2010 or July 1, 2010 and for advances for
4 the period beginning January 1, 2011.
5 The commissioner, pursuant to such contract
6 and/or funding authorization letter, may
7 pay from this appropriation all or a
8 portion of the expenses incurred by such
9 voluntary agencies arising out of loans
10 obtained from the proceeds of bonds and
11 notes issued by the dormitory authority of
12 the state of New York or another author-
13 ized entity approved by the division of
14 the budget. Such expenses may include, but
15 shall not be limited to, amounts relating
16 to principal and interest and any other
17 fees and charges arising from such loans.
18 Notwithstanding any inconsistent provisions
19 of law, moneys from this appropriation may
20 be used for expenses of localities,
21 nonprofit and for-profit agencies that may
22 arise from the assumption of operational
23 responsibilities for programs when operat-
24 ing certificates for such programs cease
25 to be in effect and/or programs are placed
26 into receivership pursuant to section
27 19.41 of the mental hygiene law.
28 Notwithstanding any inconsistent provision
29 of law, including section 1 of part C of
30 chapter 57 of the laws of 2006, as amended
31 by section 2 of part I of chapter 58 of
32 the laws of 2008 and part L of chapter 58
33 of the laws of 2009, for the period
34 commencing on April 1, 2009 and ending
35 March 31, 2011 the commissioner shall not
36 apply any cost of living adjustment for
37 the purpose of establishing rates of
38 payments, contracts or any other form of
39 reimbursement.
40 Notwithstanding any inconsistent provision
41 of law, moneys from this appropriation
42 shall not be available for unified
43 services after June 30, 2010.
44 No expenditure shall be made for such
45 program until a certificate of allocation
46 has been approved by the director of the
47 budget and copies thereof filed with the
48 state comptroller and chairs of the senate
49 finance committee and the assembly ways
50 and means committee.
51 Notwithstanding any provision of law to the
52 contrary, the commissioner of the office
53 of alcoholism and substance abuse services
54 shall be authorized to continue contracts
55 which were executed on or before March 31,
56 2010 with entities providing services for

1 problem gambling and chemical dependency
2 prevention, treatment and recovery
3 services, without any additional require-
4 ments that such contracts be subject to
5 competitive bidding, a request for
6 proposal process or other administrative
7 procedures.

8 Notwithstanding any other provision of law,
9 the money hereby appropriated may be
10 transferred to state operations and/or any
11 appropriation of the office of alcoholism
12 and substance abuse services, with the
13 approval of the director of the budget who
14 shall file such approval with the depart-
15 ment of audit and control and copies ther-
16 eof with the chairman of the senate
17 finance committee and the chairman of the
18 assembly ways and means committee.

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

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

35 Funds appropriated herein shall be available
36 in accordance with the following:

37 For services and expenses related to inpa-	
38 tient rehabilitation services	200,000
39 For services and expenses related to resi-	
40 dential services	89,000,000
41 For services and expenses related to crisis	
42 services	15,000,000
43 For expenses related to debt service	
44 payments for capital projects funded by	
45 the proceeds of bonds and notes issued by	
46 the dormitory authority of the state of	
47 New York	31,000,000
48	-----

49 Program account subtotal	135,200,000
50	-----

51 EXECUTIVE DIRECTION PROGRAM	58,552,000
52	-----

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

1 For services and expenses associated with
2 administering the substance abuse
3 prevention and treatment (SAPT) block
4 grant.

5 Notwithstanding any inconsistent provision
6 of law, a portion of the funds hereby
7 appropriated may, subject to the approval
8 of the director of the budget, be trans-
9 ferred to local assistance and/or any
10 appropriation of the office of alcoholism
11 and substance abuse services consistent
12 with the terms and conditions of the SAPT
13 block grant award.

14 Notwithstanding any other provision of law
15 to the contrary, the expiration dates of
16 the exemption from licensure requirements
17 as set forth in section 9 of chapter 420
18 of the laws of 2002 and section 17-a of
19 chapter 676 of the laws of 2002 are hereby
20 extended until March 31, 2011.

21	Personal service	3,778,000
22	Nonpersonal service	977,000
23		-----
24	Program fund subtotal	4,755,000
25		-----

26 Special Revenue Funds - Federal / State Operations
27 Federal Department of Education Fund - 267

28 For services and expenses associated with
29 the administration of the federal safe and
30 drug free schools and communities act
31 consistent with the terms and conditions
32 of the federal award.

33 Notwithstanding any inconsistent provision
34 of law, a portion of the funds hereby
35 appropriated may, subject to the approval
36 of the director of the budget, be trans-
37 ferred to local assistance and/or any
38 appropriation of the office of alcoholism
39 and substance abuse services consistent
40 with the terms of the federal award 147,000
41 -----
42 Program fund subtotal 147,000
43 -----

44 Special Revenue Funds - Federal / State Operations
45 Federal Operating Grants Fund - 290
46 Statewide Data Collection Account

47 For services and expenses related to the
48 statewide data collection program as
49 mandated in the 1988 federal anti-drug
50 abuse act.

1 Notwithstanding any inconsistent provision
2 of law, moneys hereby appropriated may,
3 subject to the approval of the director of
4 the budget, be transferred to local
5 assistance and/or any appropriation of the
6 office of alcoholism and substance abuse
7 services 343,000
8 -----
9 Program account subtotal 343,000
10 -----

11 Special Revenue Funds - Other / State Operations
12 Miscellaneous Special Revenue Fund - 339
13 Credentialing Services Account

14 For services and expenses related to the
15 credentialing of prevention, alcohol and
16 substance abuse, and problem gambling
17 counselors.

18 Notwithstanding any inconsistent provision
19 of law, moneys hereby appropriated may,
20 subject to the approval of the director of
21 the budget, be transferred to local
22 assistance and/or any appropriation of the
23 office of alcoholism and substance abuse
24 services.

25 Notwithstanding any other provision of law
26 to the contrary, the expiration dates of
27 the exemption from licensure requirements
28 as set forth in section 9 of chapter 420
29 of the laws of 2002 and section 17-a of
30 chapter 676 of the laws of 2002 are hereby
31 extended until March 31, 2011.

32 PERSONAL SERVICE

33 Personal service--regular 626,000
34 Holiday/overtime compensation 8,000
35 -----
36 Amount available for personal service 634,000
37 -----

38 NONPERSONAL SERVICE

39 Fringe benefits 303,000
40 Indirect costs 25,000
41 -----
42 Amount available for nonpersonal service 328,000
43 -----
44 Program account subtotal 962,000
45 -----

46 Special Revenue Funds - Other / State Operations
47 Miscellaneous Special Revenue Fund - 339
48 Mental Hygiene Program Fund Account

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

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

25 Notwithstanding any other provision of law
26 to the contrary, the expiration dates of
27 the exemption from licensure requirements
28 as set forth in section 9 of chapter 420
29 of the laws of 2002 and section 17-a of
30 chapter 676 of the laws of 2002 are hereby
31 extended until March 31, 2011.

32 PERSONAL SERVICE

33	Personal service--regular	26,000,000
34	Holiday/overtime compensation	25,000
35		-----
36	Amount available for personal service	26,025,000
37		-----

38 NONPERSONAL SERVICE

39	Supplies and materials	1,200,000
40	Travel	750,000
41	Contractual services	8,600,000
42	Equipment	300,000
43	Indirect costs	1,100,000
44	Fringe benefits	12,000,000
45		-----
46	Amount available for nonpersonal service	23,950,000
47		-----
48	Program account subtotal	49,975,000
49		-----

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

1 Methadone Registry Services Account

2 For services and expenses related to the
3 operation of methadone services and a
4 patient registry for the prevention of
5 simultaneous enrollment in multiple metha-
6 done treatment programs.
7 Notwithstanding any inconsistent provision
8 of law, moneys hereby appropriated may,
9 subject to the approval of the director of
10 the budget, be transferred to local
11 assistance and/or any appropriation of the
12 office of alcoholism and substance abuse
13 services.

14 NONPERSONAL SERVICE

15 Contractual services	300,000
16	-----
17 Program account subtotal	300,000
18	-----

19 Special Revenue Funds - Other / State Operations
20 Miscellaneous Special Revenue Fund - 339
21 Special Projects Account

22 For services and expenses related to special
23 projects.
24 Notwithstanding any inconsistent provision
25 of law, moneys hereby appropriated may,
26 subject to the approval of the director of
27 the budget, be transferred to local
28 assistance and/or any appropriation of the
29 office of alcoholism and substance abuse
30 services.
31 Notwithstanding any other provision of law,
32 up to \$2,000,000 of this appropriation
33 shall be made available for services and
34 expenses to support amounts for adminis-
35 tration, research associates, equipment,
36 travel, conference expenses, contractual
37 services, grant writers to increase income
38 from non-state sources, and other research
39 initiatives. Funding will be provided
40 through research foundation for mental
41 hygiene, inc. resources, including, but
42 not limited to, indirect costs recoveries,
43 direct grant reimbursement, interest earn-
44 ings and operating balances.

45 NONPERSONAL SERVICE

46 Supplies and materials	15,000
47 Travel	5,000
48 Contractual services	2,050,000
49	-----

1	Program account subtotal	2,070,000
2		-----
3	INSTITUTIONAL SERVICES	71,798,000
4		-----
5	Special Revenue Funds - Federal / State Operations	
6	Federal Health and Human Services Fund - 265	
7	For services and expenses associated with	
8	administering the substance abuse	
9	prevention and treatment (SAPT) block	
10	grant.	
11	Notwithstanding any inconsistent provision	
12	of law, a portion of the funds hereby	
13	appropriated may, subject to the approval	
14	of the director of the budget, be trans-	
15	ferred to local assistance and/or any	
16	appropriation of the office of alcoholism	
17	and substance abuse services consistent	
18	with the terms and conditions of the SAPT	
19	block grant award.	
20	Notwithstanding any other provision of law	
21	to the contrary, the expiration dates of	
22	the exemption from licensure requirements	
23	as set forth in section 9 of chapter 420	
24	of the laws of 2002 and section 17-a of	
25	chapter 676 of the laws of 2002 are hereby	
26	extended until March 31, 2011.	
27	Personal service	865,000
28	Nonpersonal service	335,000
29		-----
30	Program fund subtotal	1,200,000
31		-----
32	Special Revenue Funds - Other / State Operations	
33	Miscellaneous Special Revenue Fund - 339	
34	Mental Hygiene Program Fund Account	
35	Notwithstanding any other provision of law,	
36	the money hereby appropriated may be	
37	transferred to local assistance and/or any	
38	appropriation of the office of alcoholism	
39	and substance abuse services, with the	
40	approval of the director of the budget who	
41	shall file such approval with the depart-	
42	ment of audit and control and copies ther-	
43	eof with the chairman of the senate	
44	finance committee and the chairman of the	
45	assembly ways and means committee. The	
46	state comptroller is hereby authorized and	
47	directed to loan money in accordance with	
48	the provisions set forth in subdivision 5	
49	of section 4 of the state finance law to	
50	the mental hygiene program fund account.	

1 Notwithstanding any other provision of law
2 to the contrary, the expiration dates of
3 the exemption from licensure requirements
4 as set forth in section 9 of chapter 420
5 of the laws of 2002 and section 17-a of
6 chapter 676 of the laws of 2002 are hereby
7 extended until March 31, 2011.

8 PERSONAL SERVICE

9	Personal service--regular	19,000,000
10	Temporary service	750,000
11	Holiday/overtime compensation	1,000,000
12		-----
13	Amount available for personal service	20,750,000
14		-----

15 NONPERSONAL SERVICE

16	Supplies and materials	5,800,000
17	Travel	300,000
18	Contractual services	9,600,000
19	Equipment	400,000
20	Indirect costs	900,000
21	Fringe benefits	10,000,000
22		-----
23	Amount available for nonpersonal service	27,000,000
24		-----
25	Program account subtotal	47,750,000
26		-----

27 Special Revenue Funds - Other / State Operations
28 Miscellaneous Special Revenue Fund - 339
29 Mental Hygiene Patient Income Account

30 Notwithstanding any other provision of law,
31 the money hereby appropriated may be
32 transferred to local assistance and/or any
33 appropriation of the office of alcoholism
34 and substance abuse services, with the
35 approval of the director of the budget who
36 shall file such approval with the depart-
37 ment of audit and control and copies ther-
38 eof with the chairman of the senate
39 finance committee and the chairman of the
40 assembly ways and means committee. The
41 state comptroller is hereby authorized and
42 directed to loan money in accordance with
43 the provisions set forth in subdivision 5
44 of section 4 of the state finance law to
45 the mental hygiene patient income account.
46 Notwithstanding any other provision of law
47 to the contrary, the expiration dates of
48 the exemption from licensure requirements
49 as set forth in section 9 of chapter 420
50 of the laws of 2002 and section 17-a of

1 chapter 676 of the laws of 2002 are hereby
2 extended until March 31, 2011.

3 PERSONAL SERVICE

4 Personal service--regular 15,129,000
5 -----

6 NONPERSONAL SERVICE

7 Indirect costs 614,000

8 Fringe benefits 7,105,000
9 -----

10 Amount available for nonpersonal service 7,719,000
11 -----

12 Program account subtotal 22,848,000
13 -----

14 PREVENTION AND PROGRAM SUPPORT 86,595,000
15 -----

16 Special Revenue Funds - Federal / Aid to Localities

17 Federal Health and Human Services Fund - 265

18 For services and expenses related to
19 prevention, intervention and treatment
20 programs provided by the substance abuse
21 prevention and treatment (SAPT) block
22 grant.

23 Notwithstanding any inconsistent provision
24 of law, including section 1 of part C of
25 chapter 57 of the laws of 2006, as amended
26 by section 2 of part I of chapter 58 of
27 the laws of 2008 and part L of chapter 58
28 of the laws of 2009, for the period
29 commencing on April 1, 2010 and ending
30 March 31, 2011 the commissioner shall not
31 apply any cost of living adjustment for
32 the purpose of establishing rates of
33 payments, contracts or any other form of
34 reimbursement.

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

44 Notwithstanding any provision of law to the
45 contrary, the commissioner of the office
46 of alcoholism and substance abuse services
47 shall be authorized to continue contracts
48 which were executed on or before March 31,
49 2010 with entities providing services for

1 problem gambling and chemical dependency
2 prevention, treatment and recovery
3 services, without any additional require-
4 ments that such contracts be subject to
5 competitive bidding, a request for
6 proposal process or other administrative
7 procedures 29,000,000
8 -----
9 Program fund subtotal 29,000,000
10 -----

11 Special Revenue Funds - Federal / Aid to Localities
12 Federal Department of Education Fund - 267

13 For services and expenses related to
14 prevention from the federal safe and drug-
15 free schools and communities act consist-
16 ent with the terms and conditions of the
17 federal award.
18 Notwithstanding any inconsistent provision
19 of law, moneys hereby appropriated may,
20 subject to the approval of the director of
21 the budget, be transferred to state oper-
22 ations and/or any appropriation of the
23 office of alcoholism and substance abuse
24 services.
25 Notwithstanding any provision of law to the
26 contrary, the commissioner of the office
27 of alcoholism and substance abuse services
28 shall be authorized to continue contracts
29 which were executed on or before March 31,
30 2010 with entities providing services for
31 problem gambling and chemical dependency
32 prevention, treatment and recovery
33 services, without any additional require-
34 ments that such contracts be subject to
35 competitive bidding, a request for
36 proposal process or other administrative
37 procedures 4,755,000
38 -----
39 Program fund subtotal 4,755,000
40 -----

41 Special Revenue Funds - Other / Aid to Localities
42 Miscellaneous Special Revenue Fund - 339
43 Mental Hygiene Program Fund Account

44 For payment, net of disallowances, of state
45 financial assistance in accordance with
46 the mental hygiene law related to problem
47 gambling and chemical dependency school
48 and community-based prevention, education,
49 and recovery programs, and program
50 support.
51 Notwithstanding any other provisions of law,
52 no payment shall be made from this appro-

priation until the recipient agency has demonstrated it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby 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, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011.

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism 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 2010-11 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 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of

1 payments, contracts or any other form of
2 reimbursement.
3 Notwithstanding any inconsistent provision
4 of law, moneys from this appropriation
5 shall not be available for unified
6 services after June 30, 2010.
7 Notwithstanding any provision of law to the
8 contrary, the commissioner of the office
9 of alcoholism and substance abuse services
10 shall be authorized to continue contracts
11 which were executed on or before March 31,
12 2010 with entities providing services for
13 problem gambling and chemical dependency
14 prevention and treatment services, without
15 any additional requirements that such
16 contracts be subject to competitive
17 bidding, a request for proposal process or
18 other administrative procedures. Of the
19 amounts appropriated herein, at least
20 \$15,549,568 shall be made available to the
21 New York City Department of Education for
22 the continuation of such school-operated
23 prevention programs provided by school
24 district employees 45,000,000
25 -----
26 Program account subtotal 45,000,000
27 -----

28 Special Revenue Funds - Other / Aid to Localities
29 Chemical Dependence Service Fund - 346

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

ment 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

S 18. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified, which amounts shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

SCHEDULE

ADMINISTRATION AND FINANCE PROGRAM 115,530,000

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

For administration of the community services block grant.
Notwithstanding any other provision of law to the contrary, the expiration dates of the exemption from licensure requirements as set forth in section 9 of chapter 420 of the laws of 2002 and section 17-a of chapter 676 of the laws of 2002 are hereby extended until March 31, 2011.

Personal service 814,000
Nonpersonal service 178,000
Fringe benefits 366,000
Amount available 1,358,000

For administration of the federal New York makes work pay grant.
Notwithstanding any other provision of law to the contrary, the expiration dates of the exemption from licensure requirements as set forth in section 9 of chapter 420 of the laws of 2002 and section 17-a of chapter 676 of the laws of 2002 are hereby extended until March 31, 2011.

1	Personal service	193,000
2	Nonpersonal service	20,000
3	Fringe benefits	87,000
4		-----
5	Amount available	300,000
6		-----

7 For administration of programs to assist and
8 transition from homelessness(PATH) grants.
9 Notwithstanding any other provision of law
10 to the contrary, the expiration dates of
11 the exemption from licensure requirements
12 as set forth in section 9 of chapter 420
13 of the laws of 2002 and section 17-a of
14 chapter 676 of the laws of 2002 are hereby
15 extended until March 31, 2011.

16	Personal service	125,000
17	Fringe benefits	55,000
18		-----
19	Amount available	180,000
20		-----
21	Program fund subtotal	1,838,000
22		-----

23 Special Revenue Funds - Federal / State Operations
24 Federal Operating Grants Fund - 290

25 Notwithstanding any other provision of law
26 to the contrary, the expiration dates of
27 the exemption from licensure requirements
28 as set forth in section 9 of chapter 420
29 of the laws of 2002 and section 17-a of
30 chapter 676 of the laws of 2002 are hereby
31 extended until March 31, 2011.

32	Personal service	139,000
33	Fringe benefits	61,000
34		-----
35	Program fund subtotal	200,000
36		-----

37 Special Revenue Funds - Other / State Operations
38 Mental Hygiene Gifts and Donations Fund - 019
39 Office of Mental Health Gifts and Donations Account

40 For nonpersonal service expenditures to
41 benefit patients or for other purposes
42 from investment income, private donations
43 and other contributions.

1 NONPERSONAL SERVICE

2 Supplies and materials 200,000
3 Travel 35,000
4 Contractual services 125,000
5 Equipment 140,000
6 -----
7 Program account subtotal 500,000
8 -----

9 Special Revenue Funds - Other / State Operations
10 Combined Gifts, Grants and Bequests Fund - 020
11 Office of Mental Health Grants and Bequests Account

12 For nonpersonal service expenditures to
13 benefit patients from bequests from
14 patients' families.

15 NONPERSONAL SERVICE

16 Supplies and materials 70,000
17 -----
18 Program account subtotal 70,000
19 -----

20 Special Revenue Fund - Other / State Operations
21 Miscellaneous Special Revenue Fund - 339
22 Cook/Chill Account

23 For services and expenses related to the
24 operation of the cook/chill production
25 center at the Rockland psychiatric center.

26 NONPERSONAL SERVICE

27 Supplies and materials 1,650,000
28 Contractual services 1,650,000
29 -----
30 Program account subtotal 3,300,000
31 -----

32 Special Revenue Funds - Other / State Operations
33 Miscellaneous Special Revenue Fund - 339
34 Mental Hygiene Program Fund Account

35 Notwithstanding any other provision of law,
36 the money hereby appropriated may be
37 increased or decreased by interchange,
38 with any appropriation of the office of
39 mental health, and may be increased or
40 decreased by transfer or suballocation
41 between these appropriated amounts and
42 appropriations of the department of
43 health, the office of medicaid inspector
44 general, the office of mental retardation
45 and developmental disabilities, and the

1 office of alcoholism and substance abuse
2 services with the approval of the director
3 of the budget who shall file such approval
4 with the department of audit and control
5 and copies thereof with the chairman of
6 the senate finance committee and the
7 chairman of the assembly ways and means
8 committee.

9 Notwithstanding any other provision of law
10 to the contrary, any of the amounts appro-
11 priated herein may be increased or
12 decreased by interchange or transfer with-
13 out limit, with any appropriation of the
14 office of mental health or by transfer or
15 suballocation to any department, agency or
16 public authority for expenditures incurred
17 in the operation of such programs with the
18 approval of the director of the budget who
19 shall file such approval with the depart-
20 ment of audit and control and copies ther-
21 eof with the chairman of the senate
22 finance committee and the chairman of the
23 assembly ways and means committee.

24 Notwithstanding any other provision of law
25 to the contrary, funds appropriated under
26 this program shall not be used for the
27 payment of tolls at the Robert F. Kennedy
28 bridge, for vehicles driven by persons
29 commuting to and from work who are
30 employed at facilities located on Ward's
31 island operated by the department of
32 mental hygiene.

33 Notwithstanding any inconsistent provision
34 of law, this appropriation is not avail-
35 able to support the development or
36 production of reports required pursuant to
37 chapter 119 of the laws of 2007 for the
38 period beginning April 1, 2010 and ending
39 March 31, 2011.

40 Notwithstanding any other provision of law,
41 including sections 29.23 and 33.07 of the
42 mental hygiene law, the director of a
43 mental hygiene facility, as defined by
44 section 1.03 of the mental hygiene law,
45 who is a representative payee for a person
46 pursuant to designation by the social
47 security administration shall be author-
48 ized to apply federal benefits, including
49 benefits for which there is a state share,
50 to the cost of the person's care and
51 treatment, provided the director acts in a
52 manner consistent with applicable federal
53 law and regulations.

54 Notwithstanding any other provision of law
55 to the contrary, the expiration dates of
56 the exemption from licensure requirements

1 as set forth in section 9 of chapter 420
2 of the laws of 2002 and section 17-a of
3 chapter 676 of the laws of 2002 are hereby
4 extended until March 31, 2011.
5 The state comptroller is hereby authorized
6 and directed to loan money in accordance
7 with the provisions set forth in subdivi-
8 sion 5 of section 4 of the state finance
9 law to the mental hygiene program fund
10 account.

11 PERSONAL SERVICE

12 Personal service--regular 43,529,000
13 Temporary service 939,000
14 Holiday/overtime compensation 287,000
15 -----
16 Amount available for personal service 44,755,000
17 -----

18 NONPERSONAL SERVICE

19 Supplies and materials 3,702,000
20 Travel 1,861,000
21 Contractual services 23,023,000
22 Equipment 3,623,000
23 Fringe benefits 21,007,000
24 Indirect costs 235,000
25 -----
26 Amount available for nonpersonal service 53,451,000
27 -----
28 Program account subtotal 98,206,000
29 -----

30 Enterprise Funds / State Operations
31 Mental Health Sheltered Workshop Account - 351

32 Notwithstanding any other provision of law
33 to the contrary, the expiration dates of
34 the exemption from licensure requirements
35 as set forth in section 9 of chapter 420
36 of the laws of 2002 and section 17-a of
37 chapter 676 of the laws of 2002 are hereby
38 extended until March 31, 2011.

39 PERSONAL SERVICE

40 Temporary service 2,042,000
41 -----

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	5,836,000

Enterprise Funds / State Operations

Mental Hygiene Community Stores Account - 353

Notwithstanding any other provision of law to the contrary, the expiration dates of the exemption from licensure requirements as set forth in section 9 of chapter 420 of the laws of 2002 and section 17-a of chapter 676 of the laws of 2002 are hereby extended until March 31, 2011.

PERSONAL SERVICE

Personal service--regular	608,000

NONPERSONAL SERVICE

Supplies and materials	1,679,000
Equipment	154,000
Fringe benefits	309,000
Indirect costs	20,000

Amount available for nonpersonal service	2,162,000

Program account subtotal	2,770,000

Internal Service Funds / State Operations

Mental Hygiene Revolving Account - 343

Notwithstanding any other provision of law to the contrary, the expiration dates of the exemption from licensure requirements as set forth in section 9 of chapter 420 of the laws of 2002 and section 17-a of chapter 676 of the laws of 2002 are hereby extended until March 31, 2011.

PERSONAL SERVICE

Personal service--regular	1,136,000

1 NONPERSONAL SERVICE

2	Supplies and materials	461,000
3	Travel	7,000
4	Contractual services	388,000
5	Equipment	236,000
6	Fringe benefits	564,000
7	Indirect costs	18,000
8		-----
9	Amount available for nonpersonal service	1,674,000
10		-----
11	Program account subtotal	2,810,000
12		-----

13 ADULT SERVICES PROGRAM 2,416,943,000

14 -----

15 General Fund / State Operations

16 State Purposes Account - 003

17 Notwithstanding any other provision of law

18 to the contrary, funds appropriated under

19 this program shall be used for the payment

20 of tolls at the Robert F. Kennedy bridge,

21 for vehicles driven by persons commuting

22 to and from work who are employed at

23 facilities located on Ward's island oper-

24 ated by the department of mental hygiene.

25 NONPERSONAL SERVICE

26	Travel	800,000
27		-----
28	Program account subtotal	800,000
29		-----

30 General Fund / Aid to Localities

31 Local Assistance Account - 001

32 For services and expenses of various adult

33 community mental health services, includ-

34 ing transfer to the department of health

35 to reimburse the department for the state

36 share of medical assistance for various

37 community mental health services.

38 For payment of state financial assistance,

39 net of disallowances, for community mental

40 health programs pursuant to article 41 and

41 other provisions of the mental hygiene

42 law. The moneys hereby appropriated for

43 allocation to local governments and volun-

44 tary agencies for services are available

45 to reimburse or advance funds to local

46 governments and voluntary agencies for

47 expenditures made or to be made during

48 local program years commencing January 1,

1 2010 or July 1, 2010 and for advances for
2 the period beginning January 1, 2011 for
3 local governments and voluntary agencies
4 with program years beginning January 1.

5 Notwithstanding any other provision of law,
6 and except for transfers to the department
7 of health to reimburse the department for
8 the state share of medical assistance
9 payments and as modified below, this
10 appropriation shall be available for obli-
11 gations for the period commencing July 1,
12 2010 and ending June 30, 2011 and shall be
13 available for expenditure from July 1,
14 2010 through September 15, 2011.

15 An amount of this appropriation shall be
16 available for the development of a demon-
17 stration program approved by the commis-
18 sioner and director of the budget, and
19 notwithstanding the provisions of any
20 other law to the contrary, for the purpose
21 of testing and evaluating new methods or
22 arrangements for organizing, financing,
23 staffing and providing services for
24 persons with serious mental illness, in
25 one or more of Chautauqua, Erie, Genesee,
26 Monroe, Onondaga, Wyoming and Westchester
27 counties.

28 Notwithstanding any provision of law to the
29 contrary, the commissioner of the office
30 of mental health shall be authorized to
31 continue contracts which were executed on
32 or before March 31, 2010 with entities
33 providing services to persons with mental
34 illness, without any additional require-
35 ments that such contracts be subject to
36 competitive bidding, a request for
37 proposals process or other administrative
38 procedures.

39 No expenditures shall be made for such
40 program prior to the approval of a method-
41 ology for allocation in accordance with a
42 plan approved by the commissioner and the
43 director of the budget with copies to be
44 filed with the chairpersons of the senate
45 finance committee and assembly ways and
46 means committee. Furthermore, no expendi-
47 ture shall be made until a certificate of
48 allocation has been approved by the direc-
49 tor of the budget with copies to be filed
50 with the chairpersons of the senate
51 finance committee and the assembly ways
52 and means committee. The state comptroller
53 is hereby authorized to receive funds from
54 the office of mental health that were
55 returned from providers in the current
56 fiscal year in respect of a settlement of

1 local assistance funds from prior fiscal
2 years, and is authorized to refund such
3 moneys to the credit of the local assist-
4 ance account of the general fund for the
5 purpose of reimbursing the 2010-11 appro-
6 priation.

7 Notwithstanding any inconsistent provision
8 of law, including section 1 of part C of
9 chapter 57 of the laws of 2006, as amended
10 by section 2 of part I of chapter 58 of
11 the laws of 2008 and part L of chapter 58
12 of the laws of 2009, for the period
13 commencing on April 1, 2009 and ending
14 March 31, 2011 the commissioner shall not
15 apply any cost of living adjustment for
16 the purpose of establishing rates of
17 payments, contracts or any other form of
18 reimbursement. Notwithstanding any incon-
19 sistent provision of law, funding shall
20 not be available for unified services
21 after June 30, 2010.

22 Notwithstanding any other provision of law
23 to the contrary, any of the amounts appro-
24 priated herein may be increased or
25 decreased by interchange or transfer with-
26 out limit, with any appropriation of the
27 office of mental health or by transfer or
28 suballocation to any department, agency or
29 public authority for expenditures incurred
30 in the operation of such programs with the
31 approval of the director of the budget who
32 shall file such approval with the depart-
33 ment of audit and control and copies ther-
34 eof with the chairman of the senate
35 finance committee and the chairman of the
36 assembly ways and means committee:

37 For services and expenses of various commu-
38 nity mental health non-residential
39 programs, pursuant to article 41 of the
40 mental hygiene law, including but not
41 limited to sections 41.13, 41.18, and
42 41.47 74,388,000

43 For services and expenses of various commu-
44 nity mental health emergency programs,
45 including comprehensive psychiatric emer-
46 gency programs pursuant to section 41.51
47 of the mental hygiene law 6,881,000

48 For transfer to the department of health to
49 reimburse the department for the state
50 share of medical assistance payments for
51 various mental health services. Notwith-
52 standing any inconsistent provision of
53 law, a portion of the money herein appro-
54 priated may be made available for transfer
55 to the department of health for the state
56 share of disproportionate share payments

1 to voluntary nonprofit general hospitals
2 pursuant to chapter 119 of the laws of
3 1997 as amended. Payment limitations set
4 forth in paragraph 2 of subdivision 6 of
5 section 1 of chapter 119 of the laws of
6 1997 as amended by section 1 of part S2 of
7 chapter 62 of the laws of 2003 related to
8 costs incurred by general hospitals in
9 providing services to uninsured patients
10 and patients eligible for medical assist-
11 ance pursuant to title 11 of article 5 of
12 the social services law, for state fiscal
13 year 2010-11, shall be based initially on
14 reported reconciled data from 2008-09, and
15 further reconciled to actual reported data
16 from such payment year. For the period
17 April 1, 2010 through March 31, 2011, the
18 office of mental health is authorized to
19 recover from community residences and
20 family-based treatment providers licensed
21 by the office of mental health, consistent
22 with contractual obligations of such
23 providers and notwithstanding any other
24 inconsistent provision of law to the
25 contrary, for the January 1, 2003 through
26 December 31, 2004 periods for programs
27 located outside of the city of New York
28 and July 1, 2003 through June 30, 2005
29 periods for programs located in the city
30 of New York, in an amount equal to 50
31 percent of the income received by such
32 providers which exceed the fixed amount of
33 annual medicaid revenue limitations, as
34 established by the commissioner of mental
35 health 318,827,000

36 -----
37 Program account subtotal 400,096,000
38 -----

39 Special Revenue Funds - Other / State Operations
40 Miscellaneous Special Revenue Fund - 339
41 Healthcare Emergency Preparedness Program

42 For services and expenses incurred by
43 psychiatric centers participating in the
44 healthcare emergency preparedness program.

45 Supplies and materials 200,000
46 Travel 5,000
47 Contractual services 45,000
48 Equipment 50,000

49 -----
50 Program account subtotal 300,000
51 -----

52 Special Revenue Fund - Other / State Operations

1 Miscellaneous Special Revenue Fund - 339
2 Mental Hygiene Patient Income Account

3 Notwithstanding any other provision of law
4 to the contrary, any of the amounts appro-
5 priated herein may be increased or
6 decreased by interchange or transfer with-
7 out limit, with any appropriation of the
8 office of mental health or by transfer or
9 suballocation to any department, agency or
10 public authority for expenditures incurred
11 in the operation of such programs with the
12 approval of the director of the budget who
13 shall file such approval with the depart-
14 ment of audit and control and copies ther-
15 eof with the chairman of the senate
16 finance committee and the chairman of the
17 assembly ways and means committee.

18 Notwithstanding any other provision of law
19 to the contrary, funds appropriated under
20 this program shall not be used for the
21 payment of tolls at the Robert F. Kennedy
22 bridge, for vehicles driven by persons
23 commuting to and from work who are
24 employed at facilities located on Ward's
25 island operated by the department of
26 mental hygiene. Notwithstanding the
27 provisions of subdivision (e) of section
28 7.17 or section 41.55 of the mental
29 hygiene law, or any other law to the
30 contrary, the office of mental health is
31 authorized in state fiscal year 2010-11 to
32 reduce inpatient capacity in the aggregate
33 by no more than 250 beds through closure
34 of wards not to exceed 175 beds, or
35 through conversion of such beds to transi-
36 tional placement programs, provided,
37 however, that nothing in this section
38 shall be interpreted as restricting the
39 ability of the office of mental health to
40 reduce inpatient bed capacity beyond 250
41 beds in state fiscal year 2010-11, but
42 such reductions shall be subject to the
43 provisions of subdivision (e) of section
44 7.17 and section 41.55 of the mental
45 hygiene law. Determinations concerning the
46 conversion of such wards to transitional
47 placement programs in fiscal year 2010-11
48 shall be made by the office of mental
49 health based upon the identification of
50 patients who have received inpatient care
51 and who are clinically determined to be
52 appropriate for a less restrictive level
53 of mental health treatment. The office of
54 mental health shall provide notice to the
55 legislature as soon as possible, but no

1 later than two weeks prior to the antic-
2 ipated closure or conversion of wards.
3 Notwithstanding any other provision of law,
4 including sections 29.23 and 33.07 of the
5 mental hygiene law, the director of a
6 mental hygiene facility, as defined by
7 section 1.03 of the mental hygiene law,
8 who is a representative payee for a person
9 pursuant to designation by the social
10 security administration shall be author-
11 ized to apply federal benefits, including
12 benefits for which there is a state share,
13 to the cost of the person's care and
14 treatment, provided the director acts in a
15 manner consistent with applicable federal
16 law and regulations.
17 Notwithstanding any other provision of law
18 to the contrary, the expiration dates of
19 the exemption from licensure requirements
20 as set forth in section 9 of chapter 420
21 of the laws of 2002 and section 17-a of
22 chapter 676 of the laws of 2002 are hereby
23 extended until March 31, 2011.
24 The state comptroller is hereby authorized
25 and directed to loan money in accordance
26 with the provisions set forth in subdivi-
27 sion 5 of section 4 of the state finance
28 law to the mental hygiene patient income
29 account.

30 PERSONAL SERVICE

31 Personal service--regular 678,520,000
32 Temporary service 4,908,000
33 Holiday/overtime compensation 49,834,000
34 -----
35 Amount available for personal service 733,262,000
36 -----

37 NONPERSONAL SERVICE

38 Supplies and materials 69,636,000
39 Travel 2,428,000
40 Contractual services 61,360,000
41 Equipment 2,637,000
42 Fringe benefits 349,027,000
43 Indirect costs 24,624,000
44 -----
45 Amount available for nonpersonal service ... 509,712,000
46 -----
47 Program account subtotal 1,242,974,000
48 -----

49 Special Revenue Funds - Other / State Operations
50 Miscellaneous Special Revenue Fund - 339
51 Mental Hygiene Program Fund Account

1 Notwithstanding any other provision of law
2 to the contrary, any of the amounts appro-
3 priated herein may be increased or
4 decreased by interchange or transfer with-
5 out limit, with any appropriation of the
6 office of mental health or by transfer or
7 suballocation to any department, agency or
8 public authority for expenditures incurred
9 in the operation of such programs with the
10 approval of the director of the budget who
11 shall file such approval with the depart-
12 ment of audit and control and copies ther-
13 eof with the chairman of the senate
14 finance committee and the chairman of the
15 assembly ways and means committee.

16 Notwithstanding any other provision of law
17 to the contrary, funds appropriated under
18 this program shall not be used for the
19 payment of tolls at the Robert F. Kennedy
20 bridge, for vehicles driven by persons
21 commuting to and from work who are
22 employed at facilities located on Ward's
23 island operated by the department of
24 mental hygiene. Notwithstanding the
25 provisions of subdivision (e) of section
26 7.17 or section 41.55 of the mental
27 hygiene law, or any other law to the
28 contrary, the office of mental health is
29 authorized in state fiscal year 2010-11 to
30 reduce inpatient capacity in the aggregate
31 by no more than 250 beds through closure
32 of wards not to exceed 175 beds, or
33 through conversion of such beds to transi-
34 tional placement programs, provided,
35 however, that nothing in this section
36 shall be interpreted as restricting the
37 ability of the office of mental health to
38 reduce inpatient bed capacity beyond 250
39 beds in state fiscal year 2010-11, but
40 such reductions shall be subject to the
41 provisions of subdivision (e) of section
42 7.17 and section 41.55 of the mental
43 hygiene law. Determinations concerning the
44 conversion of such wards to transitional
45 placement programs in fiscal year 2010-11
46 shall be made by the office of mental
47 health based upon the identification of
48 patients who have received inpatient care
49 and who are clinically determined to be
50 appropriate for a less restrictive level
51 of mental health treatment. The office of
52 mental health shall provide notice to the
53 legislature as soon as possible, but no
54 later than two weeks prior to the antic-
55 ipated closure or conversion of wards.

1 Notwithstanding any other provision of law,
2 including sections 29.23 and 33.07 of the
3 mental hygiene law, the director of a
4 mental hygiene facility, as defined by
5 section 1.03 of the mental hygiene law,
6 who is a representative payee for a person
7 pursuant to designation by the social
8 security administration shall be author-
9 ized to apply federal benefits, including
10 benefits for which there is a state share,
11 to the cost of the person's care and
12 treatment, provided the director acts in a
13 manner consistent with applicable federal
14 law and regulations.

15 Notwithstanding any other provision of law
16 to the contrary, the expiration dates of
17 the exemption from licensure requirements
18 as set forth in section 9 of chapter 420
19 of the laws of 2002 and section 17-a of
20 chapter 676 of the laws of 2002 are hereby
21 extended until March 31, 2011.

22 The state comptroller is hereby authorized
23 and directed to loan money in accordance
24 with the provisions set forth in subdivi-
25 sion 5 of section 4 of the state finance
26 law to the mental hygiene program fund
27 account.

28 PERSONAL SERVICE

29 Personal service--regular	82,879,000
30 Temporary service	113,000
31 Holiday/overtime compensation	22,448,000
32	-----
33 Amount available for personal service	105,440,000
34	-----

35 NONPERSONAL SERVICE

36 Supplies and materials	23,489,000
37 Travel	742,000
38 Contractual services	20,788,000
39 Equipment	704,000
40 Fringe benefits	45,614,000
41 Indirect costs	4,708,000
42	-----
43 Amount available for nonpersonal service	96,045,000
44	-----

45 MAINTENANCE UNDISTRIBUTED

46 For transfer to the department of health	
47 medical assistance local assistance	
48 program for payments for outside hospital	
49 care	3,165,000
50	-----

1 Program account subtotal 204,650,000

2 -----

3 Special Revenue Funds - Other / Aid to Localities

4 Miscellaneous Special Revenue Fund - 339

5 Mental Hygiene Program Fund Account

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

12 For payment of state financial assistance,
13 net of disallowances, for community mental
14 health programs pursuant to article 41 and
15 other provisions of the mental hygiene
16 law. The moneys hereby appropriated for
17 allocation to local governments and volun-
18 tary agencies for services are available
19 to reimburse or advance funds to local
20 governments and voluntary agencies for
21 expenditures made or to be made during
22 local program years commencing January 1,
23 2010 or July 1, 2010 and for advances for
24 the period beginning January 1, 2011 for
25 local governments and voluntary agencies
26 with program years beginning January 1.

27 Notwithstanding any other provision of law,
28 and except for transfers to the department
29 of health to reimburse the department for
30 the state share of medical assistance
31 payments and as modified below, this
32 appropriation shall be available for obli-
33 gations for the period commencing July 1,
34 2010 and ending June 30, 2011 and shall be
35 available for expenditure from July 1,
36 2010 through September 15, 2011.

37 An amount of this appropriation shall be
38 available for the development of a demon-
39 stration program approved by the commis-
40 sioner and the director of the budget, and
41 notwithstanding the provisions of any
42 other law to the contrary, for the purpose
43 of testing and evaluating new methods or
44 arrangements for organizing, financing,
45 staffing and providing services for
46 persons with serious mental illness, in
47 one or more of Chautauqua, Erie, Genesee,
48 Monroe, Onondaga, Wyoming and Westchester
49 counties.

50 Notwithstanding any provision of law to the
51 contrary, the commissioner of the office
52 of mental health shall be authorized to
53 continue contracts which were executed on
54 or before March 31, 2010 with entities

1 providing services to persons with mental
2 illness, without any additional require-
3 ments that such contracts be subject to
4 competitive bidding, a request for
5 proposals process or other administrative
6 procedures.

7 No expenditures shall be made for such
8 program prior to the approval of a method-
9 ology for allocation in accordance with a
10 plan approved by the commissioner and the
11 director of the budget with copies to be
12 filed with the chairpersons of the senate
13 finance committee and assembly ways and
14 means committee. Furthermore, no expendi-
15 ture shall be made until a certificate of
16 allocation has been approved by the direc-
17 tor of the budget with copies to be filed
18 with the chairpersons of the senate
19 finance committee and the assembly ways
20 and means committee. The state comptroller
21 is hereby authorized to receive funds from
22 the office of mental health that were
23 returned from providers in the current
24 fiscal year in respect of a settlement of
25 local assistance funds from prior fiscal
26 years, and is authorized to refund such
27 moneys to the credit of the mental hygiene
28 program fund account for the purpose of
29 reimbursing the 2010-11 appropriation.

30 Notwithstanding any inconsistent provision
31 of law, including section 1 of part C of
32 chapter 57 of the laws of 2006, as amended
33 by section 2 of part I of chapter 58 of
34 the laws of 2008 and part L of chapter 58
35 of the laws of 2009, for the period
36 commencing on April 1, 2009 and ending
37 March 31, 2011 the commissioner shall not
38 apply any cost of living adjustment for
39 the purpose of establishing rates of
40 payments, contracts or any other form of
41 reimbursement.

42 Notwithstanding any other provision of law
43 to the contrary, any of the amounts appro-
44 priated herein may be increased or
45 decreased by interchange or transfer with-
46 out limit, with any appropriation of the
47 office of mental health or by transfer or
48 suballocation to any department, agency or
49 public authority for expenditures incurred
50 in the operation of such programs with the
51 approval of the director of the budget who
52 shall file such approval with the depart-
53 ment of audit and control and copies ther-
54 eof with the chairman of the senate
55 finance committee and the chairman of the
56 assembly ways and means committee:

1 For services and expenses of various commu-
2 nity mental health non-residential
3 programs, pursuant to article 41 of the
4 mental hygiene law, including but not
5 limited to sections 41.13, 41.18, and
6 41.47. Notwithstanding any other provision
7 of law to the contrary, up to \$1,500,000
8 of this appropriation shall be made avail-
9 able to the Research Foundation for Mental
10 Hygiene, Inc. pursuant to a contract with
11 the office of mental health for two mental
12 health managed care demonstration
13 programs. One program shall be located in
14 one or more of Chautauqua, Erie, Genesee,
15 Monroe, Onondaga, Wyoming and Westchester
16 counties, and the other program shall be
17 located in the city of New York. An amount
18 from this appropriation when combined with
19 the appropriation for the miscellaneous
20 special revenue fund - 339 medication
21 reimbursement account shall provide up to
22 \$15,000,000 for grants to the counties and
23 city of New York to provide medication,
24 and other services necessary to prescribe
25 and administer medication pursuant to a
26 plan approved by the commissioner of
27 mental health, as authorized under chapter
28 408 of the laws of 1999 as amended.

29 Payment limitations set forth in paragraph 2
30 of subdivision 6 of section 1 of chapter
31 119 of the laws of 1997 as amended by
32 section 1 of part S2 of chapter 62 of the
33 laws of 2003 related to costs incurred by
34 general hospitals in providing services to
35 uninsured patients and patients eligible
36 for medical assistance pursuant to title
37 11 of article 5 of the social services
38 law, for state fiscal year 2010-11, shall
39 be based initially on reported reconciled
40 data from 2008-09, and further reconciled
41 to actual reported data from such payment
42 year 220,065,000

43 For services and expenses associated with
44 the provision of education, assessments,
45 training, and monitoring to residents of
46 adult homes, to implement a remediation
47 plan resulting from a 2009 federal
48 district court decision 1,000,000

49 For services and expenses of various commu-
50 nity mental health residential programs,
51 including but not limited to community
52 residences pursuant to sections 41.44 and
53 41.38 of the mental hygiene law. Notwith-
54 standing the provisions of section 31.03
55 of the mental hygiene law and any other
56 inconsistent provision of law, moneys

1 appropriated for family care shall be
2 available for, but not limited to, the
3 purchase of substitute caretakers up to a
4 maximum of 14 days and payments limited to
5 \$686 per year based upon financial need
6 for the personal needs of each client
7 residing in the family care home 347,058,000
8 -----
9 Program account subtotal 568,123,000
10 -----

11 CHILDREN AND YOUTH SERVICES PROGRAM 472,068,000
12 -----

13 General Fund / Aid to Localities
14 Local Assistance Account - 001

15 For services and expenses of various chil-
16 dren and families community mental health
17 services, including transfer to the
18 department of health to reimburse the
19 department for the state share of medical
20 assistance for various community mental
21 health services.
22 This appropriation anticipates the transfer
23 of funds from the state education depart-
24 ment to the office of mental health of
25 tuition funds advanced in previous years
26 and reimbursed by the child's school
27 district of origin to the state of New
28 York pursuant to chapter 810 of the laws
29 of 1986 and applicable provisions of the
30 education law.
31 For payment of state financial assistance,
32 net of disallowances, for community mental
33 health programs pursuant to article 41 and
34 other provisions of the mental hygiene
35 law. The moneys hereby appropriated for
36 allocation to local governments and volun-
37 tary agencies for services are available
38 to reimburse or advance funds to local
39 governments and voluntary agencies for
40 expenditures made or to be made during
41 local program years commencing January 1,
42 2010 or July 1, 2010 and for advances for
43 the period beginning January 1, 2011 for
44 local governments and voluntary agencies
45 with program years beginning January 1.
46 Notwithstanding any other provision of law,
47 and except for transfers to the department
48 of health to reimburse the department for
49 the state share of medical assistance
50 payments and as modified below, this
51 appropriation shall be available for obli-
52 gations for the period commencing July 1,
53 2010 and ending June 30, 2011 and shall be

1 available for expenditure from July 1,
2 2010 through September 15, 2011.
3 Notwithstanding any provision of law to the
4 contrary, the commissioner of the office
5 of mental health shall be authorized to
6 continue contracts which were executed on
7 or before March 31, 2010 with entities
8 providing services to persons with mental
9 illness, without any additional require-
10 ments that such contracts be subject to
11 competitive bidding, a request for
12 proposals process or other administrative
13 procedures.

14 No expenditures shall be made for such
15 program prior to the approval of a method-
16 ology for allocation in accordance with a
17 plan approved by the commissioner and the
18 director of the budget with copies to be
19 filed with the chairpersons of the senate
20 finance committee and assembly ways and
21 means committee. Furthermore, no expendi-
22 ture shall be made until a certificate of
23 allocation has been approved by the direc-
24 tor of the budget with copies to be filed
25 with the chairpersons of the senate
26 finance committee and the assembly ways
27 and means committee. The state comptroller
28 is hereby authorized to receive funds from
29 the office of mental health that were
30 returned from providers in the current
31 fiscal year in respect of a settlement of
32 local assistance funds from prior fiscal
33 years, and is authorized to refund such
34 moneys to the credit of the local assist-
35 ance account of the general fund for the
36 purpose of reimbursing the 2010-11 appro-
37 priation.

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

50 Notwithstanding any other provision of law
51 to the contrary, any of the amounts appro-
52 priated herein may be increased or
53 decreased by interchange or transfer with-
54 out limit, with any appropriation of the
55 office of mental health or by transfer or
56 suballocation to any department, agency or

1 public authority for expenditures incurred
2 in the operation of such programs with the
3 approval of the director of the budget who
4 shall file such approval with the depart-
5 ment of audit and control and copies ther-
6 eof with the chairman of the senate
7 finance committee and the chairman of the
8 assembly ways and means committee:

9 For services and expenses of various commu-
10 nity mental health non-residential
11 programs, pursuant to article 41 of the
12 mental hygiene law, including but not
13 limited to sections 41.13 and 41.18 17,935,000

14 For services and expenses of various commu-
15 nity mental health emergency programs 2,438,000

16 For transfer to the department of health to
17 reimburse the department for the state
18 share of medical assistance payments for
19 various mental health services. Notwith-
20 standing any inconsistent provision of
21 law, a portion of the money herein appro-
22 priated may be made available for transfer
23 to the department of health for the state
24 share of disproportionate share payments
25 to voluntary nonprofit general hospitals
26 pursuant to chapter 119 of the laws of
27 1997 as amended. Payment limitations set
28 forth in paragraph 2 of subdivision 6 of
29 section 1 of chapter 119 of the laws of
30 1997 as amended by section 1 of part S2 of
31 chapter 62 of the laws of 2003 related to
32 costs incurred by general hospitals in
33 providing services to uninsured patients
34 and patients eligible for medical assist-
35 ance pursuant to title 11 of article 5 of
36 the social services law, for state fiscal
37 year 2010-11, shall be based initially on
38 reported reconciled data from 2008-09, and
39 further reconciled to actual reported data
40 from such payment year. Notwithstanding
41 any provision of law to the contrary, the
42 state comptroller is hereby authorized to
43 refund moneys from the department of
44 health to the office of mental health,
45 consisting of medicaid reimbursement for
46 expenses previously incurred by the office
47 of mental health in prior fiscal years to
48 fund services provided by residential
49 treatment facilities for children and
50 youth. Such funds shall be credited to the
51 local assistance account of the general
52 fund for the purpose of reimbursing the
53 2010-11 appropriation. For the period
54 April 1, 2010 through March 31, 2011, the
55 office of mental health is authorized to
56 recover from community residences and

1 family-based treatment providers licensed
2 by the office of mental health, consistent
3 with contractual obligations of such
4 providers and notwithstanding any other
5 inconsistent provision of law to the
6 contrary, for the January 1, 2003 through
7 December 31, 2004 periods for programs
8 located outside of the city of New York
9 and July 1, 2003 through June 30, 2005
10 periods for programs located in the city
11 of New York, in an amount equal to 50
12 percent of the income received by such
13 providers which exceed the fixed amount of
14 annual medicaid revenue limitations, as
15 established by the commissioner of mental
16 health 137,285,000
17 -----
18 Program account subtotal 157,658,000
19 -----

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

23 Notwithstanding any other provision of law
24 to the contrary, any of the amounts appro-
25 priated herein may be increased or
26 decreased by interchange or transfer with-
27 out limit, with any appropriation of the
28 office of mental health or by transfer or
29 suballocation to any department, agency or
30 public authority for expenditures incurred
31 in the operation of such programs with the
32 approval of the director of the budget who
33 shall file such approval with the depart-
34 ment of audit and control and copies ther-
35 eof with the chairman of the senate
36 finance committee and the chairman of the
37 assembly ways and means committee.

38 Notwithstanding any other provision of law
39 to the contrary, funds appropriated under
40 this program shall not be used for the
41 payment of tolls at the Robert F. Kennedy
42 bridge, for vehicles driven by persons
43 commuting to and from work who are
44 employed at facilities located on Ward's
45 island operated by the department of
46 mental hygiene. The state comptroller is
47 hereby authorized and directed to loan
48 money in accordance with the provisions
49 set forth in subdivision 5 of section 4 of
50 the state finance law to the mental
51 hygiene program fund account.

52 Notwithstanding any other provision of law,
53 including sections 29.23 and 33.07 of the
54 mental hygiene law, the director of a

1 mental hygiene facility, as defined by
2 section 1.03 of the mental hygiene law,
3 who is a representative payee for a person
4 pursuant to designation by the social
5 security administration shall be author-
6 ized to apply federal benefits, including
7 benefits for which there is a state share,
8 to the cost of the person's care and
9 treatment, provided the director acts in a
10 manner consistent with applicable federal
11 law and regulations.

12 Notwithstanding any other provision of law
13 to the contrary, the expiration dates of
14 the exemption from licensure requirements
15 as set forth in section 9 of chapter 420
16 of the laws of 2002 and section 17-a of
17 chapter 676 of the laws of 2002 are hereby
18 extended until March 31, 2011.

19 PERSONAL SERVICE

20	Personal service--regular	125,248,000
21	Temporary service	2,468,000
22	Holiday/overtime compensation	9,602,000
23		-----
24	Amount available for personal service	137,318,000
25		-----

26 NONPERSONAL SERVICE

27	Supplies and materials	13,038,000
28	Travel	683,000
29	Contractual services	11,203,000
30	Equipment	868,000
31	Fringe benefits	61,240,000
32	Indirect costs	2,907,000
33		-----
34	Amount available for nonpersonal service	89,939,000
35		-----
36	Program account subtotal	227,257,000
37		-----

38 Special Revenue Funds - Other / Aid to Localities
39 Miscellaneous Special Revenue Fund - 339
40 Mental Hygiene Program Fund Account

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

47 For services and expenses of various chil-
48 dren and families community mental health
49 services, including transfer to the
50 department of health to reimburse the

1 department for the state share of medical
2 assistance for various community mental
3 health services. This appropriation antic-
4 ipates the transfer of funds from the
5 state education department to the office
6 of mental health of tuition funds advanced
7 in previous years and reimbursed by the
8 child's school district of origin to the
9 state of New York pursuant to chapter 810
10 of the laws of 1986 and applicable
11 provisions of the education law.

12 For payment of state financial assistance,
13 net of disallowances, for community mental
14 health programs pursuant to article 41 and
15 other provisions of the mental hygiene
16 law. The moneys hereby appropriated for
17 allocation to local governments and volun-
18 tary agencies for services are available
19 to reimburse or advance funds to local
20 governments and voluntary agencies for
21 expenditures made or to be made during
22 local program years commencing January 1,
23 2010 or July 1, 2010 and for advances for
24 the period beginning January 1, 2011 for
25 local governments and voluntary agencies
26 with program years beginning January 1.

27 Notwithstanding any other provision of law,
28 and except for transfers to the department
29 of health to reimburse the department for
30 the state share of medical assistance
31 payments and as modified below, this
32 appropriation shall be available for obli-
33 gations for the period commencing July 1,
34 2010 and ending June 30, 2011 and shall be
35 available for expenditure from July 1,
36 2010 through September 15, 2011.

37 Notwithstanding any provision of law to the
38 contrary, the commissioner of the office
39 of mental health shall be authorized to
40 continue contracts which were executed on
41 or before March 31, 2010 with entities
42 providing services to persons with mental
43 illness, without any additional require-
44 ments that such contracts be subject to
45 competitive bidding, a request for
46 proposals process or other administrative
47 procedures.

48 No expenditures shall be made for such
49 program prior to the approval of a method-
50 ology for allocation in accordance with a
51 plan approved by the commissioner and the
52 director of the budget with copies to be
53 filed with the chairpersons of the senate
54 finance committee and assembly ways and
55 means committee. Furthermore, no expendi-
56 ture shall be made until a certificate of

1 allocation has been approved by the direc-
2 tor of the budget with copies to be filed
3 with the chairpersons of the senate
4 finance committee and the assembly ways
5 and means committee. The state comptroller
6 is hereby authorized to receive funds from
7 the office of mental health that were
8 returned from providers in the current
9 fiscal year in respect of a settlement of
10 local assistance funds from prior fiscal
11 years, and is authorized to refund such
12 moneys to the credit of the mental hygiene
13 program fund account for the purpose of
14 reimbursing the 2010-11 appropriation.

15 Notwithstanding any inconsistent provision
16 of law, including section 1 of part C of
17 chapter 57 of the laws of 2006, as amended
18 by section 2 of part I of chapter 58 of
19 the laws of 2008 and part L of chapter 58
20 of the laws of 2009, for the period
21 commencing on April 1, 2009 and ending
22 March 31, 2011 the commissioner shall not
23 apply any cost of living adjustment for
24 the purpose of establishing rates of
25 payments, contracts or any other form of
26 reimbursement.

27 Notwithstanding any other provision of law
28 to the contrary, any of the amounts appro-
29 priated herein may be increased or
30 decreased by interchange or transfer with-
31 out limit, with any appropriation of the
32 office of mental health or by transfer or
33 suballocation to any department, agency or
34 public authority for expenditures incurred
35 in the operation of such programs with the
36 approval of the director of the budget who
37 shall file such approval with the depart-
38 ment of audit and control and copies ther-
39 eof with the chairman of the senate
40 finance committee and the chairman of the
41 assembly ways and means committee:

42 For services and expenses of various commu-
43 nity mental health non-residential
44 programs, pursuant to article 41 of the
45 mental hygiene law, including but not
46 limited to sections 41.13 and 41.18.

47 Payment limitations set forth in paragraph 2
48 of subdivision 6 of section 1 of chapter
49 119 of the laws of 1997 as amended by
50 section 1 of part S2 of chapter 62 of the
51 laws of 2003 related to costs incurred by
52 general hospitals in providing services to
53 uninsured patients and patients eligible
54 for medical assistance pursuant to title
55 11 of article 5 of the social services
56 law, for state fiscal year 2010-11, shall

1 be based initially on reported reconciled
2 data from 2008-09, and further reconciled
3 to actual reported data from such payment
4 year 71,372,000
5 For services and expenses of various commu-
6 nity mental health emergency programs 13,684,000
7 For services and expenses of various commu-
8 nity mental health residential programs,
9 including but not limited to community
10 residences pursuant to sections 41.44 and
11 41.38 of the mental hygiene law 2,097,000
12 -----
13 Program account subtotal 87,153,000
14 -----

15 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT
16 PROGRAM 7,766,000
17 -----

18 Special Revenue Funds - Other / Aid to Localities
19 Miscellaneous Special Revenue Fund - 339
20 Mental Hygiene Program Fund Account

21 The state comptroller is hereby authorized
22 and directed to loan money in accordance
23 with the provisions set forth in subdivi-
24 sion 5 of section 4 of the state finance
25 law to the mental hygiene program fund
26 account.
27 For services and expenses of community
28 mental health support and workforce rein-
29 vestment services pursuant to chapter 62
30 of the laws of 2003, including transfer to
31 the department of health to reimburse the
32 department for the state share of medical
33 assistance for various community mental
34 health services.
35 Notwithstanding chapter 62 of the laws of
36 2003 or any provision of law to the
37 contrary, this special revenue appropri-
38 ation shall represent the full and
39 complete obligation of the state and the
40 office of mental health community mental
41 health support workforce reinvestment
42 program in fiscal year 2010-11.
43 For payment of state financial assistance,
44 net of disallowances, for community mental
45 health programs pursuant to article 41 and
46 other provisions of the mental hygiene
47 law. The moneys hereby appropriated for
48 allocation to local governments and volun-
49 tary agencies for services are available
50 to reimburse or advance funds to local
51 governments and voluntary agencies for
52 expenditures made or to be made during
53 local program years commencing January 1,

1 2010 or July 1, 2010 and for advances for
2 the period beginning January 1, 2011 for
3 local governments and voluntary agencies
4 with program years beginning January 1.

5 Notwithstanding any other provision of law,
6 and except for transfers to the department
7 of health to reimburse the department for
8 the state share of medical assistance
9 payments and as modified below, this
10 appropriation shall be available for obli-
11 gations for the period commencing July 1,
12 2010 and ending June 30, 2011 and shall be
13 available for expenditure from July 1,
14 2010 through September 15, 2011.

15 Notwithstanding any provision of law to the
16 contrary, the commissioner of the office
17 of mental health shall be authorized to
18 continue contracts which were executed on
19 or before March 31, 2010 with entities
20 providing services to persons with mental
21 illness, without any additional require-
22 ments that such contracts be subject to
23 competitive bidding, a request for
24 proposals process or other administrative
25 procedures.

26 No expenditures shall be made for such
27 program prior to the approval of a method-
28 ology for allocation in accordance with a
29 plan approved by the commissioner and the
30 director of the budget with copies to be
31 filed with the chairpersons of the senate
32 finance committee and assembly ways and
33 means committee. Furthermore, no expendi-
34 ture shall be made until a certificate of
35 allocation has been approved by the direc-
36 tor of the budget with copies to be filed
37 with the chairpersons of the senate
38 finance committee and the assembly ways
39 and means committee. The state comptroller
40 is hereby authorized to receive funds from
41 the office of mental health that were
42 returned from providers in the current
43 fiscal year in respect of a settlement of
44 local assistance funds from prior fiscal
45 years, and is authorized to refund such
46 moneys to the credit of the mental hygiene
47 program fund account for the purpose of
48 reimbursing the 2010-11 appropriation.

49 Notwithstanding any inconsistent provision
50 of law, including section 1 of part C of
51 chapter 57 of the laws of 2006, as amended
52 by section 2 of part I of chapter 58 of
53 the laws of 2008 and part L of chapter 58
54 of the laws of 2009, for the period
55 commencing on April 1, 2009 and ending
56 March 31, 2011 the commissioner shall not

1 apply any cost of living adjustment for
2 the purpose of establishing rates of
3 payments, contracts or any other form of
4 reimbursement.

5 Notwithstanding any other provision of law
6 to the contrary, any of the amounts appro-
7 priated herein may be increased or
8 decreased by interchange or transfer with-
9 out limit, with any appropriation of the
10 office of mental health or by transfer or
11 suballocation to any department, agency or
12 public authority for expenditures incurred
13 in the operation of such programs with the
14 approval of the director of the budget who
15 shall file such approval with the depart-
16 ment of audit and control and copies ther-
17 eof with the chairman of the senate
18 finance committee and the chairman of the
19 assembly ways and means committee:

20 For services and expenses of various adult
21 community mental health residential
22 programs 7,766,000
23 -----

24 FORENSIC SERVICES PROGRAM 251,915,000
25 -----

26 Special Revenue Funds - Other / State Operations
27 Miscellaneous Special Revenue Fund - 339
28 Mental Hygiene Program Fund Account

29 Notwithstanding any other provision of law
30 to the contrary, any of the amounts appro-
31 priated herein may be increased or
32 decreased by interchange or transfer with-
33 out limit, with any appropriation of the
34 office of mental health or by transfer or
35 suballocation to any department, agency or
36 public authority for expenditures incurred
37 in the operation of such programs with the
38 approval of the director of the budget who
39 shall file such approval with the depart-
40 ment of audit and control and copies ther-
41 eof with the chairman of the senate
42 finance committee and the chairman of the
43 assembly ways and means committee.

44 Notwithstanding any other provision of law
45 to the contrary, funds appropriated under
46 this program shall not be used for the
47 payment of tolls at the Robert F. Kennedy
48 bridge, for vehicles driven by persons
49 commuting to and from work who are
50 employed at facilities located on Ward's
51 island operated by the department of
52 mental hygiene. The state comptroller is
53 hereby authorized and directed to loan

1 money in accordance with the provisions
2 set forth in subdivision 5 of section 4 of
3 the state finance law to the mental
4 hygiene program fund account.

5 Notwithstanding any other provision of law,
6 including sections 29.23 and 33.07 of the
7 mental hygiene law, the director of a
8 mental hygiene facility, as defined by
9 section 1.03 of the mental hygiene law,
10 who is a representative payee for a person
11 pursuant to designation by the social
12 security administration shall be author-
13 ized to apply federal benefits, including
14 benefits for which there is a state share,
15 to the cost of the person's care and
16 treatment, provided the director acts in a
17 manner consistent with applicable federal
18 law and regulations.

19 Notwithstanding any other provision of law
20 to the contrary, the expiration dates of
21 the exemption from licensure requirements
22 as set forth in section 9 of chapter 420
23 of the laws of 2002 and section 17-a of
24 chapter 676 of the laws of 2002 are hereby
25 extended until March 31, 2011.

26 PERSONAL SERVICE

27	Personal service--regular	133,001,000
28	Temporary service	2,484,000
29	Holiday/overtime compensation	16,050,000
30		-----
31	Amount available for personal service	151,535,000
32		-----

33 NONPERSONAL SERVICE

34	Supplies and materials	13,978,000
35	Travel	943,000
36	Contractual services	6,320,000
37	Equipment	467,000
38	Fringe benefits	69,227,000
39	Indirect costs	9,445,000
40		-----
41	Amount available for nonpersonal service ...	100,380,000
42		-----

43	RESEARCH IN MENTAL ILLNESS PROGRAM	87,868,000
44		-----

45 Special Revenue Funds - Other / State Operations
46 Miscellaneous Special Revenue Fund - 339
47 OMH-Research Recovery Account

48 For services and expenses to support central
49 administration, research associates,

1 equipment provided through external
2 grants, travel, conference expenses,
3 including the annual research conference,
4 contractual services, grant writers to
5 increase income from non-state sources,
6 and other research initiatives. Funding
7 will be provided through research founda-
8 tion for mental hygiene, inc. resources,
9 including, but not limited to, indirect
10 costs recoveries, direct grant reimburse-
11 ment, interest earnings and operating
12 balances.

13 Notwithstanding any other provision of law
14 to the contrary, the expiration dates of
15 the exemption from licensure requirements
16 as set forth in section 9 of chapter 420
17 of the laws of 2002 and section 17-a of
18 chapter 676 of the laws of 2002 are hereby
19 extended until March 31, 2011.

20 PERSONAL SERVICE

21 Personal service--regular 1,915,000
22 -----

23 NONPERSONAL SERVICE

24 Contractual services 4,665,000
25 Fringe benefits 650,000
26 -----
27 Amount available for nonpersonal service 5,315,000
28 -----
29 Program account subtotal 7,230,000
30 -----

31 Special Revenue Funds - Other / State Operations
32 Miscellaneous Special Revenue Fund - 339
33 Mental Hygiene Program Fund Account

34 Notwithstanding any other provision of law
35 to the contrary, any of the amounts appro-
36 priated herein may be increased or
37 decreased by interchange or transfer with-
38 out limit, with any appropriation of the
39 office of mental health or by transfer or
40 suballocation to any department, agency or
41 public authority for expenditures incurred
42 in the operation of such programs with the
43 approval of the director of the budget who
44 shall file such approval with the depart-
45 ment of audit and control and copies ther-
46 eof with the chairman of the senate
47 finance committee and the chairman of the
48 assembly ways and means committee.

49 Notwithstanding any other provision of law
50 to the contrary, funds appropriated under

1 this program shall not be used for the
2 payment of tolls at the Robert F. Kennedy
3 bridge, for vehicles driven by persons
4 commuting to and from work who are
5 employed at facilities located on Ward's
6 island operated by the department of
7 mental hygiene. The state comptroller is
8 hereby authorized and directed to loan
9 money in accordance with the provisions
10 set forth in subdivision 5 of section 4 of
11 the state finance law to the mental
12 hygiene program fund account.

13 Notwithstanding any other provision of law,
14 including sections 29.23 and 33.07 of the
15 mental hygiene law, the director of a
16 mental hygiene facility, as defined by
17 section 1.03 of the mental hygiene law,
18 who is a representative payee for a person
19 pursuant to designation by the social
20 security administration shall be author-
21 ized to apply federal benefits, including
22 benefits for which there is a state share,
23 to the cost of the person's care and
24 treatment, provided the director acts in a
25 manner consistent with applicable federal
26 law and regulations.

27 Notwithstanding any other provision of law
28 to the contrary, the expiration dates of
29 the exemption from licensure requirements
30 as set forth in section 9 of chapter 420
31 of the laws of 2002 and section 17-a of
32 chapter 676 of the laws of 2002 are hereby
33 extended until March 31, 2011.

34 PERSONAL SERVICE

35 Personal service--regular	46,169,000
36 Temporary service	86,000
37 Holiday/overtime compensation	968,000
38	-----
39 Amount available for personal service	47,223,000
40	-----

41 NONPERSONAL SERVICE

42 Supplies and materials	4,229,000
43 Travel	114,000
44 Contractual services	4,743,000
45 Equipment	104,000
46 Fringe benefits	21,154,000
47 Indirect costs	3,071,000
48	-----
49 Amount available for nonpersonal service	33,415,000
50	-----
51 Program account subtotal	80,638,000
52	-----

S 19. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified, which amounts shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
STATE OPERATIONS AND AID TO LOCALITIES 2010-11

CENTRAL COORDINATION AND SUPPORT PROGRAM 121,491,000

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 depart-

1 ment of audit and control and copies there-
2 eof with the chairman of the senate
3 finance committee and the chairman of the
4 assembly ways and means committee. The
5 state comptroller is hereby authorized and
6 directed to loan money in accordance with
7 the provisions set forth in subdivision 5
8 of section 4 of the state finance law to
9 the mental hygiene patient income account.
10 Notwithstanding any other provision of law,
11 including sections 29.23 and 33.07 of the
12 mental hygiene law, the director of a
13 mental hygiene facility, as defined by
14 section 1.03 of the mental hygiene law,
15 who is a representative payee for a person
16 pursuant to designation by the social
17 security administration shall be author-
18 ized to apply federal benefits, including
19 benefits for which there is a state share,
20 to the cost of the person's care and
21 treatment, provided the director acts in a
22 manner consistent with applicable federal
23 law and regulations.
24 Notwithstanding any other provision of law
25 to the contrary, the expiration dates of
26 the exemption from licensure requirements
27 as set forth in section 9 of chapter 420
28 of the laws of 2002 and section 17-a of
29 chapter 676 of the laws of 2002 are hereby
30 extended until March 31, 2011.

31 PERSONAL SERVICE

32	Personal service--regular	61,750,000
33	Temporary service	572,000
34	Holiday/overtime compensation	202,000
35		-----
36	Amount available for personal service	62,524,000
37		-----

38 NONPERSONAL SERVICE

39	Supplies and materials	651,000
40	Travel	2,206,000
41	Contractual services	19,487,000
42	Equipment	3,809,000
43	Fringe benefits	28,762,000
44	Indirect costs	1,951,000
45		-----
46	Amount available for nonpersonal service	56,866,000
47		-----
48	Program account subtotal	119,390,000
49		-----

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

1 Mental Hygiene Program Fund Account

2 For services and expenses of the assets for
3 independence program and other health and
4 human services programs.

5 NONPERSONAL SERVICE

6 Contractual services 1,000,000

7 -----

8 Program account subtotal 1,000,000

9 -----

10 Internal Service Fund / State Operations
11 Miscellaneous Internal Service Fund - 334
12 OMRDD Copy Center Account

13 For services and expenses associated with
14 the office of mental retardation and
15 developmental disabilities copy center.

16 NONPERSONAL SERVICE

17 Contractual services 350,000

18 -----

19 Program account subtotal 350,000

20 -----

21 COMMUNITY SERVICES PROGRAM 3,731,709,000

22 -----

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

25 For services and expenses of the community
26 services program, net of disallowances,
27 for community mental retardation and
28 developmental disabilities programs pursu-
29 ant to article 41 of the mental hygiene
30 law, and/or chapter 620 of the laws of
31 1974, chapter 660 of the laws of 1977,
32 chapter 412 of the laws of 1981, chapter
33 27 of the laws of 1987, chapter 729 of the
34 laws of 1989, chapter 329 of the laws of
35 1993 and other provisions of the mental
36 hygiene law. Notwithstanding any incon-
37 sistent provision of law, the following
38 appropriation shall be net of refunds,
39 rebates, reimbursements, and credits.
40 Notwithstanding any inconsistent provision
41 of law, the director of the budget is
42 authorized to make suballocations from
43 this appropriation to the department of
44 health medical assistance program.
45 Notwithstanding any other provision of law,
46 advances and reimbursement made pursuant

1 to subdivision (d) of section 41.15 and
2 section 41.18 of the mental hygiene law
3 shall be allocated pursuant to a plan and
4 in a manner prescribed by the agency head
5 and approved by the director of the budg-
6 et. No expenditure shall be made until a
7 certificate of allocation has been
8 approved by the director of the budget and
9 copies thereof filed with the state comp-
10 troller, and the chairs of the senate
11 finance and assembly ways and means
12 committees. The moneys hereby appropriated
13 are available to reimburse or advance
14 localities and voluntary non-profit agen-
15 cies for expenditures made during local
16 fiscal periods commencing January 1, 2010,
17 April 1, 2010 or July 1, 2010, and for
18 advances for the 3 month period beginning
19 January 1, 2011.

20 Notwithstanding the provisions of article 41
21 of the mental hygiene law or any other
22 inconsistent provision of law, rule or
23 regulation, the commissioner, pursuant to
24 such contract and in the manner provided
25 therein, may pay all or a portion of the
26 expenses incurred by such voluntary agen-
27 cies arising out of loans which are funded
28 from the proceeds of bonds and notes
29 issued by the dormitory authority of the
30 state of New York.

31 Notwithstanding any other provision of law,
32 the money hereby appropriated may be
33 transferred to state operations and/or any
34 appropriation of the office of mental
35 retardation and developmental disabilities
36 with the approval of the director of the
37 budget who shall file such approval with
38 the department of audit and control and
39 copies thereof with the chairman of the
40 senate finance committee and the chairman
41 of the assembly ways and means committee.

42 Notwithstanding any inconsistent provision
43 of law, moneys from this appropriation may
44 be used for state aid of up to 100 percent
45 of the net deficit costs of day training
46 programs and family support services.

47 Notwithstanding any inconsistent provision
48 of law, including section 1 of part C of
49 chapter 57 of the laws of 2006, as amended
50 by section 2 of part I of chapter 58 of
51 the laws of 2008 and part L of chapter 58
52 of the laws of 2009, for the period
53 commencing on April 1, 2009 and ending
54 March 31, 2011 the commissioner shall not
55 apply any cost of living adjustment for
56 the purpose of establishing rates of

1 payments, contracts or any other form of
2 reimbursement.

3 Notwithstanding any inconsistent provision
4 of law, moneys from this appropriation
5 shall not be available for unified
6 services after June 30, 2010.

7 Notwithstanding any inconsistent provision
8 of law, and pursuant to criteria estab-
9 lished by the commissioner of the office
10 of mental retardation and developmental
11 disabilities and approved by the director
12 of the budget, expenditures may be made
13 from this appropriation for residential
14 facilities which are pending recertif-
15 ication as intermediate care facilities
16 for the developmentally disabled.

17 Notwithstanding the provisions of section
18 41.36 of the mental hygiene law and any
19 other inconsistent provision of law,
20 moneys from this appropriation may be used
21 for payment up to \$250 per year per
22 client, at such times and in such manner
23 as determined by the commissioner on the
24 basis of financial need for the personal
25 needs of each client residing in voluntar-
26 y-operated community residences and volun-
27 tary-operated community residential alter-
28 natives, including individualized
29 residential alternatives under the home
30 and community based services waiver. The
31 commissioner shall, subject to the
32 approval of the director of the budget,
33 alter existing advance payment schedules
34 for voluntary-operated community resi-
35 dences established pursuant to subdivision
36 (h) of section 41.36 of the mental hygiene
37 law.

38 Notwithstanding the provisions of section
39 16.23 of the mental hygiene law and any
40 other inconsistent provision of law, with
41 relation to the operation of certified
42 family care homes, including family care
43 homes sponsored by voluntary not-for-pro-
44 fit agencies, moneys from this appropri-
45 ation may be used for payments to purchase
46 general services including but not limited
47 to respite providers, up to a maximum of
48 14 days, at rates to be established by the
49 commissioner and approved by the director
50 of the budget in consideration of factors
51 including, but not limited to, geographic
52 area and number of clients cared for in
53 the home and for payment at the rate of
54 \$600 per year on the basis of financial
55 need for the personal needs of each client
56 residing in the family care home.

1 Notwithstanding the provisions of subdivi-
2 sion 12 of section 8 of the state finance
3 law and any other inconsistent provision
4 of law, moneys from this appropriation may
5 be used for expenses of family care homes
6 including payments to operators of certi-
7 fied family care homes for damages caused
8 by clients to personal and real property
9 in accordance with standards established
10 by the commissioner and approved by the
11 director of the budget.

12 Notwithstanding any inconsistent provision
13 of law, moneys from this appropriation may
14 be used for appropriate day program
15 services and residential services includ-
16 ing, but not limited to, direct housing
17 subsidies to individuals, start-up
18 expenses for family care providers, envi-
19 ronmental modifications, adaptive technol-
20 ogies, appraisals, property options,
21 feasibility studies and preoperational
22 expenses.

23 Notwithstanding any inconsistent provision
24 of law, moneys from this appropriation may
25 be used for the operation of clinics
26 licensed pursuant to article 16 of the
27 mental hygiene law including, but not
28 limited to, supportive and habilitative
29 services consistent with the home and
30 community based services waiver.

31 Funds appropriated herein shall be available
32 in accordance with the following:

33 For the state share of medical assistance
34 services expenses incurred by the depart-
35 ment of health for the provision of
36 medical assistance services to the devel-
37 opmentally disabled 1,472,023,000

38 For services and expenses related to the
39 provision of residential services to the
40 developmentally disabled 19,014,000

41 For services and expenses related to the
42 provision of family support services to
43 the developmentally disabled 62,023,000

44 For services and expenses related to the
45 provision of workshop, day training and
46 employment services to the developmentally
47 disabled 46,229,000

48 For other services and expenses provided to
49 the developmentally disabled including but
50 not limited to hepatitis B, care at home
51 waiver, epilepsy services, Special Olym-
52 pics New York, Inc. and voluntary finger-
53 printing 2,533,000

54 -----

55 Program account subtotal 1,601,822,000

56 -----

1 Special Revenue Funds - Other / State Operations
2 Miscellaneous Special Revenue Fund - 339
3 Mental Hygiene Patient Income Account

4 Notwithstanding any inconsistent provision
5 of law, the state comptroller is hereby
6 authorized and directed to loan money in
7 accordance with the provisions set forth
8 in subdivision 5 of section 4 of the state
9 finance law to the mental hygiene patient
10 income account.

11 Notwithstanding any other provision of law,
12 the money hereby appropriated may be
13 transferred to local assistance and/or any
14 appropriation of the office of mental
15 retardation and developmental disabili-
16 ties, with the approval of the director of
17 the budget who shall file such approval
18 with the department of audit and control
19 and copies thereof with the chairman of
20 the senate finance committee and the
21 chairman of the assembly ways and means
22 committee.

23 Notwithstanding any other provision of law,
24 including sections 29.23 and 33.07 of the
25 mental hygiene law, the director of a
26 mental hygiene facility, as defined by
27 section 1.03 of the mental hygiene law,
28 who is a representative payee for a person
29 pursuant to designation by the social
30 security administration shall be author-
31 ized to apply federal benefits, including
32 benefits for which there is a state share,
33 to the cost of the person's care and
34 treatment, provided the director acts in a
35 manner consistent with applicable federal
36 law and regulations.

37 Notwithstanding any other provision of law
38 to the contrary, the expiration dates of
39 the exemption from licensure requirements
40 as set forth in section 9 of chapter 420
41 of the laws of 2002 and section 17-a of
42 chapter 676 of the laws of 2002 are hereby
43 extended until March 31, 2011.

44 PERSONAL SERVICE

45	Personal service--regular	516,092,000
46	Temporary service	1,251,000
47	Holiday/overtime compensation	42,238,000
48		-----
49	Amount available for personal service	559,581,000
50		-----

1 NONPERSONAL SERVICE

2 Nonpersonal service, including moneys for
3 the community services program, net of
4 refunds, rebates, reimbursements and cred-
5 its.

6	Supplies and materials	42,364,000
7	Travel	4,464,000
8	Contractual services	68,072,000
9	Equipment	21,205,000
10	Fringe benefits	257,419,000
11	Indirect costs	17,462,000
12		-----
13	Amount available for nonpersonal service ...	410,986,000
14		-----

15 MAINTENANCE UNDISTRIBUTED

16	For expenses related to the payment of a	
17	provider of services assessment for the	
18	period April 1, 2010 through March 31,	
19	2011 pursuant to section 43.04 of the	
20	mental hygiene law	10,116,000
21		-----
22	Program account subtotal	980,683,000
23		-----

24 Special Revenue Funds - Other / Aid to Localities
25 Miscellaneous Special Revenue Fund - 339
26 Mental Hygiene Patient Income Account

27 Notwithstanding any inconsistent provision
28 of law, moneys for this appropriation may
29 be used for any purpose associated with an
30 aid to localities appropriation provided,
31 however, that these moneys may not be used
32 for payment of the state share of medical
33 assistance programs for which federal
34 reimbursement will be claimed.

35 Notwithstanding any other provisions of law,
36 the money hereby appropriated may be
37 transferred to state operations and/or any
38 appropriation of the office of mental
39 retardation and developmental disabili-
40 ties, with the approval of the director of
41 the budget who shall file such approval
42 with the department of audit and control
43 and copies thereof with the chairman of
44 the senate finance committee and the
45 chairman of the assembly ways and means
46 committee.

47 Notwithstanding any inconsistent provision
48 of law, the following appropriation
49 amounts shall be net of refunds, rebates,
50 reimbursements, and credits. The state

1 comptroller is hereby authorized and
2 directed to loan money in accordance with
3 the provisions set forth in subdivision 5
4 of section 4 of the state finance law to
5 the mental hygiene patient income account.
6 Notwithstanding any inconsistent provision
7 of law, including section 1 of part C of
8 chapter 57 of the laws of 2006, as amended
9 by section 2 of part I of chapter 58 of
10 the laws of 2008 and part L of chapter 58
11 of the laws of 2009, for the period
12 commencing on April 1, 2009 and ending
13 March 31, 2011 the commissioner shall not
14 apply any cost of living adjustment for
15 the purpose of establishing rates of
16 payments, contracts or any other form of
17 reimbursement.
18 Funds appropriated herein shall be available
19 in accordance with the following:
20 For services and expenses related to the
21 provision of residential services to the
22 developmentally disabled 193,416,000
23 For services and expenses related to the
24 provision of day program services to the
25 developmentally disabled 112,567,000
26 For services and expenses related to the
27 provision of family support services to
28 the developmentally disabled 16,916,000
29 For other services and expenses provided to
30 the developmentally disabled including but
31 not limited to hepatitis B, care at home
32 waiver, epilepsy services, Special Olym-
33 pics New York, Inc. and voluntary finger-
34 printing 3,825,000
35 -----
36 Program account subtotal 326,724,000
37 -----

38 Special Revenue Funds - Other / State Operations
39 Miscellaneous Special Revenue Fund - 339
40 Mental Hygiene Program Fund Account

41 Notwithstanding any inconsistent provision
42 of law, the state comptroller is hereby
43 authorized and directed to loan money in
44 accordance with the provisions set forth
45 in subdivision 5 of section 4 of the state
46 finance law to the mental hygiene program
47 fund account.
48 Notwithstanding any other provision of law,
49 the money hereby appropriated may be
50 transferred to local assistance and/or any
51 appropriation of the office of mental
52 retardation and developmental disabili-
53 ties, with the approval of the director of
54 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, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

Notwithstanding any other provision of law to the contrary, the expiration dates of the exemption from licensure requirements as set forth in section 9 of chapter 420 of the laws of 2002 and section 17-a of chapter 676 of the laws of 2002 are hereby extended until March 31, 2011.

PERSONAL SERVICE

Personal service--regular	229,568,000
Temporary service	640,000
Holiday/overtime compensation	19,032,000

Amount available for personal service	249,240,000
---	-------------

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	114,823,000
Indirect costs	7,798,000

Amount available for nonpersonal service ...	138,240,000
--	-------------

Program account subtotal	387,480,000
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1 Special Revenue Funds - Other / Aid to Localities
2 Miscellaneous Special Revenue Fund - 339
3 OMRDD - Provider of Service Account

4 For services and expenses related to mental
5 retardation and developmental disabilities
6 services associated with the New York
7 state options for people through services
8 initiative, in accordance with a program-
9 matic and fiscal plan to be approved by
10 the director of the budget.
11 Notwithstanding any provision of law to the
12 contrary, the director of the budget is
13 authorized to make suballocations from
14 this appropriation to the department of
15 health medical assistance program.
16 Notwithstanding any provision of law to the
17 contrary, the moneys hereby appropriated,
18 or so much thereof as may be necessary,
19 are to be available for the purposes here-
20 in specified for obligations heretofore
21 accrued or hereafter to accrue 337,000,000
22 -----
23 Program account subtotal 337,000,000
24 -----

25 Special Revenue Funds - Other / Aid to Localities
26 Miscellaneous Special Revenue Fund - 339
27 OMRDD - Day Services Account

28 For services and expenses related to the
29 provision of HCBS waiver day services to
30 individuals residing in intermediate care
31 facilities.
32 Notwithstanding any other provision of law,
33 the money hereby appropriated may be
34 transferred to state operations and/or any
35 appropriation of the office of mental
36 retardation and developmental disabili-
37 ties, with the approval of the director of
38 the budget who shall file such approval
39 with the department of audit and control
40 and copies thereof with the chairman of
41 the senate finance committee and the
42 chairman of the assembly ways and means
43 committee 98,000,000
44 -----
45 Program account subtotal 98,000,000
46 -----

47 INSTITUTIONAL SERVICES PROGRAM 742,913,000
48 -----

49 Special Revenue Funds - Other / State Operations
50 Mental Hygiene Gifts and Donations Fund - 019

Office of Mental Retardation and Developmental Disabilities
Gifts and Donations Account

For expenditures on behalf of individuals 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 individuals 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

1 appropriation of the office of mental
2 retardation and developmental disabili-
3 ties, and may be increased or decreased by
4 transfer or suballocation between these
5 appropriated amounts and appropriations of
6 the department of health, the office of
7 medicaid inspector general, the office of
8 mental health, and the office of alcohol-
9 ism and substance abuse services with the
10 approval of the director of the budget who
11 shall file such approval with the depart-
12 ment of audit and control and copies ther-
13 eof with the chairman of the senate
14 finance committee and the chairman of the
15 assembly ways and means committee. The
16 state comptroller is hereby authorized and
17 directed to loan money in accordance with
18 the provisions set forth in subdivision 5
19 of section 4 of the state finance law to
20 the mental hygiene patient income account.

21 Notwithstanding any other provision of law,
22 including sections 29.23 and 33.07 of the
23 mental hygiene law, the director of a
24 mental hygiene facility, as defined by
25 section 1.03 of the mental hygiene law,
26 who is a representative payee for a person
27 pursuant to designation by the social
28 security administration shall be author-
29 ized to apply federal benefits, including
30 benefits for which there is a state share,
31 to the cost of the person's care and
32 treatment, provided the director acts in a
33 manner consistent with applicable federal
34 law and regulations.

35 Notwithstanding any other provision of law
36 to the contrary, the expiration dates of
37 the exemption from licensure requirements
38 as set forth in section 9 of chapter 420
39 of the laws of 2002 and section 17-a of
40 chapter 676 of the laws of 2002 are hereby
41 extended until March 31, 2011.

42 PERSONAL SERVICE

43	Personal service--regular	229,033,000
44	Temporary service	426,000
45	Holiday/overtime compensation	18,444,000
46		-----
47	Amount available for personal service	247,903,000
48		-----

NONPERSONAL SERVICE

Supplies and materials	36,691,000
Travel	1,379,000
Contractual services	34,753,000
Equipment	10,366,000
Fringe benefits	117,048,000
Indirect costs	7,041,000

Amount available for nonpersonal service ...	207,278,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2010 through March 31, 2011 pursuant to section 43.04 of the mental hygiene law	135,130,000

Program account subtotal	590,311,000

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

Notwithstanding any inconsistent provision of law, the state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental 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 other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share,

1 to the cost of the person's care and
2 treatment, provided the director acts in a
3 manner consistent with applicable federal
4 law and regulations.
5 Notwithstanding any other provision of law
6 to the contrary, the expiration dates of
7 the exemption from licensure requirements
8 as set forth in section 9 of chapter 420
9 of the laws of 2002 and section 17-a of
10 chapter 676 of the laws of 2002 are hereby
11 extended until March 31, 2011.

12 PERSONAL SERVICE

13 Personal service--regular 82,933,000
14 Temporary service 154,000
15 Holiday/overtime compensation 6,701,000
16 -----
17 Amount available for personal service 89,788,000
18 -----

19 NONPERSONAL SERVICE

20 Nonpersonal service, including moneys for
21 the community services program, net of
22 refunds, rebates, reimbursements and cred-
23 its.
24 Supplies and materials 7,826,000
25 Travel 294,000
26 Contractual services 7,413,000
27 Equipment 2,211,000
28 Fringe benefits 38,391,000
29 Indirect costs 3,507,000
30 -----
31 Amount available for nonpersonal service 59,642,000
32 -----
33 Program account subtotal 149,430,000
34 -----

35 Enterprise Funds / State Operations
36 Mental Retardation Sheltered Workshop Account - 352
37 Sheltered Workshop Fund OMRDD Account

38 For services and expenses including sala-
39 ries, supplies and materials of sheltered
40 workshops and vocational rehabilitation
41 work activities.
42 Notwithstanding any other provision of law,
43 the money hereby appropriated may be
44 transferred to local assistance and/or any
45 appropriation of the office of mental
46 retardation and developmental disabili-
47 ties, with the approval of the director of
48 the budget who shall file such approval
49 with the department of audit and control

1 and copies thereof with the chairman of
2 the senate finance committee and the
3 chairman of the assembly ways and means
4 committee.

5 NONPERSONAL SERVICE

6	Supplies and materials	700,000
7	Travel	10,000
8	Contractual services	800,000
9	Equipment	40,000
10		-----
11	Program account subtotal	1,550,000
12		-----

13 Enterprise Funds / State Operations
14 Mental Hygiene Community Stores Account - 353
15 MR Community Stores Fund Account

16 For services and expenses of community
17 stores located at various developmental
18 centers.

19 Notwithstanding any other provision of law,
20 the money hereby appropriated may be
21 transferred to local assistance and/or any
22 appropriation of the office of mental
23 retardation and developmental disabili-
24 ties, with the approval of the director of
25 the budget who shall file such approval
26 with the department of audit and control
27 and copies thereof with the chairman of
28 the senate finance committee and the
29 chairman of the assembly ways and means
30 committee.

31 Notwithstanding any other provision of law
32 to the contrary, the expiration dates of
33 the exemption from licensure requirements
34 as set forth in section 9 of chapter 420
35 of the laws of 2002 and section 17-a of
36 chapter 676 of the laws of 2002 are hereby
37 extended until March 31, 2011.

38 PERSONAL SERVICE

39	Personal service--regular	290,000
40		-----

41 NONPERSONAL SERVICE

42	Supplies and materials	722,000
43	Fringe benefits	94,000
44	Indirect costs	12,000
45		-----
46	Amount available for nonpersonal service	828,000
47		-----

1 directed to loan money in accordance with
2 the provisions set forth in subdivision 5
3 of section 4 of the state finance law to
4 the mental hygiene patient income account.
5 Notwithstanding any other provision of law,
6 including sections 29.23 and 33.07 of the
7 mental hygiene law, the director of a
8 mental hygiene facility, as defined by
9 section 1.03 of the mental hygiene law,
10 who is a representative payee for a person
11 pursuant to designation by the social
12 security administration shall be author-
13 ized to apply federal benefits, including
14 benefits for which there is a state share,
15 to the cost of the person's care and
16 treatment, provided the director acts in a
17 manner consistent with applicable federal
18 law and regulations.
19 Notwithstanding any other provision of law
20 to the contrary, the expiration dates of
21 the exemption from licensure requirements
22 as set forth in section 9 of chapter 420
23 of the laws of 2002 and section 17-a of
24 chapter 676 of the laws of 2002 are hereby
25 extended until March 31, 2011.

26 PERSONAL SERVICE

27 Personal service--regular 16,150,000
28 Holiday/overtime compensation 353,000
29 -----
30 Amount available for personal service 16,503,000
31 -----

32 NONPERSONAL SERVICE

33 Supplies and materials 836,000
34 Travel 7,000
35 Contractual services 1,129,000
36 Equipment 157,000
37 Fringe benefits 7,597,000
38 Indirect costs 515,000
39 -----
40 Amount available for nonpersonal service 10,241,000
41 -----
42 Program account subtotal 26,744,000
43 -----

44 S 20. The several amounts specified in this section, or so much there-
45 of as shall be sufficient to accomplish the purposes designated, are
46 hereby appropriated and authorized to be paid as hereinafter provided,
47 to the respective public officers and for the several purposes speci-
48 fied, which amounts shall be available for the state fiscal year begin-
49 ning April 1, 2010.

COMMISSION ON QUALITY OF CARE AND ADVOCACY
FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

SCHEDULE

ADMINISTRATION PROGRAM 9,996,000

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 4,133,000
Holiday/overtime compensation 17,000

Amount available for personal service 4,150,000

NONPERSONAL SERVICE

Supplies and materials 44,000
Travel 196,000
Contractual services 932,000
Equipment 144,000

Amount available for nonpersonal service 1,316,000

Program account subtotal 5,466,000

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 appropri-
ation 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

1 For services and expenses related to disa-
2 bility consultant services pursuant to
3 chapter 58 of the laws of 2005.

4 PERSONAL SERVICE

5	Personal service--regular	57,000
6	Holiday/overtime compensation	1,000
7		-----
8	Amount available for personal service	58,000
9		-----

10 NONPERSONAL SERVICE

11	Supplies and materials	3,000
12	Travel	9,000
13	Contractual services	56,000
14	Equipment	1,000
15	Fringe benefits	28,000
16	Indirect costs	2,000
17		-----
18	Amount available for nonpersonal service	99,000
19		-----
20	Program account subtotal	157,000
21		-----

22 Special Revenue Funds - Other / State Operations
23 Miscellaneous Special Revenue Fund - 339
24 Conference Fee Account

25 For services and expenses of the commission
26 pursuant to chapter 58 of the laws of
27 2005.

28 NONPERSONAL SERVICE

29	Supplies and materials	15,000
30	Travel	20,000
31	Contractual services	36,000
32		-----
33	Program account subtotal	71,000
34		-----

35 Special Revenue Funds - Other / State Operations
36 Miscellaneous Special Revenue Fund - 339
37 Federal Salary Sharing Account

38 PERSONAL SERVICE

39	Personal service--regular	2,381,000
40	Holiday/overtime compensation	14,000
41		-----
42	Amount available for personal service	2,395,000
43		-----

1	NONPERSONAL SERVICE	
2	Supplies and materials	2,000
3	Travel	146,000
4	Contractual services	164,000
5	Equipment	15,000
6	Fringe benefits	1,160,000
7	Indirect costs	75,000
8		-----
9	Amount available for nonpersonal service	1,562,000
10		-----
11	Program account subtotal	3,957,000
12		-----
13	Enterprise Funds / State Operations	
14	Miscellaneous Enterprise Fund - 331	
15	Publications Account	
16	NONPERSONAL SERVICE	
17	Supplies and materials	5,000
18	Contractual services	15,000
19		-----
20	Program account subtotal	20,000
21		-----
22	Enterprise Funds / State Operations	
23	Miscellaneous Enterprise Fund - 331	
24	TRAID Services Account	
25	For services and expenses related to TRAI	
26	project activities including the provision	
27	of educational, outreach, training and	
28	support services pursuant to chapter 58 of	
29	the laws of 2005.	
30	NONPERSONAL SERVICE	
31	Supplies and materials	5,000
32	Travel	10,000
33	Contractual services	10,000
34		-----
35	Program account subtotal	25,000
36		-----
37	ADULT HOMES PROGRAM	170,000
38		-----
39	General Fund / Aid to Localities	
40	Local Assistance Account - 001	
41	For services and expenses related to the	
42	adult homes advocacy program	170,000
43		-----
44	Program account subtotal	170,000
45		-----

1	CLIENT ASSISTANCE PROGRAM	721,000
2		-----
3	Special Revenue Funds - Federal / State Operations	
4	Federal Department of Education Fund - 267	
5	Personal service	82,000
6	Nonpersonal service	598,000
7	Fringe benefits	39,000
8	Indirect costs	2,000
9		-----
10	PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM	252,000
11		-----
12	Special Revenue Funds - Federal / State Operations	
13	Federal Department of Education Fund - 267	
14	For services and expenses related to assist-	
15	ing individuals with obtaining assistive	
16	technology services and devices consistent	
17	with federal grant requirements.	
18	Personal service	52,000
19	Nonpersonal service	174,000
20	Fringe benefits	25,000
21	Indirect costs	1,000
22		-----
23	PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECUR-	
24	ITY PROGRAM	335,000
25		-----
26	Special Revenue Funds - Federal / State Operations	
27	Federal Operating Grants Fund - 290	
28	Personal service	61,000
29	Nonpersonal service	243,000
30	Fringe benefits	29,000
31	Indirect costs	2,000
32		-----
33	PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED	
34	PROGRAM	2,397,000
35		-----
36	Special Revenue Funds - Federal / State Operations	
37	Federal Health and Human Services Fund - 265	
38	Personal service	484,000
39	Nonpersonal service	1,676,000
40	Fringe benefits	228,000
41	Indirect costs	9,000
42		-----

1	PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL	
2	ILLNESS PROGRAM	2,036,000
3		-----
4	Special Revenue Funds - Federal / State Operations	
5	Federal Health and Human Services Fund - 265	
6	Personal service	577,000
7	Nonpersonal service	1,176,000
8	Fringe benefits	272,000
9	Indirect costs	11,000
10		-----
11	PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN	
12	INJURY PROGRAM	123,000
13		-----
14	Special Revenue Funds - Federal / State Operations	
15	Federal Health and Human Services Fund - 265	
16	Nonpersonal service	123,000
17		-----
18	PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM	215,000
19		-----
20	Special Revenue Funds - Federal / State Operations	
21	Federal Health and Human Services Fund - 265	
22	Nonpersonal service	215,000
23		-----
24	PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM	1,154,000
25		-----
26	Special Revenue Funds - Federal / State Operations	
27	Federal Department of Education Fund - 267	
28	Personal service	136,000
29	Nonpersonal service	951,000
30	Fringe benefits	64,000
31	Indirect costs	3,000
32		-----
33	TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISA-	
34	BILITIES	812,000
35		-----
36	Special Revenue Funds - Federal / State Operations	
37	Federal Department of Education Fund - 267	
38	1031-OT-Education Account	
39	For services and expenses related to TRAIID	
40	including for contract for the delivery of	
41	direct services to persons utilizing	
42	regional technology centers or other enti-	

1 ties funded through the TRAID project
2 pursuant to chapter 58 of the laws of
3 2005.

4	Personal service	184,000
5	Nonpersonal service	537,000
6	Fringe benefits	87,000
7	Indirect costs	4,000
8		-----

9 S 21. No expenditure may be made from any appropriation in this act,
10 until a certificate of approval has been issued by the director of the
11 budget and a copy of such certificate shall have been filed with the
12 state comptroller, the chairman of the senate finance committee and the
13 chairman of the assembly ways and means committee provided, however,
14 that any expenditures from any appropriation in this act made by the
15 legislature or judiciary shall not require such certificate.

16 S 22. All expenditures and disbursements made against the appropri-
17 ations in this act shall, upon final action by the legislature on appro-
18 priation bills submitted by the governor pursuant to article VII of the
19 state constitution for the support of government for the state fiscal
20 year beginning April 1, 2010, be transferred by the comptroller as
21 expenditures and disbursements to such appropriations for all state
22 departments, agencies, the legislature and the judiciary, as applicable,
23 in amounts equal to the amounts charged against the appropriations in
24 this act for each such department, agency, the legislature and the judi-
25 ciary.

26 S 23. Severability clause. If any clause, sentence, paragraph, subdi-
27 vision, section or part of this act shall be adjudged by any court of
28 competent jurisdiction to be invalid, such judgment shall not affect,
29 impair, or invalidate the remainder thereof, but shall be confined in
30 its operation to the clause, sentence, paragraph, subdivision, section
31 or part thereof directly involved in the controversy in which such judg-
32 ment shall have been rendered. It is hereby declared to be the intent of
33 the legislature that this act would have been enacted even if such
34 invalid provisions had not been included herein.

35 S 24. This act shall take effect immediately and shall be deemed to
36 have been in full force and effect on and after April 1, 2010; provided,
37 however, that upon the transfer of expenditures and disbursements by the
38 comptroller as provided in section twenty-two of this act, the appropri-
39 ations made by this act and subject to such section shall be deemed
40 repealed.